

ESTTA Tracking number: **ESTTA62925**

Filing date: **01/20/2006**

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

Proceeding	91163307
Party	Plaintiff Samar, L.L.C. Samar, L.L.C. 10 South Riverside Plaza Chicago, IL 60606
Correspondence Address	MARIA N. BERNIER REED SMITH LLP 435 SIXTH AVENUE PITTSBURGH, PA 15219-1886
Submission	Motion to Join/Substitute Party
Filer's Name	Joshua S. Bish
Filer's e-mail	ptoipinbox@reedsmith.com,jbish@reedsmith.com,bkubiak@reedsmith.com
Signature	/Joshua S. Bish/
Date	01/20/2006
Attachments	jsbsaramarmottojoinsaralee.pdf (8 pages)

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

SARAMAR, LLC,)	
)	
Opposer,)	Opposition No.: 91163307
)	Mark: X SCENT [and design]
v.)	Application Serial No. 76/509,382
)	
ARCTICSHIELD, INC.,)	Opposition No.: 91163331
)	Mark: X SCENT
Applicant.)	Application Serial No. 76/509,381
)	


**OPPOSER SARAMAR LLC'S MOTION TO JOIN
SARA LEE CORPORATION AS OPPOSER**

Opposer Saramar, LLC ("Saramar") hereby moves the Board to allow joinder of Sara Lee Corporation ("Sara Lee") as an additional opposer in this consolidated proceeding, in accordance with TBMP § 512.01. After this proceeding was instituted, Sara Lee became the owner by assignment of pleaded U.S. Trademark Registration No. 2,913,784 and the subject mark. A true and correct copy of that Assignment is attached hereto as Exhibit A and is also recorded in the Patent and Trademark Office at Reel/Frame No. 3068/0801. Accordingly, Saramar respectfully requests that Sara Lee be joined as an additional opposing party.

The required \$300 filing fee for an additional opposer has been submitted concurrently herewith. The Director is authorized to charge any additional payment due in connection with this submission, or to credit any overpayment, to Deposit Account No. 18-0582.

Respectfully submitted,

Dated: January 20, 2006



Maia N. Bernier
Joshua S. Bish

REED SMITH LLP
435 Sixth Avenue
Pittsburgh, PA 15219
(412) 288-4272/7288

Attorneys for Opposer

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Saramar, LLC		03/31/2005	Limited Liability Company: DELAWARE

RECEIVING PARTY DATA

Name:	Sara Lee Corporation
Street Address:	1000 East Hanes Mill Road
City:	Winston-Salem
State/Country:	NORTH CAROLINA
Postal Code:	27105
Entity Type:	CORPORATION: MARYLAND

PROPERTY NUMBERS Total: 44

Property Type	Number	Word Mark
Registration Number:	2817823	JMS
Registration Number:	2931506	PERFECTLY SMOOTH
Registration Number:	2733376	JMS COLLECTIONS
Registration Number:	2913784	EX-SCENT
Registration Number:	2913242	COOL STRETCH
Registration Number:	0688003	SOUTH PACIFIC
Registration Number:	789716	LACY LADY
Registration Number:	786964	SOCKETTES
Registration Number:	831503	ALIVE
Registration Number:	1244598	JUST MY SIZE
Registration Number:	1342812	SUMMERALLS UNDERALLS
Registration Number:	1468389	SILK REFLECTIONS
Registration Number:	1377396	SOCKSMITH
Registration Number:	1490291	JUST MY SIZE

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TRADEMARK
 REEL: 003068 FRAME: 0801

EXHIBIT A

Registration Number:	1587949	SILK REFLECTIONS
Registration Number:	978674	ALIVE
Registration Number:	2063762	SMOOTHSTITCH
Registration Number:	2003678	COOLKNIT
Registration Number:	2109565	JUST MY SIZE
Registration Number:	2082442	JUST MY SIZE
Registration Number:	2082415	JUST MY SIZE
Registration Number:	2089049	CUSHIONMAX
Registration Number:	2443609	
Registration Number:	2195708	JUST MY SIZE
Registration Number:	2330702	
Registration Number:	2304758	VALUE BASICS
Registration Number:	2274464	SHAPELY SENSATIONS
Registration Number:	2485629	ENERGY CUSHION
Registration Number:	2480392	SOFT REWARDS
Registration Number:	2387364	
Serial Number:	78069927	JUST MY STYLE
Serial Number:	78384792	LIFT APPEAL
Serial Number:	78290601	LACE DESIRE
Serial Number:	78226317	DOWNTIME
Serial Number:	78318805	SPA CLOSURE
Serial Number:	78233911	COOL EFFECTS
Serial Number:	78141223	GRIP STRIPS
Serial Number:	78298664	URBAN ATTITUDES
Serial Number:	78114143	COMFORTABLE CURVES
Serial Number:	78226321	FLAWLESS FIT
Serial Number:	78310368	FLAWLESS FIT
Serial Number:	78119499	TBI
Serial Number:	78226320	EASY ON
Serial Number:	78397576	CUSTOM FIT STRAP

CORRESPONDENCE DATA

Fax Number: (336)519-7312
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
Phone: 336-519-7433
Email: cpettitt@saralee.com

TRADEMARK
REEL: 003068 FRAME: 0802

Correspondent Name: Chrystal Pettitt
Address Line 1: 1000 East Hanes Mill Road
Address Line 4: Winston-Salem, NORTH CAROLINA 27105

NAME OF SUBMITTER: Nicholas J. Valenziano, Jr., Esq.

Signature: /Nicholas J. Valenziano, Jr./

Date: 04/19/2005

Total Attachments: 3
source=Samar, LLC to SLC Assignment#page1.tif
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ASSIGNMENT

WHEREAS Saramar, L.L.C. (hereinafter called "Assignor"), a Delaware limited liability company having its principal place of business at, 10 South Riverside Plaza, Chicago, Illinois, 60606, has adopted, used, and is using the trademarks listed in the attached Schedule of U.S. Trademarks;

WHEREAS Sara Lee Corporation (hereinafter called "Assignee"), a Maryland corporation having a principal office at 1000 East Hanes Mill Road, Winston-Salem, North Carolina, 27105 is desirous of acquiring said trademarks;

NOW, THEREFORE, Assignor does hereby assign unto and transfer to Assignee, as a dividend to Assignor's sole member, all of Assignor's rights, title, and interest in and to said trademarks together with the goodwill of the business symbolized by the trademarks and the applications and registrations thereof.

Assignor warrants that it is the lawful owner of all rights transferred to Assignee by this Assignment.

Saramar, L.L.C.

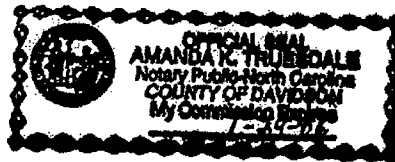
Date: March 31, 2005

By: Bruce Bradford
Bruce Bradford
Vice President & Assistant Secretary

Subscribed and sworn to before me this 31 day of March 2005.

Amanda K. True-Dale
Notary Public

My commission expires on: 1-29-06



Schedule of U.S. Trademarks

Trademark	U.S. Registration No.
JMS Design	2817823
PERFECTLY SMOOTH	2931506
JMS COLLECTIONS	2733376
EX-SCENT	2913784
COOL STRETCH	2913242
SOUTH PACIFIC	0688003
LACY LADY	789716
SOCKETTES Stylized	788964
ALIVE Logo	831503
JUST MY SIZE	1244598
SUMMERALLS UNDERALLS & Design	1342812
SILK REFLECTIONS	1468389
SOCKSMITH Stylized	1377396
JUST MY SIZE	1490291
SILK REFLECTIONS	1587949
ALIVE	978874
SMOOTHSTITCH	2083782
COOLKNIT	2003878
JUST MY SIZE	2109585
JUST MY SIZE	2082442
JUST MY SIZE	2082415
CUSHIONMAX	2089049
RED TOE SEAM Design	2443309
JUST MY SIZE	2195706
PINK TOE SEAM Design	2330702
VALUE BASICS	2304758
SHAPELY SENSATIONS	2274464
ENERGY CUSHION	2485629
SOFT REWARDS	2480392
WOMAN Design	2387364

Schedule of U.S. Trademarks (continued)

Trademark	Application No.
JUST MY STYLE	78/069927
LIFT APPEAL	78/364792
LACE DESIRE	78/290601
DOWNTIME	78/226317
SPA CLOSURE	78/318805
COOL EFFECTS	78/233911
GRIP STRIPS	78/141223
URBAN ATTITUDES	78/298864
COMFORTABLE CURVES	78/114143
FLAWLESS FIT	78/226321
FLAWLESS FIT	78/310368
BARELYTHERE DESIGN	78/119499
EASY ON	78/226320
CUSTOM FIT STRAP	78/397576

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he caused the foregoing **OPPOSER**
SARAMAR LLC'S MOTION TO JOIN SARA LEE CORPORATION AS OPPOSER to be
served on counsel for Applicant on January 20, 2006, by first-class mail, postage prepaid, at the
following address:

Frank J. Catalano, Esquire
GABLE & GOTWALS
100 West Fifth Street, 10th Floor
Tulsa, OK 74103-4217

