

ESTTA Tracking number: **ESTTA1492**

Filing date: **06/12/2013**

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

## Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

### Petitioner Information

Name	Alpha Media Group, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	415 Madison Avenue New York, NY 10017 UNITED STATES		

Attorney information	Barbara J. Lipshutz Jacobs & Burleigh LLP 445 Park Avenue 17th Floor New York, NY 10022 UNITED STATES bjl@jacobsburleigh.com, zmk@jacobsburleigh.com Phone:212-207-8787		
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### Registration Subject to Cancellation

Registration No	1359595	Registration date	09/10/1985
International Registration No.	NONE	International Registration Date	NONE
Registrant	MAXIM'S LIMITED 3, RUE ROYALE PARIS, 75008 FRANCE		

### Goods/Services Subject to Cancellation

Class 033. All goods and services in the class are cancelled, namely: WINES; LIQUEURS NAMELY BITTER, ANISE, APERITIF, ARACK, DIGESTIVE MADE FROM HERBSAND SPIRIT LIQUEURS; GENEVA, GIN, RUM, SCHNAPPS, VODKA, WHISKEY, PREPARED ALCOHOLIC COCKTAILS, AND HARD CIDER
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### Grounds for Cancellation

<i>Torres v. Cantine Torresella S.r.l.Fraud</i>	808 F.2d 46, 1 USPQ2d 1483 (Fed. Cir. 1986)
Abandonment	Trademark Act section 14

Attachments	Cancellation petition vodka 2.pdf(1837127 bytes )
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## Certificate of Service

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

Signature	/Barbara J. Lipshutz/
Name	Barbara J. Lipshutz
Date	06/12/2013

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

<b>ALPHA MEDIA GROUP, INC.,</b> <i>Petitioner</i>	:	<b>In the Matter of</b> <b>Registration No. 1359595</b>
<b>-against-</b>	:	<b>Date Registered:</b> <b>September 10, 1985</b>
<b>MAXIM’S LIMITED,</b> <i>Respondent.</i>	:	<b>Cancellation No. _____</b>
	:	

Alpha Media Group, Inc. (hereinafter “AMG” or “Petitioner”), a corporation organized and existing under the laws of the State of Delaware, having a principal place of business at 415 Madison Avenue, New York, New York 10017, by and through its undersigned attorneys, states that it believes that it is damaged by the registration of the mark shown in Registration No. 1359595, issued on September 10, 1985 for the mark MAXIM (hereinafter, the “Registration”), owned by Maxim’s Limited, a United Kingdom company with an address of 3, Rue Royale Paris France 75008, and hereby petitions for cancellation of same pursuant to 15 U.S.C. § 1064. The grounds for cancellation are as follows:

1. On September 10, 1985, Respondent obtained registration on the Principal Register of the trademark MAXIM’S DE PARIS on September 10, 1985 in International Class 33 in connection with the following goods: “wines; liqueurs namely bitter, anise,

aperitif, arack, digestive made from herbs and spirit liqueurs; geneva, gin, rum, schnapps, vodka, whiskey, prepared alcoholic cocktails, and hard cider.”

2. On or about February 28, 1991, Respondent filed its Combined Declaration of Use and Incontestability Under Sections 8 and 15 (the “1991 Declaration of Use and Incontestability”), stating that “the [MAXIM’S DE PARIS trademark that is the subject of the Registration] has been in continuous use in interstate commerce ... on all goods identified as follows: WINES; LIQUEURS NAMELY APERTIFS, DIGESTIVE MADE FROM HERBS AND SPIRIT LIQUEURS; SCHNAPPS.” A true and accurate copy of the 1991 Declaration of Use and Incontestability is annexed hereto as Exhibit A.

3. Upon information and belief, Respondent did not file a Declaration of Use within six (6) years following the Registration (or within the six months grace thereafter) in connection with any goods or services other than those identified in Paragraph 2 hereof and, in particular, did not file a Declaration of Use with respect to the following goods and services identified in the original Registration: liqueurs namely bitter, anise, arrack; geneva, rum, vodka, whiskey, prepared alcoholic cocktails and hard cider.

4. As a result of the failure to file a timely Declaration of Use with respect to liqueurs, namely bitter, anise, arrack; geneva, rum, vodka, whiskey, prepared alcoholic cocktails and hard cider, Respondent abandoned the Registration with respect to such goods.

5. On or about December 6, 2005, Respondent filed a Combined Declaration of Use in Commerce and Application for Renewal of a Mark Under Sections 8 and 9 (the “Second Renewal”), requesting that the following goods be deleted from the Registration:

“wines, bitter, anise, aperitif, arrack, digestive made from herbs and, geneva, rum, schnapps, prepared alcoholic cocktails, hard cider.” A true and accurate copy of the Second Renewal is annexed hereto as Exhibit B.

6. As a result of the further deletions set forth in the Second Renewal, the sole remaining good as to which the Registration purportedly applies is “liqueurs namely spirit liqueurs.”

7. Petitioner is the publisher of Maxim, the most popular and successful men’s lifestyle magazine in the United States and throughout the world, and of Maxim’s website located at [www.maxim.com](http://www.maxim.com). Petitioner is the owner of the following US registrations for MAXIM:

- US Registration Number 2,072,696 for MAXIM in Class 16 in connection with magazines concerning men’s lifestyle and popular culture.
- US Registration Number 3,228,647 for MAXIM in Class 28 in connection with playing cards.
- US Registration Number 3,127,276 for MAXIM in Class 21 in connection with Beer mugs, bottle openers, bowls, boxes for dispensing paper towels, brooms, butter dishes, candle holders not of precious metals, candlesticks not of precious metals, carving boards, cat litter boxes, champagne buckets, cleaning combs, cleaning pads, clothes brushes, coasters not of paper and not being table linen, cocktail picks, cocktail shakers, coffee cups, colanders for household use, household containers for foods, cooking pots, cork screws, cups, cutting boards, decanters, dish drying racks, dish stands, drinking flasks, drinking glasses, dust pans, Dutch Ovens, electric or non-electric toothbrushes, feather dusters, fireplace brushes, flower pots, frying pans, furniture dusters, glass articles, namely, decorative stained glass, glass bowls, gravy boats, hair brushes, hair combs, hip flasks, household utensils, namely, graters, ice buckets, ice cube molds for refrigerators, insulated flasks, ironing boards, kitchen ladles, lawn sprinklers, lemon squeezers, mixing spoons, mops, mouse traps, non-electric coffee pots not of precious metals, non-electric tea kettles, pepper mills, pet feeding dishes, pitchers, plastic bath racks,

plastic coasters, plates, polishing cloths, portable beverage coolers, portable ice chests for food and beverages, rubber household gloves, salt shakers, saucepans, scrubbing brushes, serving ladles, serving spoons, shaped ironing board covers, shoe brushes, shower caddies, slotted spoons, soap dishes, soap dispensers, spice racks, sprayers attached to garden hoses, swizzle sticks, tea sets, tea kettles, thermal insulated containers for food or beverages, toilet brushes, toilet paper holders, toothpick holders, towel racks, vacuum flasks, wastepaper baskets, watering cans, window dusters, wine bottle cradles, wine cooling buckets, and wine racks

- US Registration Number 3,261,379 for MAXIM in Class 34 in connection with tobacco, namely smoking tobacco, pipe tobacco, cigarette tobacco, chewing tobacco, snuff, cigars, cigarettes, cigarillos; smoker's articles, namely pipes, pipe filters, cleaners, racks, stands, trays, stems and tools, humidors, cigarette paper, tobacco pouches, cigar, cigarette, pipe and tobacco boxes and pouches, ashtrays not of precious metal for smokers, tobacco jars, tobacco knives, lighters for smokers, smokers' cases and cutters, cigar and cigarette holders, scissors for smokers; matches
- US Registration Number 4,168,240 for MAXIM in Class 28 in connection with gaming equipment, namely poker chips, card shufflers, dealer marker and dice shakers
- US Registration Number 3,610,369 for MAXIM in Class 43 in connection with bar services; restaurants; restaurant services
- US Registration Number 2,449,119 for MAXIM in Class 42 in connection with providing on-line information on a variety of topics concerning men's lifestyle and popular culture

Petitioner further owns the following applications for MAXIM in connection with which Notices of Allowance have been issued:

- US Serial Number 85217714 for MAXIM in Class 25 in connection with bathing suits; beach coverups; beachwear; bikinis; blazers; blouses; board shorts; boxer briefs; boxer shorts; bralettes; bras; briefs; bustiers; camisoles; coats of denim; collared shirts; corsets; denim jackets; denims; g-strings; headgear, namely, caps and hats; hooded sweatshirts; jackets; jeans; jogging pants; knit shirts; ladies' underwear; leggings; lingerie;

lounge pants; men's underwear; negligees; night gowns; night shirts; pajama bottoms; pajamas; panties; pants, shorts and briefs; pants; polo shirts; robes; shapewear, namely, girdles and bras; shorts; skirts and dresses; socks; sport shirts; suits; sweatpants; sweatshirts; tank tops; tap pants; teddies; tee shirts; thongs; ties; track pants; undershirts; underwear; underwear, namely, boy shorts; wearable garments and clothing, namely, shirts; women's underwear.

- US Serial Number 78493595 for MAXIM in Class 14 in connection with jewelry, namely, brooches, bracelets, pendants, jewelry chains, cufflinks, ear rings, tie tacks, pins, necklaces and rings, all of precious metal, and excluding watches of precious and non-precious metals
- US Serial Number 77691270 for MAXIM in Classes 41 and 43 in connection with night club services; on-line journals, namely, blogs featuring gaming, humor, beauty contests, movies, books, sports, videos, popular culture and men's lifestyles; entertainment services, namely, providing a web site featuring video reviews, related film clips, and photographs featuring men's lifestyles and popular culture; entertainment services, namely, providing a website featuring online magazines, news and articles on the concerns and interests of men, namely, history, physical fitness, sports, books, music, popular culture, movies, video games, literature, fine arts, computer game reviews and humor-oriented writings (Class 41), and with cocktail lounge services (Class 43)

8. On June 7, 2013, Petitioner filed a trademark application (assigned Serial No. 85953400), on an intent to use basis, for the trademark MAXIM in International Class 33 in connection with alcoholic beverages except beers; bourbon; brandy; gin; liqueurs; scotch; tequila; vodka; whisky; wine. Petitioner intends to enter into a joint venture agreement pursuant to which it would market vodka under the MAXIM trademark in the United States.

9. Upon information and belief, it is likely that the United States Patent and Trademark Office ("USPTO") will refuse registration of the trademark MAXIM for vodka on the basis of a likelihood of confusion with the Registration.

### **COUNT I**

10. Petitioner repeats and realleges each and every allegation in the foregoing paragraphs as if fully set forth herein.

11. In or about 1991, Respondent abandoned the Registration insofar as it relates to liqueurs, namely bitter, anise, arrack; geneva, rum, vodka, whiskey, prepared alcoholic cocktails and hard cider.

12. In or about 2005, Respondent further abandoned its Registration insofar as it relates to wines, aperitif, digestive made from herbs, and schnapps (and, to the extent not previously abandoned, with respect to bitter, anise, arrack, rum, prepared alcoholic cocktails, hard cider).

13. As a result of the foregoing, the sole goods as to which trademark maintenance documents have been filed are “liqueurs namely spirit liqueurs.”

14. The specimen submitted with the Second Renewal is improper and ineffective, as it is a bottle of whiskey, which is not a liqueur; therefore, no appropriate specimen was submitted in support of the Second Renewal.

15. Because trademark maintenance documents have not been properly filed with respect to the Registration, the Registration should be cancelled.

### **COUNT II**

16. Petitioner repeats and realleges each and every allegation in the foregoing paragraphs as if fully set forth herein.

17. Upon information and belief, Respondent has never used, or is no longer using, the mark MAXIM’S DE PARIS in connection with goods covered by the Registration.



18. Upon information and belief, Respondent no longer has any intent to resume use of the mark MAXIM'S DE PARIS in connection with goods covered by the Registration.

19. Continued registration of the mark shown in the Registration will damage the Petitioner pursuant to the allegations stated above, and will create a cloud on the lawful right of Petitioner to adopt and use of MAXIM in connection with vodka, and will prevent Petitioner from obtaining federal registration of the mark MAXIM in connection with vodka in the name of Petitioner.

20. Petitioner, for the reasons set forth above, believes that it is or will be damaged by the continued registration of Respondent's Mark.

### **COUNT III**

21. Petitioner repeats and realleges each and every allegation in the foregoing paragraphs as if fully set forth herein.

22. Upon information and belief, despite making a declaration to the USPTO, in connection with his application to the contrary, Respondent did not have a *bona fide* intent to use the mark MAXIM'S DE PARIS in United States commerce on or in connection with all of the goods identified in its U.S. Application Serial No. 73508464, as amended in response to an Office Action, namely, "Wines; liqueurs namely bitter, anise, aperitif, arrack, digestive made from herbs and sprit liqueurs; geneva, gin, rum, schnapps, vodka, whiskey, prepared alcoholic cocktails and hard cider" when it filed such application, which resulted in Registration No. 1359595; the Registration at issue herein.

23. Upon information and belief, despite making a declaration to the USPTO, in connection with the Second Renewal to the Contrary, Respondent did not have a *bona*

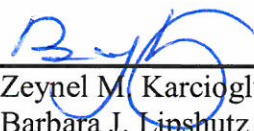
*fide* intent to use the mark MAXIM'S DE PARIS in United States commerce on or in connection with all of the goods identified in such declaration, that is, liqueurs namely spirit liqueurs.

24. Upon information and belief, to the extent that the Second Renewal may be interpreted as referring to any goods in addition to liqueurs namely spirit liqueurs, then despite any such declaration to the USPTO, Respondent did not have a *bona fide* intent to use the mark MAXIM'S DE PARIS in United States commerce on or in connection with such goods.

25. Petitioner, for the reasons set forth above, believes that it is or will be damaged by the continued registration of Respondent's Mark.

WHEREFORE, Petitioner asks that its Petition for Cancellation be sustained and that the Registration of the mark MAXIM'S DE PARIS in Class 33 set forth therein be cancelled.

JACOBS & BURLEIGH LLP



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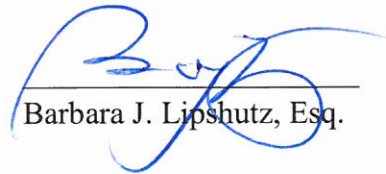
Zeynel M. Karcioğlu  
Barbara J. Lipshutz  
445 Park Avenue  
New York, New York 10022  
212-207-8787  
Attorneys for Petitioner

# **CERTIFICATE OF SERVICE**

I hereby certify that this 12<sup>th</sup> day of June 2013, a copy of the foregoing was served by overnight courier upon counsel for Registrant, addressed as follows:

David H.T. Kane, Esq.  
LOCKE LORD BISSELL & LIDDELL LLP  
3 World Financial Center  
New York, New York 10281-2101

Dated: New York, NY  
June 12, 2013



Barbara J. Lipshutz, Esq.



# 2000-311 Tm

2328-T



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#4

Registrant : Maxim's Limited  
Business Address : 3 rue Royale, Paris, France  
and Situs : a corporation organized under the  
laws of the United Kingdom  
Reg. No. : 1,359,595  
Mark : MAXIM'S DE PARIS

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

DECLARATION UNDER SECTIONS 8 AND 15

Maxim's Limited is the owner of United States Registration No. 1,359,595; the mark shown therein has been in continuous use in interstate commerce for five consecutive years from the date of registration, namely September 10, 1985, to the present on all goods identified in the registration as follows:

WINES; LIQUEURS NAMELY APERITIF,  
DIGESTIVE MADE FROM HERBS AND  
SPIRIT LIQUEURS; SCHNAPPS in Class  
33

The mark is still in use in such commerce on said goods as evidenced by the enclosed specimen showing the mark as currently used; there has been no final decision adverse to registrant's claim of ownership of such mark for such goods, or to its right to register the same or to keep the same on the register; and there is no proceeding involving any of said rights pending in the Patent and Trademark Office or in a court and not finally disposed of.

DECLARATION

Maxim's Limited, by Mr. Pierre Cardin, its managing director, declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements and the like so made may jeopardize the validity of the Declaration or of the registration.

DESIGNATION OF DOMESTIC REPRESENTATIVE

The undersigned, on behalf of registrant, hereby appoints KANE, DALSIMER, SULLIVAN, KURUCZ, LEVY, EISELE and RICHARD, whose postal address is 711 Third Avenue, 20th Floor, New York, New York 10017, as registrant's representative, upon whom notice or process in proceedings affecting the mark may be served.

POWER OF ATTORNEY

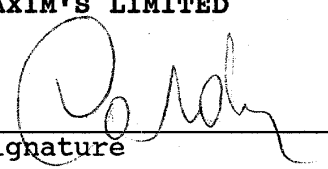
Maxim's Limited hereby appoints the following individuals as its attorneys with full power of substitution, association and revocation to file this Declaration, to transact all business in the United States Patent and Trademark Office in connection with this registration and Declaration:

2323-T-14

Joseph C. Sullivan, John Kurucz, David H.T. Kane, Siegrun D. Kane, Gerald Levy, Joseph T. Eisele, Virginia R. Richard, Ronald R. Santucci, Barbara A. Larsen, Tiberiu Weisz, William H. Dippert, Carole E. DeNatale, William E. Marames, Ronald E. Brown, John F. Gulbin, Stephen J. Quigley, Richard J. Danyko, Craig A. Saunders, Maribel Figueredo and Karl M. Zielaznicki, all members of the Bar of the State of New York with offices at Kane, Dalsimer, Sullivan, Kurucz, Levy, Eisele and Richard, 20th Floor, 711 Third Avenue, New York, New York 10017. Please address all correspondence to the attention of David H.T. Kane.

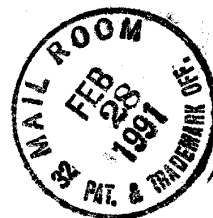
MAXIM'S LIMITED

Date: February 05, 1991

  
Signature

Place: \_\_\_\_\_

MANAGING Director  
Title







S P E C I M E N

Registrant : Maxim's Limited  
Mark : MAXIM'S DE PARIS  
Int. Classes : 33





JOSEPH C. KANE  
DAVID L. KANE  
SIEGRUN D. KANE  
GERALD LEVY  
JOSEPH T. EISELE  
VIRGINIA R. RICHARD  
RONALD R. SANTUCCI  
BARBARA A. LARSEN  
TIBERIU WEISZ  
WILLIAM H. DIPPERT  
CAROLE E. DENATALE  
WILLIAM E. MARAMES  
RONALD E. BROWN  
JOHN F. GULBIN  
STEPHEN J. QUIGLEY  
RICHARD J. DANYKO  
MARIBEL FIGUEROA  
KARL M. ZIELAZNICKI  
JOHN G. BLANKENSHIP

KANE, DALSIMER, SULLIVAN, KURUCZ,  
LEVY, EISELE AND RICHARD  
ATTORNEYS AT LAW  
711 THIRD AVENUE  
NEW YORK, N. Y. 10017-4059

TELEPHONE 212-687-6000  
CABLE ADDRESS "DUELSON"  
ITT TELEX: 426767  
FAX: 212-682-3485  
212-682-3435  
(GROUP 3, 2 AND 1)

DANIEL H. KANE  
OF COUNSEL

February 28, 1991  
Our Ref.: 2323-T-14

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

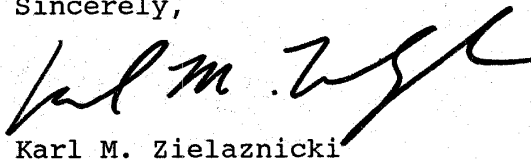
Re: Registrant: Maxim's Limited  
Reg. No. : 1,359,595  
Mark : MAXIM'S DE PARIS  
CLASS : 33

Honorable Sir:

Enclosed is a Declaration under Sections 8 and 15 for the above-identified trademark registration. Also enclosed is the required specimen, Designation of Domestic Representative, Power of Attorney, postcard and a check in the amount of \$ 200.00 in payment of the filing fee.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 11-0215.

Sincerely,



Karl M. Zielaznicki

KMZ/bb  
Enclosures

"EXPRESS MAIL" mailing label number-- NB 197307418

Date of Deposit February 28, 1991

I hereby swear that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington D.C. 20231.

Ray Rivera

Signature



## Combined Declaration of Use In Commerce & Application For Renewal of Registration of A Mark Under Sections 8 & 9

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The table below presents the data as entered.

Input Field	Entered
<b>REGISTRATION NUMBER</b>	1359595
<b>REGISTRATION DATE</b>	09/10/1985
<b>SERIAL NUMBER</b>	73508462
<b>MARK SECTION</b>	
MARK	MAXIM'S DE PARIS
<b>OWNER SECTION (current)</b>	
NAME	MAXIM'S LIMITED
STREET	3, RUE ROYALE
CITY	PARIS
ZIP/POSTAL CODE	75008
COUNTRY	FR
<b>OWNER SECTION (proposed)</b>	
NAME	MAXIM'S LIMITED
STREET	3, RUE ROYALE
CITY	PARIS
ZIP/POSTAL CODE	75008
COUNTRY	France
<b>ATTORNEY SECTION</b>	
NAME	Janet Dore
FIRM NAME	Morgan & Finnegan, LLP
STREET	3 World Financial Center
CITY	New York
STATE	New York

ZIP/POSTAL CODE	10281--2101
COUNTRY	United States
PHONE	212-415-8700
FAX	212-415-8701
EMAIL	ptotmcommunications@morganfinnegan.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET NUMBERS	7045-4008
<b>DOMESTIC REPRESENTATIVE SECTION</b>	
NAME	Janet Dore
FIRM NAME	Morgan & Finnegan, LLP
STREET	3 World Financial Center
CITY	New York
STATE	New York
ZIP/POSTAL CODE	10281-2101
COUNTRY	United States
PHONE	212-415-8700
FAX	212-415-8701
MAIL	ptotmcommunications@morganfinnegan.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
<b>GOODS AND/OR SERVICES SECTION</b>	
INTERNATIONAL CLASS	033
DELETE THE FOLLOWING GOODS AND/OR SERVICES	wines, bitter, anis, aperitif, arack, digestive made from herbs and, geneva, rum, schnapps, prepared alcoholic cocktails, hard cider
SPECIMEN FILE NAME(S)	<a href="#">\\TICRS\EXPORT8\IMAGEOUT8\735\084\73508462\xml1\S8 90002.JPG</a>
SPECIMEN DESCRIPTION	invoices, labels, photographs
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	500

GRACE PERIOD	200
TOTAL AMOUNT	700
<b>SIGNATURE SECTION</b>	
SIGNATORY FILE	<a href="#">Signature</a>
PAYMENT METHOD	DA
<b>FILING INFORMATION</b>	
SUBMIT DATE	Tue Dec 06 12:43:53 EST 2005
TEAS STAMP	USPTO/S08N09-2061381673-2 0051206124353029849-13595 95-200f4746370bff45681f41 a4e1f1cfe52c0-DA-1414-200 51206124032489313

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**Combined Declaration of Use In Commerce & Application For Renewal of  
Registration of A Mark Under Sections 8 & 9  
To the Commissioner for Trademarks:**

**REGISTRATION NUMBER:** 1359595

**REGISTRATION DATE:** 09/10/1985

**MARK:** MAXIM'S DE PARIS

The owner, MAXIM'S LIMITED, residing at 3, RUE ROYALE, PARIS, France 75008, is using the mark in commerce on or in connection with the goods and /or services as follows:

For International Class 033, the owner is using or is using through a related company or licensee the mark in commerce on or in connection with all goods and/or services listed in the existing registration **except** the following:

wines, bitter, anis, aperitif, arack, digestive made from herbs and, geneva, rum, schnapps, prepared alcoholic cocktails, hard cider

The owner is submitting one specimen for each class showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services , consisting of a(n) invoices, labels, photographs.

[Specimen-1](#)

The registrant hereby appoints Janet Dore of Morgan & Finnegan, LLP, 3 World Financial Center, New York, New York United States 10281--2101 to submit this Combined Declaration of Use In Commerce & Application For Renewal of Registration of A Mark Under Sections 8 & 9 on behalf of the registrant. The attorney docket/reference number is 7045-4008.

The registrant hereby appoints Janet Dore of Morgan & Finnegan, LLP, 3 World Financial Center, New York, New York United States 10281-2101 as registrant's representative upon whom notice or process in the proceedings affecting the mark may be served.

A fee payment in the amount of \$700 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

**Declaration**

**Section 8: Declaration of Use in Commerce**

*The owner is using or is using through a related company or licensee the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.*

**Section 9: Application for Renewal**

*The registrant requests that the registration be renewed for the goods and/or services identified above.*

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signatory File: [Signature](#)

Mailing Address:

Morgan & Finnegan, LLP  
3 World Financial Center  
New York, New York 10281--2101

RAM Sale Number: 1414

RAM Accounting Date: 12/06/2005

Serial Number: 73508462

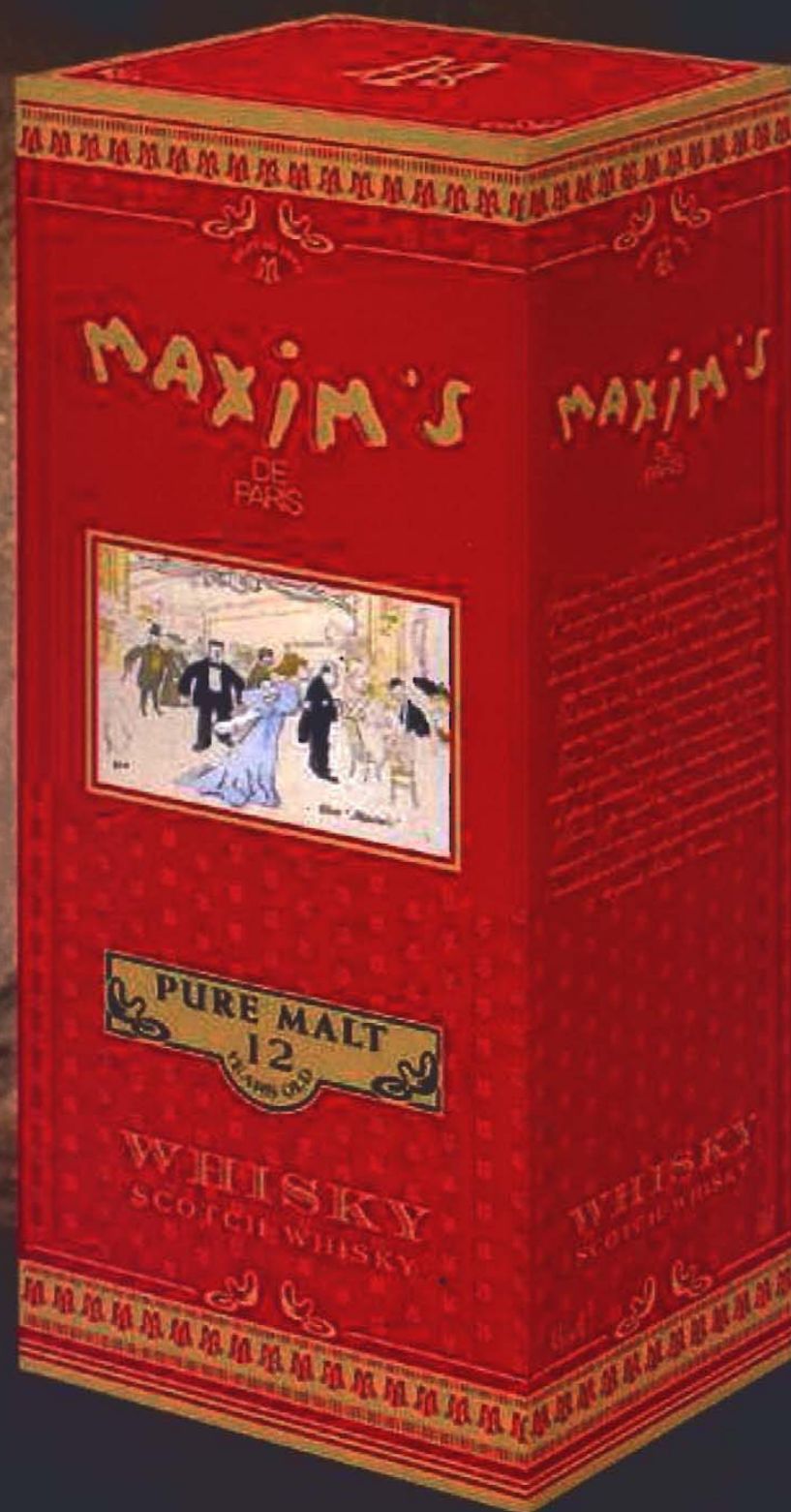
Internet Transmission Date: Tue Dec 06 12:43:53 EST 2005

TEAS Stamp: USPTO/S08N09-2061381673-2005120612435302

9849-1359595-200f4746370bff45681f41a4e1f

1cfe52c0-DA-1414-20051206124032489313





**APPLICANT NAME:** MAXIM'S LIMITED  
**MARK:** MAXIM'S DE PARIS

### Declaration

#### Section 8: Declaration of Use in Commerce

*The owner is using or is using through a related company or licensee the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.*

#### Section 9: Application for Renewal

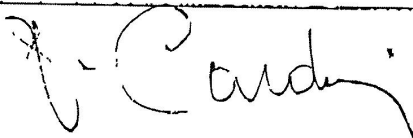
*The registrant requests that the registration be renewed for the goods and/or services identified above.*

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: Pierre CARDIN Date: December 2nd, 2005

Signatory's Name: \_\_\_\_\_

Signatory's Position: Managing Director



Go Back

**ROUTING SHEET TO POST REGISTRATION (PRU)****Registration Number:** 1359595**Serial Number:** 73508462**RAM Sale Number:** 1414**RAM Accounting Date:** 20051206**Total Fees:** \$700

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
§8 affidavit	7205	20051206	\$100	1	\$100
Application for Renewal (§9)	7201	20051206	\$400	1	\$400
Grace period for §8	7206	20051206	\$100	1	\$100
Grace period for renewal	7203	20051206	\$100	1	\$100

Physical Location: 40S - SCANNING ON DEMAND

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): False

**Transaction Date:** 20051206