

ESTTA Tracking number: **ESTTA269625**

Filing date: **03/02/2009**

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

Proceeding	92049560
Party	Defendant DM PERSONAL CARE PRODUCTS, INC.
Correspondence Address	MARGARET M SERRANO, ESQ ATTORNEY 2821 E OKLAHOMA AVE MILWAUKEE, WI 53207 UNITED STATES serrano@planbrand.com
Submission	Motion to Join/Substitute Party
Filer's Name	Margaret M. Serrano, Esq.
Filer's e-mail	serrano@planbrand.com
Signature	/Margaret M Serrano/
Date	03/02/2009
Attachments	CN92049560DefMotsSubSetAs&Answer.pdf (8 pages)(26921 bytes) Ex1-USPTO Recordal Assign.pdf (8 pages)(936217 bytes) Ex2-USPTORevPOA&ApptNewAtty.pdf (5 pages)(17555 bytes) Ex4-ESTTACHangeCorrespAddress.pdf (1 page)(7047 bytes) Ex5-TMAssignAbstractOfTitle.pdf (3 pages)(47974 bytes) Ex6-FLSOSDiamondPrCoAdminDiss.pdf (2 pages)(50092 bytes) Ex7-UTSOSDMPersCareProdIncExpDelinq.pdf (1 page)(45747 bytes) Ex8-ChartOwnersFrTMAbstrOfTitle.pdf (1 page)(11746 bytes) Ex3-ESTTAAppearOfCounselPOA.pdf (5 pages)(70615 bytes)

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

In the Matter of Registration No. 3,067,616

-----X
TED GIBSON & COMPANY, INC., :
Petitioner, :

v. :

DM PERSONAL CARE PRODUCTS, INC., :
Current Defendant and : Cancellation No. 92049560
Former Registrant, :

Or, If The Board Grants Substitution, :

SILKIENCE HOLDINGS INC., :
Current Registrant of Record :
And Requested Substitute Defendant. :
-----X

**MOTION TO SUBSTITUTE PARTY,
MOTION TO SET ASIDE DEFAULT JUDGMENT, AND,
ANSWER TO PETITION FOR CANCELLATION**

=====

MOTION TO SUBSTITUTE PARTY

The current registrant of record for the TAME mark, Reg. No. 3,067,616, is Silkience Holdings Inc. ("Silkience Holdings"). (Exhibit 1). In early February 2009, Silkience Holdings filed in the USPTO a revocation of the then appointed attorney and an appointment of a new attorney. (Exhibit 2). On February 27, Silkience Holdings filed through ESTTA in the Trademark Trial and Appeal Board ("TTAB") Exhibit 2 as its Appearance of Counsel/Power of Attorney (Exhibit 3) and a Change of Correspondence Address (Exhibit 4). Silkience Holdings

served Petitioner with the Change of Correspondence Address by U.S. Mail on February 27, 2009.

The registration that is the subject of Cancellation No. 92049560, Reg. No. 3,067,616, was formerly owned by the named Defendant, DM Personal Care Products, Inc. Silkience Holdings owns the mark and registration as the last of a number of assignees. (Exhibit 5). Silkience Holdings respectfully requests that the TTAB substitute it as the Defendant since Silkience Holdings, not the named Defendant, is the real party in interest in Cancellation No. 92049560. 15 U.S.C. §1060; 28 U.S.C. §1655; Fed. R. Civ. P. 17(a)(1) and 17(a)(3); TTAB Manual of Procedure (TBMP) §512.01.

Registrant complied with 15 U.S.C. §1060, fulfilling the requirements for assignment of a federal registration and recording that assignment with the Assignment Division of the USPTO. (Exhibit 1). Under TBMP §512.01, an assignee (such as Registrant) may take any action concerning a registration in an *inter partes* proceeding before the Board provided that the assignment of the registration has been recorded or that proof of the assignment has been submitted. Registrant recorded the assignment in the USPTO and submits to the Board (Exhibit 1) copies of the USPTO Assignment Division's faxed Notices of Recordation of Assignment Document for the two most recent assignments of the registration.

Petitioner filed its Petition for Cancellation with the TTAB on June 16, 2008. Reg. No. 3,067,616 was not assigned to Silkience Holdings until December 11, 2008, which is almost six months after the commencement of Cancellation No. 92049560. The original applicant and registrant, Diamond Products Company, no longer exists (Exhibit 6); nor does DM Personal Care Products Inc. (Exhibit 7), the named Defendant in Cancellation No. 92049560. When "...

the assignor is no longer in existence...", the assignee may be substituted as a party. TBMP §512.01.

The TTAB entered a default judgment against Defendant and canceled Reg. No. 3,067,616 on September 29, 2008. Registrant's request that it be substituted as the defendant is timely under 28 U.S.C. §1655 because it was not personally notified of the Petition for Cancellation and, as of the date of this filing, it is presently less than one year since the Board's order granting Petitioner's Motion for Default Judgment. An action must be prosecuted in the name of the real party in interest. Fed. R. Civ. P. 17(a)(1). Registrant files its Motion to Substitute Party within a reasonable time after commencement of the action and the Board's entry of default judgment. Fed. R. Civ. P. 17(a)(3).

Registrant has complied with the requirements of the federal laws and regulations with respect to assignments, recording assignments in the USPTO, and submitting copies of recorded assignments to the TTAB in this *inter partes* proceeding, Cancellation No. 92049560.

WHEREFORE, Registrant Silkience Holdings Inc. respectfully requests that the Board grant its motion and substitute Registrant as the defendant, or, in the alternative, that it join Registrant as a co-defendant. TBMP §512.01.

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MOTION TO SET ASIDE DEFAULT JUDGMENT

Registrant respectfully requests that the Board set aside its September 29, 2008 default judgment in Cancellation No. 92049560. Fed. R. Civ. P. 60(b)(1) and (6), 60(d)(2), and 55(c); 28 U.S.C. §1655; TBMP §312.03.

Registrant did not file an Answer to Petition for Cancellation because it did not know that a cancellation proceeding was pending before the Board and it was not personally notified of the proceeding. 28 U.S.C. §1655; Fed. R. Civ. P. 60(b)(1) and (6), 60(d)(2). The current Registrant of record with the USPTO did not own Reg. No. 3,067,616 on June 16, 2008 when Petitioner filed its cancellation proceeding.

Numerous legal entities have owned Reg. No. 3,067,616 for the TAME mark for “hair preparations, namely creme hair dressing, hair spray and hair conditioners and shampoos” in International Class 3. (Exhibit 5). A chart showing the chain of title to the subject registration, excluding recorded security interests and releases of same, is attached as Exhibit 8. As the chart shows, six (6) legal entities have owned the (now) registration since the application was filed in the USPTO. Effective January 22, 2008, the named Defendant merged with Huish Detergents, Inc. ("Huish"). Since Huish did not file the merger documents with the Assignment Division of the USPTO until July 30, 2008, the change in ownership of Reg. No. 3,067,616 was not of record with the USPTO when Petitioner filed Cancellation No. 92049560 on June 16, 2008.

Registrant’s failure to file a timely Answer was not willful or grossly negligent. It appears from the Abstract of Title that when the cancellation was instituted, the owners of Reg. No. 3,067,616 were restructuring, from some time in late 2007 through August 2008. Further, Registrant has a meritorious defense. Registrant has not abandoned the mark in Reg. No. 3,067,616, nor had its predecessors-in-interest. Prior owners of the TAME mark in Reg. No. 3,067,616 were making plans to re-introduce TAME hair preparations to the market

themselves and/or were actively seeking licensees and/or attempting to identify third parties who might be interested in acquiring the TAME mark together with the goodwill of the business associated with it.

Petitioner will not be prejudiced by the Board vacating the default judgment so that discovery in the cancellation proceeding can begin. TBMP §312.03. The Board has the authority to vacate a judgment on motion and on just terms within a year after entry of the judgment. TBMP §544. Fed. R. Civ. P. 60(b)(1) and 60 (b)(6). Similarly, an absent defendant "... not so personally notified may, at any time within one year after final judgment, enter his appearance, and thereupon the court shall set aside the judgment ..." and permit such defendant to file pleadings. 28 U.S.C. §1655.

WHEREFORE, Registrant respectfully requests that the Board set aside its September 29, 2008 default judgment cancelling Registration No. 3,067,616 and permit Registrant to file its Answer to Petition for Cancellation.

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ANSWER TO PETITION FOR CANCELLATION

Registrant Silkience Holdings Inc. ("Registrant"), by its attorneys, PlanBrand LLC, answers the Petition for Cancellation ("Petition") of Ted Gibson & Company, Inc. ("Petitioner"), as follows:

1. With regard to the allegations of Paragraph 1 of the Petition, Registrant admits that
Petitioner filed intent-to-use Application Serial No. 77/136,988 for the mark TAME IT

- for hair shine lotion in International Class 3 on March 21, 2007, but denies the remaining allegations contained in Paragraph 1 of the Petition.
2. Registrant admits that a predecessor-in-interest obtained Reg. No. 3,067,616 for the mark TAME for "hair preparations, namely creme hair dressing, hair spray and hair conditioners and shampoos" in International Class 3.
 3. Registrant denies knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 3 of the Petition.
 4. Registrant denies the allegations contained in Paragraph 4.
 5. Registrant denies the allegations contained in Paragraph 5.
 6. Registrant denies the allegations contained in Paragraph 6.
 7. With regard to the allegations in Paragraph 7 of the Petition, Registrant does not have sufficient knowledge or information at this time to form a belief as to the truth or falsity of its predecessors-in-interest use of the TAME mark on each of the goods listed in Reg. No. 3,067,616.
 8. Registrant denies the allegations contained in Paragraph 8.

Registrant's First Affirmative Defense

9. Petitioner is not the owner of all right, title, and interest in and to a mark that includes the word "TAME" for hair shine lotion on the basis that Registrant has not abandoned its TAME mark for hair preparations in International Class 3.

Registrant's Second Affirmative Defense

10. Petitioner has acted with unclean hands with respect to the mark at issue because

Petitioner seeks to cancel Reg. No. 3,067,616 merely to exploit in bad faith the

goodwill associated with the TAME mark owned and used by Registrant and its predecessors in interest.

WHEREFORE, Registrant respectfully requests that the Petition for Cancellation be dismissed with prejudice and that Registration No. 3,067,616 be maintained.

Dated: Milwaukee, WI
March 2, 2009

PLANBRAND LLC

By: /Margaret M Serrano/
Margaret M. Serrano
2821 E. Oklahoma Ave.
Milwaukee, WI 53207
414.483.0853

Attorneys for Registrant
Silkience Holdings Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above Motion to Substitute Party, Motion to Set Aside Default Judgment, and Answer to Petition for Cancellation was deposited this day, March 2, 2009, with the United States Postal Service as first class mail, postage prepaid, addressed to the attorneys for Petitioner as follows:

Michael A. Grow, Esq.
Chiara Guiliani, Esq.
Arent Fox LLP
1050 Connecticut Avenue NW
Washington, DC 20036

Date: March 3, 2009

/Margaret M Serrano/
Margaret M. Serrano

Cancellation No. 92049560
Registrant: Silkience Holdings Inc.
Registrant's Motion to Substitute Party,
Motion to Set Aside Default Judgment,
And Answer to Petition for Cancellation
Reg. No. 3,067,616
Date of TTAB Filing by Registrant:
March 2, 2009

TO: SANA HAKIM COMPANY: P.O. BOX 1135

**UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

900122680A

DECEMBER 15, 2008

PTAS

SANA HAKIM
P.O. BOX 1135
CHICAGO, IL 60690-1135UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 12/15/2008

REEL/FRAME: 003903/0321
NUMBER OF PAGES: 3BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL
DOCKET NUMBER: 117414-2ASSIGNOR:
THE SUN PRODUCTS CORPORATIONDOC DATE: 11/07/2008
CITIZENSHIP: DELAWARE
ENTITY: CORPORATIONASSIGNEE:
RIVER WEST BRANDS, LLC
141 WEST JACKSON BOULEVARD
SUITE 3620
CHICAGO, ILLINOIS 60604CITIZENSHIP: DELAWARE
ENTITY: LIMITED LIABILITY COMPANYAPPLICATION NUMBER: 73169222
REGISTRATION NUMBER: 1255703FILING DATE: 05/05/1978
ISSUE DATE: 11/01/1983MARK: SILKIENCE
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

TO: SANA HAKIM COMPANY: P.O. BOX 1135

003903/0321 PAGE 2

APPLICATION NUMBER: 75101699
REGISTRATION NUMBER: 2052632

FILING DATE: 05/09/1996
ISSUE DATE: 04/15/1997

MARK: SILKIENCE

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

APPLICATION NUMBER: 78477471
REGISTRATION NUMBER: 3067616

FILING DATE: 09/01/2004
ISSUE DATE: 03/14/2006

MARK: TAME

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN BLOCK FORM

ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

TO: SANA HAKIM COMPANY: P.O. BOX 1135

TRADEMARK ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.112/15/2008
900122680

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
The Sun Products Corporation		11/07/2008	CORPORATION: DELAWARE
RECEIVING PARTY DATA			
Name:	River West Brands, LLC		
Street Address:	141 West Jackson Boulevard		
Internal Address:	Suite 3620		
City:	Chicago		
State/Country:	ILLINOIS		
Postal Code:	60604		
Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE		
PROPERTY NUMBERS Total: 3			
Property Type	Number	Word Mark	
Registration Number:	1255703	SILKIENCE	
Registration Number:	2052632	SILKIENCE	
Registration Number:	3067616	TAME	
CORRESPONDENCE DATA			
Fax Number:	(312)827-8185		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	312-807-4350		
Email:	trademarks@bellboyd.com, shakim@bellboyd.com		
Correspondent Name:	Sana Hakim		
Address Line 1:	P.O. Box 1135		
Address Line 4:	Chicago, ILLINOIS 60690-1135		
ATTORNEY DOCKET NUMBER:	117414-2		
NAME OF SUBMITTER:	Sana Hakim		

CH \$90.00 1255703

TO: SANA HAKIM COMPANY: P.O. BOX 1135

Signature:	/sh/
Date:	12/15/2008
Total Attachments: 1 source=silkience assignment1#page1.tif	

TO: SANA HAKIM COMPANY: P.O. BOX 1135

**UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECEMBER 15, 2008

900122681A

PTAS

SANA HAKIM
P.O. BOX 1135
CHICAGO, IL 60690-1135UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 12/15/2008

REEL/FRAME: 003903/0342

NUMBER OF PAGES: 5

BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL
DOCKET NUMBER: 117414-2

ASSIGNOR:

RIVER WEST BRANDS, LLC

DOC DATE: 12/11/2008

CITIZENSHIP: DELAWARE

ENTITY: LIMITED LIABILITY
COMPANY

ASSIGNEE:

SILKIENCE HOLDINGS INC.
100 DELTA PARK BLVD, UNIT ONE
BRAMPTON, CANADA L6T 5E7

CITIZENSHIP: CANADA

ENTITY: ORGANIZATION

APPLICATION NUMBER: 73169222

FILING DATE: 05/05/1978

REGISTRATION NUMBER: 1255703

ISSUE DATE: 11/01/1983

MARK: SILKIENCE

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

TO:SANA HAKIM COMPANY:P.O. BOX 1135

003903/0342 PAGE 2

APPLICATION NUMBER: 75101699
REGISTRATION NUMBER: 2052632

FILING DATE: 05/09/1996
ISSUE DATE: 04/15/1997

MARK: SILKIENCE

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

APPLICATION NUMBER: 78477471
REGISTRATION NUMBER: 3067616

FILING DATE: 09/01/2004
ISSUE DATE: 03/14/2006

MARK: TAME

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN BLOCK FORM

ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

TO: SANA HAKIM COMPANY: P.O. BOX 1135

TRADEMARK ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.112/15/2008
900122681

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
River West Brands, LLC		12/11/2008	LIMITED LIABILITY COMPANY: DELAWARE
RECEIVING PARTY DATA			
Name:	Silkience Holdings Inc.		
Street Address:	100 Delta Park Blvd, Unit One		
City:	Brampton		
State/Country:	CANADA		
Postal Code:	L6T 5E7		
Entity Type:	organization: CANADA		
PROPERTY NUMBERS Total: 3			
Property Type	Number	Word Mark	
Registration Number:	1255703	SILKIENCE	
Registration Number:	2052632	SILKIENCE	
Registration Number:	3067616	TAME	
CORRESPONDENCE DATA			
Fax Number:	(312)827-8185		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	312-807-4350		
Email:	trademarks@bellboyd.com, shakim@bellboyd.com		
Correspondent Name:	Sana Hakim		
Address Line 1:	P.O. Box 1135		
Address Line 4:	Chicago, ILLINOIS 60690-1135		
ATTORNEY DOCKET NUMBER:	117414-2		
DOMESTIC REPRESENTATIVE			

CH \$90.00 1255703

TO: SANA HAKIM COMPANY: P.O. BOX 1135

Name:	Sana Hakim
Address Line 1:	P.O. Box 1135
Address Line 4:	Chicago, ILLINOIS 60690-1135

NAME OF SUBMITTER:	Sana Hakim
--------------------	------------

Signature:	/sh/
------------	------

Date:	12/15/2008
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Total Attachments: 3

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Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	78477471
REGISTRATION NUMBER	3067616
LAW OFFICE ASSIGNED	LAW OFFICE 106
MARK SECTION	
MARK	TAME
ATTORNEY SECTION	
ORIGINAL ADDRESS	Preston C. Regehr TechLaw Ventures, PLLC 4635 TM Suite 220 333 South 520 West Lindon UT 84042 8018528203 801-805-3688 pto@techlawventures.com
CORRESPONDENCE SECTION	
ORIGINAL ADDRESS	Preston C. Regehr TechLaw Ventures, PLLC 4635 TM Suite 220 333 South 520 West Lindon UT 84042 8018528203 801-805-3688 pto@techlawventures.com
NEW ATTORNEY ADDRESS	
STATEMENT TEXT	By submission of this request, the undersigned hereby APPOINTS the following new attorney:
NAME	Margaret M. Serrano, Esq.

FIRM NAME	PlanBrand LLC
STREET	2821 E. Oklahoma Ave.
CITY	Milwaukee
STATE	Wisconsin
COUNTRY	United States
POSTAL/ZIP CODE	53207-3047
PHONE	414.483.0853
FAX	414.483.1963
EMAIL	serrano@planbrand.com
ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES

NEW DOMESTIC REPRESENTATIVE ADDRESS

STATEMENT TEXT	By submission of this request, the undersigned hereby APPOINTS the following new domestic representative:
NAME	Margaret M. Serrano, Esq.
FIRM NAME	PlanBrand LLC
STREET	2821 E. Oklahoma Ave.
CITY	Milwaukee
STATE	Wisconsin
COUNTRY	United States
POSTAL/ZIP CODE	53207-3047
PHONE	414.483.0853
FAX	414.483.1963
EMAIL	serrano@planbrand.com
REPRESENTATIVE AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES

NEW CORRESPONDENCE ADDRESS

NAME	Margaret M. Serrano, Esq.
FIRM NAME	PlanBrand LLC
STREET	2821 E. Oklahoma Ave.

STREET	2821 E. Oklahoma Ave.
CITY	Milwaukee
STATE	Wisconsin
COUNTRY	United States
POSTAL/ZIP CODE	53207-3047
PHONE	414.483.0853
FAX	414.483.1963
EMAIL	serrano@planbrand.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
SIGNATURE SECTION	
SIGNATURE	//S. M. IMMEL//
SIGNATORY NAME	Steven M. Immel
SIGNATORY DATE	02/02/2009
SIGNATORY POSITION	President
FILING INFORMATION SECTION	
SUBMIT DATE	Tue Feb 03 10:28:21 EST 2009
TEAS STAMP	USPTO/RAA-173.111.144.170 -20090203102821613313-751 01699-40011834fc6a95e41a5 bce11e6dcba15ec5-N/A-N/A- 20090202194717193604

Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

To the Commissioner for Trademarks:

MARK: TAME

SERIAL NUMBER: 78477471

REGISTRATION NUMBER: 3067616

The original attorney

Preston C. Regehr
TechLaw Ventures, PLLC
4635 TM
Suite 220
333 South 520 West
Lindon UT 84042
8018528203
801-805-3688
pto@techlawventures.com

Original Correspondence Address :

Preston C. Regehr
TechLaw Ventures, PLLC
Suite 220
333 South 520 West
Lindon UT 84042
8018528203
801-805-3688
pto@techlawventures.com

By submission of this request, the undersigned hereby APPOINTS the following new attorney:

Newly Appointed Attorney:

Margaret M. Serrano, Esq.
PlanBrand LLC
2821 E. Oklahoma Ave.
Milwaukee
Wisconsin
53207-3047
United States
414.483.0853
414.483.1963

By submission of this request, the undersigned hereby APPOINTS the following new domestic representative:

Newly Appointed Representative:

Margaret M. Serrano, Esq.
PlanBrand LLC
2821 E. Oklahoma Ave.
Milwaukee
Wisconsin

53207-3047
United States
414.483.0853

The following is to be used as the correspondence address:

Margaret M. Serrano, Esq.
PlanBrand LLC
2821 E. Oklahoma Ave.
Milwaukee
Wisconsin
United States
53207-3047

414.483.0853
414.483.1963
serrano@planbrand.com

Signature: //S. M. IMMEL// Date: 02/02/2009
Signatory's Name: Steven M. Immel
Signatory's Position: President

Serial Number: 78477471
Internet Transmission Date: Tue Feb 03 10:28:21 EST 2009
TEAS Stamp: USPTO/RAA-173.111.144.170-20090203102821
613313-75101699-40011834fc6a95e41a5bce11
e6dcba15ec5-N/A-N/A-20090202194717193604

ESTTA Tracking number: **ESTTA269319**

Filing date: **02/27/2009**

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

Change of Correspondence Address

Proceeding.	92049560
Defendant	Defendant DM PERSONAL CARE PRODUCTS, INC.

Please change the correspondence address for the above party here as follows:

Old Correspondence Address	DM PERSONAL CARE PRODUCTS, INC. 15 WEST SOUTH TEMPLE, SUITE 1400 SALT LAKE CITY, UT 84101 UNITED STATES
New Correspondence Address	MARGARET M SERRANO, ESQ ATTORNEY OF RECORD-SILKIENCE HOLDINGS IN ATTORNEY 2821 E OKLAHOMA AVE MILWAUKEE, WI 53207 UNITED STATES serrano@planbrand.com Phone:414.483.0853

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,
/Margaret M Serrano/
Margaret M. Serrano, Esq.
serrano@planbrand.com
02/27/2009



United States Patent and Trademark Office

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 9

Serial #: [78477471](#)

Filing Dt: 09/01/2004

Reg #: [3067616](#)

Reg. Dt: 03/14/2006

Registrant: Diamond Products Company

Mark: TAME

Assignment: 1

Reel/ Frame: [3552/0593](#)

Received: 05/31/2007

Recorded: 05/31/2007

Pages: 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [DIAMOND PRODUCTS COMPANY](#)

Exec Dt: 11/21/2006

Entity Type: CORPORATION

Citizenship: FLORIDA

Assignee: [DM PERSONAL CARE PRODUCTS, INC.](#)

15 WEST SOUTH TEMPLE

SUITE 1400

SALT LAKE CITY, UTAH 84101

Entity Type: CORPORATION

Citizenship: UTAH

Correspondent: PRESTON C. REGEHR

333 SOUTH 520 WEST

SUITE 220

LINDON, UT 84042

Assignment: 2

Reel/ Frame: [3578/0654](#)

Received: 07/11/2007

Recorded: 07/11/2007

Pages: 7

Conveyance: FIRST LIEN GRANT OF SECURITY INTEREST IN TRADEMARK RIGHTS

Assignor: [DM PERSONAL CARE PRODUCTS, INC.](#)

Exec Dt: 04/26/2007

Entity Type: CORPORATION

Citizenship: UTAH

Assignee: [JPMORGAN CHASE BANK, N.A., AS ADMINISTRATIVE AGENT](#)

P.O. BOX 2558

HOUSTON, TEXAS 77252

Entity Type: NATIONAL BANKING
ASSOCIATION

Citizenship: NONE

Correspondent: KIRSTIE HOWARD, ESQ.

SIMPSON THACHER & BARTLETT LLP

425 LEXINGTON AVENUE

NEW YORK, NY 10017

Assignment: 3

Reel/ Frame: [3578/0661](#)

Received: 07/11/2007

Recorded: 07/11/2007

Pages: 7

Conveyance: SECOND LIEN GRANT OF SECURITY INTEREST IN TRADEMARK RIGHTS

Assignor: [DM PERSONAL CARE PRODUCTS, INC.](#)

Exec Dt: 04/26/2007

Entity Type: CORPORATION

Citizenship: UTAH

Assignee: [JPMORGAN CHASE BANK, N.A., AS COLLATERAL AGENT](#)

P.O. BOX 2558

HOUSTON, TEXAS 77252

Entity Type: NATIONAL BANKING
ASSOCIATION

Citizenship: NONE

Correspondent: KIRSTIE HOWARD, ESQ.

SIMPSON THACHER & BARTLETT LLP

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NEW YORK, NY 10017

Assignment: 4

Reel/ Frame: [3825/0857](#) **Received:** 07/30/2008 **Recorded:** 07/30/2008 **Pages:** 9
Conveyance: MERGER
Assignor: [DM PERSONAL CARE PRODUCTS, INC.](#)

Assignee: [HUI SH DETERGENTS, INC.](#)
15 WEST SOUTH TEMPLE
SUITE 1400
SALT LAKE CITY, UTAH 84101

Exec Dt: 12/10/2007
Entity Type: CORPORATION
Citizenship: UTAH
Entity Type: CORPORATION
Citizenship: UTAH

Correspondent: PRESTON C. REGEHR
333 SOUTH 520 WEST
SUITE 220
LINDON, UT 84042

Assignment: 5

Reel/ Frame: [3847/0228](#) **Received:** 09/05/2008 **Recorded:** 09/05/2008 **Pages:** 6
Conveyance: CONVERSION AND CHANGE OF NAME
Assignor: [HUI SH DETERGENTS, INC.](#)

Assignee: [THE SUN PRODUCTS CORPORATION](#)
15 WEST SOUTH TEMPLE
SUITE 1400
SALT LAKE CITY, UTAH 84101-1535

Exec Dt: 08/25/2008
Entity Type: CORPORATION
Citizenship: UTAH
Entity Type: CORPORATION
Citizenship: DELAWARE

Correspondent: HAYLEY M. SMITH, SR. LEGAL ASSISTANT
KIRKLAND & ELLIS LLP
153 EAST 53RD STREET
NEW YORK, NY 10022

Assignment: 6

Reel/ Frame: [3903/0321](#) **Received:** 12/15/2008 **Recorded:** 12/15/2008 **Pages:** 3
Conveyance: ASSIGNS THE ENTIRE INTEREST
Assignor: [THE SUN PRODUCTS CORPORATION](#)

Assignee: [RIVER WEST BRANDS, LLC](#)
141 WEST JACKSON BOULEVARD
SUITE 3620
CHICAGO, ILLINOIS 60604

Exec Dt: 11/07/2008
Entity Type: CORPORATION
Citizenship: DELAWARE
Entity Type: LIMITED LIABILITY COMPANY
Citizenship: DELAWARE

Correspondent: SANA HAKIM
P.O. BOX 1135
CHICAGO, IL 60690-1135

Assignment: 7

Reel/ Frame: [3903/0342](#) **Received:** 12/15/2008 **Recorded:** 12/15/2008 **Pages:** 5
Conveyance: ASSIGNS THE ENTIRE INTEREST
Assignor: [RIVER WEST BRANDS, LLC](#)

Assignee: [SILKIENCE HOLDINGS INC.](#)
100 DELTA PARK BLVD, UNIT ONE
BRAMPTON, CANADA L6T 5E7

Exec Dt: 12/11/2008
Entity Type: LIMITED LIABILITY COMPANY
Citizenship: DELAWARE
Entity Type: ORGANIZATION
Citizenship: CANADA

Correspondent: SANA HAKIM
P.O. BOX 1135
CHICAGO, IL 60690-1135

Domestic rep: SANA HAKIM

P.O. BOX 1135
CHICAGO, IL 60690-1135

Assignment: 8

Reel/ Frame: [3907/0152](#) **Received:** 12/18/2008 **Recorded:** 12/18/2008 **Pages:** 5

Conveyance: TERMINATION AND RELEASE OF FIRST LIEN SECURITY INTEREST IN TRADEMARK RIGHTS

Assignor: [JPMORGAN CHASE BANK, N.A.](#)

Exec Dt: 12/12/2008

Entity Type: NATIONAL ASSOCIATION

Citizenship: NONE

Assignee: [THE SUN PRODUCTS CORPORATION](#)

15 WEST SOUTH TEMPLE
SUITE 1400
SALT LAKE CITY, UTAH 84101-1535

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: HAYLEY M. SMITH, SR. LEGAL ASSISTANT
KIRKLAND & ELLIS LLP
153 EAST 53RD STREET
NEW YORK, NY 10022

Assignment: 9

Reel/ Frame: [3907/0157](#) **Received:** 12/18/2008 **Recorded:** 12/18/2008 **Pages:** 5

Conveyance: TERMINATION AND RELEASE OF SECOND LIEN SECURITY INTEREST IN TRADEMARK RIGHTS

Assignor: [JPMORGAN CHASE BANK, N.A.](#)

Exec Dt: 12/12/2008

Entity Type: NATIONAL ASSOCIATION

Citizenship: NONE

Assignee: [THE SUN PRODUCTS CORPORATION](#)

15 WEST SOUTH TEMPLE
SUITE 1400
SALT LAKE CITY, UTAH 84101-1535

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: HAYLEY M. SMITH, SR. LEGAL ASSISTANT
KIRKLAND & ELLIS LLP
153 EAST 53RD STREET
NEW YORK, NY 10022

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<u>Florida Profit Corporation</u>					
DIAMOND PRODUCTS COMPANY					
<u>Filing Information</u>					
Document Number	F76749				
FEI Number	592188406				
Date Filed	04/19/1982				
State	FL				
Status	INACTIVE				
Last Event	ADMIN DISSOLUTION FOR ANNUAL REPORT				
Event Date Filed	09/14/2007				
Event Effective Date	NONE				
<u>Principal Address</u>					
410 WARE BLVD TAMPA FL 33619 US					
Changed 01/07/2006					
<u>Mailing Address</u>					
PO BOX 1777 MANGO FL 33550 US					
Changed 08/19/1999					
<u>Registered Agent Name & Address</u>					
SMITH, THAYER 410 WARE BLVD TAMPA FL 33619 US					
Name Changed: 05/05/2002					
Address Changed: 01/07/2006					
<u>Officer/Director Detail</u>					
Name & Address					
Title SVP					
COLUMBIA, PETE 410 WARE BLVD TAMPA FL 33619					
Title VP					
WELCHONS, CURTIS 410 WARE BLVD TAMPA FL 33619					

Title C

BRIDGES, E. BARTON
410 WARE BLVD
TAMPA FL 33619

Title PD

SMITH, THAYER
410 WARE BLVD
TAMPA FL 33619

Title VST

STAFFORD, BRUCE
410 WARE BLVD
TAMPA FL 33619

Title VP

PITTMAN, DREW
410 WARE BLVD
TAMPA FL 33619

Annual Reports

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2006	01/07/2006

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Entity Name Search

Name	Type	City	Status
DM PERSONAL CARE PRODUCTS, INC.	Corporation	SALT LAKE CITY	Expired
Business Name:	DM PERSONAL CARE PRODUCTS, INC.		
Entity Number:	6369107-0142		
Registration Date:	10/25/2006		
State of Origin:			

Address

15 W. SOUTH MAIN STREET SUITE 1400
SALT LAKE CITY, UT 84101

Status

Status:	Expired
Status Description:	Merged
This Status Date:	01/22/2008
Last Renewed:	10/19/2007
License Type:	Corporation - Domestic - Profit
Delinquent Date:	10/25/2008

Registered Agent

Registered Agent:	DOUGLAS L. BREWSTER [Search BES] [Search RPS]
Address Line 1:	15 W. SOUTH TEMPLE
Address Line 2:	SUITE 1400
City:	SALT LAKE CITY
State:	UT
Zip:	84101

Additional Information

NAICS Code:	9999
NAICS Title:	9999-Nonclassifiable Establishment
Stock Class 1 Amount:	100,000
Stock Class 1 Type:	COMMON

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Exhibit 8**Chart Showing Chain of Title for Reg. No. 3,067,616**

(Information taken from Exhibit 5, Abstract of Title for Reg. No. 3,067,616)

No.	Legal Entity	Dates Of Ownership	Event/ Type Of Transfer	Event/ Transfer Signed/ Ack. Date	USPTO Recordal Date
1.	Diamond Products Company	09/01/2004 (filing date) – 11/21/2006	Assignment to DM Personal Care Products, Inc.	11/21/2006	05/31/2007
2.	DM Personal Care Products, Inc.	11/21/2006 (assignment date) – 01/22/2008	Merger with Huish Detergents, Inc. effective 01/22/2008	12/10/2007	07/30/2008
3.	Huish Detergents, Inc.	01/22/2008 (merger effective date) – 08/25/2008	Conversion and Change of Name to The Sun Products Corporation	08/25/2008	09/05/2008
4.	The Sun Products Corporation	08/25/2008 (conversion and change of name) – 11/07/2008	Assignment to River West Brands, LLC	11/07/2008	12/15/2008
5.	River West Brands, LLC	11/07/2008 (assignment) – 12/11/2008	Assignment to Silkience Holdings Inc.	12/11/2008	12/15/2008
6.	Silkience Holdings Inc.	12/11/2008 (assignment) – present	N/A – Current owner of record in USPTO	N/A	N/A

Cancellation No. 92049560

Registrant: Silkience Holdings Inc.

Registrant's Motion to Substitute Party,

Motion to Set Aside Default Judgment,

And Answer to Petition for Cancellation

Reg. No. 3,067,616

Date of TTAB Filing by Registrant: March 2, 2009

ESTTA Tracking number: **ESTTA269309**

Filing date: **02/27/2009**

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

Proceeding	92049560
Party	Defendant DM PERSONAL CARE PRODUCTS, INC.
Correspondence Address	DM PERSONAL CARE PRODUCTS, INC. 15 WEST SOUTH TEMPLE, SUITE 1400 SALT LAKE CITY, UT 84101 UNITED STATES
Submission	Appearance of Counsel/Power of Attorney
Filer's Name	Margaret M. Serrano, Esq.
Filer's e-mail	serrano@planbrand.com
Signature	/Margaret M Serrano/
Date	02/27/2009
Attachments	Signed USPTO POA SM Immel 02 02 09.pdf (4 pages)(64907 bytes)

PTO Form 2196 (Rev 9/2005)

OMB No. 0651-0056 (Exp 09/30/2011)

**Revocation of Attorney/Domestic Representative and/or Appointment of
Attorney/Domestic Representative**

Review Text Form for E-Signature

To the Commissioner for Trademarks:

MARK: SILKIENCE

SERIAL NUMBER: 75101699

REGISTRATION NUMBER: 2052632

The original attorney

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SERIAL NUMBER: 73169222

REGISTRATION NUMBER: 1255703

The original attorney

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MARK: TAME

SERIAL NUMBER: 78477471

REGISTRATION NUMBER: 3067616

The original attorney

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By submission of this request, the undersigned hereby APPOINTS the following new attorney:

Newly Appointed Attorney:

Margaret M. Serrano, Esq.
PlanBrand LLC
2821 E. Oklahoma Ave.
Milwaukee, Wisconsin 53207-3047
United States
414.483.0853
414.483.1963

By submission of this request, the undersigned hereby APPOINTS the following new domestic representative:

Newly Appointed Representative:

Margaret M. Serrano, Esq.
PlanBrand LLC
2821 E. Oklahoma Ave.
Milwaukee, Wisconsin 53207-3047
United States
414.483.0853

The following is to be used as the correspondence address:

Margaret M. Serrano, Esq.
PlanBrand LLC
2821 E. Oklahoma Ave.
Milwaukee, Wisconsin 53207-3047
United States

414.483.0853
414.483.1963
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