ESTTA Tracking number: **ESTTA698827**
Filing date: **09/28/2015**

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

Proceeding	91224067
Party	Plaintiff Larry Paletz
Correspondence Address	LARRY PALETZ 1493 CAMINITO SOLIDAGO LA JOLLA, CA 92037 UNITED STATES lifesgoodinca@outlook.com, lpaletz@wellmann.com
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Larry Paletz
Filer's e-mail	lpaletz@wellmann.com
Signature	/larrypaletz/
Date	09/28/2015
Attachments	2015-09-28 TTAB AMENDED NOTICE OF OPPOSITION.pdf(402688 bytes) 2015-09-28 TTAB Exhibits 01.pdf(5851997 bytes) 2015-09-28 TTAB Exhibits 02.pdf(2299657 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Application Serial Number: 79143534
Filed: September 11, 2013
For the mark: Tielsa
Published in the *Trademark Official Gazette* on May 26, 2015

Larry Paletz,

Opposer,

v. Proceeding Number 91224067

Tielsa GmbH,

Applicant

AMENDED NOTICE OF OPPOSITION

Larry Paletz ("Opposer") determined on September 28, 2015 that the following error was made in the original **NOTICE OF OPPOSITION** dated September 16, 2015:

> It was incorrectly stated in **Paragraph 45** that "**Exhibit 45** attached hereto is a copy of a portion of the internet web page of Tielsa Gmbh entitled "Designs im Überblick" www.tielsa.de/de/design.html The Green Arrow was added."
>
> The correct image now appears as **Exhibit 49**.
>
> Opposer is therefore filing a complete amended **NOTICE OF OPPOSITION**, together with all Exhibits.

On September 16, 2015, Opposer sent a copy of all documents filed to Applicant's Attorney at the last known address, to wit:

DANIE FUESSEL

FUESSEL LAW

846 FLOWER AVE

LOS ANGELES, CA 90291

However, the documents were returned as undeliverable on September 26, 2015. Opposer was advised by the United States Postal Service on September 28, 2015 that the above address does not exist, and was informed that he should use the following address:

DANIE FUESSEL

FUESSEL LAW

846 FLOWER AVE

VENICE, CA 90291

Dated: September 28, 2015

LARRY PALETZ

/Larry Paletz/
Larry Paletz
1493 Caminito Solidago
La Jolla, CA 92037
858-459-1000 (Telephone)
Lpaletz@wellmann.com (Email)

Opposer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Application Serial Number: 79143534
Filed: September 11, 2013
For the mark: Tielsa
Published in the *Trademark Official Gazette* on May 26, 2015

Larry Paletz,

Opposer,

v. Proceeding Number 91224067

Tielsa GmbH,

Applicant

NOTICE OF OPPOSITION

Larry Paletz ("Opposer") believes that he will be damaged by registration of the Tielsa mark shown in Application Serial Number 79143534 (the "Application") and hereby opposes the same.

The grounds for opposition are as follows:

1. Tielsa GmbH ("Applicant") filed an intent-to-use based trademark application on September 11, 2013 seeking to register the proposed Tielsa mark in connection with: "Optical, weighing, measuring, signaling, checking, supervision, life-saving and teaching apparatus and instruments, namely, cameras, ground reaction force plates, force sensors, pressure sensors, pressure distribution sensors, electronic display boards, fire extinguishers, acoustic alarms, namely, smoke and fire alarms, Weighing equipment,

namely, scales and balances, Weighing platters sold as a component of scanner scales, Thermostats; Infra-red thermometers, Thermometers not for medical purposes; apparatus for recording, transmission or reproduction of sound or images; computer hardware and software for the remote control of furniture, communication between measurement equipment and control of the furniture or medical facilities; measuring apparatus, to measure body values and vital signs; electric measuring devices, to measure body values and vital signs; graduated glassware; measuring instruments to measure body values and vital signs; electronic notice boards; electric display apparatus, namely, electronic display boards, plasma display boards, electronic display screens; downloadable electronic publications in the nature of newsletters manuals, books, leaflets in the field of computer software and hardware for intelligent home; electronic pens for visual display units; transmitters of electronic signals; electro-dynamic apparatus for the remote control of signals; testing apparatus not for medical purposes for body values and vital signs; diagnostic apparatus, not for medical purposes for body values and vital signs; thermometers, not for medical purposes; ultrasound apparatus, not for medical purposes to measure body values and vital signs; measuring, monitoring and evaluation apparatus for detecting substances or substance parameters within the human body and body values, in particular for non-invasive measurement" in International Class 009

and

"Medical X-ray apparatus; body rehabilitation apparatus for medical purposes; electrodes for medical use; cushions for medical purposes to sit and sleep; lasers for

medical purposes; air pillows for medical purposes; air cushions for medical purposes; air mattresses, for medical purposes; medical apparatus and instruments for monitoring oxymetory, gas analysis, vital signs, blood properties and respiratory events; medical guidewires; physical exercise apparatus, for medical purposes; needles for medical purposes; vacuum pumps for medical purposes; quartz lamps for medical purposes; radiological apparatus for medical purposes; probes for medical purposes; furniture especially made for medical purposes; thermometers for medical purposes; dropper bottles for dispensing medicines sold empty; ultrasound apparatus for medical purposes; ultraviolet lamps for medical purposes; nebulizers for medical purposes; measuring, monitoring and evaluation apparatus for detecting substances or substance parameters within the human body and body values, in particular for non-invasive measurement, namely, Blood testing apparatus, Blood glucose meters, Blood pressure monitors, Sphygmomanometers, Meters for medical use, namely, for positive airway pressure therapy, measuring pulse, heart rate, skin perspiration detectors for use as a health monitoring device, biofeedback sensors" in International Class 10

and

"Sinks; extractor hoods for kitchens; hydromassage bath apparatus; bath tubs; bath installations; Apparatus for lighting, namely, lamps, led lamps; heating apparatus and installations, namely, furnaces, electric radiant and space heaters, water heaters, hot water tanks, boilers, heat pumps; cooking and steam production apparatus and installations, namely, electric slow cookers, cooking ovens, microwave ovens, cooking hobs, namely, gas and electric cooktops, food roasting machines, electric pressure

cookers, barbecues, gas and electric grills, electric rice cookers, pizza machines in the nature of baking ovens, electric sandwiches toasters; refrigerating apparatus and machines, namely, refrigerators, freezers, ice machines and apparatus, wine coolers in the nature of refrigerated cabinets containing racks for wine bottles and storage shelves, water coolers; electric fans; ventilation hoods; air humidifiers; water distribution systems and sanitation apparatus, namely, water dispensers and purifiers; showers; shower cubicle enclosures; shower heads; regulating accessories for water or gas apparatus and pipes; sanitary apparatus and installations, namely, bidets, toilets; portable toilets; waterless toilets, sinks; specialized integrated pressurized flushing cistern and flushing device integrated in a toilet comprised of flush levers, single and dual flush valves, fill valves, flush levers, buttons, push plates, discharge and drainage pipes; pre-fabricated exposed and concealed cistern with or without frame for carrying a bidet, toilet, urinal and washbasin; bath tubs for sitz baths; solar water heaters; water closets; toilet bowls; toilet seats; portable toilets; water heaters; hot-water heating systems for residential and commercial buildings comprised of boilers, valves, pipes, manifolds, solar panels, control panel, switches and electrical wire. bath fittings, namely, Plumbing fitting, namely, vacuum release safety valve for flow shutoff in pools and spas, shower control valves, tub control valves, couplers, drains, faucet filters, spouts, baffles, sink strainers, traps, valves" in International Class 011

and

"Non-metallic building materials for fitted kitchens, namely, semi-worked woods for fitted kitchens, wood veneer for fitted kitchens, laminated plastic for fitted kitchens,

laminated wood for fitted kitchens, glass for building; non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings; monuments, not of metal” in International Class 019

and

“Furniture and furniture parts; furniture made of wood; furniture made of plastic; furniture of wood and plastic combined; furniture walls; kitchen furniture; furniture for the home; furniture for the bathroom” in International Class 020

and

“computer-aided transmission of messages, data and images; Providing access to information on the Internet; electronic relaying of messages; Internet service provider” (ISP) in International Class 038

and

“Medical services, namely, conducting of medical examinations on the human body, conducting of examinations of body fluids, medical analysis of measurement data and preparing recommendations based on the analysis of measurement data, medical analysis services relating to the treatment of persons provided by a medical laboratory” in International Class 044.

("Applicant's Goods").

2. Upon information and belief, the late industrialist, Hans-Dieter Wellmann, owned a group of manufacturing companies in Germany which operated under the umbrella of the **Wellmann Gruppe**.

Exhibit 1 attached hereto is a list of the **Wellmann Gruppe** companies. The **Wellmann**

Gruppe later became the **Casawell Service Gruppe**.

In these pleadings, Opposer will refer to companies which have very similar names, but which are in fact separate entities.

3. Opposer has been active in the luxury kitchen and bathroom business since 1975, and, upon information and belief, is well known to high-end kitchen manufacturers in Germany. In May 1992, **Gustav Wellmann GmbH & Co KG**, a member of the **Wellmann Gruppe**, who were desirous of establishing a business presence in the USA, contacted Opposer to offer their products to him. The culture in Germany is more formal than in the USA. As a sign of respect, when speaking or writing to others one does not know well, it is customary to use a formal salutation such as “Herr” (Mr.), “Frau” (Mrs.), “Doktor” (Dr.), followed by the person’s last name. In the German language, there are two forms of the English word “you”, namely “Sie” and “Du”. When addressing a person who is not well known, and in typical business transactions, the word “Sie” is used. In social settings, people use first names, and the word “Du”. In business settings, first names and the term “Du” are only used when the parties are well known to each other and consent to the use of these terms. There are relatively few manufacturers in the German luxury kitchen market. Their employees require extensive specialized knowledge, and, as a result, they tend to stay in the industry. With the passing of time, they get to know each other. It should be noted in Exhibits 2, 22 (Pages 4 and 5), 32, and 34, attached hereto that Opposer and senior management of **Gustav Wellmann GmbH** and **ALNO AG** are on first name terms.

EXHIBIT 2 attached hereto is a letter from **Gustav Wellmann GmbH** dated May 15, 1992,

addressed to Opposer. Opposer informed them by telephone that he was not interested in purchasing their products at that time, but left the door open in the event that he may be interested at a future time. The export management courted Opposer consistently for five years before he expressed interest in their products.

4. The premier convention for kitchens, bathrooms and related equipment is the Internationale Möbelmesse ("IMM"), which translates as "International Furniture Convention", and is held in January in Cologne, Germany. At the IMM in January 1997, Opposer indicated to senior management of **Gustav Wellmann GmbH** that he may be interested in purchasing some of their products. Upon information and belief, the **Wellmann Gruppe** had by then become one of the world's three largest manufacturers of kitchen and bathroom furniture, with annual sales of Deutsche Marks 802 million (EUR 401 million, or $ 453 million). Opposer visited their factories in Germany, at which time he expressed interest in purchasing products which were known as "**functionica", "tielsa", "Gruco" and "Lanzet"**, each of which was manufactured in a different factory. **functionica** products were manufactured at the **Gustav Wellmann GmbH & Co KG** factory in Enger. The name **functionica** did not appeal to Opposer. However, the German name **wellmann** had the association of a quality product made in Germany, and he informed them that the **functionica** products would be sold in the USA under the Trademark "**wellmann"**. It appeared that they had made the same decision, and, shortly after that, the entire **functionica** brand was discontinued and became **wellmann**. **Exhibit 3** attached hereto is a copy of pages 4 and 5 of an information brochure published by the **Wellmann Gruppe** in 1998 which shows the Brand names of cabinets

which were manufactured and sold by them. The entry-level kitchen cabinets start at the bottom in green and the exclusive products are the three at the top, which are illustrated in red. All products shown are kitchens, except for **Lanzet**, which were the only bathroom cabinets and are shown separately. Opposer made it clear to management of the Wellmann Gruppe that if he were to invest the amount of money, time, effort and expertise necessary to introduce these unknown products to a new market, then the Trademarks would belong to Opposer. In addition, although the internet was a new phenomenon at that time, it was a condition that Opposer own the Top Level Domains (TLD) which correspond to the Trademark names which Opposer intended to use. It takes time to prepare for a launch of this nature, and Opposer began launching the products in the USA in 1998. Opposer purchased products from the **Wellmann Gruppe**, and from other manufacturers, which were sold under the Trademarks **gruco, wellmann, tielsa,** and **Lanzet**.

5. During the IMM in 2001, Hans-Dieter Wellmann informed Opposer that the **Wellmann Gruppe** was heavily subsidizing the premium kitchen manufacturers **tielsa Küchen GmbH** and **Gruco Möbelwerke GmbH**, which were both operating at substantial losses. He informed Opposer of his intention to close the **tielsa Küchen GmbH** factory and produce their products at the **Gruco Möbelwerke GmbH** factory. Mr. Wellmann made it clear that these factories were a significant drain on the group's finances, and that he would also close **Gruco Möbelwerke GmbH** in the event that it did not return to profitability in the short-term. Manfred Töppert, the CEO of **Gruco Möbelwerke GmbH** in 2001, expressed hope that the combined production would offer an economy of scale

which would enable the **Gruco Möbelwerke GmbH** factory to return to profitability. **Geba Möbelwerke GmbH** was not performing well either, but I did not purchase products from this factory. The **Gustav Wellmann GmbH & Co. KG** factory was highly automated, very successful, and produced about 900 kitchens per day. The **tielsa Küchen GmbH** and **Gruco Möbelwerke GmbH** factories were much smaller, and each produced about 55 kitchens per day. The employees of these smaller factories were well-trained craftsmen who were extremely skilled in their professions. The cabinets which they produced were of outstanding quality, which reflected their skill, fine workmanship, and the high quality materials used in manufacture. Appliance manufacturers in Germany cooperate with each other and build appliances such as ovens and refrigerators in standard sizes. This makes production much easier for kitchen factories because they can design and manufacture cabinets with cavities in standard sizes to fit the appliances. Appliance manufacturers in the USA do not enjoy this cooperation, with the result that the dimensions of appliances such as ovens vary from one manufacturer to the other, and many cabinet sizes and cavity sizes are required to accommodate them. This is a significant problem for kitchen manufacturers in Europe who wish to supply cabinets to the USA. Since the **tielsa Küchen GmbH** and **Gruco Möbelwerke GmbH** factories were smaller and not fully automated, it was possible for them to manufacture the many special sizes required to accommodate the different size appliances which are built in the USA. These two factories were important to Opposer because they manufactured high-end cabinets which Opposer requires for the luxury market.

6. Opposer registered Fictitious Business Names **"gruco"** and **"tielsa"** and **"Lanzet"** in San

Diego, California on January 29, 2001, with a first use date of April 30, 1999.

Exhibit 4 attached hereto is copy of this filing.

7. Opposer filed an Application on December 27, 2000 with the California Secretary of State to Register the Trademark **tielsa**.

Exhibit 5 attached hereto is a copy of the California Certificate of Registration Number 107094 dated March 8, 2001.

8. Opposer filed an Application with the USPTO on February 1, 2001 to register the Trademark **tielsa The Exclusive Kitchen,** together with a stylized design, Serial Number 78046116. The date of first use was April 30, 1999. However, since the name **tielsa** was already registered as a Trademark to Assignee Gustav Wellmann GmbH & Co. KG, the examiner did not allow the Registration.

Exhibit 6 attached hereto is a print-out from the records of the USPTO of the status of the Application.

Although the Assignee of the Registered Trademark was not using the Mark in the USA, and Opposer was the only one using the Mark, Opposer made the decision not to file for cancellation of the Mark, but to wait until it expired in 2007, at which time he intended to re-file an Application for registration.

9. According to information and belief, Hans-Dieter Wellmann unfortunately became terminally ill in 2003. In his absence from work, the affairs of the **Casawell Service Gruppe** were left in the hands of the President, Markus Festera. **tielsa Küchen GmbH** and **Gruco Möbelwerke GmbH** filed for the German equivalent of Chapter 10 bankruptcy. There were attempts to encourage a so-called “management buyout” of

these companies, but these were not successful. Incorrect and incomplete deliveries became more and more frequent. In the entry-level kitchens made in the USA, which Opposer does not supply, color stain and finish coatings are typically applied in the customer's home at the time of installation. If something is missing and cannot be sourced from the manufacturer for any reason, then it can usually be sourced from another manufacturer. However, high-end kitchens and bathrooms include elaborate door construction, specialty glass, sophisticated veneers, unique laminates, high gloss lacquer and special matt and/or structured lacquer, which are applied in hi-tech factories. These products cannot be successfully duplicated or copied. When a kitchen is installed, if even a single door is missing, then the entire kitchen becomes completely worthless. Due to errors made by the **Casawell Service Gruppe**, which the latter was unable to rectify, Opposer was faced with no alternative than to repeatedly uninstall kitchens which were complete except for a few items, trash them, and either replace the entire kitchens with others of equal quality, or to refund money in full to the clients. Opposer suffered enormous losses as a result. **tielsa Küchen GmbH** and **Gruco Möbelwerke GmbH** did not emerge from receivership and closed permanently. Opposer purchased fewer and fewer products from the **Casawell Service Gruppe**, and then phased them out completely in 2004.

Exhibit 7 attached hereto is a copy of a letter sent by Opposer dated January 14, 2005, to **ALNO AG**'s Attorneys, the Ashurst International Law Firm. The letter describes some of the problems mentioned herein. The Wellmann family were dealing with the terminal illness of Hans-Dieter Wellmann, and were unable to find buyers for their companies.

They were concerned about job security for their 2700 employees, and searched for solutions which would keep these people employed. They reached an Agreement with **ALNO AG** which gave **ALNO AG** control of the **Casawell Service Gruppe**. The Terms of this Agreement were extremely favorable to **ALNO AG**.

10. Upon information and belief, **ALNO AG** is a company which manufacturers kitchens for use in the home and is located in Pfullendorf, which is in the Southwestern part of Germany. Business relationships between **ALNO AG's** predecessors, employees, former employees and Opposer date back the 1970's.

11. Upon information and belief, at the time of the Incorporation of Applicant **Tielsa Gmbh** in November 2012 in Pfullendorf, Germany, Company Registration Number 728636, **ALNO AG** owned 100% of Applicant's stock, and currently owns 49% of Applicant's stock.

    Exhibit 8 attached hereto is Page 29 of the Annual Report of **ALNO AG** for 2012 (Blue Arrow was added) in which it was reported that **ALNO AG** owned 100% of Applicant's stock.

    Exhibit 9 attached hereto is Page 28 of the Annual Report of **ALNO AG** for 2013 (Blue Arrow was added) in which it was reported that **ALNO AG** owned 49% of Applicant's stock.

    Exhibit 10 attached hereto is Page 31 of the Annual Report of **ALNO AG** for 2014 (Blue Arrow was added) in which it was reported that **ALNO AG** owned 49% of Applicant's stock.

12. Upon information and belief, **ALNO AG** owns and operates the internet website www.alno.de

Exhibit 11 attached hereto is a copy of the internet page of **ALNO AG** entitled "Impressum" (Legal Disclosures) http://ALNO.de/ALNOsys3/276.0.de.html (The red arrows were added). The address is 88630 Pfullendorf. The street address is not stated on the page. This is not necessary because Pfullendorf is a small city. **ALNO AG**, together with an unrelated company called **Geberit Vertriebs GmbH**, are the two dominant businesses in the city and are well known. Any article mailed to **ALNO AG** using only the Postleitzahl (PLZ), which is the equivalent in Germany to ZIP code, would reach the company. The actual street address of **ALNO AG**, which can be seen on their letter which is Exhibit 23 attached hereto, is Heiligenberger Strasse 47. The telephone number displayed on the "Impressum" Page and on Exhibit 23 attached hereto is 07552 21-0. The numbers 07552 are the area code for Pfullendorf, and the number 21 is the main telephone number of **ALNO AG**, which is connected to their central telephone system. A number dialed after this would direct the caller to a particular destination at the ALNO complex. In this case, if the caller dialed 0 after 21, then s/he would be connected with the operator.

13. Upon information and belief, **Tielsa GmbH** operates the internet website www.tielsa.de **Exhibit 12** attached hereto is a copy of the a section of the internet web page of Tielsa GmbH entitled "Impressum" (Legal Disclosures) http://tielsa.de/de/impressum.html (The red arrows were added). The address is the same as that of **ALNO AG**, namely 88630 Pfullendorf, Heiligenberger Strasse 47. The telephone number is 7552 21-3238. This number is the same as that of **ALNO AG**. If a caller dialed this number, s/he would be connected to a destination within the ALNO complex.

14. Upon information and belief, the registrar for Top Level Internet Domains ("TLD") registered in Germany is Denic eG. Their website is www.denic.de

Exhibit 13 attached hereto is a copy of the "whois" search page of www.denic.de which states that the registered owner of www.alno.de is **ALNO AG**.

15. **Exhibit 14** attached hereto is a copy of the "whois" search page of www.denic.de which states that the registered owner of www.tielsa.de is also **ALNO AG**.

16. Upon information and belief, an archive of internet web pages is kept at https://archive.org/web/ The first record of www.casawell.de was made on August 18, 2003.

Exhibit 15 attached hereto is a copy of the www.casawell.de Home Page on August 18, 2003, which shows the companies of the **Casawell Service Gruppe** on that date. These were **Casawell, GEBA, wellmann, wellpac, welltec, and Wellmann International.** The companies **Gruco (Gruco Möbelwerke GmbH)** and **tielsa (tielsa Küchen GmbH**) are **conspicuous by their absence**. The reason for this is because in August 2003 these companies were already in receivership and no longer operating.

17. **Exhibit 16** attached hereto is a copy of the www.casawell.de Home Page on February 15, 2004, by which time **ALNO AG** had taken control of the **Casawell Service Gruppe**. The ALNO stylized design (logo) is prominently displayed in the bottom left corner. Logically, **Gruco (Gruco Möbelwerke GmbH)** and **tielsa (tielsa Küchen GmbH**) are absent.

13. The **Wellmann Gruppe** and Opposer enjoyed a good business relationship. However, almost immediately after **ALNO AG** acquired the **Wellmann Gruppe**, it became clear that they desired to own Opposer's Trademarks and Domains in the USA. Their initial tactic

was a transparent attempt to intimidate and bully Opposer with the expectation that he would relinquish said Trademarks and Domains, and transfer same to their company. **Exhibit 17** attached hereto is a fax dated December 21, 2004, sent to Opposer by the Ashurst International Law firm and signed by Attorney Dr. Nina Goes, in which they state that they are acting on behalf of **ALNO AG.** Dr. Goes correctly states that Opposer was operating a number of websites which contained the names **wellmann**, **tielsa**, **gruco**, and **geba**. Dr. Goes asserts that Opposer is "under no legal aspect allowed to register and use these names on the internet as 'Wellmann', 'Tielsa', 'Gruco' and 'Geba' are validly registered as German Trademarks for our client". In her letter, Dr. Goes makes further invalid claims, and demands that Opposer *cease and desist* from using his Trademarks and Domains, and also that he also pay to her client the sum of EUR 232,025.74 ($ 260,286.47) as damages and legal fees. Dr. Goes ends her letter with the threat that in the event that Opposer fails to acquiesce to their client's demands, then her client will proceed with Legal Action against Opposer "in Germany and California, USA".

The Home Page of www.wellmann.com was specifically designed with the intention of being helpful and informative to visitors from different Countries. By clicking the links which were embedded into the respective Country flags, these visitors were immediately connected to the internet websites which serve their own Countries. The Page was first published in 1999 with the knowledge and approval of the **Wellmann Gruppe**.

Opposer was providing a valuable service at no cost to the **Casawell Service Gruppe** by providing visitors with information how to reach appropriate websites for their Countries. However, after receipt of the fax from the Ashurst International Law Firm, Opposer made the decision to discontinue this service to their client, and removed the links to the International Companies from the page.

Exhibit 18 attached hereto is a copy of the Home Page to which Dr Goes refers in her letter, from which it can be clearly seen that Opposer's Trademark **tielsa** is prominently displayed.

14. **Exhibit 19** attached hereto is an email dated January 5, 2005, which Opposer sent to the Ashurst International Law firm castigating Dr. Goes for sending her fax to a general fax number, and for failing to include a Confidential Advisory to the fax.

15. **Exhibit 20** attached hereto is a letter from Opposer to the Ashurst International Law Firm dated January 14, 2005, in which Opposer rejects all of the claims and demands made in the correspondence received from them.

16. **Exhibit 21** attached hereto is an email from the Ashurst International Law Firm dated January 18, 2005 in which Dr. Goes repeats some of her demands. It is important to note that Dr. Goes confirms that "**products with the trade names 'Gruco', 'Tielsa' and 'Lanzet' are no longer being manufactured and distributed**" (by her client). As stated above, **Tielsa Möbelwerke GmbH** filed for Chapter 10 bankruptcy in 2003, did not emerge from receivership, and no further goods with the **tielsa** Mark were produced by them after 2003.

It is clear that the Ashurst International Law firm was fully aware that their client, **ALNO**

AG, has no rights whatsoever in the USA to any of the Trademarks described. As a natural result, no legal action was instituted by them in this regard.

17. Upon information and belief, in 2007, financial markets in the USA were in turmoil. The Stock Markets collapsed, many companies received enormous financial assistance, which was called "bailout", from the Government, and even some major financial institutions were forced into bankruptcy. The housing market collapsed, many property developers declared bankruptcy, and Opposer's companies were unable to collect monies owing for kitchens and bathrooms which had been installed. On account of a serious computer incident, all data, including financial data, correspondence, and calendar data of Opposer's companies was lost from both the main servers and also the backup servers. Opposer had intended to file another Application to register the Trademark **tielsa .... The Exclusive Kitchen** in 2007, but the reminder did not appear on Opposer's calendar as scheduled because the data had been destroyed. This affected other Trademark belonging to Opposer.

18. **Exhibit 22** (Pages 1-6) attached hereto is a random sampling of communications between **Opposer** and **Casawell Service Gruppe** and **ALNO AG** which span the period January 2000 to April 2010. These include an order, order confirmation, a delivery note, and correspondence. Some were sent by fax and others by email. It is clear from these documents, and also the other correspondence attached hereto, which include communication with senior management at ALNO AG, that the **Casawell Service Gruppe** and **ALNO AG**, were aware at all times who Opposer is, what his business activities are, and that he was using the Trademarks **Wellmann**, **tielsa**, **gruco** and **Lanzet**.

19. In June 2009, **ALNO AG** wrote a letter to Opposer "with reference to (my) website registration of www.wellmann.com dated June 1997" (which is twelve years prior to the date of the letter). ALNO AG request that Opposer does not renew registration of the Domain, and further that Opposer transfers the Domain to ALNO AG. A "Domain Transfer Agreement" is attached to the letter.

Exhibit 23 attached hereto is the letter from ALNO AG to Opposer dated June 2, 2009, and signed by Kristin Metzger.

20. It was unusual for Opposer to receive a letter from someone he did not know at **ALNO AG.** In the kitchen industry, one expresses disinterest by delaying when replying to letters. Opposer replied to the letter more than 12 weeks later by sending an email to Ms. Metzger on August 24, 2009, which did not deal with the subject matter of the letter, but requested that she advise what her position with ALNO AG was.

Exhibit 24 attached hereto is an email from Opposer to ALNO AG dated August 24, 2009.

21. **ALNO AG** replied to Opposer's email which is attached hereto as Exhibit 24 on August 31, 2009. The email was signed by Kathrin Hösl, who thanked Opposer for his email, informed Opposer that Ms. Metzger was previously the area sales manager for the USA, but was no longer employed by **ALNO AG**, and that she (Kathrin Hösl) is now the area manager. Ms. Hösl finally requests feedback from Opposer regarding ALNO AG's letter which is Exhibit 25 attached hereto.

Exhibit 25 attached hereto is the email from ALNO AG to Opposer dated August 31, 2009.

22. Opposer replied to **ALNO AG** by email on September 9, 2009, informing **ALNO AG** that

Opposer had been using the Domain and related Trademarks for many years, and saw no reason to transfer same to **ALNO AG**.

Exhibit 26 attached hereto is the email from Opposer to **ALNO AG** dated September 9, 2009.

23. In November 2009, Opposer was informed that **ALNO AG** were supplying kitchen cabinets to the USA labeled with Opposer's **wellmann** Trademark. Opposer immediately sent an email to ALNO AG demanding that they immediately *cease and desist* from doing so, and furthermore that they provide an accounting of all products which they supplied to the USA labeled with Opposer's **wellmann** Mark..

Exhibit 27 attached hereto is the email sent by Opposer to **ALNO AG** on November 18, 2009.

24. **ALNO AG** replied to the email which is Exhibit 27 attached hereto on December 22, 2009. They request Opposer's to contact their exclusive distributor, **ANU**, in Boston, MA, in this regard. (**ANU** was an abbreviation of **ALNO Network USA**). Opposer was unable to contact ANU, and prepared a Federal Lawsuit naming ANU Boston/ALNO Network USA and its CEO, Yael Tamari, for infringing on Opposer's Trademark, and seeking an Order restraining Defendants ANU and Yael Tamari from using the Mark, for monetary damages, and further or alternative relief. However, ANU Boston closed its doors permanently before Opposer could file the Lawsuit with the Court, or serve Defendants with documents.

Exhibit 28 attached hereto is the email sent by ALNO AG to Opposer on December 22, 2009.

25. In 2010, Opposer was informed that a company in San Diego, CA, known as International Design Resources, LLC / European Design Center / ALNO San Diego, was offering products for sale labeled with his **wellmann** Trademark. Opposer was unable to contact this company, and prepared another Federal Lawsuit naming this company, it's owner Bernard Barack, and Principal Rhett Peterson, seeking an Order restraining them from using the Mark, for monetary damages, and further or alternative relief. Again, before Opposer could file the Lawsuit and serve the Defendants with documents, this company closed its doors permanently.

26. **Exhibit 29** attached hereto is an email together with a letter dated January 6, 2011, from Chadbourne & Park LLP, a Law Firm in New York City, advising Opposer that they represent ALNO AG regarding intellectual property matters, and signed by Attorney Dennis Hopkins. It should be noted that Dennis Hopkins was in possession of Opposer's email address and street address. In the second last paragraph on Page 2, Mr. Hopkins states that ALNO AG "**has not exported its products to the U.S. under its famous Wellmann mark and name recently**." During Opposer's telephone calls with Mr. Hopkins, Opposer informed him that the claims made in his letter were incorrect. Mr. Hopkins asserted that his client had the right to use the Trademark **Wellmann** in the USA because it is not identical to Opposer's Trademark **wellmann.... Germany's Premier Kitchens**. Opposer informed that although his client's Mark may or may not be identical, it is confusingly similar, and that Opposer would take swift Action should his client make any attempt to use any of Opposer's Trademarks in the USA. In one conversation, Dennis Hopkins stated that his client had an interest in

purchasing the Domain www.wellmann.com from Opposer. However, it was obvious that **ALNO AG** did not have funds available for the transaction, and negotiations were short-lived.

27. Upon information and belief ALNO AG is also the *alter ego* of Applicant **Gustav Wellmann GmbH & Co KG** in Application Serial Number 79149733 to register the Trademark **Wellmann**.

Exhibit 30 attached hereto is a copy of the USPTO search page which shows Application Serial Number 79149733 filed on January 22, 2014. The Application does not include a stylized design, although Gustav Wellmann GmbH & Co KG label their goods with a stylized design which is similar to the stylized design used by Opposer on Opposer's goods.

Exhibits 8, 9 and 10 attached hereto, which are excerpts of the Annual Reports of ALNO AG for 2012, 2013, and 2014 respectively, report that **ALNO AG** owns 99.93% of Applicant's Stock directly, and the remaining .07% through **Casawell Service GmbH** (The Green Arrows were added).

Exhibit 31 attached hereto is a copy of the "whois" search page of www.denic.de, which states that the registered owner of the Domain www.wellmann.de is ALNO AG.

28. **ALNO AG** contacted Opposer again on June 3, 2015, expressing the desire to acquire the Domains www.wellmann.com and www.tielsa.com

Exhibit 32 attached hereto is an email dated June 3, 2015 from ALNO in the United Kingdom, which is a wholly owned subsidiary of ALNO AG, and signed by Jonathan Wagstaff.

29. Opposer replied to the email which is Exhibit 31 hereto on June 4, 2015. Opposer informed Jonathan Wagstaff of his concern regarding not only ALNO AG's past behavior, but also its present behavior in attempting to register Opposer's **wellmann** and **tielsa** Trademarks in the USA although ALNO AG are well aware that Opposer has used these Marks for many years.

Exhibit 33 attached hereto is an email dated June 4, 2015 from Opposer to ALNO AG.

30. **ALNO AG** replied on June 4, 2015 to the email which is attached hereto as Exhibit 32. In this email, Jonathan Wagstaff stated that he was unaware of the history, and proposed that he meet with Opposer in the USA, or that he and Opposer discuss matters by telephone.

Exhibit 34 attached hereto is an email dated June 4, 2015 from ALNO AG to Opposer.

31. Upon information and belief, **ALNO AG** is the successor to a company which Opposer has known since the 1970's, and whose sole business is that of manufacturing and selling kitchen cabinets for use in the home. Opposer never ceases to be amazed by the silver tongued Directors of **ALNO AG**, whom he considers to be masters of smoke and mirrors who could teach tricks to the magicians of Las Vegas. The original company, **ALNO Möbelwerke GmbH & Co KG**, operated under a cloud, and was rumored to be in-and-out of pending bankruptcy for many years. Despite this, through great expertise on the part of the Directors, the assets were assembled, and **ALNO AG** was listed as a publicly traded company on the stock exchange in Germany in 1995. The company has not fared well, and has not made a profit or declared a dividend since inception. In a press release on May 5, 2015, ALNO AG state that they achieved increased sales of EUR 1.5 million ($

1.65 million), an increase of slightly more than 1.5%, in the first quarter of 2015. On the surface, this is encouraging. However, the picture is quite different when one takes the 5% price increase into account. The translation of the line marked with the Green Arrow is "Sales in the first Quarter of 2015 increased slightly by 1.5% to EUR 98.3 million"

EXHIBIT 35 attached hereto is a report in industry magazine möbelkultur dated May 15, 2015. The report is in German, and Opposer warrants that the translation provided in this paragraph is accurate.

EXHIBIT 36 attached hereto is a page from influential reporting company www.wallstreet-online.de dated September 9, 2015, showing a graph which represents the Deutsche Aktienindex (DAX), which is the equivalent in Germany to the Dow Jones Industrial Index (DJIA). In July 1996, the DAX price was EUR 3,840 ($ 4,262). On September 9, 2015, the DAX price was EUR 10,108.61 ($ 10,303.12). The appreciation in price is more than 268%. In other words, an investment of $ 100 based on the DAX index in July 1996 would have been worth $ 268.31 on September 9, 2015. The appreciation in stock value would be enhanced by the amount of the dividends paid from 1996 to 2015. Assuming a conservative annual dividend of 3% was paid on only the initial stock value of $ 100, then this would add $ 75.35 to the value, for a total of $ 343.66, a total appreciation and earnings of 343%.

EXHIBIT 37 attached hereto is a page from www.wallstreet-online.de dated September 9, 2015, showing a graph representing the price of ALNO AG stock. In July 1996, the price of ALNO AG stock was EUR 28.33 ($ 31.45). On September 9, 2015 the ALNO AG price was just EUR 0.50 (55 U.S. cents). It has become a Penny Stock. The depreciation in price

is more than 98%. In other words, ALNO AG stock purchased for $ 100 in 1996 would have been worth $ 1.76 on September 9, 2015. ALNO AG operates at a loss and does not pay a dividend.

32. Upon information and belief, sales of the **Casawell Service Gruppe** in 1996 were DM 802 million, equivalent to EUR 401 ($ 445) million.

Exhibit 38 attached hereto is an English Translation of pages 6 and 7 of an information brochure published by the Wellmann Gruppe in 1997, which shows annual sales in US $ and total number of employees. The difference in US $ sales between what is stated in this paragraph 32 and the brochure is on account of the difference in currency exchange rates in 1999 and 2015.

33. Upon information and belief, sales of ALNO AG in 1997 were DM 892 million, equivalent to EUR 446 million ($ 495) million.

Exhibit 39 is a copy of page 2 of the Annual Report of ALNO AG for 1999 showing annual sales for 1997, 1998 and 1999. The Blue Arrow was added.

34. Upon information and belief, the typical compounded annual price increase for German manufactured kitchens is 5%. Assuming that there was no growth whatsoever in manufacture and sales volume, and factoring in price increases, then the theoretical sales for the **Casawell Service Gruppe** in 2014 would have been EUR 919 million. ($ 1.020 Billion), and the for ALNO AG would have been EUR 1.022 Billion ($ 1.134 Billion). The theoretical total sales in 2014 for the Casawell Service Gruppe and ALNO AG combined would be EUR 1.941 Billion ($ 2.154 Billion). Actual total sales of ALNO AG for 2014, which was a booming year for kitchen manufacturers in Germany, were EUR 545 million

($ 599) million. ALNO AG has shown a significant decline in manufacture and sales volume.

35. Upon information and belief, ALNO AG allowed different companies to represent it in the USA, and authorized them to use the word “Alno” together with the ALNO stylized design (logo) as a part of their names. **Alno USA Corporation** traded in the late 1990's and went out of business in or about 2005. **Alno Network USA (ANU)**, started trading in or about 2007 and went out of business in or about 2010. These companies were more interested in making a quick sale than providing products which met the customers needs. Kitchens were poorly planned and appliances which were not suitable for the customers were recommended and installed. After-sales-service was virtually non-existent. A company which relies on this strategy is not likely to prosper in the long-term. The reputation of ALNO AG obviously suffered as a result.

36. Upon information and belief, there appears to be some confusion regarding Trademarks labeled **Alno**:

The Mark was first used in the USA in 1963 by **Alno, Inc.**, a company in Sylmar, California (California Entity Number C0451988, website www.alnoinc.com), which supplies hardware for kitchens, but is unrelated to ALNO AG. Alno Inc.’s first use of the **Alno** Trademark in 1963 predates the date of ALNO AG’s first Trademark filing in 1971, Registration Number 0948933, which is in IC 020.

Alno, Inc. appears to own the following Trademarks:

“CREATIONS” BY ALNO, INC. in IC 006 and IC 021, Registration Number 2422629

“CREATIONS” BY ALNO, INC. in IC 006, Serial Number 75590583 (Abandoned)

ALNO AG appears to own the following Trademarks:

ALNO in IC 020, Registration Number 0948933

NOVUS by ALNO in IC 019, IC 020, IC 021, Registration Number 4011016

AMERO by ALNO in IC 019, IC 020, IC 021, Registration Number 3972737

ALMERA by ALNO in IC 019, IC 020, IC 021, Serial Number 79093438 (Abandoned)

ARNEA by ALNO in IC 019, IC 020, IC 021, Serial Number 79091428 (Abandoned)

ALTERA by ALNO in IC 019, IC 020, IC 021, Serial Number 79093440 (Abandoned)

All of the Applications and Registrations by ALNO AG described above are related to kitchen products. This is logical, since this is their only business. The average consumer cannot be expected to be familiar with all of these registrations, or to know that Alno, Inc. And ALNO AG are not related. It follows that consumers would not know which products are supplied by Alno, Inc. and which are supplied by ALNO AG, especially because both companies have registered the **Alno** name in the same Class of Goods, and confusion as to origin would result.

EXHIBIT 40 attached hereto is a page showing search results at the USPTO internet website for Trademarks with the name **Alno**.

37. Upon information and belief, changes in management at ALNO AG have taken their toll: In April 2011, ALNO AG suffered a major embarrassment when the company was forced to summarily dismiss the former CEO, Jörg Deisel, for impropriety. After more than three years of bitter litigation, the Supreme Court in Düsseldorf ordered Jörg Deisel to repay EUR 2.6 ($ 2,86) million to ALNO AG.

Exhibit 41 attached hereto is a news report from Finanz Net dated October 11, 2014, in

which the decision of the Supreme Court in Düsseldorf is reported. The decision was that the immediate termination without notice of Jörg Deisel by ALNO AG in 2011 was lawful, and that Jörg Deisel was Ordered by the Court to repay to ALNO AG the sum of EUR 2.6 million. The report is in German, and Opposer attests that the information provided in this paragraph is an accurate translation.

38. Upon information and belief, ALNO AG Executive Board Member Manfred Scholz suddenly resigned in February 2015.

39. Upon information and belief, ALNO AG, in desperate need of working capital, and unable to borrow money, diluted the value of shareholder stock in March 2015 by issuing additional shares in the sum of EUR 5.8 million ($ 6.38 million) to Nature Home Holding Company Limited ("Nature"). The owners of this company are reputed to live in China, but the company is registered in the Cayman Islands. Nature apparently now own as much as 9% of ALNO AG stock. German companies typically take an extremely reserved approach in accepting large investments, who would own large blocks of their stock, and what the implications would be. It is most unusual for a German company to accept such a significant investment from a company which is based in a tax haven like the Cayman Islands.

EXHIBIT 42 attached hereto is a report in industry magazine möbelkultur dated March 30, 2015. The report is in German, and Opposer warrants that the translation provided in this paragraph is accurate.

40. Upon information and belief, on June 30, 2015, Ralph Bestgen, the former Director of Distribution, Marketing and Product development, announced that he would leave ALNO

AG that same day. It is extremely rare for a company Director in Germany to resign without notice.

41. In June 2015, Opposer conducted telephone conversations with Jonathon Wagstaff, who holds a position equivalent to Executive Vice President of ALNO AG, and is the Executive responsible for operations in the United Kingdom, the USA, and also several other Countries. Jonathan Wagstaff informed Opposer he was not aware that ALNO had applied to register Opposer's Trademarks in the USA. In one conversation, he stated that ALNO AG has no intention to sell its Tielsa products in the USA. A possible acquisition by ALNO AG of the TLD's wellmann.com and tielsa.com was discussed, but Jonathan Wagstaff confirmed that ALNO AG does not have sufficient funds available to purchase them, and negotiations were short-lived.

42. Upon information and belief, ALNO AG is in a very difficult financial position. It follows that desperate companies take desperate measures. ALNO AG is attempting to register Opposer's Trademarks **wellmann** and **tielsa** as their own, and, by submitting the Applications in the names of their *alter egos*, is at the same time attempting to fly under the radar in the hope that these applications will not be linked and their subterfuge exposed.

43. **Exhibit 43** (Pages 1-4) is the internet web page of **Tielsa GmbH**, entitled "History" www.tielsa.de/en/historie.html Page 2 includes the Statement "Wo tielsa herkommt" which translates as "What is tielsa's origin". Page 3 includes a timeline. The translation for the line "2005" is "as a result of a strategical decision on the part of the company, Tielsa was withdrawn from the market without going into bankruptcy". This is, of course

incorrect. In any event, if there was no bankruptcy then it would not occur to anyone to even mention this. As stated herein, **Tielsa Küchen GmbH** was placed into the equivalent of Chapter 10 bankruptcy in 2003, and did not emerge from receivership. **Tielsa GmbH** is a completely different entity. The translation of the line “2012" is “A new beginning for the Brand in Pfullendorf”. The reality is that these kitchens are produced for **Tielsa GmbH** in **ALNO AG**’s factory in Pfullendorf, which is a mass production facility and is very different from the **Tielsa Küchen GmbH** factory in Bad Salzufen where outstanding quality kitchens were produced by highly skilled artisans.

44. Upon information and belief, **ALNO AG** founded the company **Tielsa GmbH** in November 2012 in an effort to enter the luxury market, and introduced these kitchens in July 2013. There can be no doubt that management of ALNO AG believe that, although **tielsa Küchen GmbH** went out of business in 2003, and no goods labeled with the Mark were manufactured, procured, or sold by them anywhere between 2003 and 2013, there are people who still remember the **tielsa** Mark, and will believe that **Tielsa GmbH** is the same company which produced high quality kitchens between 1927 and 2003. The timeline which is shown on the internet web page entitled “History”, which is Exhibit 47 (Page 3) attached hereto, is misleading and is intended to deceive. The company which built quality kitchens between 1927 and 2003 was **Tielsa Küchen GmbH** and not **Tielsa GmbH** or **ALNO AG**.

EXHIBIT 44 is a copy of a Company Register search which shows that there two active companies in Germany with the name “Tielsa”.

One is **Grundstücksverwaltungsgesellschaft tielsa Küchen GmbH & Co. KG**, which is the

company which owns the land and buildings which housed **tielsa Küchen GmbH** before its demise.

The other is **Tielsa GmbH** in Pfullendorf.

tielsa Küchen GmbH no longer exists.

45. Upon information and belief, Tielsa GmbH utilizes a stylized design when labeling its products, and in its marketing materials. This design can be seen on their Internet Home Page www.tielsa.de The design is confusingly similar to the design used continuously by Opposer since April 1999. Applicant did not include this design on the Application.

Exhibit 49 attached hereto is a copy of a portion of the internet web page of Tielsa Gmbh entitled "Designs im Überblick" www.tielsa.de/de/design.html The Green Arrow was added.

Exhibit 5 (Page 2) and **Exhibit 48** attached hereto shows Opposer's stylized design.

46. Upon information and belief, the sole business activity of Applicant is that of kitchens for use in the home. However, Applicant has applied to register the **Tielsa** Trademark for a myriad of goods in no less than seven International Classes, namely IC 09, IC 10, IC 11, IC 19, 20, 38 and IC 44.

Similarly, the sole business of **Gustav Wellmann GmbH & Co KG** is that of kitchens for use in the home. Application Serial Number 79149733 by Gustav Wellmann GmbH & Co KG for the **Wellmann** Trademark is in four International Classes, namely IC 011, IC 019, IC 020, and IC 021. The examiner for the **Wellmann** Trademark under discussion, Serial Number 79149733, was not fooled and correctly determined that the business activities of Gustav Wellmann GmbH & Co Kg is restricted to that of kitchen cabinets, and that the

goods and services in the other International Classes applied for relate to its trade channels in the kitchen industry.

47. Upon information and belief, it would require tens of millions of Dollars, great expertise, highly trained employees, and sophisticated marketing and distribution channels to embark on a program to manufacture, market, and support all of the goods and services in the many International Classes for which Trademark the Applicant has applied. Applicant Tielsa GmbH do not have the physical, financial, or human resources to do so, and there is no chance whatsoever that they would be in a position to embark on such a program in the foreseeable future, let alone even attempt to compete with well established, companies with expert know-how and sophisticated manufacturing facilities, devices which are already approved for treating medical conditions, distribution dating back 100 years and longer, and extensive customer support in fields such as the supply of medical equipment. The Application has no basis in reality. One of the reasons for this is no doubt because, in 2010, Opposer informed **ALNO AG**'s Attorneys that he would notify the United States Customs and Border Protection agency to stop incoming containers and inspect them for counterfeit goods bearing his Trademarks. Applicant no doubt believes that if it is able to register the **Tielsa** mark in a different class, then it will also be able to persuade the U.S. Customs and Border Protection Agency to allow its counterfeit goods entry in to the U.S.A. Applicant no doubt believes that in the process it will also be able to label its goods with the stylized design which is a part of Opposer's Trademark. It goes without saying that ethical companies like the Ford Motor Company do not try to register their "FORD" Trademark

for tires, which are required for the operation of their vehicles but which they do not manufacture or have the capability to manufacture. The conduct of Applicant in filing this fraudulent Application is egregious, and Applicant should be sanctioned for filing it, as should its Attorneys for facilitating it.

48. The **Doctrine of Laches**. It is well settled that a Party who believes that s/he has been injured is required to take timely steps to enforce his/her alleged rights. Opposer has shown that **ALNO AG,** the parent company of Applicant **Tielsa GMBH** was aware at all times that he has used the Trademark **tielsa** since 1999, which is more than 13 years before Applicant **Tielsa GmbH** was incorporated. In the event that Applicant **ALNO AG** had any rights whatsoever to the Trademark **Tielsa**, which is denied, then it was required to take swift Action in order to enforce these alleged rights. Applicant was represented at all times by extremely competent Attorneys, who corresponded with Opposer in 2004, 2005 and 2010. The letter from Ashurst International Attorneys dated December 21, 2004, which is **Exhibit 7** hereto, threatens Legal Action against Opposer, but no such Action was ever instituted. By failing to take immediate Action to enforce any rights which Applicant may have had to use the **Tielsa** Trademark, which is denied, Applicant is deemed to have ***waived and abandoned*** any and all of its alleged rights.

49. Upon information and belief, Applicant has not yet used in commerce in the United States of America **Tielsa** as a trademark in connection with Applicant's Goods.

50. Upon information and belief, Applicant cannot rely on any priority date for the proposed Tielsa mark earlier than the filing date of September, 11, 2013.

51. Applicant's proposed **Tielsa** mark was published for opposition in the *Trademark Official*

Gazette on May 26, 2015. On June 23, 2015, Opposer filed a request for an Extension of Time to Oppose the Application. The Board granted this request on June 23, 2015, extending the filing period to July 26, 2015. On July 21, 2015, Opposer filed a second request for an Extension of Time to Oppose the Application. The Board granted this request on July 23, 2015, which extended the filing period to September 23, 2015. This **Notice of Opposition** is therefore timely filed.

52. Opposer is a businessman whose businesses have engaged in the sale and supply of kitchen and bathroom equipment since 1975. The businesses have used the Trademark **tielsa** continuously since 1999, and all rights were assigned to him in 2007.

53. Opposer owns underlying common law rights and is the owner of the Mark "**tielsa THE EXCLUSIVE KITCHEN**" together with stylized design in connection with "Furniture, Kitchen Furniture, Bathroom Furniture, Accessories for Furniture" ("Opposers' Goods") in International Class 020, with a first use date at least as early as April 30, 1999.

54. Opposer owns underlying common law rights and is the owner of California Trademark Application Serial Number 107094 for the Mark **tielsa** together with stylized design in International Class 020, with a first use date at least as early as April 30, 1999 ("the California Class 20 Application"). The filing date and constructive use date is April 30, 1999.

55. Two copies of Opposer's California Registration Number 107094 showing the title to the registration are attached hereto as **Exhibit 45**.

56. Two copies of Opposer's United States Application Serial Number 78046116 showing the current status of the Application are attached hereto as **Exhibit 46**.

57. Opposer has expended considerable time and expense in promoting, advertising and popularizing the distinctive **tielsa** and **tielsa .... The Exclusive Kitchen** Marks and the kitchen and bathroom products offered in connection therewith. The relevant public has come to know, rely upon and recognize the tielsa mark as a strong indicator of the source, quality, and reputation of Opposer and his kitchen and bathroom products and services.

Exhibit 47 (Pages 1-2) attached hereto is a copy of the internet page of the Better Business Bureau in San Diego, California, which reports that Opposer's company has a rating of A+ on a scale of A+ to F.

58. Opposer has made continuous use of his tielsa mark in connection with kitchen and bathroom products.

59. Opposer's nationwide constructive use date of April 30, 1999 for the Class 20 Application predates Applicant's filing date of September 11, 2013 by more than fourteen (14) years.

60. The date of February 1, 2001 of Opposer's United States Class 20 Application predates Applicant's filing date of September 11, 2013 by more than twelve (12) years.

61. Opposer has priority over the Application as a result of Opposer's Application and Opposers' earlier continuous use of the tielsa The Exclusive Kitchen Mark identified in the Class 20 Application.

62. Opposer has priority over the Application as a result of Opposer's California Trademark Registration Number 107094 dated March 8, 2001 and Opposers' earlier continuous use of the tielsa The Exclusive Kitchen Mark identified in the Class 20 Application.

63. Opposer has priority of common law rights in the tielsa The Exclusive Kitchen Mark in

connection with kitchen and bathroom products.

64. Opposer has priority over the Application based on the earlier common law rights in the tielsa and tielsa The Exclusive Kitchen Mark and as a result of the USPTO Application and the California Registration.

65. Applicant's proposed Tielsa mark is likely to be pronounced identical to the prior tielsa and tielsa The Exclusive Kitchen marks.

66. Applicant's proposed Tielsa mark is confusingly similar in sound to the prior tielsa and tielsa The Exclusive Kitchen marks.

67. Applicant's proposed Tielsa mark is confusingly similar in sight to the prior tielsa and tielsa The Exclusive Kitchen marks.

68. There are sufficient similarities in sight, sound, and meaning between Applicant's proposed **Tielsa** mark and the prior **tielsa** and **tielsa The Exclusive Kitchen** marks such that the two marks create highly similar overall commercial impressions.

69. Applicant's Goods include "Furniture and furniture parts, included in this class; furniture made of wood; furniture made of plastic; furniture of wood and plastic combined; furniture panels; kitchen furniture; furniture for the home; furniture for the bathroom" in International Class 20.

70. Opposer's Goods identified in United States Application Serial Number 78046116 are "Furniture, Kitchen Furniture, Bathroom Furniture, Accessories for Furniture" in International Class 20.

71. Applicant filed an intent-to-use based trademark application fo register the Mark Tielsa for the goods and services in all of the International Classes (IC)described in Paragraph

(1) above, namely IC 09, 10, 11, 19, 20, 38, 44. According to information and belief, Applicant’s first use of the Mark was in Germany for kitchen cabinets in July 2013. International Class 20. Applicant does not use the Mark anywhere in any other International Class.

71. The Application is unrestricted as to channels of trade and thus the goods identified in the Application are deemed to travel in all channels of trade.

72. The goods and services identified in Opposers' U.S. Application and California Registration and in the Application therefore will travel in overlapping channels of trade.

73. Upon information and belief, Applicant's Goods are also related to Opposers' Services.

74. Applicant's proposed **Tielsa** mark so resembles the prior **tielsa** and **tielsa The Exclusive Kitchen** marks as to be likely, when used in connection with Applicant's Goods to cause confusion, to cause mistake, or to deceive as to affiliation, source, or sponsorship with Opposers' kitchen and bathroom products identified in Opposer’s U.S. Application and California Registration.

75. Because Applicant's proposed **Tielsa** mark and the prior **tielsa** and **tielsa The Exclusive Kitchens** marks are highly similar in overall commercial impression and because Applicant's Goods, as identified in the Application are identical in-part and highly related to Opposers' Goods and Services, purchasers and prospective purchasers are likely to mistakenly believe that Applicant's products to be offered under the Applicant’s Tielsa mark are sponsored, endorsed, or approved by Opposer, or are in some other way affiliated, connected, or associated with Opposer, all to the detriment of Opposer.

76. Because the stylized design of Applicant's proposed Tielsa mark and the stylized design

of the prior tielsa and tielsa The Exclusive Kitchens marks are highly similar in overall appearance and because Applicant's Goods, as identified in the Application are identical in-part and highly related to Opposers' Goods and Services, purchasers and prospective purchasers are likely to mistakenly believe that Applicant's products to be offered under the Applicant's Tielsa mark are sponsored, endorsed, or approved by Opposer, or are in some other way affiliated, connected, or associated with Opposer, all to the detriment of Opposer.

77. Registration of Applicant's proposed **Tielsa** mark will result in a likelihood of confusion and would therefore cause damage and harm to Opposer and his businesses.

78. **Doctrine of Laches.** The records show that a dispute over the **tielsa** Trademark was the subject of correspondence between ALNO AG, the owner of Applicant, and Opposer in 2004. By failing to institute prompt Legal Action to enforce its alleged rights, which are denied, for more than ten (10) years, Applicant is deemed to have *waived and abandoned* any and all of said alleged rights.

79. **Doctrine of Clean Hands.** Applicant was aware at all times that Opposer has used the **tielsa** Trademark continuously since at least 1999. Applicant was aware at all times that a dispute regarding ownership of the **tielsa** Trademark arose in 2004, and that Applicant's owner, ALNO AG, failed to take any Action to enforce its alleged rights. Notwithstanding the above, Applicant filed an Application to register Opponent's **tielsa** Trademark.

Registration of the mark shown in the Application should therefore be refused under 15 U.S.C. §§ 1052(d) and 1063.

WHEREFORE, Opposer requests that the Trademark Trial and Appeal Board:

1) Sustain this Opposition;

2) Refuse registration of the Tielsa mark identified in Application Serial Number 79143534 for the goods identified in International Classes 09, 10, 11, 19, 20, 38, 44;

and

3) Because Applicant's conduct in filing this Application is egregious, Order Applicant to pay the cost of filing this Opposition

4) Grant Opposer any further or alternative relief the Board deems equitable.

Dated: September 16, 2015 LARRY PALETZ

/Larry Paletz/

Larry Paletz
1493 Caminito Solidago
La Jolla, CA 92037
858-459-1000 (Telephone)
Lpaletz@wellmann.com (Email)

Opposer

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

In the matter of Application Serial Number: 79143534
Filed: September 11, 2013
For the mark: Tielsa
Published in the *Trademark Official Gazette* on May 26, 2015

_____

Larry Paletz

Opposer,

v. Proceeding Number 91224067

Tielsa GmbH,

Applicant

_____

CERTIFICATE OF SERVICE BY MAIL

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

Larry Paletz, of the City of La Jolla, County of San Diego, in the State of California, hereby certifies under penalty of perjury of the laws of the State of California, that on the 28th day of September, 2015, he mailed a true and correct copy of Opposer's:

AMENDED NOTICE OF OPPOSITION
EXHIBITS 1 - 49

in the above-captioned action to the last known address, corrected by the United States Postal Service on September 28, 2015, to-wit:
DANIE FUESSEL
FUESSEL LAW
846 FLOWER AVE
VENICE, CA 90291

..... September 28, 2015

Cut on dotted line.

Instructions

1. Each Click-N-Ship® label is unique. Labels are to be used as printed and used only once. DO NOT PHOTO COPY OR ALTER LABEL.
2. Place your label so it does not wrap around the edge of the package.
3. Adhere your label to the package. A self-adhesive label is recommended. If tape or glue is used, DO NOT TAPE OVER BARCODE. Be sure all edges are secure.
4. To mail your package with PC Postage®, you may schedule a Package Pickup online, hand to your letter carrier, take to a Post Office™, or drop in a USPS collection box.
5. Mail your package on the "Ship Date" you selected when creating this label.

Click-N-Ship® Label Record

USPS TRACKING # :
9405 5036 9930 0154 3777 67

Trans. #:	349789628	Priority Mail® Postage:	$5.32
Print Date:	09/28/2015	Total	$5.32
Ship Date:	09/28/2015		
Expected Delivery Date:	10/01/2015		

From: LARRY PALETZ
WELLMANN KITCHENS
1493 CAMINITO SOLIDAGO
LA JOLLA CA 92037-7155

To: DANIE FUESSEL
FUESSEL LAW
846 FLOWER AVE
VENICE CA 90291-2819

* Commercial Base Pricing Priority Mail rates apply. There is no fee for USPS Tracking™ service on Priority Mail service with use of this electronic rate shipping label. Refunds for unused postage paid labels can be requested online 30 days from the print date.

UNITED STATES POSTAL SERVICE® *Thank you for shipping with the United States Postal Service!*
Check the status of your shipment on the USPS Tracking™ page at usps.com

PACIFIC BEACH STATION
SAN DIEGO, California
921099998
0567760109-0099
09/28/2015 (800)275-8777 04:35:47 PM

Sales Receipt

Product Description	Sale Unit Qty	Price	Final Price

Pre-paid Mailpiece Acceptance
1 lbs. 14.20 oz.
VENICE, CA 90291
Acceptance Date:9/28/2015 4:35:38 PM
Label#:9405503699300154377767
Shipment Acceptance
Label # 9475703699300126637656

Total: $0.00

Paid by:
****
****
BRIGHTEN SOMEONE'S MAILBOX. Greeting cards available for purchase at select Post Offices.
****
****

In a hurry? Self-service kiosks offer quick and easy check-out. Any Retail Associate can show you how.

Order stamps at usps.com/shop or call 1-800-Stamp24. Go to usps.com/clickship to print shipping labels with postage. For other information call 1-800-ASK-USPS.
****
****
Get your mail when and where you want it with a secure Post Office Box. Sign up for a box online at usps.com/poboxes.
****
****

PACIFIC BEACH 92109
SEP 28 2015
USPS

Bill#:1000102440822
Clerk:09

All sales final on stamps and postage
Refunds for guaranteed services only
Thank you for your business

HELP US SERVE YOU BETTER

TELL US ABOUT YOUR RECENT POSTAL EXPERIENCE

Go to:
https://postalexperience.com/Pos
or scan this code with your mobile device:

or call 1-800-410-7420.

YOUR OPINION COUNTS

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

In the matter of Application Serial Number: 79143534
Filed: September 11, 2013
For the mark: Tielsa
Published in the *Trademark Official Gazette* on May 26, 2015

LIST OF EXHIBITS

Exhibit 1 : Wellmann Gruppe Companies

Exhibit 2 : Letter from Gustav Wellmann GmbH & Co KG dated May 15, 1992

Exhibit 3 : Information Brochure - Wellmann Gruppe - 1998 - Pages 4 & 5

Exhibit 4 : Fictitious Business Name Statement dated January 29, 2001

Exhibit 5 : Certificate of Registration Trademark **tielsa** California Secretary of State

Exhibit 6 : USPTO search February 1, 2001: Trademark **tielsa**

Exhibit 7 : Letter from Opposer to Ashurst International Law Firm dated January 14, 2005

Exhibit 8 : Annual Report of Alno AG - 2012

Exhibit 9 : Annual Report of Alno AG - 2013

Exhibit 10 : Annual Report of Alno AG - 2014

Exhibit 11 : Impressum Page - www.alno.de

Exhibit 12 : Impressum Page - www.tielsa.de

Exhibit 13 : WHO IS page for www.alno.de

Exhibit 14 : WHO IS page for www.tielsa.de

Exhibit 15 : www.casawell.de August 18, 2003

Exhibit 16 : www.casawell.de February 15, 2004

Exhibit 17 : (Pages 1-5) Fax from Ashurst International Law Firm December 21, 2004

Exhibit 18 : (Pages 1-2) Home Page www.wellmann.com September 2001

Exhibit 19 : email from Opposer to Ashurst International Law Firm - January 5, 2005

Exhibit 20 : Letter from Opposer to Ashurst International Law Firm - January 14, 2005

Exhibit 21 : email from from Ashurst International Law Firm to Opposer - January 18, 2005

Exhibit 22 : Delivery Note and Various Correspondence (Pages 1-6)

Exhibit 23 : Letter from ALNO AG to Opposer dated June 2, 2009

Exhibit 24 : email from Opposer to ALNO AG dated August 24, 2009

Exhibit 25 : email from ALNO AG to Opposer dated August 31, 2009

Exhibit 26 : email from Opposer to ALNO AG dated September 9, 2009

Exhibit 27 : email sent by Opposer to Alno AG dated November 18, 2009

Exhibit 28 : email sent by ALNO AG to Opposer on December 22, 2009

Exhibit 29 : (Pages 1-3) email from Chadbourne & Park LLP to Opposer on January 6, 2011

Exhibit 30 : USPTO search page which shows Wellmann Application Ser Number 79149733

Exhibit 31 : WHO IS page for www.wellmann.de

Exhibit 32 : email from ALNO AG to Opposer dated June 3, 2015

Exhibit 33 : email from Opposer to ALNO AG dated June 4, 2015

Exhibit 34 : email from ALNO AG to Opposer dated June 4, 2015

Exhibit 35 : möbelkultur Magazine May 15, 2015

Exhibit 36 : wallstreet-online.de Graph of DAX

Exhibit 37 : wallstreet-online.de Graph of ALNO AG

Exhibit 38 : Information Brochure - Wellmann Gruppe - 1998 - Pages 6 & 7

Exhibit 39 : ALNO AG Annual Report 1999

Exhibit 40 : USPTO search results for Trademark Alno

Exhibit 41 : Finanz-net report October 11, 2014

Exhibit 42 : möbelkultur Magazine March 30, 2015

Exhibit 43 : “History” Page www.tielsa.de/en.historie.html

Exhibit 44 : Handelregister (Company register) Germany

Exhibit 45 : United States Application Serial Number 78046116

Exhibit 46 : California Trademark Registration 107094 for **tielsa**

Exhibit 47 : (Pages 1-2) Better Business Bureau Report

Exhibit 48 : Opposer’s stylized design

Exhibit 1

The **Wellmann Gruppe** was the umbrella under which the manufacturing companies owned and controlled by the late Hans-Dieter Wellmann were known. In 2000, the **Casawell Service Gruppe Gustav Wellmann GmbH & Co. KG** was incorporated, and this company became the formal umbrella. The structure was changed, and it became **Casawell Service GmbH.** It was known as **Casawell Service Gruppe**. Some of the manufacturing companies which formed a part of this group were:

Gustav Wellmann GmbH & Co. KG is a manufacturer of kitchens for use in the home. It is located in Enger, which is in the Northwestern part of Germany. It was founded in 1953 as **Gustav Wellmann GmbH** by Gustav Wellmann. His son, Hans-Dieter Wellmann, later took control of the company and built it into the largest kitchen and bathroom manufacturer in the world. The logical successor to the company would have been Hans-Dieter Wellmann's son Felix, but he was not capable of running this company. It is now owned by ALNO AG, which is located about 640 Km (400 miles) to the South.

tielsa Küchen GmbH was a manufacturer of kitchens for use in the home. The word **tielsa** was spelled in lowercase. The factory was located in Bad Salzuflen, which is in the Northwestern part of Germany, and is about 20 Km (12 miles) away from Gustav Wellmann GmbH & Co. KG.

GVG tielsa Küchen GmbH & Co. KG is the former **tielsa Küchen GmbH & Co. KG** which did not emerge from receivership. ALNO AG owns 5% of this shell company.

Grundstücksverwaltungsgesellschaft tielsa Küchen GmbH & Co. KG is the company which owns the land and buildings which housed **tielsa Küchen GmbH** before its demise. It is now owned by ALNO AG.

Geba Möbelwerke GmbH was a manufacturer of kitchens for use in the home. It was located in Löhne, which is in the Northwestern part of Germany, and is about 17 Km (11 miles) away from Gustav Wellmann GmbH & Co. KG.

Gruco Möbelwerke GmbH was a manufacturer of kitchens for use in the home. It was located in the Southeastern part of Germany, about 460 Km (290 miles) away from Gustav Wellmann GmbH & Co KG.

Lanzet Bad GmbH was a manufacturer of bathroom cabinets for use in the home, and was located in Herxheim, which is in the Southeastern part of Germany, about 470 Km (290 miles) away from the Gustav Wellmann GmbH factory.

wellpac was a manufacturer of inexpensive do-it-yourself kitchens which were supplied unassembled, and was located about 8 Km (5 miles) away from Gustav Wellmann GmbH & Co. KG.

welltec was the company which supplied accessories such as kitchen sinks and faucets, to complete the kitchens, and was located at the same address as Gustav Wellmann GmbH & Co.

KG.
Richard Hörnlein GmbH & Co KG was a manufacturer of doors for kitchens and was located in Bevern, which is about 70 KM (45 miles) away from Gustav Wellmann GmbH & Co KG.

Wellmann International GmbH was the company which coordinated export business for the Casawell Service Gruppe, and was located at the same address as tielsa Küchen GmbH.

NOTE:
The structure of the companies incorporated in Germany referred to are as follows:
Aktiengeselschaft: abbreviated as **AG**. A publicly traded corporation.
Gesellschaft mit beschränkte Haftung: abbreviated as **GmbH**. A privately held corporation with limited liability.
Kommanditgesellschaft: abbreviated as **GmbH & Co. KG**. A privately held limited liability company with at least 2 members, one of whom may be responsible for all debts incurred by the company. The other member(s) may not be held liable.

Exhibit 2

FACSIMILE TRANSMISSION FORM

wellmann®

In case fax not received in proper condition please contact immediately:
Telefax 5223/165178
TTX/Telex (17)5222818 TIELSA
Direct Phone 5223/165-409

To: Paletz

Page: 1/1

Your message dated: -

Your ref.: -

Our ref.: SHM/eg

Date: May 15, 1992

Dear Larry,

Via my contacts to Mr. Münsterteicher at Miele export department I learnt that you are interested to open up your own business in California.

As you may know, I left Miele in Sept. 1991 and started with Europe's biggest kitchen manufacturer, the Wellmann Group. We can offer a wide variaty of fronts out of a range of eight productlines/brands. Our turnover in 1991 exceeded 600 million DM.

If you are interested in our products please let me have your address to send to you all information about Wellmann and our kitchens.

Please give my regards to your wife and family.

Looking forward to hearing from you soon,

yours sincerely

F. W. Schormann

Wellmann-Küchen, Export Management

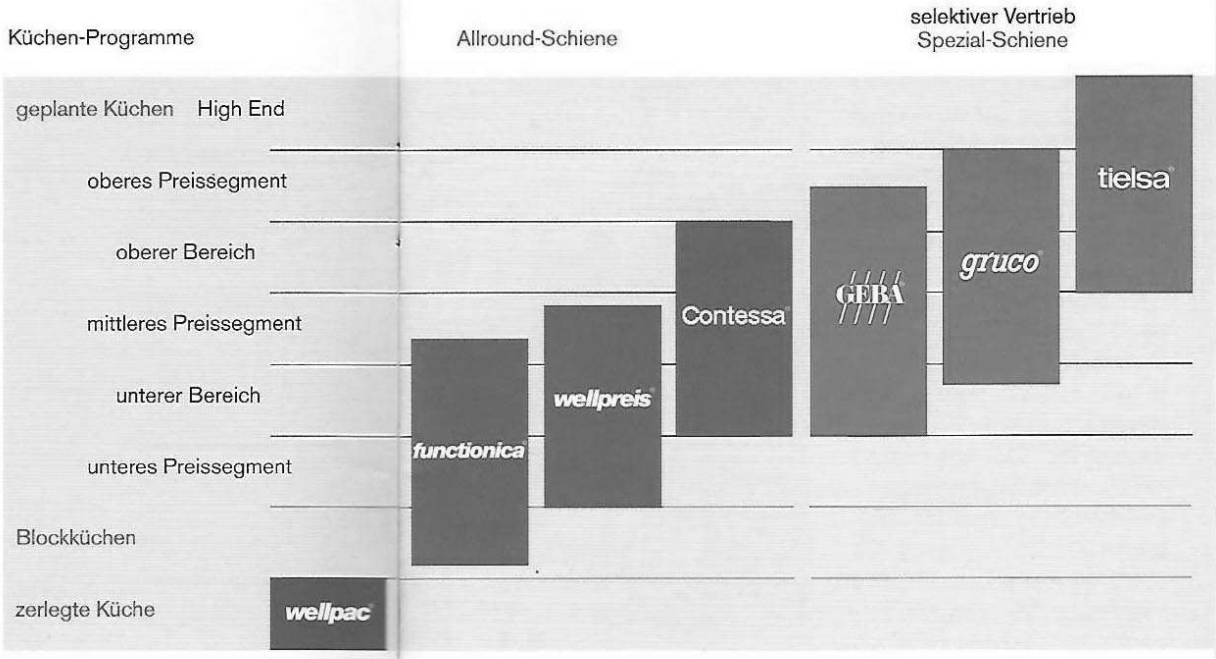
Exhibit 3

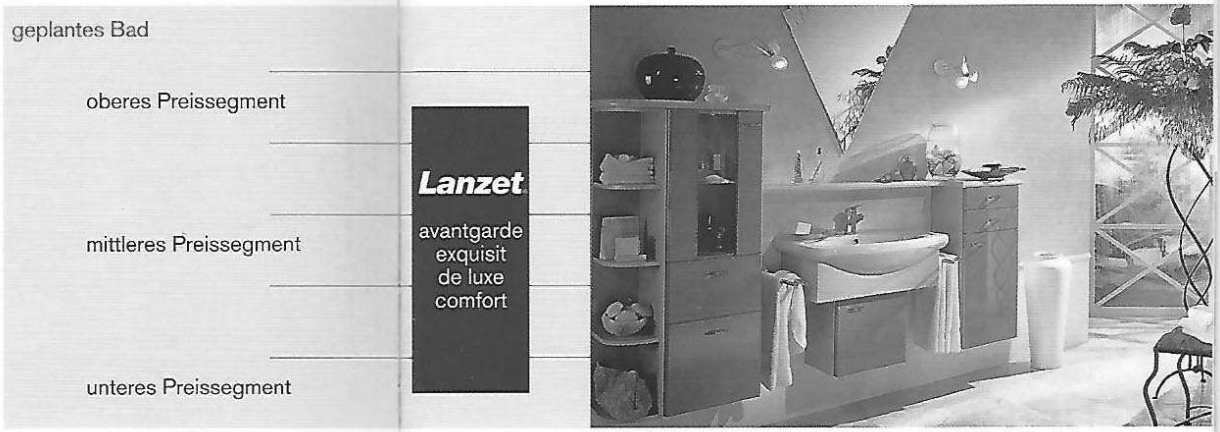
Die Positionierung unserer Hauptproduktlinien.

Unser umfangreiches Programm ist mit seiner Vielfalt und mit seinem Preis/Leistungs-Verhältnis richtungsweisend für die Branche. Es reicht von Spitzenmarken individuell planbarer Einbauküchen über kompromißlos günstige, ergänzungsfähige Küchenzeilen bis zu Mitnahme-Küchen zum Selbstaufbau.

Für den Wachstumsmarkt Badezimmermöbel haben wir die Produktlinie Lanzet konzipiert.

Mit unserer Präsenz in allen Segmenten des Küchen- und Badezimmermöbelmarktes begegnen wir jedem Trend flexibel und kompetent.





Für jedes Marktsegment haben wir das passende Angebot.

Exhibit 4

FILED

#2001-002855

JAN 29 2001
13:54
GREGORY J. SMITH
SAN DIEGO COUNTY RECORDER/CLERK
FEES: 23.00
EXPIRES: JAN 29 2006
DEPUTY: CFERRERE

PLEASE PRINT OR TYPE FIRMLY. YOU ARE MAKING MULTIPLE COPIES.

GREGORY J. SMITH
RECORDER/COUNTY CLERK
1600 Pacific Highway, Room 260
P.O. Box 121750
San Diego, California 92112-1750
(619) 237-0502

SEE REVERSE SIDE FOR INSTRUCTIONS

FILING FEE
$17.00 - FOR FIRST BUSINESS NAME ON STATEMENT
$ 3.00 - FOR EACH ADDITIONAL BUSINESS NAME FILED ON SAME STATEMENT AND DOING BUSINESS AT THE SAME LOCATION
$ 3.00 - FOR EACH ADDITIONAL OWNER IN EXCESS OF ONE OWNER

FICTITIOUS BUSINESS NAME STATEMENT

This Space For Use of County Clerk

THE NAME[S] OF THE BUSINESS[ES]:

(1) GRUCO / TIELSA / LANZET
(Print Fictitious Business Name[s] on Line Above)

(2) LOCATED AT: 1493 CAMINITO SOLIDAGO
(Street Address of Business – If No Street Address Assigned – Give Exact Location of Business Plus P.O. Box or Rural Route)

IN: LA JOLLA CA 92037
(City and Zip)

IS (ARE) HEREBY REGISTERED BY THE FOLLOWING OWNER[S]:

(3) #1 WELLMANN KITCHENS, INC.
(Corporate or Owner's Full Name – Type/Print)
CALIFORNIA
(Residence address if not incorporated)
(State of incorporation if incorporated)
(City and Zip)

#2
(Corporate or Owner's Full Name – Type
(Residence address if not incorporated)
(State of incorporation if incorporated)
(City and Zip)

#3
(Corporate or Owner's Full Name – Type or Print)
(Residence address if not incorporated)
(State of incorporation if incorporated)
(City and Zip)

#4
(Corporate or Owner's Full Name – Type
(Residence address if not incorporated)
(State of incorporation if incorporated)
(City and Zip)

Gregory J. Smith
Recorder/Recorder
County Clerk
Thank You!
DOCUMENT # 002855
#Birth-Marriage-Death
Certificates
#Business Names(DBA)
REC 01-29-01 01:54 PM
K.MARLAND 2001 START
RETURN ORG $23.00
1Nn
CASH $23.00
#Marriage Licenses
#Marriage Certificates
#Birth and Marriage
Keepsakes

(4) This business is conducted by: ☐ an Individual ☐ Individuals – Husband and Wife ☐ a General Partnersh
☐ a Limited Partnership ☒ a Corporation ☐ a Business Trust ☐ Co-Partners ☐ a Joint Ventur
☐ an Unincorporated Association – other than a Partnership ☐ Limited Liability Company
☐ Other *(Specify)*

(5) THE TRANSACTION OF BUSINESS BEGAN ON: 4/30/1999

SIGNATURE OF REGISTRANT:

LARRY PALETZ VICE PRESIDENT
(Print name of person signing and, if a Corporate Officer, also state title)

THIS STATEMENT WAS FILED WITH GREGORY J. SMITH, RECORDER/COUNTY CLERK OF SAN DIEGO COUNTY ON DATE INDICATED BY FILE STAMP ABOVE.

THE FILING OF THIS STATEMENT DOES NOT OF ITSELF AUTHORIZE THE USE IN THE STATE OF A FICTITIOUS BUSINESS NAME IN VIOLATION OF THE RIGHTS OF ANOTHER UNDER FEDERAL, STATE, OR COMMON LAW (See section 14400 et seq., Business and Professions Code). THIS FICTITIOUS BUSINESS STATEMENT NAME EXPIRES FIVE (5) YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE RECORDER/COUNTY CLERK. IF YOU INTEND TO CONTINUE BUSINESS UNDER THIS NAME A NEW FICTITIOUS BUSINESS NAME STATEMENT **MUST BE FILED PRIOR TO:**

CERTIFICATION

COUNTY CLERK SAN DIEGO COUNTY CALIF.

I hereby certify that the foregoing is a full, true and correct copy of the original on file with this office.
Gregory J. Smith, Recorder/County Clerk

By ..... , Deputy

ASSIGNED FILE NO. .....

FOR BANK AND OTHER AGENCY

Form 231 Co. CLK (REV. 10-95)

Exhibit 5

State of California

SECRETARY OF STATE

Trademark Reg. No. 107094 **Class No.** Int. 20

CERTIFICATE OF REGISTRATION OF TRADEMARK

***I, BILL JONES,* Secretary of State of the State of California, hereby certify:**

That in accordance with the application filed in this office the TRADEMARK described below has been duly registered in this office on behalf of:

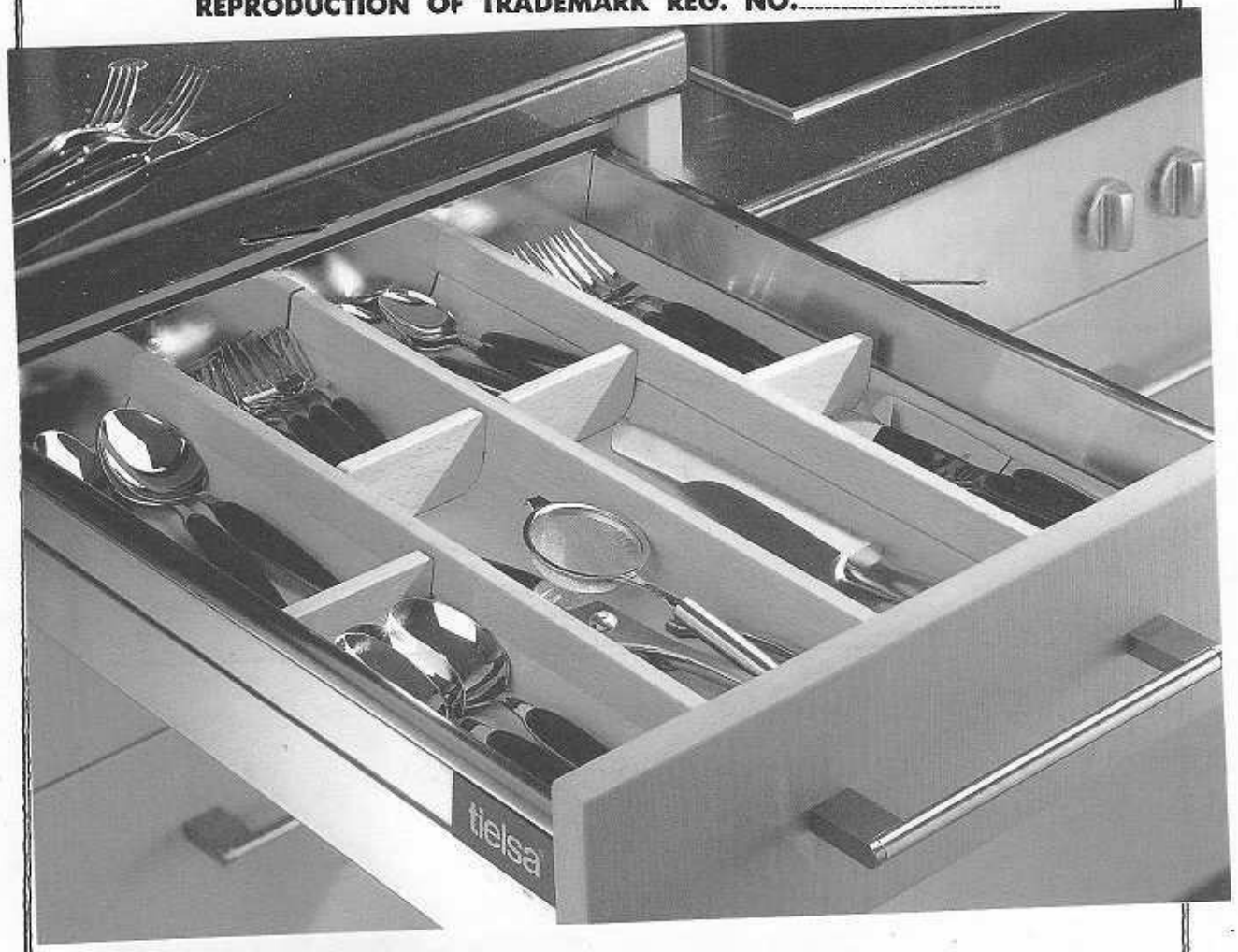
Name of Applicant: Wellmann Kitchens, Inc.,
Business Address: 1493 Caminito Salidago, La Jolla, CA 92037
Date first used in California: April 30, 1999
Date first used anywhere: April 30, 1999
Description of Trademark: tielsa
Description of Goods on which the Trademark is used: Furniture, kitchen furniture, bathroom furniture wall units.
A copy, specimen, facsimile, counterpart or a reproduction of the mark is attached
Date of Registration: March 8, 2001
Term of Registration Extends to and Includes: March 8, 2011

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this 13th **day of** March 2001

BILL JONES
Secretary of State

A COPY, SPECIMEN, FACSIMILE, COUNTERPART OR

REPRODUCTION OF TRADEMARK REG. NO. 107094



Bill Jones

BILL JONES
Secretary of State

Exhibit 6

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Aug 27 03:21:13 EDT 2015

Word Mark	**TIELSA** THE EXCLUSIVE KITCHEN
Goods and Services	(ABANDONED) IC 020. US 002 013 022 025 032 050. G & S: Furniture, Kitchen Furniture, Bathroom Furniture, Accessories for Furniture. FIRST USE: 19990430. FIRST USE IN COMMERCE: 19990430
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.02 - Plain single line rectangles; Rectangles (single line) 26.11.21 - Rectangles that are completely or partially shaded
Serial Number	78046116
Filing Date	February 1, 2001
Current Basis	1A
Original Filing Basis	1A
Owner	(APPLICANT) Wellmann Kitchens, Inc. CORPORATION CALIFORNIA 1493 Caminito Solidago La Jolla CALIFORNIA 92037
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD
Abandonment Date	December 21, 2001

Exhibit 7

wellmann
Germany's Premier Kitchens

Wellmann Kitchens, Inc. 7596 Eads Ave., Suite 220 La Jolla CA 92126 Tel (858) 566-1111 Fax (858) 566-2222

January 14, 2005

Ashurst Rechtsanwälte,
ATTENTION: MS. NINA GOES
Oberlindau 54-56
60323 Frankfurt / Main
Germany

Dear Sirs,

Re: ALNO A.G.

As an acknowledgement to your fax dated 21 December 2004, which was sent to an unpublished number reserved for the exclusive use of our order department and without disclaimers of any kind regarding reading and/or dissemination of the confidential information contained therein, we sent to you an e-mail on January 5, 2005 requesting that you refrain from sending faxes to said number and that you communicate with us using the e-mail address legal-04@wellmann.com. The read receipt requested was not acknowledged, and we received no further communication from you.

Kindly be informed that your claims are not only materially incorrect, but are totally without substance. Your client is the successor-in-title to Wellmann International GmbH, Gustav Wellmann GmbH & Co. KG and Casawell Service Gruppe. The links to your client's websites were provided at the specific request of your client, and remained on our web page for many years with the full knowledge and blessing of your client. Any legitimate complaint which may have existed (which is denied) would have been brought to our attention many years ago. In fact, it was only after we informed your client of pending changes in our organization, which your client realized could cause said links to disappear and pages formerly not visible to the general public to be displayed, that your client suddenly decided to protest.

The Cease and Desist order contained in your correspondence under reply demands payment from us to your client as follows:
"A contract penalty amounting to EUR 10,000.00 to ALNO AG ..... for each breach of the obligations set out in items 1 and 2 ....."
and
"to reimburse ALNO AG ..... for the costs of engaging the lawyers of Ashurst based on an objective value of EUR 100,000.00 with 1.3 fee ....., i.e. EUR 2,025.74"

The demand is therefore for a total of EUR 232,025.74, comprised as follows:

"Contract Penalty" [Par. (1.)]:	12 x EUR	10,000.00	EUR 120,000.00
"Contract Penalty" [Par. (2.)]:	1 x EUR	10,000.00	EUR 10,000.00
Legal Fees of your client:	EUR	102,025.00	EUR 102,025.74
TOTAL:			EUR 232,025.74

The foresaid claims are without merit, and clearly intended to extort monies from us.

It is most unfortunate that your client made no attempt whatsoever to utilize existing lines of communication to discuss the situation. However, the business methods of your client speak for themselves. Such behavior includes, but is not limited to the following:

Your client entered into an agreement with our company which provided us with the sole distribution rights of all of your clients products for the Western States of the USA. Shortly thereafter, your client also entered into an agreement with Charles Pollington / Brentwood Kitchens, Brentwood, California, for the sole distribution rights of certain products included in the prior agreement with our company for areas already covered by our agreement with your client.

After our company had established a presence in New York, your client disregarded its' previous undertaking to us that it would expand the area covered by the said agreement with us to include other states by entering into an agreement with Louis Hakimian / Regency Industries, Inc. for the sole right to distribute certain of your client's products in the Eastern States of the USA.

After our company had established a presence in Florida, your client similarly delivered goods directly to Collette Kitchens, Boca Raton, Florida.

Your client, providing unsolicited recommendations in writing as also in person, repeatedly requested that we do business with one Antonius Jansen, who was completely unknown to us. Based solely on your client's request and recommendation, we hired Antonius Jansen, and authorized him access to sensitive and confidential information. Mr. Jansen proceeded to embezzle substantial monies from our company which he used to finance a competitive company controlled by him to which he diverted our customers to purchase products and services. We subsequently established that Mr. Jansen is a convicted Felon with a long history of deceit. We would normally not have had any dealings with Mr. Jansen. It was only at your client's insistence that we did business with Mr. Jansen.

Your client sold the Hörnlein company as Hörnlein's only meaningful customer together with an undertaking to do further substantial business with Hörnlein. However, a short time after the sale, your client decided not to purchase any products whatsoever from

.... / Page 3

Hörnlein, forcing that company into bankruptcy. Since the Hörnlein company did not have funds available to sue your client, the investors lost all their money and were left without recourse against your client.

The Tielsa / Gruco factories are a further example. Your client initially encouraged a management buy-out, but the financial institutions saw through the situation and refused to advance funds to Mr. Töppert. Your client's ongoing deception regarding the viability of these factories continued to the bitter end until the last factory closed permanently in 2003. We were finally stuck with a showroom full of these products which became virtually worthless. Although your client made arrangements for the E + K Möbelwerke to manufacture some articles to supplement certain displays, these products did not match the original, and many door styles were not available. One of the last kitchen orders supplied to us by your client from the now defunct Gruco factory included a cabinet with the incorrect doors, rendering the entire kitchen worthless. The required doors are not available anywhere. Your client has not honored the warranties it provided for Tielsa and Gruco products, which are no longer in production, and no products are available to replace the defective products supplied by your client. This breach on the part of your client has caused irreparable harm to our company.

Any action which your client may bring against us will be vigorously defended. In addition, it is clear from the above that we have suffered substantial damages as a result of the actions of your client. This communication is not intended as an exhaustive list of all of our rights, or of damages we have suffered. We reserve all our rights in this matter, and will address same in the appropriate forum.

Kindly be advised that the laws in the United States of America provide severe penalties for persons who file frivolous lawsuits. You should be further advised that penalties may be also be assessed against the lawyers who facilitate such lawsuits. Kindly be further advised that the laws in the United States of America provide severe penalties for infringement of Trademarks. In the event that your client makes any attempt to use our Marks in the United States, we shall institute appropriate action to protect such Marks.

You should be governed accordingly.

Yours Sincerely,
Wellmann Kitchens, Inc.

Larry Paletz
Vice President

gd

Exhibit 8

Konzernstruktur der ALNO Gruppe

PER 31. DEZEMBER 2012

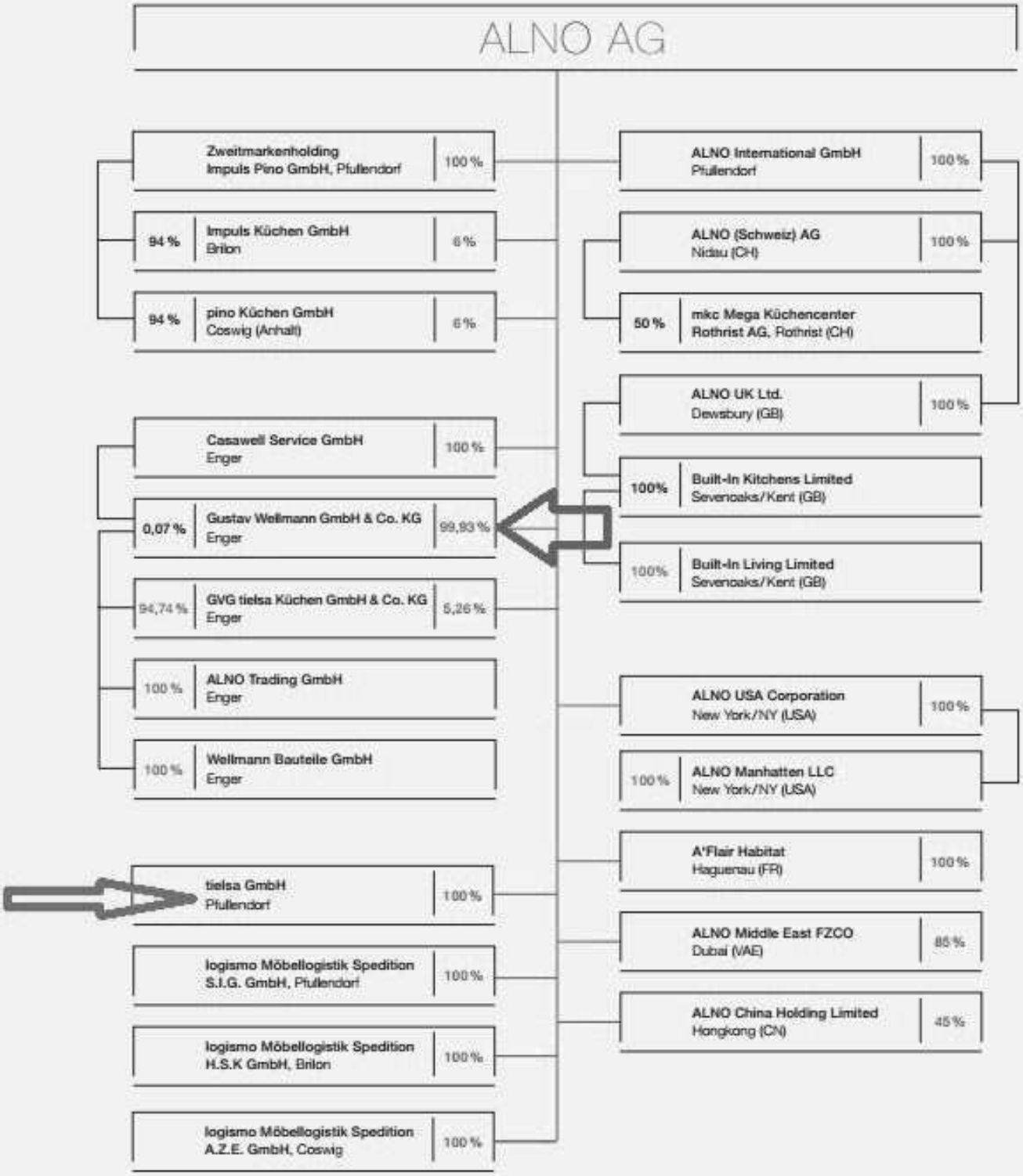


Exhibit 9

1. Grundlagen des Konzerns

Geschäftsmodell des Konzerns

Organische Struktur des Konzerns

Die ALNO Gruppe entwickelt, produziert und vertreibt Küchenmöbel und Zubehör für den deutschen Markt und den weltweiten Export. Konzernmuttergesellschaft ist die ALNO AG, Pfullendorf, die Holding-Funktionen sowie die zentrale Verwaltung wahrnimmt, den Fertigungsstandort Pfullendorf und den Bereich Vertrieb betreibt. Zur ALNO Gruppe gehören insgesamt 21 aktive Einzelgesellschaften. Die Hauptverwaltung ist am Standort Pfullendorf (Baden-Württemberg).

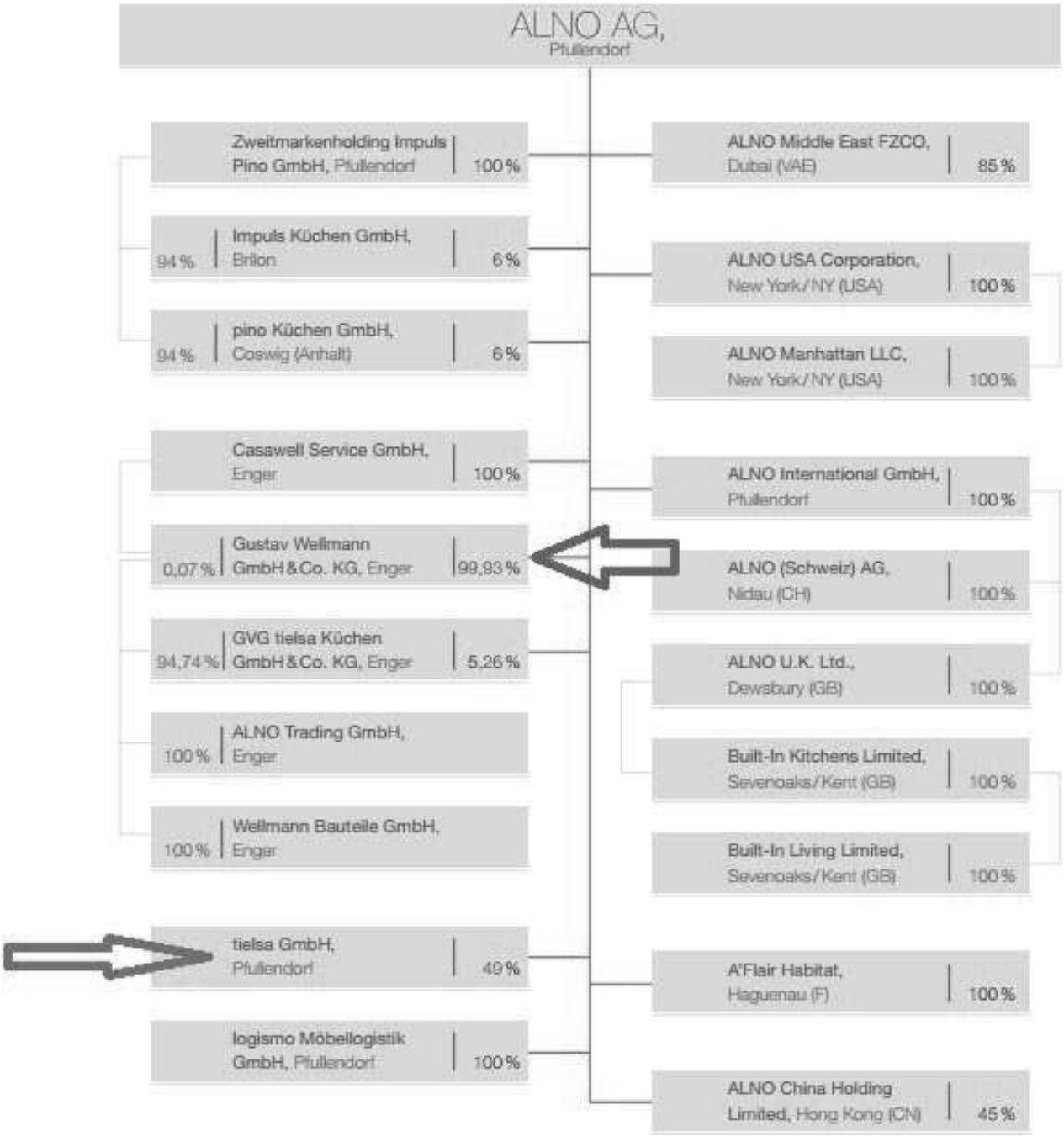
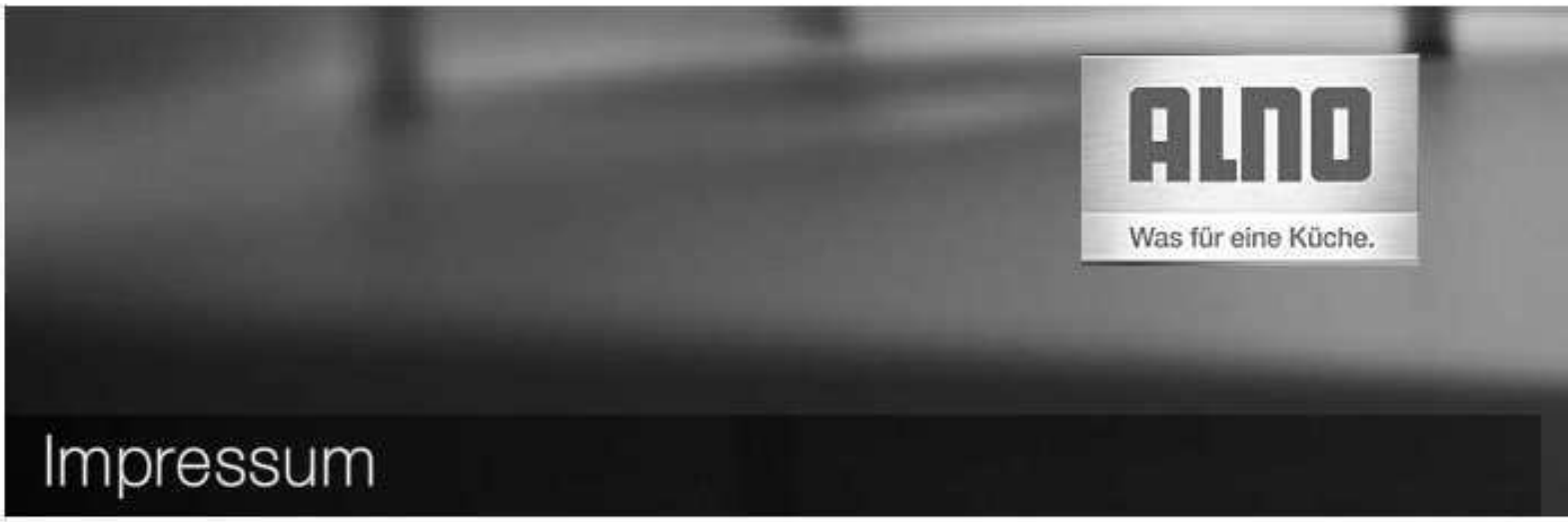


Exhibit 10

ALNO AG,
Pfullendorf
Zweitmarkenholding Impuls Pino GmbH, Pfullendorf 100 %
94 % Impuls Küchen GmbH, Brilon 6 %
94 % pino Küchen GmbH, Coswig (Anhalt) 6 %
Casawell Service GmbH, Enger 100 %
0,07 % Gustav Wellmann GmbH & Co. KG, Enger 99,93 %
94,74 % GVG tielsa Küchen GmbH & Co. KG, Enger 5,26 %
100 % ALNO Trading GmbH, Enger
tielsa GmbH, Pfullendorf 49 %
logismo Möbellogistik GmbH, Pfullendorf 100 %
A'Flair Habitat, Haguenau (F) 100 %
ALNO China Holding Limited, Hong Kong (CN) 45 %
ALNO Middle East FZCO, Dubai (VAE) 85 %
AFP Küchen AG, Arbon (CH) 100 %
ALNO USA Corporation, New York/NY (USA) 100 %
ALNO Manhattan LLC, New York/NY (USA) 100 %
ALNO International GmbH, Pfullendorf 100 %
ALNO (Schweiz) AG, Nidau (CH) 100 %
ALNO U.K. Ltd., Leeds (GB) 100 %
Built-In Kitchens Limited, Sevenoaks (GB) 100 %
ALNO Contracts Limited, Sevenoaks (GB) 100 %
ALNO Surfaces Limited, Wolverhampton (GB) 100 %
ALNO Franchising Limited, Leeds (GB) 100 %
Bradbury's (Holdings) Limited, Exeter (GB) 100 %
Bradbury's of Exeter Limited, Exeter (GB) 100 %
Bradbury's of Bristol Limited, Bristol (GB) 100 %

Exhibit 11

alno.de/alnosys3/276.0.de.html



Impressum

Herausgeber

ALNO AG
88630 Pfullendorf

Telefon 07552 21-0

E-Mail: mail@alno.de

Register: ALNO AG, Sitz Pfullendorf, Amtsgericht Ulm, HRB 727041
USt.-Id.-Nr. DE 172 389 436

Vorsitzender des Aufsichtsrates: Hanns R. Rech
Vorstand: Max Müller (Vors.), Ipek Demirtas

Verantwortlich für den Inhalt: Marketingabteilung der ALNO AG | Alle Rechte vorbehalten

---

Datenschutzbestimmungen der ALNO AG

Rechtliche Hinweise

Die ALNO AG prüft und aktualisiert die Informationen auf ihren Webseiten ständig. Trotz aller Sorgfalt können sich Situationen und Gegebenheiten inzwischen verändert haben. Eine Haftung oder Garantie für die Aktualität, Richtigkeit und Vollständigkeit der zur Verfügung gestellten Informationen kann daher nicht übernommen werden. Gleiches gilt auch für alle anderen Webseiten, auf die mittels Hyperlink verwiesen wird. Die ALNO AG ist für den Inhalt der Webseiten, die auf Grund einer solchen Verbindung erreicht werden, nicht verantwortlich. Des Weiteren behält sich die ALNO AG das Recht vor, Änderungen oder Ergänzungen der bereitgestellten Informationen vorzunehmen.

Copyright © 2009 ALNO AG Pfullendorf

Exhibit 12

tielsa - Impressum

tielsa.de/de/impressum.html

tielsa | my tielsa | Küchen | Design | Service | Unternehmen | live erleben

Impressum

tielsa GmbH
Heiligenberger Str. 47
88629 Pfullendorf
info@tielsa.de
Telefonnummer: +49 (0) 7552 21 3180
Fax: +49 (0) 7552 21 3238

Sitz Pfullendorf

Registergericht: Amtsgericht Ulm
HRB Nr. 728636

UsT ID Nummer: DE288214060

Geschäftsführer:
Christian Hartmannsgruber, Hansjörg Rollshausen

Verantwortlich für den Inhalt:
Christian Hartmannsgruber, Hansjörg Rollshausen

Alle Rechte vorbehalten / All rights reserved

© 2015 tielsa GmbH

Sitemap | tielsa-News | Karriere | Kontakt

Datenschutzrichtlinien

Verwendung von Cookies

Lizenzhinweise

Mit der Nutzung unserer Dienste sowie dem Klicken des „OK" Buttons erklären Sie sich damit einverstanden, dass wir Cookies setzen und verwenden. OK Weiterlesen ...

Exhibit 13

webwhois: www.denic.de

DENIC eG [DE] https://www.secure.denic.de/webwhois/accepted-angenommen

DENIC .de

Domainabfrage · whois

.de

Abfrage starten

Hilfe

Domainabfrage-Ergebnis

Domaindaten

Domain	alno.de
Letzte Aktualisierung	16.06.2010

Domaininhaber

Der Domaininhaber ist der Vertragspartner der DENIC und damit der an der Domain materiell Berechtigte.

Domaininhaber:	Alno AG
Adresse:	Heiligenbergerstr.47
PLZ:	88630
Ort:	Pfullendorf
Land:	DE

Ort: Pfullendorf
Land: DE

Administrativer Ansprechpartner

Der administrative Ansprechpartner (admin-c) ist die vom Domaininhaber benannte natürliche Person, die als sein Bevollmächtigter berechtigt und gegenüber DENIC auch verpflichtet ist, sämtliche die Domain alno.de betreffenden Angelegenheiten verbindlich zu entscheiden.

Name: Mira Krane
Adresse: Alno AG
Heiligenberger Strasse 47
PLZ: 88629
Ort: Pfullendorf
Land: DE

Technischer Ansprechpartner

Der technische Ansprechpartner (tech-c) betreut die Domain alno.de in technischer Hinsicht.

Name: HOSTMASTER OF THE DAY
Adresse: FreiNet GmbH
Loerracherstrasse 5a
PLZ: 79115
Ort: Freiburg
Land: DE
Telefon: +49 7614961770
Telefax: +49 76149671770
E-Mail: hostmaster@freinet.de

Zonenverwalter

Der Zonenverwalter (zone-c) betreut die Nameserver der Domain alno.de.

Name: HOSTMASTER OF THE DAY
Adresse: FreiNet GmbH
Loerracherstrasse 5a
PLZ: 79115
Ort: Freiburg
Land: DE
Telefon: +49 7614961770
Telefax: +49 76149671770
E-Mail: hostmaster@freinet.de

Technische Daten

Nameserver: ns.frei.net
Nameserver: ns2.frei.net

Exhibit 14

webwhois: www.denic.de

DENIC eG (DE) | https://www.secure.denic.de/webwhois/accepted-angenommen

Impressum Kontakt English

DENIC .de

Domainabfrage · whois

.de

Abfrage starten

Hilfe

Domainabfrage-Ergebnis

Domaindaten

Domain	tielsa.de
Letzte Aktualisierung	09.01.2013

Domaininhaber

Der Domaininhaber ist der Vertragspartner der DENIC und damit der an der Domain materiell Berechtigte.

Domaininhaber:	Alno AG
Adresse:	Heiligenbergerstr.47
PLZ:	88630
Ort:	Pfullendorf
Land:	DE

Administrativer Ansprechpartner

Der administrative Ansprechpartner (admin-c) ist die vom Domaininhaber benannte natürliche Person, die als sein Bevollmächtigter berechtigt und gegenüber DENIC auch verpflichtet ist, sämtliche die Domain tielsa.de betreffenden Angelegenheiten verbindlich zu entscheiden.

Name:	Mira Krane
Adresse:	Alno AG Heiligenberger Strasse 47
PLZ:	88629
Ort:	Pfullendorf
Land:	DE

Technischer Ansprechpartner

Der technische Ansprechpartner (tech-c) betreut die Domain tielsa.de in technischer Hinsicht.

Name:	HOSTMASTER OF THE DAY
Adresse:	FreiNet GmbH Loerracherstrasse 5a
PLZ:	79115
Ort:	Freiburg
Land:	DE
Telefon:	+49 7614961770
Telefax:	+49 76149671770
E-Mail:	hostmaster@freinet.de

Zonenverwalter

Der Zonenverwalter (zone-c) betreut die Nameserver der Domain tielsa.de.

Name:	HOSTMASTER OF THE DAY
Adresse:	FreiNet GmbH Loerracherstrasse 5a
PLZ:	79115
Ort:	Freiburg
Land:	DE
Telefon:	+49 7614961770
Telefax:	+49 76149671770
E-Mail:	hostmaster@freinet.de

Technische Daten

Nameserver:	ns.frei.net
Nameserver:	ns2.frei.net

Exhibit 15

Die Casawell Service Gru

web.archive.org/web/20030818102731/http://wellmann.input-nms.de/casawell/?sid=160&lang=de&flash=0

INTERNET ARCHIVE WayBackMachine

http://wellmann.input-nms.de/casawell/?sid=160&lang=de&flash=0 Go

8 captures
18 Aug 03 - 8 Dec 04

JUL AUG DEC
2002 18 2003 2004

Exhibit 16

Die Casawell Service Gru

web.archive.org/web/20040215070356/http://wellmann.input-nms.de/casawell/?sid=160&lang=de&flash=0

INTERNET ARCHIVE WaybackMachine

http://wellmann.input-nms.de/casawell/?sid=160&lang=de&flash=0 Go

8 captures
18 Aug 03 - 8 Dec 04

DEC FEB APR
15
2003 2004 2005

ALNO ...die Welt der Küche

Ein Unternehmen des ALNO Konzerns.
A member of the ALNO group.

Exhibit 17

Our ref: NYG\ALN01.00001
Direct line: 0049-(0)69-97112-779
Direct fax: 0049-(0)69-97112-729
E-mail: nina.goes@ashurst.com

Resident Partners in Frankfurt:
Rechtsanwälte:
Markus Strelow
Dr. Klaus Herkenroth LL.M.
Reinhard Eyring
Dr. Hermann Schlindwein
Dr. Andreas Zahn
Dr. Stephan Kock
Andreas Vogel
Solicitor:
Andrew Edge LLB. (Hons.)
(England and Wales, Hong Kong)

Resident Partners in Munich:
Rechtsanwälte:
Dr. Karl J.T. Wath
Dr. Jörg Kirchner LL.M.
Claudia Heins
Dr. Andreas Hoffmann LL.M.
Stefan Süss

Ashurst
Oberlindau 54-56
60323 Frankfurt am Main

Tel +49 69 97 11 26
Fax +49 69 97 20 52 20
www.ashurst.com

Rechtsanwälte + Solicitors

A partnership under English law

ashurst

December 21, 2004

BY FAX
001 619 683-2222

Wellmann Kitchens, Inc.
7596 Eads Ave., Suite 220
La Jolla, CA 92037

U.S.A.

Dear Sirs

Unauthorized Use of the Domains "wellmann.com", "wellmann-usa.com", "wellmann.info", "wellmann.biz", "tielsa.com", "tielsa.info", "tielsa.biz", "gruco.com", "gruco.Info", "gruco.biz", "geba.info", "geba.biz"

Unauthorized Use of the Respective Homepage ("Herzlich Wilkommen. Die offizielle Wellmann Website ..." © 1992-2004 Wellmann Kitchens, Inc.)

We hereby notify you that we represent the ALNO AG, the top holding company of the "ALNO GROUP", Heiligenbergerstraße 47, 88630 Pfullendorf, in the above-mentioned matter.

You are currently registered for and running the domains: "wellmann.com", "wellmann-usa.com", "wellmann.info", "wellmann.biz", "tielsa.com", "tielsa.info", "tielsa.biz", "gruco.com", "gruco.info", "gruco.biz", "geba.info", "geba.biz" on the internet, each of which is linked to the homepage "Herzlich Willkommen. Die offizielle Wellmann Website" / Welcome. The official Wellmann website....". A screenshot of this homepage is attached.

We have to inform you that you are under no legal aspect allowed to register and use the above-mentioned domain names on the internet as "Wellmann", "Tielsa", "Gruco" and "Geba" are validly registered as German trademarks for our client.

Furthermore, you are not allowed to use the company name/trade name "Wellmann", with or without additional words on your homepage. Nor are you allowed to consider this page as the "official Wellmann website" and to list the corporate headquarter and international subsidiaries of our client.

As your former "Distributor Agreement" expired on 31. December 2003, no business connection exists between your company and our client with its affiliated companies. As already mentioned, our client owns the company name "Wellmann" as well as the trademarks "Alno", "Wellmann", "Gruco", "Tielsa", "Geba" registered at the Patents and Trademark Office in Germany.

While you use the above-mentioned domains and the homepage in the German language naming the affiliated German companies of our client and stating its trademarks, it is misleading under the German Unfair Competition Act and constitutes a breach of the Act for trademark protection.

We therefore have to request that you cease and desist the unauthorized use of the domains and the homepage in dispute.

BRUXELLES FRANKFURT LONDON MADRID MILANO MÜNCHEN NEW DELHI NEW YORK PARIS SINGAPORE TOKYO

You can avoid any further legal action by signing the attached Cease and Desist Order and sending it back to us no later than

Tuesday, 4 January 2005.

For the purpose of meeting the deadline, a copy of the signed Declaration by fax is sufficient as long as the original is sent immediately by post.

In the event you do not sign and return the requested Cease and Desist Order, we will instruct our client to undertake further appropriate legal action in Germany and California, USA.

Yours sincerely

N. I. Goes

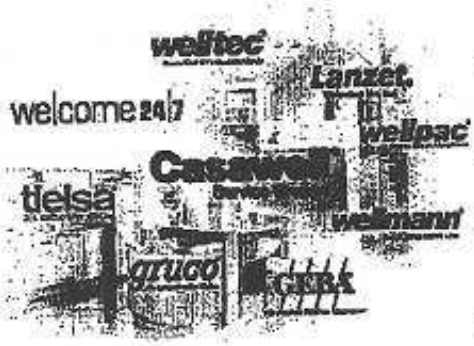
Nina Goes
Attorney-at-Law

ashurst

wellmann®

Ihre Küche kennt uns

Germany's Premier Kitchens



Herzlich Willkommen. Die offizielle *wellmann* Website

Welcome. The official *wellmann* Web site

Bienvenue. Le site web officiel de *wellmann*

Benvenuti. La pagina Web ufficiale *wellmann*

Welkom. De officiële *wellmann* Website

Bienvenido. La página Web oficial de *wellmann*

Bem-Vindo. Website oficial da *wellmann*

ようこそ *wellmann* のオフィシャル・ホームページへ。

Ein internationales Unternehmung stellt sich vor.

Introducing an International Corporation.

Une entreprise internationale se présente.

HAUPTVERWALTUNG

CORPORATE HEADQUARTERS

[redacted]

Gustav Wellmann GmbH & Co. KG
Bustedter Weg 16
D - 32130 Enger
Deutschland

INTERNATIONALE NIEDERLASSUNGEN

INTERNATIONAL SUBSIDIARIES

INTERNATIONAL SUBSIDIARIES HAVE BEEN RATIONALIZED FOLLOWING THE MERGER BETWEEN THE ALNO AND WELLMANN GROUPS

[redacted]

Wellmann Vertriebs-Gesellschaft m.b.H. (Österreich / Tschechien / Ungarn)
Industriezentrum-Nö-Süd
Straße 3, Objekt 41
A - 2355 WIENER NEUDORF
AUSTRIA

Tel.: 0 2236 / 615 25-0 Fax: 0 2236 / 615 2561

	ALNO Nederland Kanaalstraat 102 5104 AD Dongen Telefoon: (0162) 31 62 00 Fax: (0162) 32 25 21 E-Mail: mail@alno.nl
	ALNO België E3 Laan 2 B-9800 Deinze Tel.: 09 386-38 72 Fax: 09 386-6305
	Wellmann (UK) Limited Shaw Cross Court / Shaw Cross Business Park GB-Dewsbury / West Yorkshire WF12 7 RF GREAT BRITAIN Tel.: 01 1924 / 48 79 00 Fax: 01 1924 / 43 73 05
	ALNO FRANCE SARL 90 chemin du Val Fleuri 06800 CAGNES SUR MER Tél: +33 4.92.27.58.58 Fax: +33 4.93.31.50.00
	Wellmann (Schweiz) AG Zurlindenstrasse 21 CH-4133 Pratteln/Basel Tel.: +41 61 906 99 10 Fax: +41 61 906 99 11
	Alno Italia S.p.A. Via F. Baracca 15a I-50127 Firenze Tel.: +39 55 351 311 Fax: +39 55 351 318 81 Numero Verde: 800 40 4610 e-mail: mail@alno.it
	Wellmann Vertriebs-Gesellschaft m.b.H. (Österreich / Tschechien / Ungarn) Industriezentrum-Nö-Süd Straße 3, Objekt 41 A - 2355 WIENER NEUDORF AUSTRIA Tel.: 02236 / 615 25-0 Fax: 02236 / 615 2561
	Alno Iberica, S.A. c/Principe de Vergara, 112 28002 Madrid Tel.: +34 91 411 1312 Fax. +34 91 563 9457 e-mail: correo@alno.es
	Wellmann Kitchens, Inc. 7596 Eads Ave., Suite 220 La Jolla, CA 92037 U.S.A. Tel.: +1 619 688-1000 Fax: +1 619 683-2222

Cease and Desist Order

Wellmann-Kitchens, Inc.
7596 Eads Ave., Suite 220
La Jolla, CA 92037
U.S.A.
represented by Larry Paletz,

obligates itself to

ALNO AG,
88630 Pfullendorf, Heiligenbergerstr. 47,
represented by the
Managing Director, Dr. Frank Gebert,

1. to de-register the following domains and to desist from using them on the internet for competitive purposes in the course of trade or business:

   "wellmann.com", "wellmann-usa.com", "wellmann.info", "wellmann.biz", "tielsa.com", "tielsa.info", "tielsa.biz", "gruco.com", "gruco.info", "gruco.biz", "geba.info", "geba.biz";

2. to cease and desist from using for competitive purposes in the course of trade or business the homepage

   "Herzlich Willkommen. Die offizielle Wellmann webiste / The official Wellmann website" (© 1992-2004 Wellmann Kitchens, Inc.) naming the registered trademarks "tielsa", "gruco", "Geba", "Wellmann" and naming the corporate headquarter "Gustav Wellmann GmbH & Co. KG" and the international subsidiaries with the company name "Wellmann ..." and "Alno ..." especially as shown in the attached homepage in dispute;

3. to pay a contract penalty amounting to EUR 10,000 to ALNO AG, 88630 Pfullendorf, Heiligenbergerstr. 47 for each breach of the obligations set out in items 1 and 2 under exclusion of the plea of continuity;

4. to reimburse ALNO AG 88630 Pfullendorf, Heiligenbergerstr. 47, for the costs of engaging the lawyers of Ashurst based on an objective value of EUR 100,000 with 1.3 fee pursuant to the German Federal Code of Lawyers´Fee (Rechtsanwaltsvergütungsgesetz-RVG) plus lump sum expenses and value-added tax, i.e. EUR 2,025.74.

Date / City

_____

Wellmann-Kitchens, Inc.

_____

Larry Paletz

DOCSFRA\NYG\145627.01

Exhibit 18

Wellmann Kitchens Officia ×
https://web.archive.org/web/20041130041635/http://wellmann.com/
INTERNET ARCHIVE WaybackMachine
http://wellmann.com/ Go
125 captures
25 Jan 99 - 3 Aug 15
SEP NOV FEB
30
2003 2004 2006

wellmann®

Germany's Premier Kitchens
Ihre Küche kennt uns

Herzlich Willkommen. Die offizielle *wellmann* Website
Welcome. The official *wellmann* Web site
Bienvenue. Le site web officiel de *wellmann*
Benvenuti. La pagina Web ufficiale *wellmann*
Welkom. De officiële *wellmann* Website
Bienvenido. La página Web oficial de *wellmann*
Bem-Vindo. Website oficial da *wellmann*
ようこそ *wellmann* のオフィシャル・ホームページへ。

Ein internationales Unternehmung stellt sich vor.

Introducing an International Corporation.

Une entreprise internationale se présente.

NEXT

© 1992 - 2004 Wellmann Kitchens, Inc.

Wellmann Kitchens Intern...
https://web.archive.org/web/20011201163507/http://www.wellmann.com/page1.htm
INTERNET ARCHIVE WayBackMachine
http://www.wellmann.com/page1.htm Go
16 captures 28 Nov 99 - 10 Nov 04
AUG DEC JUN 1 2000 2001 2002

wellmann®

Germany's Premier Kitchens
Ihre Küche kennt uns

Ein internationales Unternehmung stellt sich vor.

Introducing an International Corporation.

Une entreprise internationale se présente.

HAUPTVERWALTUNG

CORPORATE HEADQUARTERS

Gustav Wellmann GmbH & Co. KG
Bustedter Weg 16
D - 32130 Enger
Deutschland
Telefon 0 5223 165-0
Telefax 0 5223 165 621
http://www.wellmann.de

INTERNATIONALE NIEDERLASSUNGEN

INTERNATIONAL SUBSIDIARIES

Wellmann Vertriebs-Gesellschaft m.b.H.
Industriezentrum-Nö-Süd
Straße 3, Objekt 41
A - 2355 WIENER NEUDORF
ÖSTERREICH
Tel.: 0 2236 / 615 25-0
Fax: 0 2236 / 615 2561

Wellmann Nederland B.V.
Zeelantlaan 27 - 29
NL-3526 AK UTRECHT
NEDERLAND
Tel.: 030 / 2 88 83 63
Fax: 030 / 2 88 40 47

Wellmann Belgium N.V.
Leuvensteenweg 573 (BL6A)
B-1930 ZAVENTEM
BELGIEN
Tél.: 02 / 7 21 26 40 Tél.: 02 / 7 21 27 61
Fax: 02 / 7 21 34 07

Wellmann (UK) Limited
Shaw Cross Court / Shaw Cross Business Park
GB-Dewsbury / West Yorkshire WF12 7 RF
GROßBRITANNIEN
Tel.: 01 1924 / 48 79 00
Fax: 01 1924 / 43 73 05
http://www.wellmann.co.uk

Wellmann France SARL
Boite Postale 50064 14, rue de la Perdrix
Z.I. Paris Nord II
F-95947 ROISSY-CHARLES-DE-GAULLE-CEDEX
FRANKREICH
Tél.: 01 / 48 63 24 55
Fax: 01 / 48 63 28 79

Wellmann (Schweiz) AG
Schneckelerstr. 20
CH-4414 FÜLLINSDORF
SCHWEIZ
Tél.: 061 / 9 01 86 00
Fax: 061 / 9 01 86 22

Wellmann Magyarország
Kocsis u. 1
H-1119 BUDAPEST
UNGARN
Tel.: 36 / 1 / 2 04 42 93 Tel.: 36 / 1 / 2 04 42 92
Fax: 36 / 1 / 2 04 42 88

Wellmann Iberia
Avda. Recalde, 33, 1°D, Of. 2
Edificio Bianchi, N-1, KM 454
E-20009 SAN SEBASTIAN
SPANIEN
Tel.: 943 / 37 27 56
Fax: 943 / 37 27 56

Wellmann Asia
11, Chin Bee Avenue
Jurong Industrial Estate
SINGAPORE 619935
Tel.: 0065 / 2 65 96 88
Fax: 0065 / 2 65 43 87

Wellmann Kitchens, Inc.
7596 Eads Ave., Suite 220
La Jolla, CA 92037
U.S.A.
Tel.: 619 / 688-1000
Fax: 619 / 683-2222
http://www.wellmann.com/usa

© 1992 - 2001 Wellmann Kitchens, Inc.

Exhibit 19

Larry Paletz

From: Legal Department (4) <legal-04@wellmann.com>
Sent: Wednesday, January 5, 2005 1:57 PM
To: nina.goes@ashurst.com
Subject: Your Fax Dated 21. December 2004

January 5, 2005

Ms. Nina Goes
Ashurst Rechtsanwälte
Oberlindau 54-56
60323 Frankfurt/M
Germany

Dear Ms. Goes,

Re: Alno AG

Your fax dated 21 December 2004 which was sent to our order confirmation department during our Christmas vacation has now been received by the undersigned.
As an attorney, you should be aware that a fax of this nature is confidential and should be correctly addressed. However, you somehow obtained a confidential and unpublished fax number reserved for the exclusive use of our order department. It is logical that this document would be read by persons not authorized to do so and further that this would cause unnecessary problems. In addition, this confidential document contains no disclaimer or warning of any kind that the confidential information contained therein should not be read and / or disseminated by any unauthorized person who may receive same. As a direct result of the problems you caused, we have programmed this fax machine to ignore faxes from your company. You may communicate with the undersigned by e-mail. We trust that this will be acceptable.
We will study your communication and reply to you in due course.

Very Truly Yours,
Wellmann Kitchens, Inc.

Larry Paletz
Vice President

Exhibit 20

wellmann
Germany's Premier Kitchens

Wellmann Kitchens, Inc. 7596 Eads Ave., Suite 220 La Jolla CA 92126 Tel (858) 566-1111 Fax (858) 566-2222

January 14, 2005

Ashurst Rechtsanwälte,
ATTENTION: MS. NINA GOES
Oberlindau 54-56
60323 Frankfurt / Main
Germany

Dear Sirs,

Re: ALNO A.G.

As an acknowledgement to your fax dated 21 December 2004, which was sent to an unpublished number reserved for the exclusive use of our order department and without disclaimers of any kind regarding reading and/or dissemination of the confidential information contained therein, we sent to you an e-mail on January 5, 2005 requesting that you refrain from sending faxes to said number and that you communicate with us using the e-mail address legal-04@wellmann.com. The read receipt requested was not acknowledged, and we received no further communication from you.

Kindly be informed that your claims are not only materially incorrect, but are totally without substance. Your client is the successor-in-title to Wellmann International GmbH, Gustav Wellmann GmbH & Co. KG and Casawell Service Gruppe. The links to your client's websites were provided at the specific request of your client, and remained on our web page for many years with the full knowledge and blessing of your client. Any legitimate complaint which may have existed (which is denied) would have been brought to our attention many years ago. In fact, it was only after we informed your client of pending changes in our organization, which your client realized could cause said links to disappear and pages formerly not visible to the general public to be displayed, that your client suddenly decided to protest.

The Cease and Desist order contained in your correspondence under reply demands payment from us to your client as follows:
"A contract penalty amounting to EUR 10,000.00 to ALNO AG ..... for each breach of the obligations set out in items 1 and 2 ....."
and
"to reimburse ALNO AG ..... for the costs of engaging the lawyers of Ashurst based on an objective value of EUR 100,000.00 with 1.3 fee ....., i.e. EUR 2,025.74"

The demand is therefore for a total of EUR 232,025.74, comprised as follows:

"Contract Penalty" [Par. (1.)]:	12 x EUR	10,000.00	EUR 120,000.00
"Contract Penalty" [Par. (2.)]:	1 x EUR	10,000.00	EUR 10,000.00
Legal Fees of your client:	EUR	102,025.00	EUR 102,025.74
TOTAL:			EUR 232,025.74

The foresaid claims are without merit, and clearly intended to extort monies from us.

It is most unfortunate that your client made no attempt whatsoever to utilize existing lines of communication to discuss the situation. However, the business methods of your client speak for themselves. Such behavior includes, but is not limited to the following:

Your client entered into an agreement with our company which provided us with the sole distribution rights of all of your clients products for the Western States of the USA. Shortly thereafter, your client also entered into an agreement with Charles Pollington / Brentwood Kitchens, Brentwood, California, for the sole distribution rights of certain products included in the prior agreement with our company for areas already covered by our agreement with your client.

After our company had established a presence in New York, your client disregarded its' previous undertaking to us that it would expand the area covered by the said agreement with us to include other states by entering into an agreement with Louis Hakimian / Regency Industries, Inc. for the sole right to distribute certain of your client's products in the Eastern States of the USA.

After our company had established a presence in Florida, your client similarly delivered goods directly to Collette Kitchens, Boca Raton, Florida.

Your client, providing unsolicited recommendations in writing as also in person, repeatedly requested that we do business with one Antonius Jansen, who was completely unknown to us. Based solely on your client's request and recommendation, we hired Antonius Jansen, and authorized him access to sensitive and confidential information. Mr. Jansen proceeded to embezzle substantial monies from our company which he used to finance a competitive company controlled by him to which he diverted our customers to purchase products and services. We subsequently established that Mr. Jansen is a convicted Felon with a long history of deceit. We would normally not have had any dealings with Mr. Jansen. It was only at your client's insistence that we did business with Mr. Jansen.

Your client sold the Hörnlein company as Hörnlein's only meaningful customer together with an undertaking to do further substantial business with Hörnlein. However, a short time after the sale, your client decided not to purchase any products whatsoever from

.... / Page 3

Hörnlein, forcing that company into bankruptcy. Since the Hörnlein company did not have funds available to sue your client, the investors lost all their money and were left without recourse against your client.

The Tielsa / Gruco factories are a further example. Your client initially encouraged a management buy-out, but the financial institutions saw through the situation and refused to advance funds to Mr. Töppert. Your client's ongoing deception regarding the viability of these factories continued to the bitter end until the last factory closed permanently in 2003. We were finally stuck with a showroom full of these products which became virtually worthless. Although your client made arrangements for the E + K Möbelwerke to manufacture some articles to supplement certain displays, these products did not match the original, and many door styles were not available. One of the last kitchen orders supplied to us by your client from the now defunct Gruco factory included a cabinet with the incorrect doors, rendering the entire kitchen worthless. The required doors are not available anywhere. Your client has not honored the warranties it provided for Tielsa and Gruco products, which are no longer in production, and no products are available to replace the defective products supplied by your client. This breach on the part of your client has caused irreparable harm to our company.

Any action which your client may bring against us will be vigorously defended. In addition, it is clear from the above that we have suffered substantial damages as a result of the actions of your client. This communication is not intended as an exhaustive list of all of our rights, or of damages we have suffered. We reserve all our rights in this matter, and will address same in the appropriate forum.

Kindly be advised that the laws in the United States of America provide severe penalties for persons who file frivolous lawsuits. You should be further advised that penalties may be also be assessed against the lawyers who facilitate such lawsuits. Kindly be further advised that the laws in the United States of America provide severe penalties for infringement of Trademarks. In the event that your client makes any attempt to use our Marks in the United States, we shall institute appropriate action to protect such Marks.

You should be governed accordingly.

Yours Sincerely,
Wellmann Kitchens, Inc.

Larry Paletz
Vice President

gd

Exhibit 21

Larry Paletz

From: Nina.Goes@ashurst.com
Sent: Tuesday, January 18, 2005 4:39 AM
To: legal-04@wellmann.com
Cc: dieter.klee@alno.de
Subject: your website "wellmann.com"

Dear Mr. Paletz,

We received your e-mail of 5 January 2005. Please note that we sent our fax to the official address which was listed under "International Subsidiaries" for the US on your website www.wellmann.com. We appreciate that you deleted this list from the website as requested in our letter. However, please note that this measure is not sufficient to avoid any further legal action.

As stated in our letter, you are not authorized to designate your website as "Wellmann Official Home Page" in the German language. It is misleading under the German Unfair Competition Act and constitutes a breach of the Act. We therefore request that you cease to use the German greeting "Herzlich Willkommen. Die offizielle wellmann Website." immediately.

Furthermore, our client owns the trade name "Wellmann" as well as the other trade names mentioned on the website and your company is not in the position to deliver complete kitchens "made in Germany" under those trade names. Moreover, products with the trade names "Gruco", "Tielsa" and "Lanzet" are no longer being manufactured and distributed. For this reason, we also request you to cease the use of these trade names on your website and photopgraphs showing the respective products.

Yours sincerely,

Dr. Nina Isabel Goes
Rechtsanwältin

ashurst
Oberlindau 54-56
60323 Frankfurt am Main

Tel: +49 (0)69 97 11 26
Direct: +49 (0)69 97 11 27 79
Mobile: +49 (0)174 326 2274
Fax: +49 (0)69 97 20 52 20
www.ashurst.com

Bruxelles **Frankfurt** London Madrid Milano München New Delhi New York Paris Singapore Tokyo

****
This e-mail is confidential and may be privileged. It may be read, copied and used only by the intended recipient. If you have received it in error, please contact the sender immediately by return e-mail or by telephoning +44 (0)20 7638 1111. Please then delete the e-mail and do not disclose its contents to any person. We believe, but do not warrant, that this e-mail and any attachments are virus free. You should take full responsibility for virus checking. Ashurst reserves the right to monitor all e-mail communications through its networks.

Exhibit 22

Wellmann Kitchens, Inc.
7855 Fay Avenue, Suite 310
La Jolla, CA 92037
Tel (858) 459-1000
Fax (858) 551-1111

facsimile transmission

TO : Wellmann International GmbH
ATTENTION : FR. EVELIN GRAW
DATE : 17.01.2000
PAGE 1 : OF 7 PAGES

Hallo Evelin,

Betr: **BESTELLUNG: KUNDE MANDA**

Gruco Rosario 8480/416 Birke Bernstein / Pastellgelb 429 Strukturack
Griff: Stangengriff
Sockel: Edelstahl

e-Geräte:
Backofen: Dacor ECPD230
Kochmulde: Dacor SGM304 76.2 cm mit RV30 Abzug Hinten
Kühlschrank: Sub Zero 36 " x 84" (Breite: 91.5 cm Höhe: 213.5 cm)
Geschirrspüler: Fischer & Paykel 60 cm

Rosario 8480/416 Birke Bernstein

Elevation [2] Base Cabinets

Pos.	No. Of Units	Description
1	1	HSP220-15 20cm
2	1	BE 60-220L
3		
4	1	GINW80-220 PULL OUTS RAILS
5		

Pastellgelb 429 St.

Pos.	No of Units	Description
	1	THKUL 30.220
	1	THKUL 30.220

gruco®
...die sympathische Küche

GRUCO
WELLMANN INTERNATIONAL GMBH
INDUSTRIESTR. 14 - 18
D-32108 BAD SALZUFLEN

TELEFON : 05223/165-0
TELEFAX : 05223/165-52970

DRESDNER BANK AG BUENDE
IBAN:DE32 48080020 0270331200
S.W.I.F.T: DRES DE FF 480
UST-IDNR.: DE125355169

WELLMANN D-32108 BAD SALZUFLEN

603

WELLMANN-KITCHENS INC.

1493 CAMINTO SOLIDAGO

LA JOLLA 7155, 92037
U.S.A.

Verl. WT 22.05/ A11 Pos 1

DELIVERY NOTE NO. 085303816 31.05.2000 PAGE 1

1. Kopie

REFERENCE : 62/ MANDA
ACCOUNT : 980609 YOUR ORDER : DATE :
ORDER NO. : 085303816-1 FILE NO. : 085001816 DATE : 10.05.2000

DELIVERY ADDRESS 000 WELLMANN-KITCHENS INC.
1493 CAMINTO SOLIDAGO
LA JOLLA 7155, 92037
U.S.A.

DELIVERY WEEK : KW 21/22.2000 * 9 *
DELIVERY PER : CONTAINER EX WORKS
TOUR : 918 020 00.21.1

ORDER QUERIES : FRAU REICHOW 05223/1651996
REPRESENTATIVE : 900

RANGE : 8537 TOLEDO
FRONT COLOR : 416 BIRKE BERNSTEIN
HANDLE : 202 STANGENGRIFF EDELST.
CARCASE EGDE : 103 DSK-BERNSTEIN

POS	QU	TYPE	K	ITEM REFERENCE & DESCRIPTION
+	1	99999	6	99999 XXXXXXX ATTENTION XXXXXX NEW ORDER TO ORDER NO. 085001817
2	1	10000	0	GRIFFELEMENTE HANDLE 07---*05---*05---
3	2	36139	0	FR-B 861X442 FRONT ACC. RANGE W.GLASS PANEL WIDTH 442 DEPTH 020 HGHT 861

WERK: 8 GRUC FRONT: 0 H-TL: 0 KILO: 32,8 CBM: 0,148

19
02 wellmann

Casawell®
Service Gruppe

Ein Unternehmen der ALNO-Gruppe

Wellmann International GmbH · Bustedter Weg 16 · D 32130 Enger
Tel. 05223/165-0 Fax 05223/165-52870

603

WELLMANN-KITCHENS INC.
1493 CAMINITO SOLIDAGO
LA JOLLA 7155 92037
USA

Delivery address : 980609
WELLMANN-KITCHENS INC.
1493 CAMINITO SOLIDAGO
LA JOLLA 7155 92037
USA

Order confirmation	**ZABL**	**Page**	**1 of 7**
Reference	: SALITERMAN LAUNDRY LL	dated	: 06.12.2004
Account	: 980609	Pr.-Dat	: 06.12.2004
Order Nr.	: **025113874-0** File no. : 025113874	Date	: 06.12.2004
Customer contact	: Janja Jankovic 05223/165-2994		
Delivery Queries	: Tina Bredenkötter 05223/165-1225		
Representative	: Ausland		
Delivery Week	: KW. 02.2005 *02*2109* → Callable !		
Delivery per	: Truck EXW Ex works -		
Delivery times	:		

Plant: 0001 H-TL: 5 Gross weight 153.816 KG Volume 1.416 CBM

Range	8519	W 8-519
Front colour	884	KST. BIRKE
Handle	362 641	B-GR. FLACH NI-MATT
handle position	01	waagerecht/senkrecht
Carcase	884	Kunststoff Birke
Plinth	884	Kunststoff Birke
Plinth height	155 MM	
Plinth height	155 MM	
cornice type	KMF	Kranz modern furnierummantelt
cornice colour	884	Birke
pelmet type	LMF	Lichtblende modern folienumm.
pelmet colour	884	Birke

Many thanks for your order.

Pos.	Qu	Item Description & Ref.	MG	Point	Price	Total
✓ 01	1	USA 40 Art. no. 63080 01	01	608	174.04	174.04
✓ 02	1	USA 40 Art. no. 63080 01	01	608	174.04	174.04
✓ 03	1	GEM 50 CROCKERY CUPBOARD 50 CM Art. no. 15120 01 hand rechts	01	817	233.87	233.87
✓ 04	1	KMZ	01	83	33.30	33.30

Larry Paletz

From: Alexander.Stotz@alno.de
Sent: Tuesday, February 26, 2008 4:01 AM
To: Larry Paletz
Subject: Antwort: HANDELSMARKE WELLMANN

Hello Larry,

vielen Dank für die Information. Wir haben dies weiterverfolgt und werden Einspruch einlegen.

Nochmals Danke.

Alex

Alexander Stotz

ALNO AG
Leiter Importeure
Heiligenberger Str. 47
D- 88630 Pfullendorf

Tel.: + 49 7552 21 3188
Fax.: + 49 7552 21 3169
Mobile: + 49 173 255 4442
E-mail: alexander.stotz@alno.de

"Larry Paletz"
<lpaletz@wellmann.com>
06.02.2008 19:19

An
<alexander.stotz@alno.de>
Kopie

Bitte antworten an
"Larry Paletz"
<lpaletz@wellmann.com>

Thema
HANDELSMARKE WELLMANN

06.02.2008

Larry Paletz

From: Jonathon Wagstaff <Jonathon.Wagstaff@alno.co.uk>
Sent: Friday, February 12, 2010 7:34 AM
To: 'Larry Paletz'
Subject: RE: TENDER OF KITCHEN UNITS

Dear Larry

Thank you for the information I will follow through with the customer next week and will make sure they get the information back by the 15th.

Jonathon

From: Larry Paletz [mailto:lpaletz@wellmann.com]
Sent: 10 February 2010 18:05
To: Jonathon.Wagstaff@alno.co.uk
Subject: TENDER OF KITCHEN UNITS

Dear Jonathan,

We are passing on this tender information to you, and trust that you will build in a 5% commission for our company.
The project is:

HOWIES ROAD
SANQUHAR – DUMFRIES & GALLOWAY
Lot 1

The contact person is:

Helen Boyd
Estimating Assistant
t : 0141 779 8591
f : 0141 779 8583
e: helen.boyd@rokgroup.com
a: 1 Buchanan Gate, Cumbernauld Road, Stepps, Glasgow, G33 6FB
w: www.rokgroup.com

They have requested information by 17 Feb 2010

Kind Regards
Wellmann Kitchens, Inc

Larry Paletz

The information contained in this electronic mail message is intended solely for the addressee stated above and may contain information that is confidential, privileged, or otherwise protected from disclosure under applicable law. If the

Larry Paletz

From: Kathrin.Hoesl@alno.de
Sent: Monday, April 19, 2010 11:06 PM
To: Larry Paletz
Subject: SPAM-LOW: Antwort: Export Belgien

Guten Morgen Herr Paletz,

wir haben die Produktion von zerlegten Küchen komplett eingestellt und daher in diesem Bereich keinen Verantwortlichen für den Export nach Belgien.

Mit freundlichem Gruß/Best regards

Kathrin Hösl
Area Manager

ALNO AG
Heiligenbergerstr. 47
88630 Pfullendorf
Telefon +49 7552 21-3261
Fax +49 7552 21-3169
Mobile +49 174 3026083
Email kathrin.hoesl@alno.de

"Larry Paletz" <lpaletz@wellmann.com>

19.04.2010 23:41

Bitte antworten an
"Larry Paletz" <lpaletz@wellmann.com>

An <Kathrin.Hoesl@alno.de>
Kopie
Thema Export Belgien

2010-04-19

Sehr verehrte Fr Hösl,

Ich möchte Sie freundlich bitten, um mich zu avisieren wer für Ihre Export von Wellpak oder Ihre anderen zerlegte Küchen nach Belgien zuständig ist.
Mit freundlichen Grüßen,
Wellmann Kitchens, Inc
Larry Paletz
lpaletz@wellmann.com

Sind Sie nicht der richtige Empfänger für den Inhalt dieser E-Mail ? Dann entschuldigen wir uns. Bitte informieren Sie in diesem Fall den Absender unter lpaletz@wellmann.comund löschen Sie die E-Mail
ohne sie Dritten zugänglich zu machen. Wir haftet nicht für Schäden aufgrund von fehlerhafter Übermittlung und anderen

Exhibit 23

ALNO AG

Alno | Impuls | Pino | Wellmann

ALNO AG, 88629 Pfullendorf

Larry Paletz
1493 Caminito Solidago
La Jolla, California 92037
USA

ALNO AG

Heiligenberger Str. 47
88630 Pfullendorf
Telefon +49 7552 21-0
Telefax +49 7552 21-3789
www.alno.de

Ihre Nachricht/Zeichen	Unser Zeichen	Zuständig	Durchwahl	Datum
		K. Metzger	21-3307	02.06.2009

Domain Wellmann.com

Dear Mr Paletz,

I'm writing with reference to your website registration of www.wellmann.com dated June 1997. As the domain will expire in June 2009, I would kindly like to ask you not to extend the registration and transfer the domain rights to the ALNO Group.

In order to officially solve the issue, we have prepared a transfer contract www.wellmann.com which you will find attached to this letter. We would kindly like to ask you to have a look at the contract and sign upon agreement.

In the meantime, should you need any further clarification on this matter, please do not hesitate to contact me directly.

Thank you very much for your cooperation.

Sincerely yours,

Kristin Metzger

ALNO AG
88629 Pfullendorf
Telefon +49 7552 21 - 3307
Telefax +49 7552 21 - 3789
Mobile + 49 174 3026068
E-Mail Kristin.Metzger@alno.de

ALNO AG

Alno | Impuls | Pino | Wellmann

Domain-Übertragungsvertrag

zwischen

der Gustav Wellmann GmbH & Co. KG, vertreten durch die Casawell Service GmbH, Bustedter Weg 16, 32130 Enger

- im Folgenden: **Wellmann** -

und

Larry Paletz, 1493 Caminito Solidago, La Jolla, California, 9237 United States

- im Folgenden: **Domain-Inhaber** -

wird folgender

Domain-Übertragungsvertrag

geschlossen:

§ 1 Vertragsgegenstand

Gegenstand dieses Vertrages ist die unentgeltliche Übertragung der alleinigen Nutzungsrechte (Inhaberschaft) an der Internet-Domain Wellmann.com - im Folgenden: Domain – vom Domain-Inhaber auf Wellmann.

§ 2 Pflichten des Domain-Inhabers

(1) Der Domain-Inhaber ist zur Zeit des Abschlusses dieses Vertrages bei der der Registrierungsstelle Godaddy.com rechtmäßig als Inhaber der in § 1 genannten Domain eingetragen.

(2) Der Domain-Inhaber verpflichtet sich, alle Erklärungen gegenüber der Registrierungsstelle sowie seinem Provider abzugeben, die für die Übertragung der vertragsgegenständlichen Domain auf Wellmann erforderlich sind (Zustimmung zum Inhaber- und Providerwechsel).

(3) Der Domain-Inhaber sichert zu, Wellmann vor Abschluss dieses Vertrages von zu Gunsten des Domain-Inhabers bestehenden nationalen und/oder internationalen Markeneintragungen und/oder Markenanmeldungen, die mit dem vertragsgegenständlichen Domainnamen identisch oder diesem ähnlich sind, vollständig in Kenntnis gesetzt zu haben. Der Domain-Inhaber verpflichtet sich, nach Abschluss dieses Vertrages die Anmeldung oder die Eintragung von Marken, die mit dem Domainnamen identisch oder verwechslungsfähig sind, zu unterlassen.

(4) Der Domain-Inhaber sichert zu, dass er bis zum Zeitpunkt des Abschlusses dieses Vertrags Dritten keine Rechte an der Domain und/oder dem Domainnamen eingeräumt hat. Ferner versichert er, dass ihm gegenüber Dritte keinerlei Rechte an der Domain und/oder dem Domainnamen geltend gemacht haben. Sollten bis zur vollständigen Übertragung der Domain Dritte dem Domain-Inhaber gegenüber Ansprüche auf Übertragung, Änderung oder Löschung der Domain geltend machen, so ist der Domain-Inhaber verpflichtet, Wellmann unverzüglich darüber zu informieren.

§ 3 Pflichten von Wellmann

(1) Wellmann hat alle für die Übertragung der vertragsgegenständlichen Domain notwendigen Mitwirkungshandlungen, zum Beispiel die Stellung eines Konnektivitäts-Koordinations-Antrages und die Beauftragung eines Providers, vorzunehmen.

(2) Nach erfolgreicher Übertragung der Domain hat Wellmann den Domain-Inhaber unverzüglich hiervon in Kenntnis zu setzen.

§ 4 Vertragsnebenkosten

Bei der Übertragung der Domain etwaig Nebenkosten (z.B. Gebühr für einen Konnektivitäts-Koordinations-Antrag) sind jeweils von der Partei, der sie entstehen, selbst zu tragen.

§ 5 Gewährleistung

(1) Der Domain-Inhaber versichert, dass ihm bis zum Zeitpunkt der Unterzeichnung dieses Vertrages nicht bekannt geworden ist, dass Ansprüche Dritter auf die Domain oder sonstige Ansprüche im Zusammenhang mit der Registrierung und/oder Nutzung der Domain gerichtlich oder außergerichtlich (z.B. Abmahnungen, Geltendmachung von Markenverletzungen, Dispute-Eintrag) geltend gemacht worden wären, und dass ihm nicht bekannt ist, dass die Geltendmachung solcher Ansprüche bevorstünde.

(2) Die Gewährleistungsfrist beträgt zwei Jahre.

§ 6 Haftung

Für Rechtsmängel haftet der Domain-Inhaber im Falle leichter Fahrlässigkeit nur bei der Verletzung wesentlicher Vertragspflichten sowie bei der Verletzung des Lebens, des Körpers oder der Gesundheit. Wesentliche Vertragspflichten sind solche, deren Erfüllung zur Erreichung des Vertragszweckes notwendig ist. Die Haftung nach ProdHG bleibt unberührt. Im Übrigen ist die Haftung des Domain-Inhabers und seiner Erfüllungsgehilfen auf Vorsatz und grobe Fahrlässigkeit beschränkt.

§ 7 Schlussbestimmungen

(1) Änderungen und Ergänzungen dieses Vertrages einschließlich der Vereinbarung der Aufhebung dieses Schriftformerfordernisses bedürfen der Schriftform.

(2) Sollte eine Bestimmung dieses Vertrags unwirksam bzw. undurchführbar sein oder werden, so wird die Gültigkeit des Vertrages im Übrigen hiervon nicht berührt. Die Parteien werden sich bemühen, die unwirksame oder undurchführbare Bestimmung durch eine wirksame und durchführbare Regelung zu ersetzen, die der unwirksamen oder undurchführbaren Bestimmung wirtschaftlich so nahe wie möglich kommt. Das gleiche gilt im Falle einer Regelungslücke.

(3) Ausschließlicher Gerichtsstand für alle Streitigkeiten zwischen den Parteien aus oder in Verbindung mit diesem Vertrag ist der Sitz von Wellmann. Dieser Vertrag unterliegt deutschem Recht unter Ausschluss des UN-Kaufrechts.

_____, den _____ 2009

_____ _____

- Domain-Inhaber - - Wellmann -

Exhibit 24

Larry Paletz

From: Larry Paletz <lpaletz@wellmann.com>
Sent: Monday, August 24, 2009 2:42 PM
To: kristin.metzger@alno.de
Subject: Letter

August 24, 2009

Dear Ms. Metzger,

Re: Letter dated June 2, 2009

Could you kindly advise your position with Alno A.G.

Yours Sincerely
Wellmann Kitchens, Inc

L Paletz
Director

Exhibit 25

Larry Paletz

From: Kathrin.Hoesl@alno.de
Sent: Monday, August 31, 2009 11:31 PM
To: lpaletz@wellmann.com
Subject: Wellmann Domain

Sehr geehrter Herr Paletz,

vielen Dank für Ihre Email vom 24. August 2009 an Frau Metzger. Wir freuen uns zu hören, dass Sie unser Schreiben bezüglich der Wellmann-Domain erhalten haben.

Frau Metzger war bis zum 15. August Area Sales Manager für die USA, hat die Fa. ALNO AG aber inzwischen verlassen, um ihr Master's Degree zu machen. Aus diesem Grund bin ich mit den Belangen in den USA betraut worden.

Die ALNO AG - und wie Sie sicher wissen, ist Wellmann Teil der ALNO-Gruppe - würde gerne die Rechte an der Wellmann-Domain .com zurückerlangen, weshalb Ihnen der Domain-Übertragunsvertrag zugeschickt worden ist. Ich bitte Sie, mir so schnell wie möglich Feedback zu geben, wie Sie dieser Sache gegenüberstehen. Vielen Dank!

Mit freundlichem Gruß

Kathrin Hösl
Area Manager

ALNO AG
Heiligenbergerstr. 47
88630 Pfullendorf
telephone +49 7552 21-3261
fax +49 7552 21-3169
mobile +49 174 3026083
Email kathrin.hoesl@alno.de

ALNO AG, Sitz Pfullendorf Amtsgericht Ulm HRB 710693 Vorsitzender des Aufsichtsrates: Hans-Peter Haase
Vorstand: Jörg Deisel (Vors.), Jörg Artmann, Michael Paterka
USt.-Id Nr. DE 172 389 436

Sind Sie nicht der richtige Empfänger für den Inhalt dieser E-Mail?
Dann entschuldigen wir uns. Bitte informieren Sie in diesem Fall den
Absender und löschen Sie die E-Mail ohne sie Dritten zugänglich zu machen.
ALNO haftet nicht für Schäden aufgrund von fehlerhafter Übermittlung
und anderen Fehlern und gibt keine rechtsverbindlichen Erklärungen an
falsche Adressaten ab. +++ Vielen Dank für Ihre Hilfe. +++

Exhibit 26

Larry Paletz

From: Larry Paletz <lpaletz@wellmann.com>
Sent: Wednesday, September 9, 2009 11:15 AM
To: Kathrin.Hoesl@alno.de
Subject: Re: Wellmann Domain

September 9, 2009

Dear Ms. Hösl,

Thank you for your e-mail dated August 31, 2009.

You are no doubt aware through other employees of your company, with whom we have corresponded over the past years by means of E-Mail, that we have used the name "Wellmann" together with the Domain www.wellmann.com continuously for many years in the USA. The Word Mark "**Wellmann** Germany's Premier Kitchens" together with Design is our Federally Registered Trademark in the USA.

We do not see any reason why you believe we should transfer rights in our Domain www.wellmann.com to your company. Perhaps you could be so kind as to enlighteen us as to why you believe we would simply abandon our rights and transfer the Domain, which ties in very closely to our famous Trademarks.

Kind Regards,
Wellmann Kitchens, Inc.

Larry Paletz

The information contained in this electronic mail message is intended solely for the addressee stated above and may contain information that is confidential, privileged, or otherwise protected from disclosure under applicable law. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this electronic mail transmission is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail to lpaletz@wellmann.com and delete the original message.

----- Original Message -----
From: Kathrin.Hoesl@alno.de
To: lpaletz@wellmann.com
Sent: Monday, August 31, 2009 11:31 PM

Exhibit 27

Larry Paletz

From: Larry Paletz <lpaletz@wellmann.com>
Sent: Wednesday, November 18, 2009 12:40 PM
To: Kathrin.Hoesl@alno.de
Subject: WELLMANN MARK

November 18, 2009

Kathrin Hösl
Area Manager
ALNO AG
Heiligenbergerstr. 47
88630 Pfullendorf
Dear Ms. Hösl,

Re: TRADEMARK INFRINGEMENT - "WELLMANN"

It has come to our attention that your company may be offering kitchen products for sale in the United States of America ("USA")under the name **'WELLMANN"**.
Your activities constitute infringement of our Federally Registered Trademark in the USA.
We have had a cordial relationship with your company in the past. However, the use by your company of our Trademark will change this. We hereby demand that you immediately ***cease and desist*** from offering and/or supplying any products for sale in the USA with the name **"WELLMANN".**
We demand further that you provide an accounting to us by no later than December 31, 2009 of all products which you have supplied to the USA, together with a cost breakdown which shows the profit earned for each item.

Very Truly Yours
Wellmann Kitchens Inc

Larry Paletz
Vice President

The information contained in this electronic mail message is intended solely for the addressee stated above and may contain information that is confidential, privileged, or otherwise protected from disclosure under applicable law. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this electronic mail transmission is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail to lpaletz@wellmann.com and delete the original message.

Exhibit 28

Larry Paletz

From: Kathrin.Hoesl@alno.de
Sent: Tuesday, December 22, 2009 12:26 AM
To: lpaletz@wellmann.com
Cc: Torben.Kasimzade@alno.de; Matthias Wochner
Subject: SPAM-LOW: Wellmann Trademark

Dear Mr. Paletz,

Thank you very much for the email you sent us on November 18th 2009 regarding the Wellmann Mark in the US. Kindly note that we take your letter seriously and in order to clarify this matter urgently, we kindly ask you to contact our exclusive distributor ANU Boston, One Design Center Place, Suite 634, Boston MA 02210, phone: 0617 8962700.

ANU Boston is our exclusive distributor for the US which is allowed to sell our products in the US market. Unfortunately, we have no influence on the names they sell our products at.

Best regards

Kathrin Hösl
Area Manager

ALNO AG
Heiligenbergerstr. 47
88630 Pfullendorf
telephone +49 7552 21-3261
fax +49 7552 21-3169
mobile +49 174 3026083
Email kathrin.hoesl@alno.de

ALNO AG, Sitz Pfullendorf Amtsgericht Ulm HRB 710693 Vorsitzender des Aufsichtsrates: Hans-Peter Haase
Vorstand: Jörg Deisel (Vors.), Jörg Artmann, Michael Paterka
USt.-Id Nr. DE 172 389 436

Sind Sie nicht der richtige Empfänger für den Inhalt dieser E-Mail?
Dann entschuldigen wir uns. Bitte informieren Sie in diesem Fall den
Absender und löschen Sie die E-Mail ohne sie Dritten zugänglich zu machen.
ALNO haftet nicht für Schäden aufgrund von fehlerhafter Übermittlung
und anderen Fehlern und gibt keine rechtsverbindlichen Erklärungen an
falsche Adressaten ab. +++ Vielen Dank für Ihre Hilfe. +++

Exhibit 29

Larry Paletz

From: Hopkins, Dennis <DHopkins@chadbourne.com>
Sent: Thursday, January 6, 2011 1:52 PM
To: lpaletz@wellmann.com
Subject: ALNO AG
Attachments: Wellmann Kitchens.pdf

Dear Mr. Paletz,

Please find attached a letter to your attention.

Regards,
Dennis Hopkins

Dennis C. Hopkins
Chadbourne & Parke LLP
30 Rockefeller Plaza, New York, NY 10112
tel 212-408-5433 | **fax** 212-541-5369
dhopkins@chadbourne.com | http://www.chadbourne.com
vCard: http://www.chadbourne.com/vcard/dhopkins.vcf

Please consider the environment before printing this email.

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, please notify me by replying to this message and permanently delete the original and any copy of this e-mail and any printout thereof.

For additional information about Chadbourne & Parke LLP and Chadbourne & Parke, a multinational partnership, including a list of attorneys, please see our website at http://www.chadbourne.com

30 Rockefeller Plaza, New York, NY 10112
tel (212) 408-5100 fax (212) 541-5369

CHADBOURNE
& PARKE LLP

Dennis Hopkins
direct tel 212 408 5433
dhopkins@chadbourne.com

January 6, 2011

Via Email and Regular Mail
Lawrence Paletz
Wellmann Kitchens, Inc.
1493 Caminito Solidago
La Jolla, CA 92037-7155

Re: *Wellmann Germany's Premier Kitchens,* Reg. No. 2654451

Dear Mr. Paletz:

We represent ALNO AG ("ALNO") with respect to intellectual property matters in the U.S. Our client recently forwarded to me correspondence that you sent. We write this letter in hopes of gaining an understanding of exactly what you are seeking from ALNO.

ALNO has been in business since 1953. Since that time, it has been using its world famous trademark, including the Wellmann mark, in connection with the sale of its quality kitchens throughout the world. My client has established a great deal of good will in the well-known and famous Wellmann mark worldwide. Having been in the kitchens business yourself, I am quite sure that you are well aware of all of this.

In your correspondence with ALNO, I believe that you may have made a number of confusing statements. Perhaps we can clarify these issues. First, it is not clear whom you represent or by whom you are employed. Your emails to ALNO seem to indicate that you are speaking as a representative of Wellmann Kitchens, Inc. However, Wellmann Kitchens, Inc. no longer exists. Our information is that the company formerly known as Wellmann Kitchens, Inc. underwent a name change to Simon Sokolov, Inc., which is now a suspended California Corporation. Of course, you are aware of all of this. In order for us to properly consider your alleged rights and to address them, we first need to know whom you represent and what rights you allege that entity has.

I would also note that your correspondence seems to infer that Wellmann Kitchens, Inc. has an ownership interest in the mark "Wellmann Germany's Premier Kitchens." U.S. Patent and Trademark Office records indicate that Wellmann Kitchens, Inc. transferred its interest in the mark to G G W Holdings, Inc. It would be helpful to us if you could clarify these ownership issues.

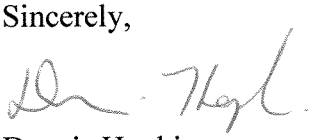
Next, I think it is important for us to understand the nature and scope of the rights that you are asserting with respect to "Wellmann" clone. You have represented to my client that

you own "Wellmann" as a registered trademark. Wellmann Kitchens, Inc. may have once owned the federally registered mark "Wellmann Germany's Premier Kitchens," but it never owned a registration for the mark "Wellmann" alone, as your correspondence suggests. If your claim is that you own rights to the mark "Wellmann" alone, then please identify the source and nature of those rights.

For your information, ALNO has not exported its products to the U.S. under its famous Wellmann mark and name recently. Therefore, your allegations of trademark infringement come as quite a surprise. Nonetheless, it would be helpful if you could identify for us the exact mark that you believe ALNO has infringed, the true owner of that mark and the goods or services sold by that owner in commerce from which its alleged trademark rights derive.

The comparison caused by your correspondence as set forth above limit our ability to identify and resolve the issues that you claim to have with ALNO. Furthermore, since ALNO has not exported products to the U.S. under its famous Wellmann brand in some time, and since ALNO has never sold any products using the mark "Wellmann Germany's Premier Kitchen," your issues may very well lie with some other company. In any event, at this point, we are not sure what you want. I believe that finding out what it is that you want is the first step in resolving these issues. Please contact me at your earliest convenience to explore this matter.

Sincerely,



Dennis Hopkins

Exhibit 30

TESS was last updated on Fri Sep 4 03:21:02 EDT 2015

Wellmann

Word Mark	**WELLMANN**
Goods and Services	IC 011. US 013 021 023 031 034. G & S: Laundry dryers, electric; ventilation and air-conditioning installations and apparatus; microwave ovens; air cooling apparatus; refrigerating cabinets; upright and chest freezers; microwave ovens; electric coffee machines; sinks; bath tubs; bath installations; lamps; arc lamps; ceiling lights; sockets for electric lights; lamp glasses; lamp globes; lamp shades; lampshade holders; street lamps; chandeliers; light-emitting diodes, namely, led lighting fixtures; luminous tubes for lighting IC 019. US 001 012 033 050. G & S: Boards of wood coated with plastic; non-metallic building materials, namely, granite used in decorative surface applications for kitchen countertops IC 020. US 002 013 022 025 032 050. G & S: Furniture; furniture made of wood; furniture made of plastic; furniture of wood and plastic combined; parts for furniture; parts for furniture, namely, panels; kitchen furniture; furniture parts, in particular worktops, strips, profiles, edges, in particular of wood, plastic, natural stone, concrete IC 021. US 002 013 023 029 030 033 040 050. G & S: Small household and kitchen utensils, namely, spatulas and tongs; household or kitchen utensils, namely, sieves and crocks; containers for household or kitchen use; unworked or semi-worked glass, not used in building; beverage glassware; porcelain mugs; earthenware mugs; coffee services; cookware, namely, pots and pans; mess-tins; cooking pot sets; tableware, namely, coffee and tea services; services, namely, dishes; tea services; cooking pots; pots; frying pans; pepper mills, hand-operated; pepper pots; salt cellars; spice racks
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	79149733
Filing Date	January 22, 2014
Current Basis	66A
Original Filing Basis	66A
International Registration Number	1210438
Owner	(APPLICANT) Gustav Wellmann GmbH & Co. KG CORPORATION FED REP GERMANY Bustedter Weg 16 32130 Enger FED REP GERMANY
Priority Date	July 22, 2013
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

Exhibit 31

webwhois: www.denic.de

https://www.secure.denic.de/webwhois/accepted-angenommen

Impressum Kontakt English

DENIC .de

Domainabfrage · whois

.de

Abfrage starten

Hilfe

Domainabfrage-Ergebnis

Domaindaten

Domain	wellmann.de
Letzte Aktualisierung	02.01.2008

Domaininhaber

Der Domaininhaber ist der Vertragspartner der DENIC und damit der an der Domain materiell Berechtigte.

Domaininhaber:	Alno AG
Adresse:	Heiligenberger Str. 47
PLZ:	88629
Ort:	Pfullendorf
Land:	DE

Administrativer Ansprechpartner

Der administrative Ansprechpartner (admin-c) ist die vom Domaininhaber benannte natürliche Person, die als sein Bevollmächtigter berechtigt und gegenüber DENIC auch verpflichtet ist, sämtliche die Domain wellmann.de betreffenden Angelegenheiten verbindlich zu entscheiden.

Name:	Rainer Wieland
Adresse:	Alno AG Heiligenberger Str. 47
PLZ:	88629
Ort:	Pfullendorf
Land:	DE

Technischer Ansprechpartner

Der technische Ansprechpartner (tech-c) betreut die Domain wellmann.de in technischer Hinsicht.

Name:	Rainer Wieland
Adresse:	Alno AG Heiligenberger Str. 47
PLZ:	88629
Ort:	Pfullendorf
Land:	DE
Telefon:	+49 7552 21 3004
Telefax:	+49 7552 21 4004
E-Mail:	webmaster@alno.de

Zonenverwalter

Der Zonenverwalter (zone-c) betreut die Nameserver der Domain wellmann.de.

Name:	FreiNet Hostmaster
Adresse:	FreiNet GmbH Loerracherstrasse 5a
PLZ:	79115
Ort:	Freiburg
Land:	DE
Telefon:	+49 761 4961700
Telefax:	+49 761 4961790
E-Mail:	hostmaster@freinet.de

Technische Daten

Nameserver:	ns.frei.net
Nameserver:	ns2.frei.net

Exhibit 32

Customer Service Team

From: Jonathon Wagstaff <Jonathon.Wagstaff@alnouk.com>
Sent: Wednesday, June 3, 2015 8:28 AM
To: contact@wellmann.com
Subject: Wellmann & Tielsa Domains

Dear Larry

You may not remember me, but I am now the responsible person for the Alno business in the USA.

As you and I know, your business is the owner of the two .com domains for Wellmann and Tielsa.

I would like to discus with you an amicable way for us to take back the control of these domains.

I will be in the US on the 22nd and 23rd June if you would like to meet up, alternatively can you provide me with a contact number and I will call you directly.

Kind regards

Jonathon

Jonathon Wagstaff
Managing Director

Alno (United Kingdom) Limited
4 The Boulevard, Gelderd Road
Leeds |West Yorkshire |LS12 6NY | United KIngdom
T +44 (0) 113 331 5120 | **M** +44 (0) 7968 476641
E jonathon.wagstaff@alnouk.com | **W** www.alnokitchens.co.uk | **W** www.intoto.co.uk

Think of the environment; please don't print this e-mail unless you really need to.

This e-mail and its attachments are confidential and intended solely for the attention and use of the named addressee(s). If you are not the intended recipient, you may not disclose, copy, distribute or retain this message or any part of it without the prior permission of the sender. If you have received this in error please inform the sender and immediately delete the message.

Exhibit 33

Larry Paletz

From: Larry Paletz <lpaletz@wellmann.com>
Sent: Thursday, June 4, 2015 11:03 AM
To: 'jonathon.wagstaff@alnouk.com'
Subject: Domains

Tracking:

Recipient	Read
'jonathon.wagstaff@alnouk.com'	Read: 6/4/2015 11:11 AM

June 4, 2015

Hello Jonathon,

Re: Wellmann and Tielsa Domains and Trademarks

Your e-mail of June 3, 2015 which was addressed to our Customer Service Department, has been forwarded to me.

Of course I remember you. How are you ?

I do not wish to introduce any acrimony to our correspondence, and for this reason will not comment on the content of your e-mail under reply at this time. However, this is not to be taken as an admission or a waiver of any kind. All of my rights in this matter remain strictly reserved.

I believe that your intentions are sincere. However, before we go any further, you should be aware of some of the history, and the Doctrine of **Clean Hands**:

In 2004, I received a Letter of Demand from Nina Goes, an Attorney from the Law firm Ashurst in Frankfurt/Main, Germany, regarding Domains and Trade Names which I and companies under my control use. The subject letter further threatened legal action in the event that I refused to acquiesce to the demands made. I informed Ms. Goes that I rejected all of the demands, but Alno A.G. failed to institute any legal Action.

In the early 2000's, a company which was known as A.N.U. (Alno Network USA) sold Alno products in the USA. This company was bankrupt at the end of 2004 and closed. In 2005, a new company which was known as Alno USA began to sell Alno products in the USA. In 2010, it came to our attention that Alno USA was offering products for sale in the USA bearing our famous “Wellmann” Trademark. We immediately began to institute Legal Action against Yael Tamari, the President of Alno USA and also Alno USA to protect our Trademark. However, before we could serve Yael Tamari and Alno USA, it was determined that Alno USA was also bankrupt and ceased to do business. We then contacted Alno A.G. in Germany with the demand that they ***Cease and Desist*** from shipping any product bearing our said Trademark to the USA. Our Letter of Demand was answered by Attorney Dennis Hopkins from the Law Firm of Chadbourne & Parke in New York. Mr. Hopkins made several incorrect statements, but did undertake that Alno had not exported any products to the USA bearing the Wellmann Trademark in the period recent to his letter. During a telephone conversation, Mr. Hopkins enquired whether I would like to sell the Wellmann.com Domain. I informed him that the Domain is tied to the Wellmann Trademark, and that I had no interest in selling either. He subsequently asked if I would

consider a price which would induce me to sell this Intellectual Property. I did so, and later informed him that a price of $ 5 Million would be acceptable. Mr. Hopkins advised me that this price was not acceptable to Alno A.G. There was no further contact between Mr. Hopkins and I after that.

Alno A.G. have been aware for many years of our "Wellmann" and "Tielsa" Trademarks. However, they are presently attempting to register these Marks with the United States Patent and Trademark Office as their own. We intend to oppose both of these registrations.

I will be visiting customers on the East Coast during the week of June 15th, in Texas later that week, and in California during the week of June 22nd. You did not state where in the USA you will be on June 22nd and 23rd, and I am prepared to meet with you if you will be in Southern California at that time. If you wish to call me, I will provide a telephone number where you can reach me. I keep my number private because I do not wish to be distracted by the many unwanted calls which are a part of life in the USA. In addition, Alno A.G. have abused my telephone numbers in the past. It is for these reasons, I require that you undertake to use the number for the sole purpose of calling me to discuss the matters at hand, and that you will not share my number with any other person or organization.

Kind Regards
Larry Paletz

The information contained in this electronic mail message is intended solely for the addressee stated above and may contain information that is confidential, privileged, or otherwise protected from disclosure under applicable law. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this electronic mail transmission is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail to lpaletz@wellmann.com and delete the original message

Exhibit 34

Larry Paletz

From: Jonathon Wagstaff <Jonathon.Wagstaff@alnouk.com>
Sent: Thursday, June 4, 2015 11:38 AM
To: Larry Paletz
Subject: Re: Domains

Hi Larry

Thanks for the quick response. I was not aware of the history so thank you for the update. I will do a little research with Alno in Germany and come back to you.

In the meantime, my travel plans for the USA visit are:
Sunday 21st Arrive New York
I will be in New York until the 23rd and then in Miami for a few days before returning to the UK.

I would like to catch up by phone and give you my assurance that I will not forward your number to anyone else.

If you would prefer to contact me my details are:

Cell: +44 7968 476641

Kind regards

Jonathon Wagstaff

On 4 Jun 2015, at 19:02, Larry Paletz <lpaletz@wellmann.com> wrote:

> June 4, 2015
>
> Hello Jonathon,
>
> **Re: Wellmann and Tielsa Domains and Trademarks**
>
> Your e-mail of June 3, 2015 which was addressed to our Customer Service Department, has been forwarded to me.
>
> Of course I remember you. How are you ?
>
> I do not wish to introduce any acrimony to our correspondence, and for this reason will not comment on the content of your e-mail under reply at this time. However, this is not to be taken as an admission or a waiver of any kind. All of my rights in this matter remain strictly reserved.
>
> I believe that your intentions are sincere. However, before we go any further, you should be aware of some of the history, and the Doctrine of **Clean Hands**:

In 2004, I received a Letter of Demand from Nina Goes, an Attorney from the Law firm Ashurst in Frankfurt/Main, Germany, regarding Domains and Trade Names which I and companies under my control use. The subject letter further threatened legal action in the event that I refused to acquiesce to the demands made. I informed Ms. Goes that I rejected all of the demands, but Alno A.G. failed to institute any legal Action.

In the early 2000's, a company which was known as A.N.U. (Alno Network USA) sold Alno products in the USA. This company was bankrupt at the end of 2004 and closed. In 2005, a new company which was known as Alno USA began to sell Alno products in the USA. In 2010, it came to our attention that Alno USA was offering products for sale in the USA bearing our famous "Wellmann" Trademark. We immediately began to institute Legal Action against Yael Tamari, the President of Alno USA and also Alno USA to protect our Trademark. However, before we could serve Yael Tamari and Alno USA, it was determined that Alno USA was also bankrupt and ceased to do business. We then contacted Alno A.G. in Germany with the demand that they ***Cease and Desist*** from shipping any product bearing our said Trademark to the USA. Our Letter of Demand was answered by Attorney Dennis Hopkins from the Law Firm of Chadbourne & Parke in New York. Mr. Hopkins made several incorrect statements, but did undertake that Alno had not exported any products to the USA bearing the Wellmann Trademark in the period recent to his letter. During a telephone conversation, Mr. Hopkins enquired whether I would like to sell the Wellmann.com Domain. I informed him that the Domain is tied to the Wellmann Trademark, and that I had no interest in selling either. He subsequently asked if I would consider a price which would induce me to sell this Intellectual Property. I did so, and later informed him that a price of $ 5 Million would be acceptable. Mr. Hopkins advised me that this price was not acceptable to Alno A.G. There was no further contact between Mr. Hopkins and I after that.

Alno A.G. have been aware for many years of our "Wellmann" and "Tielsa" Trademarks. However, they are presently attempting to register these Marks with the United States Patent and Trademark Office as their own. We intend to oppose both of these registrations.

I will be visiting customers on the East Coast during the week of June 15th, in Texas later that week, and in California during the week of June 22nd. You did not state where in the USA you will be on June 22nd and 23rd, and I am prepared to meet with you if you will be in Southern California at that time. If you wish to call me, I will provide a telephone number where you can reach me. I keep my number private because I do not wish to be distracted by the many unwanted calls which are a part of life in the USA. In addition, Alno A.G. have abused my telephone numbers in the past. It is for these reasons, I require that you undertake to use the number for the sole purpose of calling me to discuss the matters at hand, and that you will not share my number with any other person or organization.

Kind Regards
Larry Paletz

The information contained in this electronic mail message is intended solely for the addressee stated above and may contain information that is confidential, privileged, or otherwise protected from disclosure under applicable law. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this electronic mail transmission is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail to lpaletz@wellmann.com and delete the original message

Exhibit 35

15.05.2015 15:34 Uhr

ALNO

Leichtes Umsatzplus im ersten Quartal 2015

In den ersten drei Monaten des Geschäftsjahrs 2015 erzielte Alno einen Umsatz von 123,7 Mio. Euro. Das ist ein leichtes Plus um knapp ein Prozent gegenüber dem Vorjahreszeitraum (122,5 Mio. Euro). Der Konzern weist per 31. März 2015 ein Ebitda von -5,5 Mio. Euro aus sowie ein Ebit von -10,2 Mio. Euro. Durch die Sondereffekte aus der Kaufpreisallokation infolge der Übernahme der AFP Küchen hatte der Konzern im ersten Quartal 2014 ein Ebitda von 37,8 Mio. Euro sowie ein Ebit von 32,4 Mio. Euro realisiert.

"Betrachtet man die Alno AG ohne die AFP Küchen AG und ohne die Sondereffekte aus der Übernahme, so zeigen sich erste deutlich positive Ergebnisse aus der im vergangenen Jahr gestarteten Neuausrichtung", so das Unternehmen. Denn die Alno AG (ohne AFP) erreichte im ersten Quartal ein positives Ebitda von 0,1 Mio. Euro. "Das ist deutlich über der Unternehmensplanung und ein Plus von 105 Prozent gegenüber dem Vergleichszeitraum des Vorjahres, als noch ein negatives operatives Ergebnis von -2,2 Mio. Euro notiert werden musste."

Der Umsatz erhöhte sich im ersten Quartal 2015 leicht um 1,5 Prozent auf 98,3 Mio. Euro (Vorjahr: 96,8 Mio. Euro). Auch der Rohertrag verbesserte sich um 3,4 Prozent auf 42,6 Mio. Euro (Vorjahr: 41,2 Mio. Euro).

Die AFP Küchen AG, die nicht von den Restrukturierungsmaßnahmen bei der Alno AG betroffen ist, konnte im ersten Quartal ihren Umsatz halten und erzielte 25,8 Mio. Euro (Vorjahr: 25,8 Mio. Euro). Das Ebitda betrug im ersten Quartal -5,6 Mio. Euro (Vorjahr: -3,7 Mio. Euro). Die Aussichten seien "aufgrund des hohen Auftragsbestandes" für das zweite Halbjahr positiv.

Exhibit 36

DAX Realtime | DAX 30 |

www.wallstreet-online.de/indizes/dax

Neu auf wallstreet:online? **Jetzt kostenlos registrieren!** Push-Kurse an | Registrieren | Login

wallstreet online
Do 10.09.2015 - 06:35 350 online

DAX	10.171,50	-0,97 %	Dow Jones	16.260,00	-1,41 %	EUR/USD	1,12122	-0,09 %	Gold	1.108,08	-1,28 %
TecDAX	1.710,00	-0,55 %	Nasdaq	4.756,529	-1,15 %	EUR/CHF	1,0963	+0,16 %	Öl (Brent)	48,65	-3,40 %

Suchbegriffe, Wertpapier-Namen, WKN oder ISIN | Suchen

LYNX ANLEGEN MIT VORSPRUNG

Börse & Märkte | Community & Forum | Nachrichten | NEU Börsenticker | Meine Finanzen | Mein w:o

Aktien | Indizes | Zertifikate | Optionsscheine | Knock-Outs | Anleihen | Fonds | ETF | Devisen | Rohstoffe | CFD | Wikifolios | Crowdinvesting

Übersicht

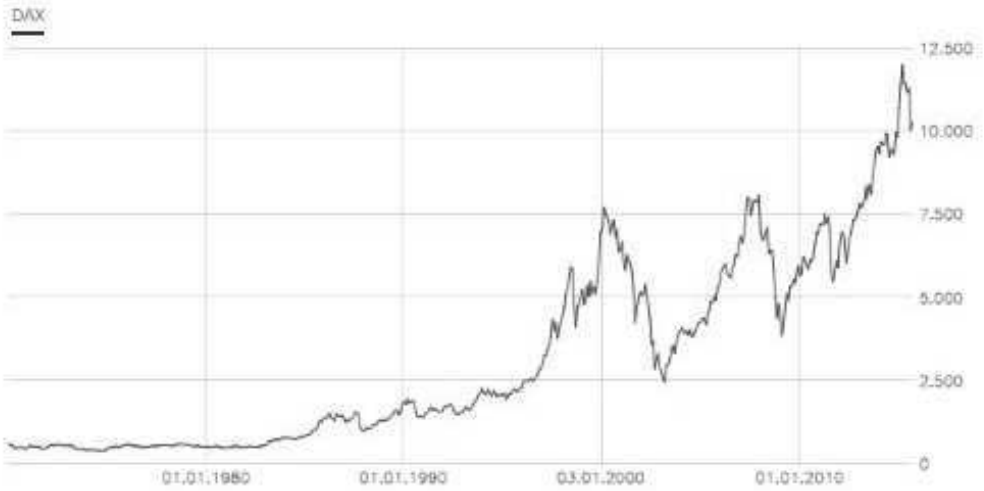
Startseite > Indizes > DAX

G+1 6

DAX ISIN: DE0008469008 | WKN: 846900 | Symbol: DAX

Übersicht	Kurse	Analyse	Zug. Wertpapiere	Tools
Gesamtübersicht	Handelsplätze	Chart	Zertifikate	Watchlist
Nachrichten	Times & Sales	Analysten & Kursziel	Optionsscheine	Derivate Cockpit
Forum	Historische Kurse	Chartsignale	Knock-Outs	
			Einzelwerte	

24h | Intraday | 5 Tage | 1 Monat | 3M | 1 Jahr | 3J | 5J | 10J | Max



Exportieren | Einstellungen | Melden

zum Chartanalyse-Tool »

Handelsplatz Xetra

09.09.15
10.303,12 +31,76 +0,31 %
Hoch: 10.512,61 09.09. Eröff.: 10.489,29 09.09.
Tief: 10.301,18 09.09. Vortag: 10.271,36 08.09.

L/E-DAX Index EUR
09.09.15
10.292,37 -1,99 -0,02 %

Realtime-Indikation
09.09.15
10.171,50 -99,86 -0,97 %

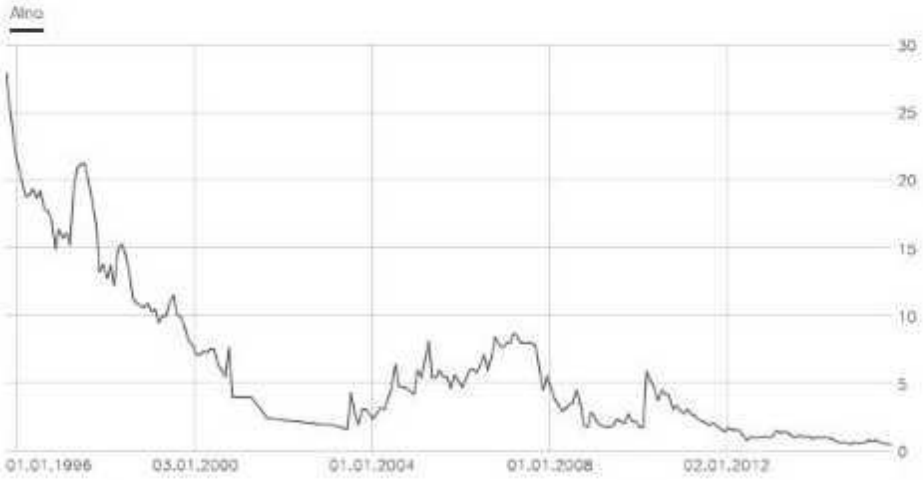
Exhibit 37

Alno Aktie ISIN: DE0007788408 | WKN: 778840 | Symbol: ANO

Übersicht	Kurse	Analyse	Unternehmen	Zug. Wertpapiere	Tools
Gesamtübersicht	Handelsplätze	Chart	Profil	Zertifikate	Watchlist
Nachrichten	Realtime	Analysten & Kursziel	Equity Story	Optionsscheine	Portfolio
Forum	Times & Sales	Chartsignale	Bilanz & GuV	Knock-Outs	Handeln
	Historische Kurse		Dividende		Derivate Cockpit
			Insidertrades		

Alno Chart

24h | Intraday | 5 Tage | 1 Monat | 3M | 1 Jahr | 3J | 5J | 10J | Max



Volumen einblenden | Exportieren | Einstellungen | Melden

zum Chartanalyse-Tool »

Aktienkurs Alno

Handelsplatz: Xetra

09.09.15

0,50 € -0,011 € -2,15 %

Geld	Brief
0,50 €	0,528 €
1.756 | 09.09.15	4.177 | 09.09.15

Hoch:	0,544	09.09.	Eröff.:	0,514	09.09.
Tief:	0,485	09.09.	Vortag:	0,511	08.09.

Boerse Stuttgart

Geld	Brief
0,502 €	0,533 €
5.977 | 09.09.15	5.629 | 09.09.15

Exhibit 38

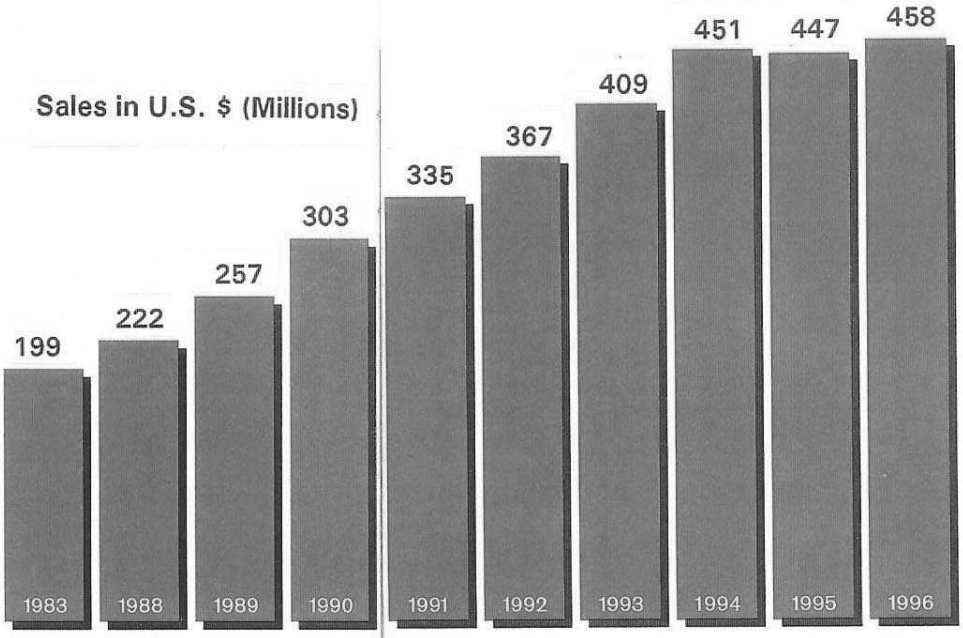
Our development from an artisan workshop to a major industrial group began with the vision of supplying kitchens complete with electrical appliances and accessories.

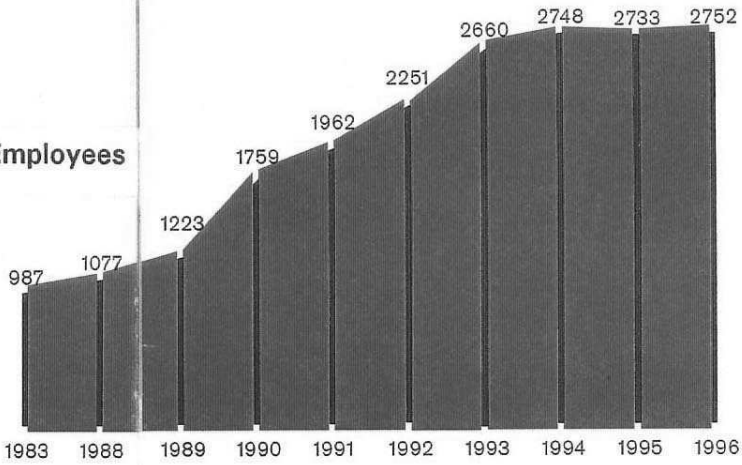
With our acquisition of the **tielsa** (kitchen cabinet manufacturing) Corporation in 1982, the vision was set in motion, and the designer built-in kitchen market was positioned for unparalleled growth. We proceeded with an aggressive acquisitions strategy, and in 1989 acquired the **Gruco** (kitchen furniture manufacturing) Corporation. In 1990 we acquired the Franz **Lanzet** (Bathroom Furniture Manufacturing) Corporation. In 1992 we acquired the Reinhard **Hörnlein** (specialist door manufacturing) Corporation. In 1994 we acquired the **Geba** (kitchen cabinet manufacturing) Corporation.

We rationalized production, seamlessly integrated these acquisitions into our infrastructure, with the benefits more choices for our customers and impoved quality in all price categories.

Manufacturing facilities in Germany

Our steady growth to market leader





We are extremely well prepared for future growth.

Exhibit 39

Unternehmenskennzahlen, Aktienkursentwicklung

ALNO Konzern im Überblick	1997	1998	1999
Umsatzentwicklung			
Umsatz in TDM	892.009	944.395	998.547
Veränderung zum Vorjahr in %	-1,9 %	5,9 %	5,7%
Auslandsanteil des Umsatzes in %	14,9 %	14,9 %	15,2 %
Ertragslage			
Ergebnis der gewöhnlichen Geschäftstätigkeit in TDM	-2.999	-21.258	1.646
Veränderung zum Vorjahr in %	-141,7 %	-608 %	107,7 %
Jahresüberschuß / Fehlbetrag in TDM	-5.008	-40.602	1.046
Finanzlage			
Cash-flow in TDM	56.576	27.021	68.294
Investitionen – Sachanlagen in TDM	60.074	86.081	68.137
Investitionen – Finanzanlagen in TDM	11	4	17
Abschreibungen in TDM	60.571	65.264	68.830
Vermögens- und Kapitalstruktur			
Bilanzsumme in TDM [1])	375.765	417.742	417.384
Eigenkapital in TDM	151.370	109.510	110.321
Eigenkapitalquote in % [1])	40,3 %	26,2 %	26,4 %
Anlagevermögen in TDM	162.491	180.688	184.103
Umlaufvermögen in TDM [1])	211.364	235.594	231.105
Mitarbeiter / innen			
Durchschnittliche Zahl der Mitarbeiter/innen	2.836	2.699	2.377

[1]) Anpassung der Vorjahreswerte aufgrund veränderter Zuordnung der Kundennachlässe in den Forderungen

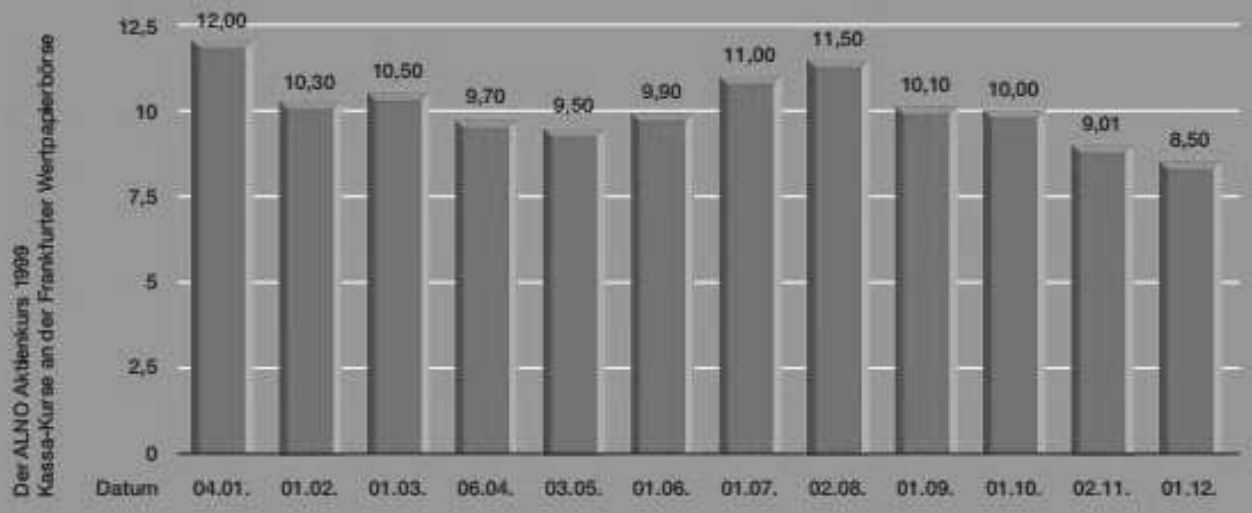


Exhibit 40

TESS was last updated on Fri Sep 4 03:21:02 EDT 2015

8 Records(s) found (This page: 1 ~ 8)

Refine Search (alno)[COMB] Submit

Current Search: S1: (alno)[COMB] docs: 8 occ: 20

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	79087194	3972737	AMERO BY **ALNO**	TSDR	LIVE
2	79086538	4011016	NOVUS BY **ALNO**	TSDR	LIVE
3	79093440		ALTERO BY **ALNO**	TSDR	DEAD
4	79093438		ALMERA BY **ALNO**	TSDR	DEAD
5	79091428		ARNEA BY **ALNO**	TSDR	DEAD
6	75590586	2422629	"CREATIONS" BY **ALNO**, INC.	TSDR	LIVE
7	75590583		"CREATIONS" BY **ALNO**, INC.	TSDR	DEAD
8	72395187	0948933	**ALNO**	TSDR	LIVE

Exhibit 41

10.11.2014 10:19 Bewerten ★★★★★ (1) 0 Kommentare

ALNO AG: OLG Düsseldorf bestätigt außerordentliche Kündigung des Ex-Vorstandsvorsitzenden

Gefällt mir 48.779 FACEBOOK EMAIL DRUCKEN

0 KOMMENTARE

Kommentar schreiben

TOP THEMEN HEUTE

Forscher beweisen: Der Mensch ist von Natur aus faul

Webinar mit Dirk Müller: Sie fragen, Mr. Dax antwortet

Mit diesen 3 Strategien könnt ihr aus guten Vorsätzen Gewohnheiten machen

Hertz® Special Offer
hertz.com
Savings up to 45% Off When You Seize the Day with Hertz &

Der 6. Senat des Oberlandesgerichtes (OLG) Düsseldorf hat in seinen beiden Urteilen vom 6. November 2014 den Berufungen der ALNO AG in vollem Umfang stattgegeben und beide Klagen des ehemaligen CEO Jörg Deisel gegen seine außerordentliche Kündigung vom April 2011 abgewiesen. Damit erhält das Unternehmen rund 2,6 Mio. Euro zurückerstattet, die aufgrund von früheren erstinstanzlichen Urteilen und einer unverbindlichen Interimsvereinbarung bereits ausbezahlt worden waren. Darüber hinaus kann die ALNO AG Zinsen und Verfahrenskosten von mehreren hunderttausend Euro geltend machen. Der Streitwert beider Verfahren belief sich auf rund 6,5 Mio. Euro. Bei Unwirksamkeit der Kündigungen hätten weitere Ansprüche in Höhe von rund einer Mio. Euro gegen die ALNO AG im Raum gestanden.

In seiner schriftlichen Urteilsbegründung sieht das OLG nach dreieinhalbjähriger Verfahrensdauer jetzt als gegeben an, dass der Kläger den Aufsichtsrat im September 2009 im Zusammenhang mit dem damaligen Unternehmenskonzept 2013 nicht richtig und vollständig informiert und damit das notwendige Vertrauensverhältnis zwischen Aufsichtsrat und Vorstand zerstört habe. Die Pflichtverletzung des Klägers wiege deshalb schwer, weil sie fundamentale Informations- und Kontrollrechte des Aufsichtsrates berührt habe. Zudem sei das Vorbringen des Klägers gegen seine außerordentliche Kündigung teilweise widersprüchlich gewesen.

Das Oberlandesgericht hat das Rechtsmittel der Revision zum Bundesgerichtshof in beiden Urteilen nicht zugelassen. Die Urteile sind noch nicht rechtskräftig.

www.fixed-income.org

NEWSSUCHE

Suchtext oder TT.MM.JJJJ GO

QUICKLINKS

▸ Anleihen Suchen ▸ Zinsübersicht
▸ Über Anleihen

Exhibit 42

30.03.2015 14:45 Uhr

ALNO

5,8 Mio. Euro von chinesischem Großaktionär

Frisches Geld für Alno: Die Nature Home Holding Company Limited von den Cayman Islands ist ab sofort neuer Aktionär. Nature, gelistet an der Hong Kong Stock Exchange, verpflichtete sich heute durch den Abschluss einer Investmentvereinbarung mit der Alno AG, neue Aktien der Alno AG aus einer noch durchzuführenden Barkapitalerhöhung aus dem bestehenden genehmigten Kapital zu übernehmen. Die Gesellschaft wird 5,5 Mio. neue Aktien zum Ausgabepreis von 1,05 Euro je Aktie ausgeben. Nature wird sämtliche neuen Aktien übernehmen. Zusätzlich hat Nature mitgeteilt, kürzlich rund 1,375 Mio. Aktien erworben zu haben. Damit wird das Unternehmen künftig insgesamt rund 9,09 Prozent am Grundkapital der Alno AG halten. Nature und Alno arbeiten bereits seit zwei Jahren in China zusammen.

„Wir freuen uns, dass wir Nature als weiteren Ankeraktionär der Alno AG gewonnen haben. Das zeigt das große Vertrauen, dass unsere chinesischen Partner zu und in uns haben" freut sich CEO Max Müller. Se Hok Pan, CEO und Vorsitzender des Aufsichtsrates bei Nature: „Wir freuen uns auf eine dauerhafte Partnerschaft."

Stattliche 5,8 Mio. Euro fließen Alno aus der Kapitalerhöhung als liquide Mittel zu. Das neue Kapital soll die Neuausrichtung weiter voran treiben, um „so nachhaltig die operative Ergebnisbasis des Unternehmens zu verbessern".

Das chinesische Unternehmen zählt nach eigenen Angaben rund 3.500 Mitarbeiter. In der Alno-Zentrale heißt es: „Nature fertigt und verkauft unter anderem Bodenbeläge, Kleiderschränke, Holztüren und Küchenschränke. Die Marke ‚Nature' gehört in China zu den Marktführern im Bereich Bodenbeläge. Das Unternehmen betreibt mehr als 4.300 Geschäfte. Die Produkte kommen sowohl aus eigener Fertigung als auch von etablierten Herstellern."

Schon seit Juli 2013 arbeiten Alno und Nature in China zusammen. Nature ist in China exklusiver Kooperationspartner für Wellmann-Produkte. Es werden Händler akquiriert, die in China Küchenstudios und Flagship-Stores mit Größen zwischen 200 und 800 Quadratmetern unter dem Namen Wellmann eröffnen, bevorzugt in exklusiven Einkaufszonen in Großstädten. Fünf Showrooms wurden bereits eröffnet, bis Ende 2015 sollen es bis zu 20 sein.

„Die bisher erzielten geschäftlichen Erfolge haben Nature dazu motiviert, langfristig in die Alno AG zu investieren. Gleichzeitig garantiert uns dieses Investment auf Dauer profitables Geschäft in China. Für uns ist das eine ideale Kombination und sicher einmalig in der deutschen Küchenindustrie", so Max Müller.

ZAHL VDM DES MONATS
83.378

TOP-KLICKS

02.09.2015 Küchenmeile A30 "Frischer Wind von außen für die Küchenbranche"

04.09.2015 Europa Möbel-Verbund Neue Home Company in Erkelenz am Netz

02.09.2015 Möbel Brügge Feiert ab Freitag Neueröffnung

07.09.2015 Sommerlad "Wir haben keinen Plan B"

03.09.2015 Höffner Erweiterung, weil Onlinehandel wächst

Trade Show Displays
Industry's Best Prices + Fast S&H. Best Trade Show Display Solutions.

FRISCH DISKUTIERT

04.09.2015 EHI-Möbelreport Möbelumsatz ist wieder angestiegen
9 Kommentare

26.08.2015 Home24 Eigenmarke, die nächste!
1 Kommentar

Exhibit 43

from web Page http://www.tielsa.de/en/historie.html
June 5, 2015 Printed Page 1 of 4

Küchenmarke mit Anspruch

Vorreiter sein aus Tradition

tielsa stand bis zu den 90er Jahren für herausragendes Design im Premiumküchen-Bereich und hat noch heute zahlreiche prominente Anhänger rund um den Globus. Schon damals war das Unternehmen seiner Zeit voraus. 2012 wurde die Traditionsmarke reaktiviert. Heute steht tielsa für ein ganzheitliches Wohn- und Lebenskonzept.

from web Page http://www.tielsa.de/en/historie.html
June 5, 2015 Printed Page 2 of 4

Werte bewahren

Wo tielsa herkommt

from web Page http://www.tielsa.de/en/historie.html
June 5, 2015 Printed Page 3 of 4

1927 **Firmengründung von Wielhelm Tielker in Salzuflen als Schreinerei mit Küchenbau**

1954 Erste kunststoffbelegte Küche (anstelle von Furnier)

1959 **Gründung tielsa Möbel Werke**

1964 Sortimentserweiterung um Schlaf- und Wohnraummöbel unter dem Name tielsa Creation

1966 Internationale Expansion nach Holland, Belgien, Schweiz, Frankreich, Österreich, Italien und Skandinavien

1969 Start Vertrieb in Übersee

1970 tielsa ist der größte deutsche Küchenhersteller

1990 **tielsa zählt mit über 1000 Vertriebspartnern in Deutschland zu den Top Drei Herstellern in Europa.** tielsa ist als die Innovationsküche erster Hersteller in den Bereichen:

- Licht als funktionales Element mit zentraler Steuereinheit
- Vertikal fahrbare Regale mit Lichtschranke für Stopp
- Glasschiebetüren in der Küche
- höhenverstellbare Füße an Küchenmöbeln
- Kühlschublade
- Arbeitsplatte mit integrierter Wärmefläche

2005 tielsa wird als unternehmensstrategische Entscheidung ohne Insolvenz vom Markt genommen

2012 **Neustart der Marke tielsa am Standort Pfullendorf**

2013 tielsa meldet 14 Patente zu Bewegung und Vernetzung in der Küche weltweit an

2014 **tielsa erhält den Innovationspreis Kücheninnovation des Jahres®**

2014 **Eröffnung des Forschung- und Entwicklungszentrums in Ettlingen**

2015 tielsa hat weltweit 46 Handelspartner

from web Page http://www.tielsa.de/en/historie.html
June 5, 2015 Printed Page 4 of 4

Weiter zur Philosophie

Top

Sitemap | tielsa-News | Karriere | Kontakt

Datenschutzrichtlinien

Verwendung von Cookies

Lizenzhinweise

Impressum

Copyright © 2015 tielsa GmbH. Alle Rechte vorbehalten.

Exhibit 44

Uberwachung - Handelsre ×

https://handelsregisterauszug-kostenlos.de/uberwachung?query=tielsa

Handelsregisterauszug: Überwachung des Handelsregister kostenlos

Login

G+1 +13 Auf Google empfehlen

Die Suche im Handelsregister war erfolgreich.
Wir haben (04.09.2015 20:06) folgend Firmen im Handelsregister gefunden:

Firma	Sitz		Löschen
Grundstücksverwaltungsgesellschaft tielsa Küchen GmbH & Co.	**Enger**	Handelsregisterauszug & Jahresabschluss downladen	✖
tielsa GmbH	**Pfullendorf**	Handelsregisterauszug & Jahresabschluss downladen	✖

✔ Handelsregisterauszüge bestellen

Der Überwachungsservice ist kostenlos und unverbindlich. Die eingegebenen Daten werden vertraulich behandelt Die Firma InterTimer prüft die von Ihnen eingege regelmäßig auf Änderungen im Handelsregister. Die Firma InterTimer haftet aber nicht für verspätete oder nicht erfolgte Mitteilungen. Die Email-Adresse wird nur fi Jahresabschluss- und Handelsregisterauszugänderungen verwendet und nicht für weitere Werbeaktionen ("Spam") benutzt und wird nicht an Dritte weitergegeben.

Meine Email lautet

✔ Kostenlos und unverbindlich anmelden

Handelsregisterauszug sofort

Originale sofort vom Amtsgericht
als PDF. Kostenlose Vorrecherche.

Impressum | Sitemap | Firma | Neueintragungen | Katasteramt | Facebook | | AppStore | FAQ | Handelregister | Handelsregister Adressen

Exhibit 45

State of California

SECRETARY OF STATE

Trademark Reg. No. 107094 **Class No.** Int. 20

CERTIFICATE OF REGISTRATION OF TRADEMARK

***I, BILL JONES,* Secretary of State of the State of California, hereby certify:**

That in accordance with the application filed in this office the TRADEMARK described below has been duly registered in this office on behalf of:

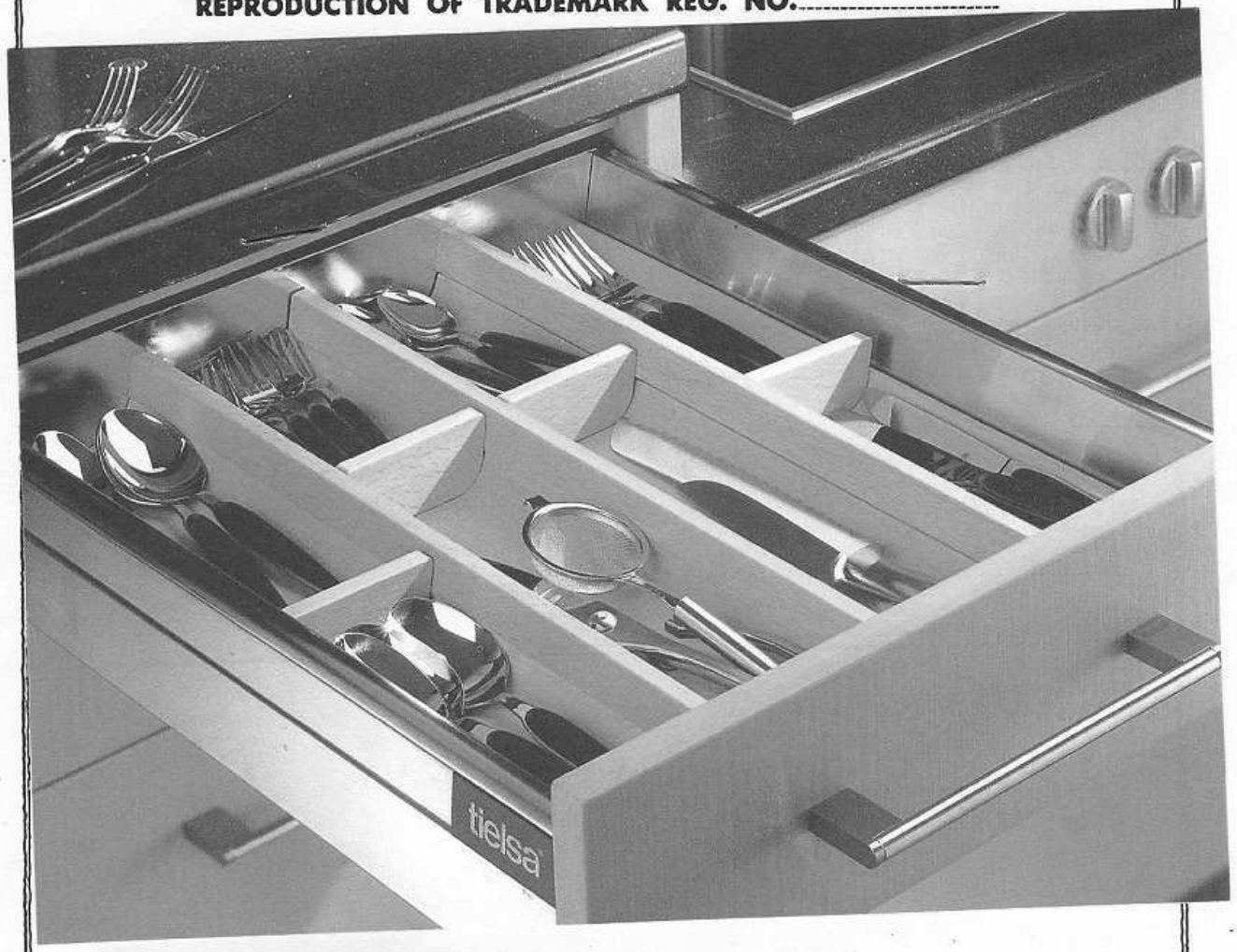
Name of Applicant: Wellmann Kitchens, Inc.,
Business Address: 1493 Caminito Salidago, La Jolla, CA 92037
Date first used in California: April 30, 1999
Date first used anywhere: April 30, 1999
Description of Trademark: tielsa
Description of Goods on which the Trademark is used: Furniture, kitchen furniture, bathroom furniture wall units.
A copy, specimen, facsimile, counterpart or a reproduction of the mark is attached
Date of Registration: March 8, 2001
Term of Registration Extends to and Includes: March 8, 2011

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this 13th **day of** March 2001

BILL JONES
Secretary of State

A COPY, SPECIMEN, FACSIMILE, COUNTERPART OR

REPRODUCTION OF TRADEMARK REG. NO. 107094



BILL JONES
Secretary of State

SEC/STATE FORM TM-107-T

State of California

SECRETARY OF STATE

Trademark Reg. No. 107094 **Class No.** Int. 20

CERTIFICATE OF REGISTRATION OF TRADEMARK

***I, BILL JONES,* Secretary of State of the State of California, hereby certify:**

That in accordance with the application filed in this office the TRADEMARK described below has been duly registered in this office on behalf of:

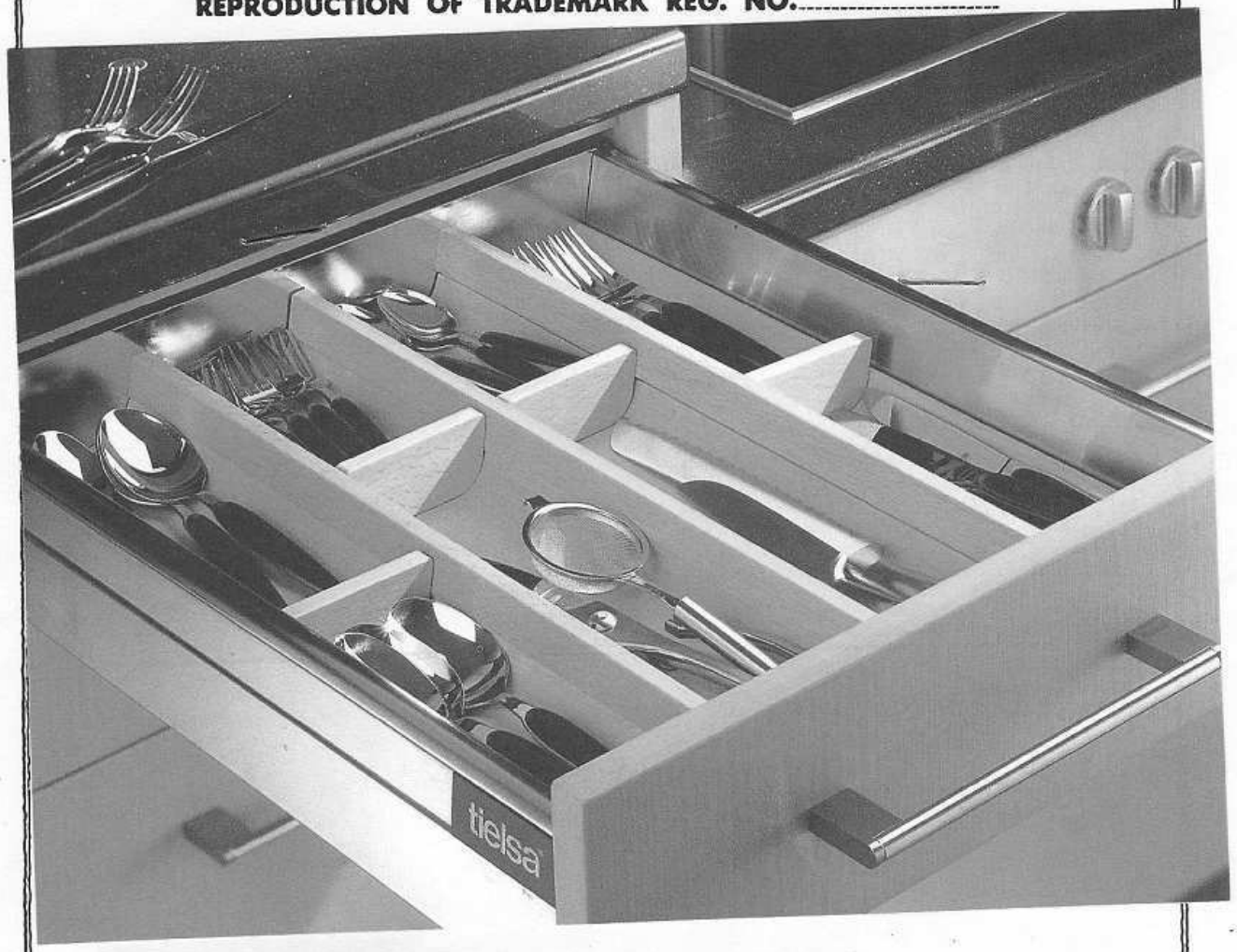
Name of Applicant: Wellmann Kitchens, Inc.,
Business Address: 1493 Caminito Salidago, La Jolla, CA 92037
Date first used in California: April 30, 1999
Date first used anywhere: April 30, 1999
Description of Trademark: tielsa
Description of Goods on which the Trademark is used: Furniture, kitchen furniture, bathroom furniture wall units.
A copy, specimen, facsimile, counterpart or a reproduction of the mark is attached
Date of Registration: March 8, 2001
Term of Registration Extends to and Includes: March 8, 2011

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this 13th **day of** March 2001

BILL JONES
Secretary of State

A COPY, SPECIMEN, FACSIMILE, COUNTERPART OR

REPRODUCTION OF TRADEMARK REG. NO. 107094



BILL JONES
Secretary of State

SEC/STATE FORM TM-107-T

Exhibit 46

TESS was last updated on Thu Aug 27 03:21:13 EDT 2015

Word Mark	**TIELSA** THE EXCLUSIVE KITCHEN
Goods and Services	(ABANDONED) IC 020. US 002 013 022 025 032 050. G & S: Furniture, Kitchen Furniture, Bathroom Furniture, Accessories for Furniture. FIRST USE: 19990430. FIRST USE IN COMMERCE: 19990430
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.02 - Plain single line rectangles; Rectangles (single line) 26.11.21 - Rectangles that are completely or partially shaded
Serial Number	78046116
Filing Date	February 1, 2001
Current Basis	1A
Original Filing Basis	1A
Owner	(APPLICANT) Wellmann Kitchens, Inc. CORPORATION CALIFORNIA 1493 Caminito Solidago La Jolla CALIFORNIA 92037
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD
Abandonment Date	December 21, 2001

TESS was last updated on Thu Aug 27 03:21:13 EDT 2015

Word Mark	**TIELSA** THE EXCLUSIVE KITCHEN
Goods and Services	(ABANDONED) IC 020. US 002 013 022 025 032 050. G & S: Furniture, Kitchen Furniture, Bathroom Furniture, Accessories for Furniture. FIRST USE: 19990430. FIRST USE IN COMMERCE: 19990430
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.02 - Plain single line rectangles; Rectangles (single line) 26.11.21 - Rectangles that are completely or partially shaded
Serial Number	78046116
Filing Date	February 1, 2001
Current Basis	1A
Original Filing Basis	1A
Owner	(APPLICANT) Wellmann Kitchens, Inc. CORPORATION CALIFORNIA 1493 Caminito Solidago La Jolla CALIFORNIA 92037
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD
Abandonment Date	December 21, 2001

Exhibit 47

BBB Search Database of B ×

www.bbb.org/search/?type=name&input=wellmann&location=San+Diego%2C+CA&tobid=&filter=business&s

ESPAÑOL • NEWS & EVENTS • CONSUMER LOGIN • BUSINESS LOGIN

BBB Start With Trust®

San Diego, Orange and Imperial Counties

Name • Category

Clear Location

wellmann | San Diego, CA

Filter: Businesses ▼ | Source: Site ▼ | Distance: Off ▼ | BBB Accredited Only

GET TO KNOW US • GET INVOLVED • GET CONSUMER HELP • PROGRAMS & SERVICES • FOR BUSINESSES

You searched ***Businesses*** for **wellmann**

See BBB Accredited Business Directory for:

Plumbers »

Accredited By: ***BBB of San Diego, Orange and Imperial Counties***

Businesses

7 businesses, ordered by relevance.

Business Name	Distance	BBB Accredited
The *Wellmann* Company **aka *Wellmann* Kitchens** 1493 Caminito Solidago La Jolla, CA 92037	5-10 Miles	No

Read BBB's Report on this Business
File a Complaint
Submit a Customer Review

Category: **Kitchen Cabinets & Equipment - Household**

Assure Contractors are Licensed and Insu ...

ponsored By:

Feature Your Business HERE

Data Security for Direct Sellers

Sponsored by DSOF

Related Searches 10

Plumbers (2)

BBB Business Review

Overview | Complaints | Customer Reviews | Directions

THIS BUSINESS IS NOT BBB ACCREDITED.

The Wellmann Company

Phone: (858) 459-1000

1493 Caminito Solidago, La Jolla, CA 92037

A+

On a scale of A+ to F

Reason for Rating

BBB Ratings System Overview

Share Print

G+1 0

BBB Business Reviews may not be reproduced for sales or promotional purposes.

Description

This company offers kitchen cabintry services.

BBB Accreditation

This business is not BBB accredited.

Businesses are under no obligation to seek BBB accreditation, and some businesses are not accredited because they have not sought BBB accreditation.

To be accredited by BBB, a business must apply for accreditation and BBB must determine that the business meets BBB accreditation standards, which include a commitment to make a good faith effort to omplaints. BBB Accredited Businesses must pay a fee for accreditation

QUICK LINKS

What is a BBB Business Review?

BBB Reporting Policy

About Enhanced Services

File a Complaint against The Wellmann Company

Accredited Business Directory

CUSTOMER REVIEWS

Read Customer Reviews

Submit a Customer Review

See trends in Customer Reviews for The Wellmann Company

ASSOCIATED SEARCHES

Find BBB Accredited Businesses offering similar services

Find more businesses offering similar services

FEEDBACK

RECOMMEND

Would you recommend this review to others?

Exhibit 48

tielsa

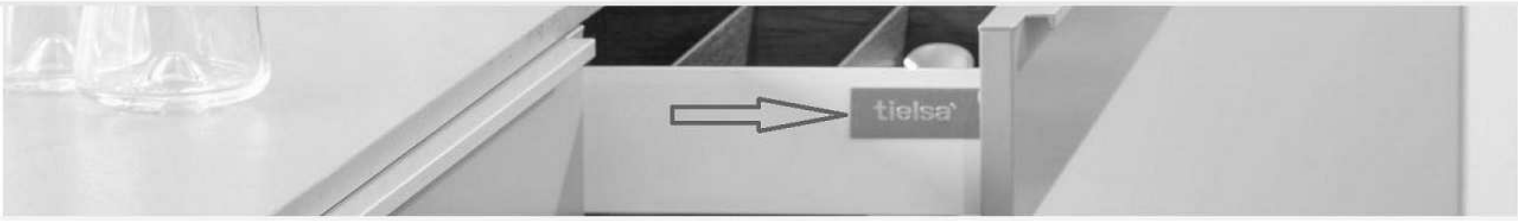
Exhibit 49

tielsa - Design

tielsa.de/de/design.html

Designs im Überblick

Alle Designs



Mit der Nutzung unserer Dienste sowie dem Klicken des „OK“ Buttons erklären Sie sich damit einverstanden, dass wir