

ESTTA Tracking number: **ESTTA426197**

Filing date: **08/19/2011**

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

Proceeding	91187204
Party	Defendant Tim Bernardy
Correspondence Address	BRIAN P KINDER HART KING COLDREN PLC 200 SANDPOINTE, FOURTH FLOOR SANTA ANA, CA 92707 UNITED STATES bkinder@hkclaw.com
Submission	Opposition/Response to Motion
Filer's Name	David Christopher Baker
Filer's e-mail	dbaker@hkclaw.com
Signature	/David Christopher Baker/
Date	08/19/2011
Attachments	Response to OSC and Declarations in Support Thereof.pdf ( 11 pages )(270216 bytes ) Exhibit A - BAUHAUS CLOTHING Trademark.pdf ( 3 pages )(55017 bytes ) Exhibit B - BAUHAUS Trademark.pdf ( 3 pages )(83912 bytes ) Exhibit C - Marksmen Report.pdf ( 7 pages )(161807 bytes )

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

NATHANIEL CHRISTIAN,	)	Opposition No.: 91187204
	)	
Petitioner,	)	<b>APPLICANT'S RESPONSE TO</b>
	)	<b>ORDER TO SHOW CAUSE DATED</b>
v.	)	<b>JULY 25, 2011 AND REQUEST FOR</b>
	)	<b>EXTENSION OF TIME;</b>
TIM BERNARDY,	)	<b>DECLARATION OF TIM</b>
	)	<b>BERNARDY; DECLARATION OF</b>
Applicant.	)	<b>DAVID CHRISTOPHER BAKER</b>
	)	
<hr/>	)	
TIM BERNARDY,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	
NATHANIEL CHASTAIN,	)	
	)	
Registrant.	)	
	)	
<hr/>	)	

TO ALL PARTIES HEREBY AND THROUGH THEIR COUNSEL OF RECORD AND TO  
THE TRADEMARK TRIAL AND APPEAL BOARD:

In response to the Order to Show Cause issued by the Trademark Trial and Appeal Board (the "Board") as to "why the counterclaim should not be dismissed based on [Applicant's] failure to prosecute," Applicant responds that (a) he does not intend to abandon its counterclaim seeking to cancel the competing registrations of Opposing Party, (b) Applicant is prepared to provide a more substantive brief with supporting evidence which is dispositive on the issue of cancellation, and (c) Applicant respectfully requests an extension of 60 days within which to provide a substantive response and supporting evidence as discussed more fully below.

I. APPLICANT IS PREPARED TO PROSECUTE THE COUNTERCLAIM.

Tim Bernardy is the owner of the subject "BAUHAUS CLOTHING" trademark and I have been responsible for prosecuting the application before the United States Patent and Trademark Office (the USPTO") and prosecuting the counterclaim in response to the opposition filed in the instant action before the Trademark Trial and Appeals Board (the "Board"). [Bernardy Decl., Para. 1.]

Applicant filed the application for the registration of the "BAUHAUS CLOTHING" trademark by the USPTO on October 26, 2007 and the mark was published for opposition on September 30, 2008. A true and correct copy of a printout of the USPTO Trademark Electronic Search System results for the "BAUHAUS CLOTHING" trademark on August 16, 2011 is attached hereto as **Exhibit A**. Applicant registered the mark as a 1B filing under International Class 25 with the intention of eventually using the mark in relation to clothing and apparel. [Bernardy Decl., Para. 2.]

When Applicant filed the application for the "BAUHAUS CLOTHING" trademark in 2007, no one was then using the "BAUHAUS CLOTHING" trademark in relation to clothing and apparel or any other goods or services. Likewise, no one was then using the mark "BAUHAUS" or any variation thereof in relation to clothing and apparel. [Bernardy Decl., Para. 3.]

Within a few months after his filing, Applicant became aware of a competing filing under the name “BAUHAUS” with a stylized design mark submitted by Nathaniel Christian, the Opposing Party in the instant action. Applicant is informed and believes that Opposing Party filed his application as a 1A filing. Further, Applicant is informed and believes that the mark had been cancelled prior to my filing and then the Opposing Party attempted to reinstate it with a subsequent filing on December 11, 2007. A true and correct copy of a printout of the USPTO Trademark Electronic Search System results for the “BAUHAUS” stylized design mark on August 16, 2011 mark is attached hereto as **Exhibit B**. [Bernardy Decl., Para. 4.]

Opposing Party has registered the “BAUHAUS” stylized design mark with a description of more than seventy-five specific goods. Applicant is informed and believes that Opposing Party has never used the “BAUHAUS” stylized design mark in relation to all or almost all of the described goods. [Bernardy Decl., Para. 5.]

Consequently, in 2009, Applicant contracted for the preparation of a Marksmen survey and report. A true and correct copy of the report dated May 1, 2009 is attached hereto as **Exhibit C**. The report clearly provides that the “BAUHAUS” stylized design mark were not being used in commerce as trademarks at all as of the date of the report in 2009. [Bernardy Decl., Para. 6.]

Since then, Applicant has regularly and periodically conducted his own review of competing websites and conducted research in an attempt to ascertain whether or not the competing marks had ever been used as a source identifier and he has determined from his observations that they have never been used as a trademark. Further, he is informed and believes that they have not been used and that there is little or no likelihood that they ever will be used as trademarks for clothing and apparel. [Bernard Decl., Para. 7.]

In contrast, Applicant has contracted with a clothing and apparel manufacturing firm to produce clothing and apparel in order to market and sell it under the under the “BAUHAUS CLOTHING” trademark and as soon as the instant action is resolved in my favor, he intends to

convert the USPTO filing basis to 1A and proceed with marketing and sales. [Bernardy Decl., Para. 8.]

## II. APPLICANT REQUESTS A BRIEF EXTENSION OF TIME.

Previously, attorney Brian P. Kinder, then a partner with Applicant's law firm, was the sole handling attorney for this matter. Mr. Kinder's employment with the firm terminated on May 6, 2011. At the time of the termination of Mr. Kinder's employment, he had not provided information to the remaining attorneys and staff at the firm regarding then pending due dates for the instant proceeding. [Baker Decl., Para. 1 & 2.] Upon discovery of said due dates, the firm took action to notify the Board of Applicant's intentions with regard to the subject trademark, "BAUHAUS CLOTHING." [Baker Decl., Para. 3.]

In response to the Board's request, the Applicant, Tim Bernardy, is prepared to offer evidence to support his request for cancellation of the competing "BAUHAUS" stylized design mark and, in the alternative, submits that there is already sufficient evidence before the Board to cancel the mark. With the Board's permission, the Applicant is prepared to provide additional supporting evidence within the next sixty (60) days. [Baker Decl., Para. 4.]

## III. CONCLUSION.

By virtue of this response to the Board's Order to Show Cause, Applicant avers that he is interested in proceeding and does intend to proceed with providing the Board with dispositive evidence and argument on the issue of cancellation of Opposing Party's competing trademarks. Further, Applicant is prepared to proceed with use of its mark in an appropriate manner relative to all goods and services set forth in its application. More importantly, applicant is informed and believes that opposing party still has not used any competing marks in order to designate the source of any goods or services as required under the Lanham Act and interpretive case law. As such, the Board is empowered to cancel the competing mark. See e.g., 15 U.S.C. Section 1127.

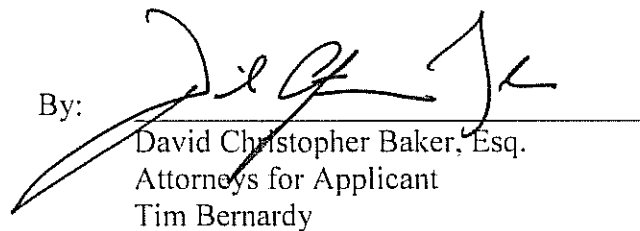
In the alternative, Applicant respectfully requests additional time within which to provide a more substantive brief with supporting evidence of 60 days. For these reasons stated hereinabove, there is good cause for a brief extension of time within which to allow Applicant to provide substantive brief and additional evidence to the Board.

Dated this 19 day of August, 2011.

Respectfully submitted,

HART KING & COLDREN

By:



David Christopher Baker, Esq.  
Attorneys for Applicant  
Tim Bernardy

**CERTIFICATE OF SERVICE**

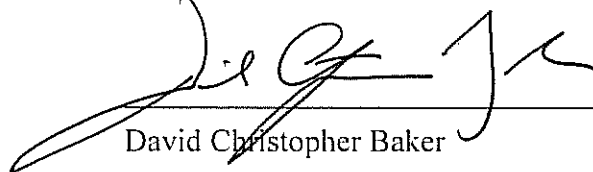
The undersigned hereby certifies that a true and correct copy of the foregoing **Response to Order to Show Cause dated July 25, 2011 and Request for Extension of Time, Declaration of Tim Bernardy, and Declaration of David Christopher Baker** at the following address and by the methods indicated below:

**Raymond J. Dowd  
Dunnington, Bartholow & Miller LLP  
1359 Broadway, Suite 600  
New York, NY 10018**

**Nathaniel Christian  
445 Park Avenue, Suite 900  
New York, NY 10022**

- BY MAIL:** I am “readily familiar” with the firm’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid Santa Ana, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in the affidavit.

Executed on August 19, 2011, at Santa Ana, California.

  
\_\_\_\_\_  
David Christopher Baker

I hereby certify that this paper or fee is being electronically filed with the United States Patent and Trademark Office on Aug 19, 2011.

  
David Christopher Baker

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

In the Matter of Application Serial No. 77/314393  
For the Mark BAUHAUS CLOTHING  
Published in the *Official Gazette* on September 30, 2008

NATHANIEL CHRISTIAN,

Opposer

v.

TIM BERNARDY,

Applicant.

Opposition No.: 91187204

**DECLARATION OF APPLICANT TIM BERNARDY**

I, Tim Bernardy, hereby declare as follows:

1. I am the owner of the subject “BAUHAUS CLOTHING” trademark and I have been responsible for prosecuting the application before the United States Patent and Trademark Office (the USPTO”) and prosecuting the counterclaim in response to the opposition filed in the instant action before the Trademark Trial and Appeals Board (the “Board”). I have personal knowledge of the following facts and if called upon to testify I could and would competently testify to the veracity thereof except for those matters stated upon information and belief which matters I am informed and believe to be true.

2. I filed the application for the registration of the “BAUHAUS CLOTHING” trademark by the USPTO on October 26, 2007 and the mark was published for opposition on September 30, 2008. A true and correct copy of a printout of the USPTO Trademark Electronic Search System results for the “BAUHAUS CLOTHING”



trademark on August 16, 2011 is attached hereto as **Exhibit A**. I registered the mark as a 1B filing under International Class 25 with the intention of eventually using the mark in relation to clothing and apparel.

3. When I filed the application for the “BAUHAUS CLOTHING” trademark in 2007, no one was then using the “BAUHAUS CLOTHING” trademark in relation to clothing and apparel or any other goods or services. Likewise, no one was then using the mark “BAUHAUS” or any variation thereof in relation to clothing and apparel.

4. Within a few months after my filing, I became aware of a competing filing under the name “BAUHAUS” with a stylized design mark submitted by Nathaniel Christian, the Opposing Party in the instant action. I am informed and believe that he filed his application as a 1A filing. Further, I am informed and believe that the mark had been cancelled prior to my filing and then the Opposing Party attempted to reinstate it with a subsequent filing on December 11, 2007. A true and correct copy of a printout of the USPTO Trademark Electronic Search System results for the “BAUHAUS” stylized design mark on August 16, 2011 mark is attached hereto as **Exhibit B**.

5. Opposing Party has registered the “BAUHAUS” stylized design mark with a description of more than seventy-five specific goods. I am informed and believe that Opposing Party has never used the “BAUHAUS” stylized design mark in relation to all or almost all of the described goods.

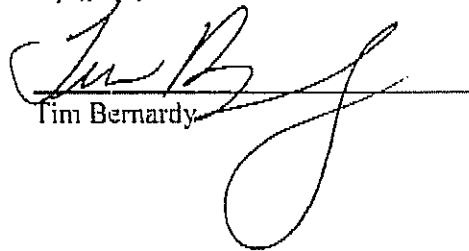
6. Consequently, in 2009, I contracted for the preparation of a Marksmen survey and report. A true and correct copy of the report dated May 1, 2009 is attached hereto as **Exhibit C**. The report clearly provides that the “BAUHAUS” stylized design mark were not being used in commerce as trademarks at all as of the date of the report in 2009.

7. Since then, I have regularly and periodically conducted my own review of competing websites and conducted research in an attempt to ascertain whether or not the competing marks had ever been used as a source identifier and I have determined from

my observations that they have never been used as a trademark. In fact, I am informed and believe that they have not been used and that there is little or no likelihood that they ever will be used as trademarks for clothing and apparel.

8. In contrast, I have contracted with another firm to produce clothing and apparel in order to market and sell it under the under the "BAUHAUS CLOTHING" trademark and as soon as the instant action is resolved in my favor, I intend to convert the USPTO filing basis to 1A and proceed with marketing and sales.

I declare under penalty of perjury under the laws of the State of California and the United States of American that the foregoing is true and correct and that I executed this declaration on August 19<sup>th</sup>, 2011, in SANTA ANA, California.

  
Tim Bernardy

I hereby certify that this paper or fee is being electronically filed with the United States Patent and Trademark Office on Aug. 19, 2011.

  
David Christopher Baker

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 77/314393  
For the Mark BAUHAUS CLOTHING  
Published in the *Official Gazette* on September 30, 2008

NATHANIEL CHRISTIAN,

Opposer

v.

TIM BERNARDY,

Applicant.

Opposition No.: 91187204

**DECLARATION OF DAVID CHRISTOPHER BAKER**

I, David Christopher Baker, hereby declare that:

1. I am an attorney at law duly licensed to practice before all the courts of the State of California as well as the Trademark Trial and Appeal Board (the "Board") and I am a partner with the law firm of Hart, King & Coldren, attorney of record for Applicant Tim Bernardy ("Applicant") in the instant action. I have personal knowledge of the following facts and if called upon to testify I could and would competently testify to the veracity thereof.

2. Previously, attorney Brian P. Kinder, then a partner with our firm, was the sole handling attorney for this matter.

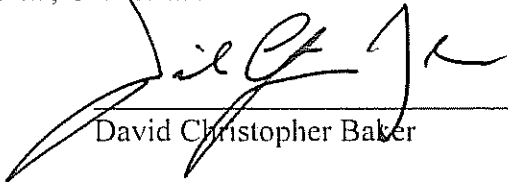
3. Mr. Kinder's employment with the firm terminated on May 6, 2011. At the time of the termination of Mr. Kinder's employment, he had not provided information to the remaining attorneys and staff at the firm, including myself, regarding then pending

due dates for the instant proceeding.

4. Upon discovery of said due dates, the firm and I took action to notify the Board of our client's intentions with regard to the subject trademark, "BAUHAUS CLOTHING."

5. In response to the Board's request, the Applicant, Tim Bernardy, is prepared to offer evidence to support his request for cancellation of the competing "BAUHAUS" stylized design mark and, in the alternative, submits that there is already sufficient evidence before the Board to cancel the mark. With the Board's permission, the Applicant is prepared to provide additional supporting evidence within the next sixty (60) days.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct and that this declaration was executed on August 19, 2011, in Santa Ana, California.

  
\_\_\_\_\_  
David Christopher Baker

# EXHIBIT A



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<b>Word Mark</b>	<b>BAUHAUS CLOTHING</b>
<b>Goods and Services</b>	IC 025. US 022 039. G & S: Athletic shoes; Belts; Boots; Caps; Coats; Footwear; Gloves; Hats; Headbands; Headwear; Hosiery; Jackets; Jerseys; Leg warmers; Leotards; Neckties; Night gowns; Night shirts; Pajamas; Pants; Pantyhose; Rainwear; Robes; Sandals; Scarves; Shirts; Shoes; Shorts; Skirts; Slippers; Socks; Stockings; Sweat pants; Sweat shirts; Sweaters; Swimsuits; T-shirts; Tank tops; Tights; Underwear; Wrist bands
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77314393
<b>Filing Date</b>	October 26, 2007
<b>Current Filing Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	September 30, 2008
<b>Owner</b>	(APPLICANT) Bernardy, Tim INDIVIDUAL UNITED STATES PO Box 3395 Newport Beach CALIFORNIA 92659
<b>Disclaimer</b>	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CLOTHING" APART FROM THE MARK AS SHOWN
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead</b>	LIVE

Indicator

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# **EXHIBIT B**





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**Word Mark**            **BAUHAUS**  
**Goods and Services**    IC 025. US 022 039. G & S: Clothing, namely, belts, caps, corsets, dusters, hoods, jersey, mantles, mufflers, pads for clothing, shifts, short sets shoulder pads for clothing, ties, tops, wraps, trousers, slacks, shorts, bloomers, men's suits, ladies' suits, dresses, skirts, sweaters, shirts, sweatshirts, camisoles, blouses, halters, T-shirts, ties, scarves, stockings, socks, hosiery, underpants, brassieres, girdles, underwear, bathing suits, gloves, mittens, parts of clothing, namely, pockets, caps, visors, military caps and baseball caps, top hats, fezzes, turbans, berets, visor-less and brimless hats, sombreros, cowboy hats, broad brimmed hats, chef's hats, women's and children's bonnets, babies' caps and bonnets, men's narrow brimmed hats, fedoras and derbies, leather jacket, leather coat, boots, hiking and cowboy boots, galoshes, sports footwear, jogging and tennis shoes, shoes with spikes, ski boots, babies' shoes, booties, wooden shoes, clogs, sandals, shoes without heels, namely, bedroom slippers, moccasins, ballet shoes, rubbers, men's shoes, women's shoes, soles of shoes. FIRST USE: 19990601. FIRST USE IN COMMERCE: 19990601  
**Mark Drawing Code**    (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code**    26.01.21 - Circles that are totally or partially shaded.  
**Serial Number**            77349054  
**Filing Date**                December 11, 2007  
**Current Filing Basis**     1A  
**Original Filing Basis**    1A

**Owner** (APPLICANT) CHRISTIAN, NATHANIEL INDIVIDUAL 535 WEST 23RD STREET, NORTH  
PENTHOUSE 1D NEW YORK NEW YORK 10011

**Assignment  
Recorded** ASSIGNMENT RECORDED

**Prior  
Registrations** 2832242

**Description  
of Mark** Color is not claimed as a feature of the mark. The mark consists of two concentric circles, an exterior  
black circle with an interior white circle, followed by the stylized text "BAUHAUS"..

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead  
Indicator** LIVE

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# EXHIBIT C



PO Box 10038  
Glendale, CA 91209

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Fax: 888.558.4558

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**PRIVILEGED AND CONFIDENTIAL**

May 1, 2009

**Brian Kinder, Esq.**  
Hart, King & Coldren  
200 Sandpointe  
Fourth Floor  
Santa Ana, CA 92707

**Re: BAUHAUS**  
**Registrant/Company Info: Nathaniel Chastain**  
**Provided address/phone: North Penthouse 2D 535 West 23rd Street New York NY 10011**  
**Client Matter: N/A**  
**File Number: 54550**

Dear Brian:

Our office received your request on April 22, 2009, instructing us to investigate the captioned company to determine if it is marketing goods or services using the name BAUHAUS.

**NO CURRENT USE FOUND.**

**ALL THE DOMAIN NAMES CITED BY NATHANIEL CHRISTIAN IN HIS OPPOSITION REACH WEB PAGES WITH NO CONTENT OF NOTE OR NO DISCERNIBLE WEB SITE.**

**THE TELEPHONE NUMBER LISTED ON THE NATHANIEL CHRISTIAN GROUP WEB SITE - (212) 929-4400 - REACHES A RECORDING STATING THAT THE VOICEMAIL IS FULL AND CANNOT RECEIVE ANY MESSAGES.**

**NATHANIEL CHRISTIAN CLAIMED THAT BAUHAUS IS THE NAME OF A CLOTHING LINE HE HAS BEEN MAKING SINCE 1989 WHEN HE WAS IN COLLEGE, AND HAS BEEN SELLING CLOTHES UNDER THAT NAME TO RETAILERS SINCE THAT TIME.**

**CHRISTIAN CLAIMED THAT CURRENTLY THE BAUHAUS CLOTHING LINE IS IN BLOOMINGDALES AND BARNEY'S IN NEW YORK AND IN BROWN'S IN LONDON. HE STATED THAT THE BAUHAUS LINE IS CURRENTLY COMPRISED OF T-SHIRTS AND JEANS,**

**WHICH ARE ONLY SOLD IN "CAPSULE COLLECTION" STORES.**

**CHRISTIAN SAID THAT HIS WEB SITE HAS NOT BEEN UPDATED IN FIVE YEARS, AND THAT BECAUSE OF THE ECONOMIC DOWNTURN, "WE ARE NOT PUSHING THE WEB SITE."**

**INVESTIGATION CONCLUDED PENDING ADVISEMENT.**

**Nathaniel Chastain - North Penthouse 2D 535 West 23rd Street New York NY 10011**

According to the information you provided, the captioned individual, who also uses the name Nathaniel Christian, owns several USTPO trademarks registrations (77349054 / 2408301 / 2832242).

Internet white pages show Nathaniel D. Chastain - 535 West 23rd Street, New York, NY 10011 - tel. - (212) 929-4434.

These directories show two listings for the name Nathaniel Christian - 535 West 23rd Street, New York, NY 10011 - tel. - (212) 929-4434.

Please note that the address and telephone number for Nathaniel Christian and Nathaniel Chastain are identical.

These directories also show a listing for Nathaniel Christian - 157 1 2 Stanton Street New York, NY 10002 - tel. - (212) 353-2811.

We called - (212) 353-2811 - and reached Lenny's restaurant, where we spoke with an individual (name declined), who said there is no one named Nathaniel Christian, or Chastain, there.

Business directories indicate that NCI Holdings LLC (the Nathaniel Christian Group) - 535 West 23rd Street, New York, NY 10011-1144 - tel. - (212) 929-4400 - was started in 2005, employs nine people and operates as a real estate agent / manager. The listed executive is Nathaniel Christian, (no title shown).

According to the records of the New York Secretary of State, Nathaniel Chastian Design Group, Ltd. was filed on April 4, 1994 and is inactive. The DOS process address is C/O The Prentice-Hall Corporation System, Inc. - 80 State Street, Albany, New York, 12207.

These records show that Nathaniel Christian International, Ltd. was filed on August 8, 2000 and is inactive. The DOS process address is Nathaniel Christian International, Ltd. - 341 West 38th Street, 2nd Floor, New York, New York, 10018.

According to records of the New York Secretary of State, there is no company on file when searched for the named The Nathaniel Christian Group

The web page located at <http://www.nathanielchristian.com/> states, in whole:

*Nathaniel Christian  
Coming Fall 2004*

*BAUHAUS*

There is a link to BAUHAUS which leads to a page stating:

*BAUHAUS*

*BAUHAUS NATHANIEL CHRISTIAN*

*BAUHAUS  
INDUSTRIAL*

*BAUHAUS  
WORKSHOP*

*COMING FALL 2004*

None of these links are active. There is also a link to a business plan, which leads to a page that is not available.

According to the information you provided, the captioned individual is the registrant of BAUHAUSDENIM.COM, BAUHAUSGLOBAL.COM, BAUHAUSINDUSTRIAL.COM, BAUHAUSMENS.COM, BAUHAUSNATHANIELCHRISTIAN.COM, BAUHAUSNEWYORK.COM, BAUHAUSPORT.COM, BAUHAUSWERKSHOP.COM, BAUHAUSWOMENS.COM, BAUHAUSWORKSHOP.COM, BAUHAUSWORLD.COM.

The URL WWW.BAUHAUSDENIM.COM reaches a web page stating:

*Gone*

*The requested resource is no longer available on this server and there is no forwarding address. Please remove all references to this resource.*

*Apache/1.3.33 Server at www.bauhausdenim.com Port 80*

The URL WWW.BAUHAUSGLOBAL.COM states, in whole:

*Index of /*

*Name Last modified Size Description*

*[DIR] Parent Directory 16-Jun-2008 15:49 -*

*Apache/1.3.33 Server at www.bauhausglobal.com Port 80*

The web page located at WWW.BAUHAUSINDUSTRIAL.COM states:

*Index of /*

*Name Last modified Size Description*

*[DIR] Parent Directory 16-Jun-2008 15:49 -*

*Apache/1.3.33 Server at www.bauhausindustrial.com Port 80*

The web page located WWW. BAUHAUSMENS.COM states:

*Gone*  
*The requested resource*  
 /  
*is no longer available on this server and there is no forwarding address. Please remove all references to this resource.*  
 Apache/1.3.33 Server at www.bauhausmens.com Port 80

According to the web page located at WWW.BAUHAUSNATHANIELCHRISTIAN.COM states:

*Gone*  
*The requested resource*  
 /  
*is no longer available on this server and there is no forwarding address. Please remove all references to this resource.*  
 Apache/1.3.33 Server at www.bauhausnathanielchristian.com Port 80

The web page located at WWW. BAUHAUSNEWYORK.COM states, in whole:

*Index of /*

<i>Name</i>	<i>Last modified</i>	<i>Size</i>	<i>Description</i>
<i>[DIR] Parent Directory</i>	<i>16-Jun-2008 15:49</i>	<i>-</i>	

Apache/1.3.33 Server at www.bauhausnewyork.com Port 80

We found no web site available at the URL WWW.BAUHAUSPORT.COM.

The web page located at WWW.BAUHAUSWERKSHOP.COM states:

*Index of /*

<i>Name</i>	<i>Last modified</i>	<i>Size</i>	<i>Description</i>
<i>[DIR] Parent Directory</i>	<i>16-Jun-2008 15:50</i>	<i>-</i>	

Apache/1.3.33 Server at www.bauhauswerkshop.com Port 80

According to the web page located at WWW.BAUHAUSWOMENS.COM:

*Gone*  
*The requested resource*  
 /  
*is no longer available on this server and there is no forwarding address. Please remove all references to this resource.*  
 Apache/1.3.33 Server at www.bauhauswomens.com Port 80

According to the web page located at WWW.BAUHAUSWORKSHOP.COM:

*Index of /*

*Name Last modified Size Description*

*[DIR] Parent Directory 16-Jun-2008 15:50 -*

*Apache/1.3.33 Server at www.bauhausworkshop.com Port 80*

The web page located at WWW. BAUHAUSWORLD.COM states, in whole:

*Index of /*

*Name Last modified Size Description*

*[DIR] Parent Directory 16-Jun-2008 15:50 -*

*Apache/1.3.33 Server at www.bauhausworld.com Port 80*

A search of archived news databases yielded no references to BAUHAUS in connection with Nathaniel Chastain or Nathaniel Christian.

The web page located at http://nathanielchristiangroup.com/ lists the captioned address and the telephone numbers - (212) 929-4400 - Fax - (212) 929-4434; email address-nc@ncqny.com.

We called the telephone number - (212) 929-4400 - but reached voicemail stating that there is no room for additional messages. All subsequent calls reached the same recording.

We attempted to contact the captioned company via the Fax number - (212) 929-4434 - but there was no answer. Please note that this is also listed as the residential telephone number for both Nathaniel Christian and Nathaniel Chastain.

We sent email to nathaniel@nathanielchristian.com, which is listed as the address to contact Nathaniel Christian, but it was returned because it has "permanent fatal errors."

We sent email to nc@ncqny.com and received the following response:

*Subject: Re: phone number? (212) 929-4400?  
From: "Nathaniel Christian" nc@ncqny.com*

*my cel is 212 229 2500*

We called this number and reached voicemail, stating that we had contacted Nathaniel Christian. We left a message requesting to be contacted.

We then received an email message from Christian:

*Subject: from Nathaniel Christian  
From: "Nathaniel Christian" nc@ncqny.com*

*[DELETED]*

*looks like we are playing phone tag.....what is this in regards too ?*



*best  
nathaniel*

We again contacted Christian - tel. - (212) 229-2500 - who answered, "hello."

After asking about BAUHAUS, Christian initially claimed he didn't know what we were talking about "because I have so many companies, a real estate company..."

Christian stated that BAUHAUS is the name of a clothing line he has been making since 1989, when he was in college, "in my Art Institute days," and that he has been selling BAUHAUS clothing since that time. Without prompting, Christian stated that he trademarked the name BAUHAUS.

Christian stated that BAUHAUS clothing was sold in the past in stores in New York and Los Angeles, such as Maxfield's and Fred Segal. He explained that the BAUHAUS line, which includes clothing for both men and women, is now comprised of T-shirts and jeans. He said that in the past the line was more extensive.

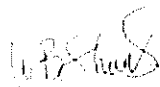
Christian explained that the BAUHAUS line is currently only available in **Bloomingdales "on the co-op floor, which is the sixth or seventh floor"** and **Barney's in New York** and in Brown's in London. He said that BAUHAUS clothing is not sold in any other stores or on-line and that only stores that carry "capsule collections" carry BAUHAUS.

Regarding the BAUHAUS web site, Christian explained that the web site has not been updated in five years and that because of the economic downturn, "we are not pushing the web site."

Please advise if you would like us to pay a visit to both Bloomingdale's and Barney's in New York City to verify the subject's claims. Additional fees will apply.

Pending further advisement from you, we have concluded our investigation of BAUHAUS. If you have further need of our services on this or any other matter, please contact us.

Best Regards,



Bill Shanks

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jjw