ESTTA Tracking number: **ESTTA463099**
Filing date: **03/21/2012**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Apple Inc.
Granted to Date of previous extension	03/21/2012
Address	1 Infinite Loop Cupertino, CA 95014 UNITED STATES

Attorney information	Joseph Petersen KILPATRICK TOWNSEND & STOCKTON LLP 1114 Avenue of the Americas, 21st Floor New York, NY 10036 UNITED STATES RPotter@kilpatricktownsend.com, JPetersen@kilpatricktownsend.com, agarcia@kilpatricktownsend.com, NYTrademarks@ktslaw.com, tmadmin@ktslaw.com Phone:212-775-8700

Applicant Information

Application No	85340811	Publication date	11/22/2011
Opposition Filing Date	03/21/2012	Opposition Period Ends	03/21/2012
Applicant	THE DIVA DISCOUNT LLC 6606 FM 1488, Ste 148-351 Magnolia, TX 77354 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. All goods and services in the class are opposed, namely: Administration of a discount program for enabling participants to obtain discounts on goods and services through use of a discount membership card

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1078312	Application Date	03/25/1977
Registration Date	11/29/1977	Foreign Priority	NONE

		Date	
Word Mark	APPLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1976/04/00 First Use In Commerce: 1976/04/00 COMPUTERS AND COMPUTER PROGRAMS RECORDED ON PAPER AND TAPE		

U.S. Registration No.	3226289	Application Date	08/24/2000
Registration Date	04/10/2007	Foreign Priority Date	NONE
Word Mark	APPLE		
Design Mark	APPLE		
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1976/04/01 First Use In Commerce: 1976/04/01 Printed materials and publications, namely, user manuals, brochures, data sheets, white papers, newsletters, catalogs, pamphlets, periodicals and magazines, all in the fields of business, creative design, computers, information technology, word processing, database management, multimedia, entertainment, electronic commerce and telecommunications; stationery, pens and pencils, clipboards, posters, memo pads, binders		

U.S. Registration No.	1895326	Application Date	05/23/1994
Registration Date	05/23/1995	Foreign Priority Date	NONE
Word Mark	APPLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1983/07/00 First Use In Commerce: 1983/07/00 extension of retail credit services for the purchase of computers and related accessories		

U.S. Registration No.	1114431	Application Date	03/20/1978
Registration Date	03/06/1979	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark	
Description of Mark	THE MARK CONSISTS OF A SILHOUETTE OF AN APPLE WITH A BITE REMOVED.
Goods/Services	Class 009. First use: First Use: 1977/01/00 First Use In Commerce: 1977/01/00 COMPUTERS AND COMPUTER PROGRAMS RECORDED ON PAPER AND TAPE

U.S. Registration No.	3679056	Application Date	01/13/2009
Registration Date	09/08/2009	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of the design of an apple with a bite removed.		
Goods/Services	Class 009. First use: First Use: 1977/01/31 First Use In Commerce: 1977/01/31 Computers; computer hardware; computer peripherals; handheld computers; handheld mobile digital electronic devices for recording, organizing, transmitting, manipulating, and reviewing text, data, image, audio, and audiovisual files, for the sending and receiving of telephone calls, electronic mail, and other digital data, for use as a digital format audio player, handheld computer, personal digital assistant, electronic organizer, electronic notepad, camera, and global positioning system (GPS) electronic navigation device; digital audio and video recorders and players; personal digital assistants; electronic organizers; cameras; telephones; mobile phones; satellite navigational systems, namely, global positioning systems (GPS); electronic navigational devices, namely, global positioning satellite (GPS) based navigation receivers; computer game machines for use with external display screens, monitors, or televisions; a full line of accessories and parts for the aforementioned goods; stands, covers, cases, holsters, power adaptors, and wired and wireless remote controls for the aforementioned goods; computer memory hardware; computer disc drives; optical disc drives; computer networking hardware; computer monitors; flat panel display monitors; computer keyboards; computer cables; modems; computer mice; electronic docking stations; set top boxes; batteries; battery chargers;		

	electrical connectors, wires, cables, and adaptors; devices for hands-free use; headphones; earphones; ear buds; audio speakers; microphones; and headsets; a full line of computer software for business, home, education, and developer use; user manuals for use with, and sold as a unit with, the aforementioned goods; downloadable audio and video files, movies, ring tones, video games, television programs, pod casts and audio books via the internet and wireless devices featuring music, movies, videos, television, celebrities, sports, news, history, science, politics, comedy, children's entertainment, animation, culture, current events and topics of general interest

U.S. Registration No.	2926853	Application Date	08/16/2002
Registration Date	02/15/2005	Foreign Priority Date	02/26/2002
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of the design of an apple with a bite removed.		
Goods/Services	Class 035. First use: First Use: 1983/00/00 First Use In Commerce: 1983/00/00 analysis and consultation in the field of business information management, namely, the selection, adoption and operation of computers and computer information management systems; providing information in the fields of business and commerce over computer networks and global communication networks; business services, namely, providing computer databases regarding the purchase and sale of a wide variety of products and services of others; business services, namely, dissemination of advertising for others via computer networks and global communication networks; retail store services featuring computers, computer software, computer peripherals and consumer electronics, and demonstration of products relating thereto; online retail store services provided via computer networks and global communication networks featuring computers, computer software, computer peripherals and consumer electronics, and demonstration of products relating thereto Class 039. First use: First Use: 1985/00/00 First Use In Commerce: 1985/00/00 computerized data storage services; data storage relating to business		

U.S. Registration No.	2657931	Application Date	08/24/2000
Registration Date	12/10/2002	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 016. First use: First Use: 1979/01/06 First Use In Commerce: 1979/01/06 Printed materials and publications, namely, user manuals, [series of books,] booklets, brochures, data sheets, white papers, [newsletters, catalogs,] pamphlets, [periodicals and magazines,] all in the fields of business, creative design, computers, information technology, word processing, database management, multimedia, entertainment, electronic commerce and telecommunications; [stationery,] pens and pencils, [clipboards,] posters, [memo pads,] binders

U.S. Registration No.	2820066	Application Date	05/29/2003
Registration Date	03/02/2004	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of the design of an apple with a bite removed.		
Goods/Services	Class 036. First use: First Use: 1983/07/00 First Use In Commerce: 1983/07/00 Consumer lending services; retail credit services; retail credit services for the purchase of computers, computer software, consumer electronics and related accessories; providing information in the fields of investment and finance over computer networks and global communication networks; financial services, namely, installment loans, lease-purchase financing and loans, and loan financing		

U.S. Registration No.	2462798	Application Date	11/23/1999
Registration Date	06/19/2001	Foreign Priority Date	NONE
Word Mark	APPLE STORE		

Design Mark	APPLE STORE
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1997/11/01 First Use In Commerce: 1997/11/01 online retail store services provided via a global computer network featuring computers, computer hardware, computer systems, computer software, computer peripherals and accessories

U.S. Registration No.	2683410	Application Date	04/25/2002
Registration Date	02/04/2003	Foreign Priority Date	NONE
Word Mark	APPLE STORE		
Design Mark	APPLE STORE		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1997/11/01 First Use In Commerce: 1997/11/01 Retail store services featuring computers, computer software, computer peripherals and consumer electronics, and demonstration of products relating thereto; online retail store services provided via a global computer network featuring computers, computer software, computer peripherals and consumer electronics, and demonstration of products relating thereto		

U.S. Registration No.	3710912	Application Date	02/04/2008
Registration Date	11/17/2009	Foreign Priority Date	NONE
Word Mark	APPLE STORE		

Design Mark	APPLE STORE
Description of Mark	NONE
Goods/Services	Class 037. First use: First Use: 2001/05/19 First Use In Commerce: 2001/05/19 Maintenance, installation and repair of computer hardware, computer peripherals and consumer electronic devices Class 038. First use: First Use: 2007/06/29 First Use In Commerce: 2007/06/29 Technical consulting in the field of consumer electronics, namely, telephones, cellular telephones and wireless telecommunications devices; consulting services in the field of selection, implementation and use of consumer electronic systems for others, namely, telecommunications systems featuring telephones, cellular telephones and wireless telecommunications devices Class 041. First use: First Use: 2001/05/19 First Use In Commerce: 2001/05/19 Education and training services, namely, conducting classes, workshops, and seminars in the field of computers, computer software, online services, information technology, internet website design, music, photography and video products and consumer electronics; arranging professional workshop and training courses; computer education training services; training in the use and operation of computers, computer software and consumer electronics; entertainment services, namely, providing a facility for live concerts and special events in the nature of live musical performances; technical consulting in the field of consumer electronics, namely, audio, audiovisual and home and portable entertainment systems and devices; consulting services in the field of selection, implementation and use of computer hardware, computer software and consumer electronic systems for others, namely, audio, audiovisual and home and portable entertainment systems and devices Class 042. First use: First Use: 2001/05/19 First Use In Commerce: 2001/05/19 Technical support services, namely, troubleshooting computer hardware, computer peripheral, computer software and consumer electronic devices; installation, updating, maintenance and repair of computer software; technical consulting in the field of computers and computer-based consumer electronics; computer and consumer electronic diagnostic services; consulting services in the field of selection, implementation and use of computer hardware, computer software and computer-based consumer electronic systems for others; computer data recovery; consulting services in the field of selection, implementation and use of computer hardware and computer software for the operation of consumer electronic systems for others in the nature of audio, audiovisual and home and portable entertainment systems and devices

Attachments	76116541#TMSN.gif (1 page)(bytes) 73162799#TMSN.jpeg (1 page)(bytes) 77648705#TMSN.jpeg (1 page)(bytes) 78155188#TMSN.gif (1 page)(bytes) 76117498#TMSN.gif (1 page)(bytes)

	78255986#TMSN.gif (1 page)(bytes) 75857151#TMSN.gif (1 page)(bytes) 76400649#TMSN.gif (1 page)(bytes) 77388365#TMSN.jpeg (1 page)(bytes) 2012-3-21- Notice of Opposition (Apple v The Diva; ser. no. 85-340,811).pdf (13 pages)(621551 bytes) 2012-3-21- EXHIBITS 1-7 to Notice of Opposition (Apple v The Diva; ser. no. 85-340,811).pdf (73 pages)(8169045 bytes)

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.

Signature	/Robert Potter/
Name	Robert Potter
Date	03/21/2012

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

Application Serial No. **85/340,811**
For the mark:

Filed: June 8, 2011
Published: November 22, 2011

APPLE INC.,	
Opposer,	Opposition No.
v.	**NOTICE OF OPPOSITION**
THE DIVA DISCOUNT LLC,	
Applicant.	

APPLE INC. ("Opposer"), a corporation organized and existing under the laws of California with a principal place of business at 1 Infinite Loop, Cupertino, California 95014, believes that it will be damaged by the issuance of registration for the trademark shown in Application Serial No. 85/340,811, and hereby opposes the same.

As grounds for its opposition, Opposer alleges as follows, with knowledge concerning its own acts, and on information and belief as to all other matters:

1. Opposer is the world-famous designer, manufacturer and distributor of a wide variety of goods and services, and Opposer's APPLE brand is one of the best known brands in the world. Opposer designs, manufactures, and/or markets in interstate and international commerce, among many other things, personal computers, portable digital music players, mobile

communication and media devices and applications for use thereon, and a variety of related software, services, peripherals, networking solutions, and third-party digital content and applications. Opposer sells its products worldwide through its retail stores, online retail platforms, and direct sales force, as well as through third party cellular network carriers, wholesalers, retailers, and value-added resellers. Opposer has long offered Opposer's goods and services through its APPLE STORE® retail sales outlets and Apple has been lauded for its innovations in the area of retail marketing.

2. Since at least as early as 1977, Opposer has extensively promoted, marketed, advertised, distributed, and sold its goods and services in connection with a family of trademarks consisting, in whole or in part, of the word APPLE and a visual equivalent of the word, to wit a logo depicting a stylized apple, as shown below:

(the "Apple Logo").

3. Opposer's family of APPLE-based word marks and its Apple Logo (collectively, "Opposer's Marks") have achieved an extraordinary level of fame and consumer recognition. As a result of Opposer's extensive advertising, promotion, and use of Opposer's Marks in connection with a variety of goods and services, Opposer's Marks have acquired enormous goodwill, and have come to be identified immediately with Opposer as the source of those goods and services.

4. Opposer's Marks are famous under the Lanham Act, specifically 15 U.S.C. § 1125 *et seq.*, and are among the most valuable trademarks in the world. The extraordinary level

of fame and consumer recognition that Opposer's Marks currently enjoy cannot be seriously disputed.

5. For many years, Opposer's APPLE brand (including the Apple Logo) has consistently been recognized as one of the top brands in the United States and throughout the world. For example, over the past four years Millward Brown Optimor ("MBO"), a leading market research and brand valuation and management company, has found APPLE to be one of the top 100 brands in MBO's "Brandz™ Top 100 Most Valuable Global Brands", an annual assessment of the 100 most valuable brands in the world. In MBO's 2011 rankings, Opposer's APPLE brand was ranked the most valuable brand in the world, with an estimated value of $153 billion. Opposer's APPLE brand was ranked 7th in 2008, 6th in 2009, and 3rd in MBO's 2010 rankings. Attached as **Exhibit 1** are copies of relevant pages of MBO's rankings in reverse chronological order from 2011 through 2008.

6. *Forbes* magazine, in an August 30, 2010 article entitled "The World's Most Valuable Brands," ranked the APPLE brand as the world's most valuable brand, with an estimated valuation of over $57 billion. Attached as **Exhibit 2** is a true and correct printout of this article from *Forbes* magazine's website. As another example, Harris Interactive Inc., one of the world's largest market research firms, found Opposer's APPLE brand to be one of the 10 most recognized brands in the United States in its 2006 and 2007 *Harris Polls* of "best brands," which are based upon consumer responses. Attached as **Exhibit 3** is a printout of *The Harris Poll®* #71, July 17, 2007 of "Best Brands."

7. In addition, Interbrand has consistently recognized Opposer's APPLE brand as belonging in the top 50 of the world's most valuable brands. From 2010 to 2011, the APPLE brand rose nine spots in Interbrand's rankings—from 17th to 8th—and increased in estimated

brand value by 58%, more than twice as much as any other brand. Attached as **Exhibit 4** are copies of relevant pages of Interbrand's "Best Global Brands" rankings, in reverse chronological order from 2011 through 2008, as compiled by Interbrand. Interbrand has given the APPLE brand the following rankings and U.S. dollar values over the past four years:

i. 2011: valuing the APPLE brand as the 8th most valuable brand in the world, with an estimated brand worth of U.S. $33.492 billion.

ii. 2010: valuing the APPLE brand as the 17th most valuable brand in the world, with an estimated brand worth of U.S. $21.143 billion.

iii. 2009: valuing the APPLE brand as the 20th most valuable brand in the world, with an estimated brand worth of U.S. $15.433 billion.

iv. 2008: valuing the APPLE brand as the 24th most valuable brand in the world, with an estimated brand worth of U.S. $13.724 billion.

8. Additionally, each year since 2006, *Fortune Magazine* has published its list of "Most Admired Companies." Opposer has featured prominently in these rankings each year, and in 2011, 2010 and 2009 was named the "World's Most Admired Company" for the year. Prior to 2009, Fortune's list was limited to "America's Most Admired Companies," and Opposer also topped this list in 2008. Attached as **Exhibit 5** are true and correct copies of printouts of *Fortune Magazine*'s "Most Admired Company" rankings in reverse chronological order from 2011 through 2008.

9. Similarly, in 2010, 2009, and 2008, *Business Week* magazine named Opposer as the world's most innovative company in its article on "The Most Innovative Companies." Attached as **Exhibit 6** are true and correct printouts from *Business Week*'s web site naming Opposer as the world's most innovative company in 2010, 2009, and 2008.

10. Opposer is the owner of numerous United States registrations on the Principal Register for Opposer's Marks, including without limitation, the following registrations and applications:

TRADEMARK	REG. NO.	FILING DATE/ REG. DATE	GOODS/SERVICES (FIRST USE / PRIORITY DATE)
APPLE	1,078,312	March 25, 1977 November 29, 1977	Class 9: Computers and computer programs recorded on paper and tape. (April 1976)
APPLE	3,226,289	August 24, 2000 April 10, 2007	Class 16: Printed materials and publications, namely, user manuals, brochures, data sheets, white papers, newsletters, catalogs, pamphlets, periodicals and magazines, all in the fields of business, creative design, computers, information technology, word processing, database management, multimedia, entertainment, electronic commerce and telecommunications; stationery, pens and pencils, clipboards, posters, memo pads, binders (April 1, 1976)
APPLE	1,895,326	May 23, 1994 May 23, 1995	Class 36: extension of retail credit services for the purchase of computers and related accessories (July 1983)
	1,114,431	March 20, 1978 March 6, 1979	Class 9: Computers and computer programs recorded on paper and tape. (January 1977)
	3,679,056	January 13, 2009 September 8, 2009	Class 9: Computers; computer hardware; computer peripherals; handheld computers; handheld mobile digital electronic devices for recording, organizing, transmitting, manipulating, and reviewing text, data, image, audio, and audiovisual files, for the sending and receiving of telephone calls, electronic mail, and other digital data, for use as a digital format audio player, handheld computer, personal digital assistant, electronic organizer, electronic notepad, camera, and global positioning system (GPS) electronic navigation device; digital audio and video recorders and players; personal digital assistants; electronic organizers; cameras; telephones; mobile phones; satellite navigational systems, namely, global positioning systems (GPS); electronic navigational devices, namely, global

TRADEMARK	REG. NO.	FILING DATE/ REG. DATE	GOODS/SERVICES (FIRST USE / PRIORITY DATE)
			positioning satellite (GPS) based navigation receivers; computer game machines for use with external display screens, monitors, or televisions; a full line of accessories and parts for the aforementioned goods; stands, covers, cases, holsters, power adaptors, and wired and wireless remote controls for the aforementioned goods; computer memory hardware; computer disc drives; optical disc drives; computer networking hardware; computer monitors; flat panel display monitors; computer keyboards; computer cables; modems; computer mice; electronic docking stations; set top boxes; batteries; battery chargers; electrical connectors, wires, cables, and adaptors; devices for hands-free use; headphones; earphones; ear buds; audio speakers; microphones; and headsets; a full line of computer software for business, home, education, and developer use; user manuals for use with, and sold as a unit with, the aforementioned goods; downloadable audio and video files, movies, ring tones, video games, television programs, pod casts and audio books via the internet and wireless devices featuring music, movies, videos, television, celebrities, sports, news, history, science, politics, comedy, children's entertainment, animation, culture, current events and topics of general interest (January 31, 1977)
	2,926,853	August 16, 2002 February 15, 2005	Class 35: analysis and consultation in the field of business information management, namely, the selection, adoption and operation of computers and computer information management systems; providing information in the fields of business and commerce over computer networks and global communication networks; business services, namely, providing computer databases regarding the purchase and sale of a wide variety of products and services of others; business services, namely, dissemination of advertising for others via computer networks and global communication networks; retail store services featuring computers, computer software, computer peripherals and consumer electronics, and demonstration of products relating thereto; online retail store services

TRADEMARK	REG. NO.	FILING DATE/ REG. DATE	GOODS/SERVICES (FIRST USE / PRIORITY DATE)
			provided via computer networks and global communication networks featuring computers, computer software, computer peripherals and consumer electronics, and demonstration of products relating thereto (1983) Class 39: computerized data storage services; data storage relating to business (1985)
	2,657,931	August 24, 2000 December 10, 2002	Class 16: Printed materials and publications, namely, user manuals, [series of books,] booklets, brochures, data sheets, white papers, [newsletters, catalogs,] pamphlets, [periodicals and magazines,] all in the fields of business, creative design, computers, information technology, word processing, database management, multimedia, entertainment, electronic commerce and telecommunications; [stationery,] pens and pencils, [clipboards,] posters, [memo pads,] binders (January 6, 1979)
	2,820,066	May 29, 2003 March 2, 2004	Class 36: Consumer lending services; retail credit services; retail credit services for the purchase of computers, computer software, consumer electronics and related accessories; providing information in the fields of investment and finance over computer networks and global communication networks; financial services, namely, installment loans, lease-purchase financing and loans, and loan financing (July 1983)
APPLE STORE	2,462,798	November 23, 1999 June 19, 2001	Class 35: Online retail store services provided via a global computer network featuring computers, computer hardware, computer systems, computer software, computer peripherals and accessories. (November 11, 1977)
APPLE STORE	2,683,410	April 25, 2002 February 4, 2003	Class 35: Retail store services featuring computers, computer software, computer peripherals and consumer electronics, and demonstration of products relating thereto; online retail store services provided via a global computer network featuring computers, computer software, computer peripherals and consumer electronics, and demonstration of products relating thereto. (November 11, 1977)
APPLE STORE	3,710,912	February 4, 2008 November 17,	Class 37: Maintenance, installation and repair of computer hardware, computer peripherals

TRADEMARK	REG. NO.	FILING DATE/ REG. DATE	GOODS/SERVICES (FIRST USE / PRIORITY DATE)
		2009	and consumer electronic devices. (May 19, 2001)

Copies of the registration certificates and printouts from the United States Patent and Trademark Office online database for the above-identified registrations are annexed as **Exhibit 7**.

8. The above-identified registrations are valid and in full force and effect. Indeed, affidavits have been filed and accepted pursuant to Sections 8 and 15 of the Lanham Act for Registration Nos. 1,078,312; 1,114,431; 1,895,326; 2,462,798; 2,657,931; 2,683,410; 2,820,066; and 2,926,853, rendering such registrations incontestable.

9. Notwithstanding Opposer's prior rights, and well after Opposer's Marks became famous, applicant The Diva Discount LLC ("Applicant") filed Application Serial No. 85/340,811 for "Administration of a discount program for enabling participants to obtain discounts on goods and services through use of a discount membership card" in Class 35 (the "Opposed Services") for the following mark:

("Applicant's Mark").

10. Opposer is timely filing this Notice of Opposition.

11. Consumers familiar with the sorts of goods and services offered by Opposer are likely to assume that the Opposed Services offered under Applicant's Mark originate from the same source or that the Opposed Services are licensed through or otherwise associated with Opposer. Specifically, Applicant's Mark depicts an apple design element atop an outstretched

human hand element next to the stylized words "The Diva Discount Card." The apple design element of Applicant's Mark is strikingly similar to Opposer's Marks in appearance, connotation and commercial impression in that it consists of a stylized monochromatic apple design, featuring a leaf element angled to the right. Consumers encountering Applicant's Mark, particularly in connection with the Opposed Services, are likely to associate the mark with Opposer.

12. The Opposed Services cited under Applicant's Mark overlap and/or are directly related and complementary to certain of the services offered under Opposer's Marks and for which Opposer owns existing registrations, namely Opposer's registrations for Opposer's Marks that cover gift cards, as well as retail, credit, business and other services. The nature of the Opposed Services, essentially administration of a consumer discount and reward program through the use of a membership card, is likely to suggest to consumers that Opposer is affiliated with Applicant's discount and reward program and/or that the Opposed Services include discounts and rewards related to the purchase of Opposer's own goods and services.

13. Accordingly, Applicant's Mark so closely resembles Opposer's Marks that Applicant's use of Applicant's Mark in connection with the Opposed Services is likely to cause confusion, mistake, or deception in the minds of consumers as to the origin or source of the Opposed Services in violation of the Lanham Act, 15 U.S.C. § 1052(d), with consequent injury to Opposer and the public.

14. If Applicant is permitted to register Applicant's Mark in connection with the Opposed Services, consumer confusion resulting in damage and injury to Opposer would be caused and would result by reason of the similarity between Applicant's Mark and Opposer's Marks. Furthermore, any defect, objection, or fault found with the Opposed Services marketed

under Applicant's Mark would necessarily reflect upon and seriously injure the reputation which Opposer has established for its goods and services.

15. Registration of Applicant's Mark is also likely to cause dilution of the distinctiveness of Opposer's Marks by eroding consumer's exclusive identification of Opposer's Marks with Opposer, and otherwise lessening the capacity of Opposer's Marks to identify and distinguish the goods and services of Opposer, in violation of Section 43(c)(1) of the Lanham Act, 15 U.S.C. § 1125(c)(1).

16. Specifically, Applicant's Mark is likely to cause dilution by blurring based on a number of relevant considerations, including, without limitation:

(a) Applicant's Mark is similar to Opposer's Marks in that Applicant's Mark incorporates an apple design element that is strikingly similar to Opposer's Marks in appearance, connotation and commercial impression in that it consists of a stylized monochromatic apple design, featuring a leaf element angled to the right;

(b) Opposer's Marks are inherently distinctive and have also acquired distinctiveness due to extensive use and promotion;

(c) Opposer has substantially and exclusively used Opposer's Marks in connection with Opposer's good and services;

(d) Opposer's Marks are widely recognized by the general consuming public; and

(e) On information and belief, by using Applicant's Mark, Applicant intends to create an association with Opposer and/or Opposer's Marks.

17. Applicant's Mark is also likely to cause dilution of the distinctiveness of Opposer's Marks by tarnishing Opposer's famous Opposer's Marks as the Opposed Services

associate Opposer's retail store services with Applicant's discount and awards promotions.

18. There is no issue as to priority. Opposer began using Opposer's Marks in commerce at least as early as 1976, well prior to the June 8, 2011 filing date of Applicant's intent-to-use application.

19. If Applicant is granted the registration herein opposed, it would thereby obtain a *prima facie* exclusive right to the use of Applicant's Mark in connection with the Opposed Services. Such registration would be a source of damage and injury to Opposer.

WHEREFORE, Opposer requests that this opposition be sustained and that the registration of Application Serial No. 85/340,811 in connection with the Opposed Services be denied.

The opposition fee in the amount of $300 for an opposition to one class of goods or service is filed herewith. If for any reason this amount is insufficient, it is requested that Opposer's attorney' Deposit Account No. 20-1430 be charged with any deficiency. The paper is filed electronically.

Date: New York, New York
March 21, 2012

Respectfully submitted,

KILPATRICK TOWNSEND & STOCKTON LLP

By: _____

Joseph Petersen
Robert Potter
1114 Avenue of the Americas
New York, New York 10036-7703
Telephone: (212) 775-8700
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Application Serial No. **85/340,811**
For the mark:

Filed: June 8, 2011
Published: November 22, 2011

APPLE INC.,	
	Opposition No.
Opposer,	
v.	**NOTICE OF OPPOSITION**
THE DIVA DISCOUNT LLC,	
Applicant.	

CERTIFICATE OF TRANSMITTAL

I hereby certify that a true copy of the foregoing NOTICE OF OPPOSITION is being filed electronically with the TTAB via ESTTA on this day, March 21, 2012.

Robert Potter

US2008 3326450.6

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

Application Serial No. **85/340,811**
For the mark:

Filed: June 8, 2011
Published: November 22, 2011

APPLE INC.,	
	Opposition No.
Opposer,	
v.	**NOTICE OF OPPOSITION**
THE DIVA DISCOUNT LLC,	
Applicant.	

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing NOTICE OF OPPOSITION has been served on Applicant by depositing said copy with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to:

L. Jeremy Craft, Esq.
Craft Chu PLLC
1445 North Loop West, Suite 840
Houston, Texas 77008-1673

This the 21st day of March, 2012.

Robert Potter

US2008 3326450.6

EXHIBIT 1

BrandZ Top 100 Most Valuable Global Brands 2011

#	Brand	Brand Value 2011 ($M)	% Brand Value Change 2011 vs. 2010
1		153,285	84%
2	Google	111,498	-2%
3	IBM	100,849	17%
4		81,016	23%
5	Microsoft	78,243	2%
6	Coca-Cola *	73,752	8%
7	at&t	69,916	N/A
8	Marlboro	67,522	18%
9	中国移动通信 CHINA MOBILE	57,326	9%
10		50,318	12%
11	ICBC	44,440	1%
12	vodafone	43,647	-2%
13	verizon	42,828	N/A
14	amazon.com	37,628	37%
15	Walmart	37,277	-5%
16	WELLS FARGO	36,876	97%
17	ups	35,737	35%
18	hp	35,404	-11%
19	Deutsche Telekom T **	29,774	N/A
20	VISA	28,553	15%
21	movistar	27,249	N/A
22	ORACLE	26,948	9%
23	SAP	26,078	7%
24	中国建设银行 China Construction Bank	25,524	22%
25	BlackBerry	24,623	-20%
26	LV	24,312	23%
27	TOYOTA	24,198	11%
28	HSBC	22,587	-4%
29	Baidu 百度	22,555	141%
30		22,425	3%
31	TESCO	21,834	-15%
32	Gillette	19,782	-4%
33	中国人寿 CHINA LIFE	19,542	N/A
34	Pampers	19,350	11%
35		19,102	246%
36	orange	17,597	N/A
37	中国银行 BANK OF CHINA	17,530	-20%
38	Disney	17,290	15%
39	RBC	17,182	3%
40	AMERICAN EXPRESS	17,115	23%
41	ExxonMobil	16,973	10%
42	TD	16,931	19%
43	中国农业银行 AGRICULTURAL BANK OF CHINA	16,909	N/A
44	CISCO	16,314	-2%
45	Budweiser ***	15,952	0%
46	L'ORÉAL	15,719	11%
47	citi	15,674	17%
48	docomo	15,449	19%
49	accenture	15,427	5%
50		15,344	12%
51		15,168	0%
52	Tencent 腾讯	15,131	N/A
53	ICICI Bank	14,900	3%
54	SUBWAY	14,306	19%
55	Colgate	14,258	0%
56		14,182	-1%
57	NIKE	13,917	10%
58	intel	13,904	-2%
59	Carrefour	13,754	-8%
60	MasterCard	13,543	16%
61	PETROBRAS	13,421	39%
62	H&M	13,006	7%
63	pepsi ****	12,931	1%
64	bp	12,542	-27%
65	TARGET	12,471	3%
66	PORSCHE	12,413	3%
67	SAMSUNG	12,160	7%
68	CHASE	12,083	-3%
69	Standard Chartered	12,033	45%
70	SIEMENS	11,998	29%
71	HERMÈS PARIS	11,917	41%
72		11,901	40%
73	FedEx	11,759	25%
74	O2	11,694	N/A
75	TELECOM ITALIA	11,609	N/A
76	telcel	11,558	7%
77	Santander	11,363	-37%
78	PetroChina	11,291	-19%
79	Nintendo *****	11,147	-37%
80	MTS	10,883	12%
81	NOKIA CONNECTING PEOPLE	10,735	-28%
82	eBay	10,731	15%
83	中国平安 PING AN	10,540	N/A
84	usbank	10,525	26%
85	SONY ******	10,443	19%
86	ZARA	10,335	15%
87	Scotiabank	10,076	N/A
88	NISSAN	10,072	17%
89		9,877	10%
90	Itaú	9,600	29%
91	中国电信 CHINA TELECOM	9,587	N/A
92	Bank of America	9,358	-43%
93	Red Bull *******	9,263	4%
94	ALDI	9,251	6%
95	TIM	8,838	21%
96	BARCLAYS	8,760	4%
97	渣打银行	8,668	5%
98	Bradesco	8,600	15%
99	СБЕРБАНК	8,535	N/A
100	Goldman Sachs	8,439	-9%

*The Brand Value of Coca-Cola includes Lites, Diets and Zero
**Deutsche Telekom is in the process of re-branding its business to 'T', which incorporates T-Mobile, T-Home and T-Systems
***The Brand Value of Budweiser includes Bud Light
****The Brand Value of Pepsi includes Lites, Diets and Zero

*****The Brand Value of Nintendo includes Wii and Nintendo DS
******The Brand Value of Sony includes Playstation 2 and 3, as well as PSP
*******The Brand Value of Red Bull includes sugar-free and Cola
Source: Millward Brown Optimor (including data from BrandZ, Kantar Worldpanel and Bloomberg)

MillwardBrown Optimor

THE TOP 100

*The Brand Value of Coca-Cola includes Lites, Diets and Zero
**The Brand Value of Nintendo includes Wii and Nintendo DS
***The Brand Value of Budweiser includes Bud Light
****The Brand Value of Pepsi includes Lites, Diets and Zero
*****The Brand Value of Red Bull includes sugar-free and Cola
******The Brand Value of Starbucks includes stores as well as coffee sold at the supermarket
*******Brand Value includes Playstation 2 and 3, as well as PSP
Source: Millward Brown Optimor (including data from BrandZ, Datamonitor and Bloomberg)

MillwardBrown Optimor

TOP 100 Most Valuable Global Brands 2010

#	Brand	Brand Value 2010 ($M)	% Brand Value Change 2010 vs. 2009
1	Google	114,260	14%
2	IBM	86,383	30%
3		83,153	32%
4	Microsoft	76,344	0%
5	Coca-Cola*	67,983	1%
6		66,005	-1%
7	Marlboro	57,047	15%
8	中国移动通信 CHINA MOBILE	52,616	-14%
9		45,054	-25%
10	vodafone	44,404	-17%
11	ICBC (Asia) 工银亞洲	43,927	15%
12	hp	39,717	48%
13	Walmart	39,421	-4%
14	BlackBerry	30,708	12%
15	amazon.com	27,459	29%
16	ups	26,492	-5%
17	TESCO	25,741	12%
18	VISA	24,883	52%
19	ORACLE	24,817	16%
20	verizon	24,675	39%
21	SAP	24,291	3%
22	at&t	23,714	18%
23	HSBC	23,408	23%
24	中国银行 BANK OF CHINA	21,960	4%
25		21,816	-9%
26	TOYOTA	21,769	-27%
27	中国建设银行 China Construction Bank	20,929	-8%
28	Gillette	20,663	-10%
29	LOUIS VUITTON	19,781	2%
30	WELLS FARGO	18,746	16%
31	Santander	18,012	12%
32	Nintendo**	17,834	-2%
33	Pampers	17,434	-8%
34	bp	17,283	N/A
35	CISCO	16,719	-7%
36	RBC	16,608	12%
37	Bank of America	16,393	6%
38	Budweiser***	15,991	20%
39	ExxonMobil	15,476	N/A
40		15,112	N/A
41	Disney	15,000	-35%
42	Carrefour	14,980	0%
43	NOKIA CONNECTING PEOPLE	14,866	-58%
44	accenture	14,734	-2%
45	ICICI Bank	14,454	N/A
46		14,303	-2%
47	Colgate	14,224	15%
48	intel	14,210	-38%
49	L'ORÉAL	14,129	-6%
50	orange	14,018	6%
51	PetroChina	13,935	N/A
52	AMERICAN EXPRESS	13,912	-7%
53		13,736	-11%
54	citi	13,403	-8%
55	T-Mobile	13,010	20%
56	BBVA	12,977	3%
57	docomo	12,969	-18%
58	pepsi****	12,752	-15%
59	NIKE	12,597	5%
60	movistar	12,434	14%
61	CHASE	12,426	17%
62	TARGET	12,148	-1%
63	H&M	12,131	1%
64	SUBWAY	12,032	9%
65	PORSCHE	12,021	-31%
66	DELL	11,938	-23%
67	MasterCard	11,659	57%
68	SAMSUNG	11,351	80%
69	telcel	10,850	NA
70	O2	10,593	23%
71	TD	10,274	-7%
72	MTS	9,723	6%
73	PETROBRAS	9,675	N/A
74	FedEx	9,418	-1%
75	Baidu 百度	9,356	62%
76	eBay	9,328	-28%
77	SIEMENS	9,293	-31%
78	Goldman Sachs	9,283	25%
79	WRIGLEY'S	9,201	-15%
80	ZARA	8,986	4%
81		8,971	-3%
82	Red Bull*****	8,917	9%
83	ALDI	8,747	1%
84	NISSAN	8,607	-16%
85	******	8,490	17%
86	HERMÈS PARIS	8,457	8%
87	BARCLAYS	8,383	20%
88	usbank	8,377	N/A
89	Standard Chartered	8,327	1%
90	招商银行 CHINA MERCHANTS BANK	8,236	2%
91		8,214	19%
92	Билайн	8,160	-8%
93	J.P.Morgan	8,159	4%
94	SONY******	8,147	30%
95	Morgan Stanley	8,003	18%
96	Auchan	7,848	NA
97	GUCCI	7,588	2%
98	Bradesco	7,450	13%
99	AVON	7,293	-16%
100	TIM	7,280	14%

* The brand value of Coca-Cola includes Diet Coke, Coke Light and Coke Zero
** The brand value of Pepsi includes Diet Pepsi and Pepsi
*** Budweiser's value includes both Bud Light and Bud
****ING value includes ING Bank and ING Insurance
Source: Millward Brown Optimor (including data from BrandZ, Datamonitor, and Bloomberg)

MillwardBrown Optimor

TOP 100 Most Valuable Global Brands 2009

#	Brand	Brand Value 09 ($M)	% Brand Value Change 09 vs. 08
1	Google	100,039	16%
2	Microsoft	76,249	8%
3	Coca-Cola*	67,625	16%
4	IBM	66,622	20%
5	McDonald's	66,575	34%
6	Apple	63,113	14%
7	中国移动通信 CHINA MOBILE	61,283	7%
8	GE	59,793	-16%
9	vodafone	53,727	45%
10	Marlboro	49,460	33%
11	Walmart Save money. Live better.	41,083	19%
12	ICBC (Asia) 工银亞洲	38,056	36%
13	NOKIA Connecting People	35,163	-20%
14	TOYOTA	29,907	-15%
15	ups	27,842	-9%
16	BlackBerry	27,478	100%
17	hp	26,745	-9%
18	BMW The Ultimate Driving Machine	23,948	-15%
19	SAP	23,615	9%
20	Disney	23,110	-3%
21	TESCO	22,938	-1%
22	Gillette	22,919	6%
23	intel	22,851	4%
24	中国建设银行 China Construction Bank	22,811	16%
25	ORACLE	21,438	-6%
26	amazon.com	21,294	85%
27	中国银行 BANK OF CHINA	21,192	9%
28	at&t	20,059	67%
29	LV LOUIS VUITTON	19,395	5%
30	HSBC	19,079	3%
31	Pampers	18,945	N/A
32	Nintendo	18,233	N/A
33	CISCO	17,965	-25%
34	verizon	17,713	-8%
35	PORSCHE	17,467	-20%
36	VISA	16,353	N/A
37	WELLS FARGO	16,228	-34%
38	Santander	16,035	10%
39	NTT docomo	15,776	5%
40	Mercedes-Benz	15,499	-14%
41	Bank of America	15,480	-53%
42	DELL	15,422	1%
43	accenture	15,076	7%
44	pepsi**	14,996	-3%
45	L'ORÉAL	14,991	-9%
46	AMERICAN EXPRESS	14,963	-40%
47	Carrefour	14,961	-1%
48	RBC	14,894	-22%
49	citi	14,608	-52%
50	HONDA The Power of Dreams	14,571	-12%
51	SIEMENS	13,562	-8%
52	Budweiser***	13,292	23%
53	orange	13,242	-6%
54	ebay	12,970	16%
55	BBVA	12,549	33%
56	Colgate	12,396	17%
57	TARGET	12,254	-17%
58	H&M	12,061	8%
59	NIKE	11,999	-4%
60	SUBWAY	10,997	6%
61	TD	10,991	N/A
62	movistar	10,911	34%
63	T-Mobile	10,864	22%
64	WRIGLEY'S	10,841	N/A
65	Auchan	10,586	48%
66	CHASE	10,582	-17%
67	NISSAN	10,206	-13%
68	DHL	9,719	19%
69	FedEx Corporation	9,491	-17%
70	THE HOME DEPOT	9,280	-40%
71	MTS	9,189	14%
72	Билайн	8,884	N/A
73	Canon	8,779	-29%
74	ALDI	8,638	49%
75	AVON	8,631	20%
76	ZARA	8,609	-1%
77	O2	8,601	36%
78	Standard Chartered	8,219	20%
79	Red Bull	8,154	N/A
80	招商银行 CHINA MERCHANTS BANK	8,052	168%
81	YAHOO!	7,927	-31%
82	HERMÈS PARIS	7,862	13%
83	J.P.Morgan	7,852	-20%
84	Ariel	7,777	-8%
85	Tide	7,512	-18%
86	GUCCI	7,468	15%
87	MasterCard	7,427	7%
88	Goldman Sachs	7,415	-38%
89	STARBUCKS COFFEE	7,260	-40%
90	BARCLAYS	6,992	-5%
91	STATE FARM INSURANCE	6,922	-27%
92	Morgan Stanley	6,765	-40%
93	ING****	6,743	-55%
94	KFC	6,721	10%
95	IKEA	6,713	-21%
96	NIVEA	6,572	24%
97	ESPRIT	6,571	-17%
98	Bradesco	6,565	N/A
99	TIM	6,409	-19%
100	LOWE'S	6,394	N/A

Top 100 **Brands**

POSITION	BRAND*	BRAND VALUE $M	BRAND VALUE CHANGE
1	Google	86,057	30%
2	GE (General Electric)	71,379	15%
3	Microsoft	70,887	29%
4	Coca-Cola (1)	58,208	17%
5	China Mobile	57,225	39%
6	IBM	55,335	65%
7	Apple	55,206	123%
8	McDonald's	49,499	49%
9	Nokia	43,975	39%
10	Marlboro	37,324	-5%
11	Vodafone	36,962	75%
12	Toyota	35,134	5%
13	Wal-Mart	34,547	-6%
14	Bank of America	33,092	15%
15	Citi	30,318	-10%
16	HP	29,278	17%
17	BMW	28,015	9%
18	ICBC	28,004	70%
19	Louis Vuitton	25,739	13%
20	American Express	24,816	7%
21	Wells Fargo	24,739	2%
22	Cisco	24,101	28%
23	Disney	23,705	5%
24	UPS	23,610	-4%
25	Tesco	23,208	39%
26	Oracle	22,904	29%
27	Intel	22,027	18%
28	Porsche	21,718	62%
29	SAP	21,669	20%
30	Gillette	21,523	20%
31	China Construction Bank	19,603	82%
32	Bank of China	19,418	42%
33	Verizon Wireless	19,202	18%
34	Royal Bank of Canada	18,995	39%
35	HSBC	18,479	6%
36	Mercedes	18,044	1%

EXHIBIT 2

"T. Rowe Price comes out on top" of the 30 largest fund companies. —Morningstar, June 2010
In addition, Morningstar has given over 45 of our funds a rating of 4 or 5 stars. Click to expand and browse the funds
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Forbes.com

International

The World's Most Valuable Brands

Kurt Badenhausen, 08.30.10

It will take more than an antenna problem on the iPhone 4 to destroy the value of Apple's brand. The company topped our ranking of the world's most valuable brands. Worth $57.4 billion by our calculation, Apple's brand squeaked by longtime nemesis Microsoft, worth $56.6 billion. Google came in fifth with $39.7 billion.

Apple shows how a brand can survive and thrive even when a parent company stumbles. Apple's sales plummeted 46% over a four-year stretch in the late 1990s. The stock was trading for less than $4 (split-adjusted) in 1997 before cofounder Steve Jobs, who had been ousted, rejoined the company. The following year Apple released the iMac and has gone from one consumer success to another ever since. Revenue over the past 12 months was $57 billion, net income $12 billion.

To identify the world's most valuable brands, we looked at more than 100 with leadership positions in their industries. With help from Jeffrey Parkhurst, managing director of business strategy at Mindshare, a WPP-owned media agency, we valued the brands by looking at brand earnings over the past three years, subtracting a charge for the capital employed and then taking a percentage of earnings based on the role brands play in each industry. We applied the average price-to-earnings multiple of the parent company to the net brand earnings number to arrive at a brand value. You can find more details and the full list of 50 brands at www.forbes.com/cmo-network.

Tech brands make a big showing on the list with 30% of the top 50. U.S. brands dominate. While most large economies saw output decline in 2009, the brands on our list fared a little better, with sales, on average, flat in 2009. Some brands were hit hard by the economic downturn as well as by their own missteps.

The No. 11-ranked Toyota, worth $24.1 billion, has been troubled over the past year by recalls covering 10 million vehicles. "Toyota always promoted quality, and then [the recalls showed] they delivered exactly the opposite," says Mindshare's Parkhurst, who argues the fallout would not have been as bad if Toyota's brand promise all these years had to do with, say, horsepower. Barring any more big setbacks, Parkhurst says, Toyota can bounce back over the next two years as the backlash against the brand has already ebbed. The public is figuring out that the tales of unintended acceleration are, for the most part, balderdash.

Special Offer: Free Trial Issue of Forbes

EXHIBIT 3

HarrisInteractive®

FOR IMMEDIATE RELEASE

Coca Cola On Top For First Time In Annual 'Best Brands' Harris Poll

After Seven Years At Number One, Sony Drops To Second

ROCHESTER, N.Y. – July 17, 2007 – Coca Cola continues its rise as it moves into the top position of the annual Harris Poll of "best brands" for the first time and rises from No. 3 last year. Sony, which had been in the top position for seven straight years, drops one spot to No. 2, while Toyota, previously in the fourth position, moves up to No. 3. Dell, which had been in the second spot last year drops two spots to No. 4 this year.

These are some of the results of a nationwide Harris Poll of 2,372 U.S. adults surveyed online by Harris Interactive® between June 5 and 11, 2007. Survey responses were unaided and a list of brand names was not presented to respondents. The results from this survey cannot be compared to results of the Harris Interactive 2007 EquiTrend Brand Study results, as the methodologies for the surveys differ[1].

The other places on the top-10 list of best brands are taken by Ford (No. 5), Kraft Foods (No. 6), Pepsi Cola (No. 7), Microsoft (No. 8), Apple (No. 9) and Honda (No. 10). Two brands dropped out of this list this year, Hewlett Packard (was No. 7) and General Electric (No. 8).

"Top of mind association with being "best" is a good position for any brand," said Robert Fronk, Senior Vice President, Brand and Strategy Consulting, Harris Interactive. "For a truly successful brand relationship though, the objective is not just awareness, but to foster the ongoing process and outcome of brand engagement, which requires more custom and sophisticated measures based upon the interaction of the brand and its desired audience."

Analysis By Industry

Three industries are represented on this year's list. Four of the companies are from the Electronics industry, while three are each from Autos and Consumer and Package Goods.

Changes Since Last Year

Most of the brands in this year's Top 10 list have not moved up or down substantially. The most notable changes are Honda, falling from No. 6 to No. 10 and Kraft Foods which rose from No. 9 to No. 6.

A Decade Ago…

One interesting thing to note is the changes from 1997 and what a difference ten years makes. Only four of this year's top ten brands were on the list back then: Ford (which was No. 1), Sony (which was No. 3), Coca-Cola (which was No. 7) and Pepsi Cola (which was No. 10).

---

[1] The 2007 EquiTrend Brand Study can be found at http://www.harrisinteractive.com/news/allnewsbydate.asp?NewsID=1232

TABLE 1
BEST BRANDS

"We would like you to think about brands or names of products and services you know. Considering everything, which three brands do you consider the best?"

(All three replies combined)

Base: All Adults

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Coca-Cola	*	8	7	7	*	*	6	5	7	2	4	3	1
Sony	3	1	3	1	2	1	1	1	1	1	1	1	2
Toyota	*	=10	*	6	=6	=7	4	*	*	5	6	4	3
Dell	*	*	*	*	*	5	*	2	3	3	2	2	4
Ford	2	3	1	3	1	4	2	3	6	6	5	5	5
Kraft Foods	*	*	*	*	*	*	*	4	2	4	3	9	6
Pepsi Cola	*	*	10	*	*	*	*	7	=10	*	*	*	7
Microsoft	*	*	*	=8	6	*	7	*	5	*	=10	*	8
Apple	*	*	*	*	*	*	*	*	*	*	*	10	9
Honda	*	*	*	*	*	*	*	9	*	7	=7	6	10

Note: These are spontaneous replies. Respondents are not read or shown a list of brand names.
* Not in Top 10.

BRANDS THAT DROPPED OUT OF TOP-10 THIS YEAR

Hewlett Packard (was No. 7) and General Electric (was No. 8)

TABLE 2
NUMBER OF INDUSTRIES REPRESENTED IN THE TOP-TEN LIST

	2001	2002	2003	2004	2005	2006	2007
Electronics*	5	3	4	3	5	5	4
Automobiles	3	3	2	4	4	3	3
Consumer & packaged goods	2	3	4	3	2	2	3

* Includes Microsoft

Methodology

This Harris Poll® was conducted online within the United States between June 5 and 11, 2007 among 2,372 adults. Figures for age, sex, race/ethnicity, education, region and household income were weighted where necessary to bring them into line with their actual proportions in the population. Propensity score weighting was also used to adjust for respondents' propensity to be online.

All sample surveys and polls, whether or not they use probability sampling, are subject to multiple sources of error which are most often not possible to quantify or estimate, including sampling error, coverage error, error associated with nonresponse, error associated with question wording and response options, and post-survey weighting and adjustments. Therefore, Harris Interactive avoids the words "margin of error" as they are misleading. All that can be calculated are different possible sampling errors with different probabilities for pure, unweighted, random samples with 100% response rates. These are only theoretical because no published polls come close to this ideal.

Respondents for this survey were selected from among those who have agreed to participate in Harris Interactive surveys. The data have been weighted to reflect the composition of the adult population. Because the sample is based on those who agreed to participate in the Harris Interactive panel, no estimates of theoretical sampling error can be calculated.

These statements conform to the principles of disclosure of the National Council on Public Polls.

***The Harris Poll*® #71, July 17, 2007**
By Regina Corso, Director, *The Harris Poll*®, Harris Interactive

EXHIBIT 4

BEST GLOBAL BRANDS 2011

Top 100 Brands
Interactive Charts
Methodology
Top Brand Interviews
Articles

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PREVIOUS YEARS
2011 ranking
2010 ranking
2009 ranking
2008 ranking
2007 ranking
2006 ranking
2005 ranking
2004 ranking
2003 ranking
2002 ranking
2001 ranking

PRESS & MEDIA
Karen Burke
Global Chief

2011 Ranking of the Top 100 Brands

Print

Rank	Previous Rank	Brand	Region/Country	Sector	Brand Value ($m)	Change in Brand Value
1	1	Coca-Cola	United States	Beverages	71,861	2%
2	2	IBM	United States	Business Services	69,905	8%
3	3	Microsoft	United States	Computer Software	59,087	-3%
4	4	Google	United States	Internet Services	55,317	27%
5	5	GE	United States	Diversified	42,808	0%
6	6	McDonald's	United States	Restaurants	35,593	6%
7	7	intel	United States	Electronics	35,217	10%
8	17	Apple	United States	Electronics	33,492	58%
9	9	Disney	United States	Media	29,018	1%
10	10	hp	United States	Electronics	28,479	6%
11	11	Toyota	Japan	Automotive	27,764	6%
12	12	Mercedes	Germany	Automotive	27,445	9%
13	14	Cisco	United States	Business Services	25,309	9%
14	8	Nokia	Finland	Electronics	25,071	-15%
15	15	BMW	Germany	Automotive	24,554	10%
16	13	Gillette	United States	FMCG	23,997	3%
17	19	Samsung	South Korea	Electronics	23,430	20%
18	16	Louis Vuitton	France	Luxury	23,172	6%
19	20	Honda	Japan	Automotive	19,431	5%
20	22	Oracle	United States	Business Services	17,262	16%
21	21	H&M	Sweden	Apparel	16,459	2%
22	23	Pepsi	United States	Beverages	14,590	4%
23	24	American Express	United States	Financial Services	14,572	5%
24	26	SAP	Germany	Business Services	14,542	14%
25	25	Nike	United States	Sporting Goods	14,528	6%
26	36	amazon.com	United States	Internet Services	12,758	32%

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BGB BADGE

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BEST GLOBAL GREEN BRANDS

Which brands lead when it comes to the environment. Find out in our Best Global Green Brands report.

	Rank	Previous Rank	Brand	Region/Country	Sector	Brand Value ($m)	Change in Brand Value
	27	31	UPS	United States	Transportation	12,536	6%
	28	29	J.P.Morgan	United States	Financial Services	12,437	1%
	29	30	Budweiser	United States	Alcohol	12,252	0%
	30	27	NESCAFÉ	Switzerland	Beverages	12,115	-5%
	31	28	IKEA	Sweden	Home Furnishings	11,863	-5%
	32	32	HSBC	United Kingdom	Financial Services	11,792	2%
	33	33	Canon	Japan	Electronics	11,715	2%
	34	35	Kellogg's	United States	FMCG	11,372	3%
	35	34	SONY	Japan	Electronics	9,880	-13%
	36	43	ebay	United States	Internet Services	9,805	16%
	37	39	THOMSON REUTERS	Canada	Media	9,515	6%
	38	37	Goldman Sachs	United States	Financial Services	9,091	-3%
	39	44	GUCCI	Italy	Luxury	8,763	5%
	40	45	L'ORÉAL	France	FMCG	8,699	9%
	41	42	PHILIPS	Netherlands	Electronics	8,658	0%
	42	40	citi	United States	Financial Services	8,620	-3%
	43	41	DELL	United States	Electronics	8,347	-6%
	44	48	ZARA	Spain	Apparel	8,065	8%
	45	47	accenture	United States	Business Services	8,005	7%
	46	49	SIEMENS	Germany	Diversified	7,900	8%
	47	53	VW	Germany	Automotive	7,857	14%
	48	38	Nintendo	Japan	Electronics	7,731	-14%
	49	46	Heinz	United States	FMCG	7,609	1%
	50	50	Ford	United States	Automotive	7,483	4%
	51	51	Colgate	United States	FMCG	7,127	3%
	52	58	DANONE	France	FMCG	6,936	9%
	53	56	AXA	France	Financial Services	6,694	0%
	54	52	Morgan Stanley	United States	Financial Services	6,634	-4%
	55	57	Nestlé	Switzerland	FMCG	6,613	1%
	56	54	BlackBerry	Canada	Electronics	6,424	-5%

Rank	Previous Rank	Brand	Region/Country	Sector	Brand Value ($m)	Change in Brand Value
57	59	xerox	United States	Electronics	6,414	5%
58	55	MTV	United States	Media	6,383	-5%
59	63	Audi	Germany	Automotive	6,171	13%
60	62	adidas	Germany	Sporting Goods	6,154	12%
61	65	HYUNDAI	South Korea	Automotive	6,005	19%
62	60	KFC	United States	Restaurants	5,902	1%
63	61	Sprite	United States	Beverages	5,604	-3%
64	70	CATERPILLAR	United States	Diversified	5,598	19%
65	64	AVON	United States	FMCG	5,376	6%
66	69	HERMES PARIS	France	Luxury	5,356	12%
67	67	Allianz	Germany	Financial Services	5,345	9%
68	68	Santander	Spain	Financial Services	5,088	5%
69	73	Panasonic	Japan	Electronics	5,047	16%
70	77	Cartier	France	Luxury	4,781	18%
71	71	Kleenex	United States	FMCG	4,672	3%
72	72		Germany	Automotive	4,580	4%
73	76	TIFFANY & CO.	United States	Luxury	4,498	9%
74	81		Netherlands	Energy	4,483	12%
75	82	VISA	United States	Financial Services	4,478	12%
76	66	YAHOO!	United States	Internet Services	4,413	-11%
77	79	MOET & CHANDON	France	Alcohol	4,383	9%
78	78	JACK DANIEL'S	United States	Alcohol	4,319	7%
79	74	BARCLAYS	United Kingdom	Financial Services	4,259	1%
80	88	Adobe	United States	Computer Software	4,170	15%
81	83	PIZZA HUT	United States	Restaurants	4,092	3%
82	80	CREDIT SUISSE	Switzerland	Financial Services	4,090	2%
83	75	Johnson & Johnson	United States	FMCG	4,072	-2%
84	84	GAP	United States	Apparel	4,040	2%
85	90	3M	United States	Diversified	3,945	10%
86	85	Corona Extra	Mexico	Alcohol	3,924	2%

	Rank	Previous Rank	Brand	Region/Country	Sector	Brand Value ($m)	Change in Brand Value
	87	87	NIVEA	Germany	FMCG	3,883	4%
	88	92		United Kingdom	Alcohol	3,842	8%
	89	89		United Kingdom	Alcohol	3,841	6%
	90	NEW	NISSAN	Japan	Automotive	3,819	N/A
	91	93	Heineken	Netherlands	Alcohol	3,809	8%
	92	86	UBS	Switzerland	Financial Services	3,799	0%
	93	95	ARMANI	Italy	Luxury	3,794	10%
	94	94	ZURICH	Switzerland	Financial Services	3,769	8%
	95	100	BURBERRY	United Kingdom	Luxury	3,732	20%
	96	97		United States	Restaurants	3,663	10%
	97	NEW	JOHN DEERE	United States	Diversified	3,651	N/A
	98	NEW	htc	Taiwan	Electronics	3,605	N/A
	99	91	Ferrari	Italy	Automotive	3,591	1%
	100	98		United States	Automotive	3,512	7%

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BEST GLOBAL BRANDS

2010 RANKINGS

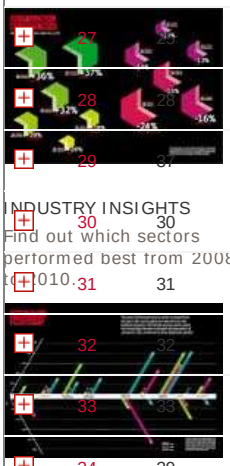
Print

Rank	Previous Rank	Brand	Country of Origin	Sector	Brand Value ($m)	Change in Brand Value
1	1	Coca-Cola	United States	Beverages	70,452	2%
2	2	IBM	United States	Business Services	64,727	7%
3	3	Microsoft	United States	Computer Software	60,895	7%
4	7	Google	United States	Internet Services	43,557	36%
5	4	GE	United States	Diversified	42,808	-10%
6	6	McDonald's	United States	Restaurants	33,578	4%
7	9	intel	United States	Electronics	32,015	4%
8	5	NOKIA	Finland	Electronics	29,495	-15%
9	10	Disney	United States	Media	28,731	1%
10	11	hp	United States	Electronics	26,867	12%
11	8	TOYOTA	Japan	Automotive	26,192	-16%
12	12	Mercedes-Benz	Germany	Automotive	25,179	6%
13	13	Gillette	United States	FMCG	23,298	2%
14	14	CISCO	United States	Business Services	23,219	5%
15	15	BMW	Germany	Automotive	22,322	3%
16	16	LV	France	Luxury	21,860	4%
17	20	Apple	United States	Electronics	21,143	37%
18	17	Marlboro	United States	Tobacco	19,961	5%
19	19	SAMSUNG	South Korea	Electronics	19,491	11%
20	18	HONDA	Japan	Automotive	18,506	4%
21	21	H&M	Sweden	Apparel	16,136	5%
22	24	ORACLE	United States	Business Services	14,881	9%
23	23	Pepsi	United States	Beverages	14,061	3%

CHARTS & GRAPHS

TOP RISERS & FALLERS

See which brands experienced the biggest change in brand value in 2010.



INDUSTRY INSIGHTS

Find out which sectors performed best from 2008 to 2010.

24	22	American Express	United States	Financial Services	13,944	-7%
25	26	Nike	United States	Sporting Goods	13,706	4%
26	27	SAP	Germany	Business Services	12,756	5%
27	25	Nescafé	Switzerland	Beverages	12,753	-4%
28	28	IKEA	Sweden	Home Furnishings	12,487	4%
29	37	J.P.Morgan	United States	Financial Services	12,314	29%
30	30	Budweiser	United States	Alcohol	12,252	4%
31	31	ups	United States	Transportation	11,826	2%
32	32	HSBC	United Kingdom	Financial Services	11,561	10%
33	33	Canon	Japan	Electronics	11,485	10%
34	29	SONY	Japan	Electronics	11,356	-5%
35	34	Kellogg's	United States	FMCG	11,041	6%
36	43	amazon.com	United States	Internet Services	9,665	23%
37	38	Goldman Sachs	United States	Financial Services	9,372	1%
38	39	Nintendo	Japan	Electronics	8,990	-2%
39	40	Thomson Reuters	Canada	Media	8,976	6%
40	36	citi	United States	Financial Services	8,887	-13%
41	35	DELL	United States	Electronics	8,880	-14%
42	42	PHILIPS	Netherlands	Electronics	8,696	7%
43	46	eBay	United States	Internet Services	8,453	15%
44	41	GUCCI	Italy	Luxury	8,346	2%
45	44	L'ORÉAL	France	FMCG	7,981	3%
46	48	Heinz	United States	FMCG	7,534	4%
47	45	accenture	United States	Business Services	7,481	-3%
48	50	ZARA	Spain	Apparel	7,468	10%
49	47	SIEMENS	Germany	Diversified	7,315	0%
50	49	Ford	United States	Automotive	7,195	3%
51	52	Colgate	United States	FMCG	6,919	6%
52	57	Morgan Stanley	United States	Financial Services	6,911	8%
53	55	VW	Germany	Automotive	6,892	6%

PREVIOUS YEARS

2010 ranking
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BGB BADGE

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TOP 100 BEST GLOBAL BRAND 2010
Interbrand

PRESS & MEDIA

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+	54	63	BlackBerry	Canada	Electronics	6,762	32%
+	55	54	MTV	United States	Media	6,719	3%
+	56	53	AXA	France	Financial Services	6,694	3%
+	57	58	Nestlé	Switzerland	FMCG	6,548	4%
+	58	60	DANONE	France	FMCG	6,363	7%
+	59	56	xerox	United States	Electronics	6,109	-5%
+	60	61	KFC	United States	Restaurants	5,844	2%
+	61	N/A	Sprite	United States	Beverages	5,777	0%
+	62	62	adidas	Germany	Sporting Goods	5,495	2%
+	63	65	Audi	Germany	Automotive	5,461	9%
+	64	67	AVON	United States	FMCG	5,072	3%
+	65	69	HYUNDAI	South Korea	Automotive	5,033	9%
+	66	64	YAHOO!	United States	Internet Services	4,958	-3%
+	67	81	Allianz	Germany	Financial Services	4,904	28%
+	68	N/A	Santander	Spain	Financial Services	4,846	0%
+	69	70	HERMÈS PARIS	France	Luxury	4,782	4%
+	70	66	CATERPILLAR	United States	Diversified	4,704	-6%
+	71	71	Kleenex	United States	FMCG	4,536	3%
+	72	74		Germany	Automotive	4,404	4%
+	73	75	Panasonic	Japan	Electronics	4,351	3%
+	74	N/A	BARCLAYS	United Kingdom	Financial Services	4,218	0%
+	75	80	Johnson & Johnson	United States	FMCG	4,155	8%
+	76	76	TIFFANY & CO.	United States	Luxury	4,127	3%
+	77	77	Cartier	France	Luxury	4,052	2%
+	78	N/A	JACK DANIEL'S	United States	Alcohol	4,036	0%
+	79	82	MOËT & CHANDON	France	Alcohol	4,021	7%
+	80	N/A	CREDIT SUISSE	Switzerland	Financial Services	4,010	0%
+	81	92		Netherlands	Energy	4,003	24%
+	82	94	VISA	United States	Financial Services	3,998	26%

+	83	79	Pizza Hut	United States	Restaurants	3,973	2%
+	84	78	GAP	United States	Apparel	3,961	1%
+	85	N/A	Corona Extra	Mexico	Alcohol	3,847	0%
+	86	72	UBS	Switzerland	Financial Services	3,812	-13%
+	87	86	NIVEA	Germany	FMCG	3,734	5%
+	88	95	Adobe	United States	Computer Software	3,626	15%
+	89	84		United Kingdom	Alcohol	3,624	-2%
+	90	N/A	3M	United States	Diversified	3,586	0%
+	91	88	Ferrari	Italy	Automotive	3,562	1%
+	92	N/A	Johnnie Walker	United Kingdom	Alcohol	3,557	0%
+	93	N/A	Heineken	Netherlands	Alcohol	3,516	0%
+	94	N/A	ZURICH	Switzerland	Financial Services	3,496	0%
+	95	89		Italy	Luxury	3,443	4%
+	96	91	LANCÔME	France	FMCG	3,403	5%
+	97	90		United States	Restaurants	3,339	2%
+	98	73	Harley-Davidson	United States	Automotive	3,281	-24%
+	99	100	Campbell's	United States	FMCG	3,241	5%
+	100	98	BURBERRY	United Kingdom	Luxury	3,110	0%

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PREVIOUS YEARS

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2001 ranking

MEDIA & GENERAL INQUIRIES

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BEST GLOBAL BRANDS

2009 rankings

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2009 Rank	2008 Rank	Brand	Country of Origin	Sector	2009 Brand Value ($m)	Change in Brand Value
1	1	Coca-Cola	United States	Beverages	68,734	3%
2	2	IBM	United States	Computer Services	60,211	2%
3	3	Microsoft	United States	Computer Software	56,647	-4%
4	4	GE	United States	Diversified	47,777	-10%
5	5	NOKIA	Finland	Consumer Electronics	34,864	-3%
6	8	McDonald's	United States	Restaurants	32,275	4%
7	10	Google	United States	Internet Services	31,980	25%
8	6	TOYOTA	Japan	Automotive	31,330	-8%
9	7	intel	United States	Computer Hardware	30,636	-2%
10	9	Disney	United States	Media	28,447	-3%
11	12	hp	United States	Computer Hardware	24,096	2%

12	11	Mercedes-Benz	Germany	Automotive	23,867	-7%	+
13	14	Gillette	United States	Personal Care	22,841	4%	+
14	17	CISCO	United States	Computer Services	22,030	3%	+
15	13		Germany	Automotive	21,671	-7%	+
16	16	LOUIS VUITTON	France	Luxury	21,120	-2%	+
17	18	Marlboro	United States	Tobacco	19,010	-11%	+
18	20	HONDA	Japan	Automotive	17,803	-7%	+
19	21	SAMSUNG	Republic of Korea	Consumer Electronics	17,518	-1%	+
20	24		United States	Computer Hardware	15,433	12%	+
21	22	H&M	Sweden	Apparel	15,375	11%	+
22	15	AMERICAN EXPRESS	United States	Financial Services	14,971	-32%	+
23	26	PEPSI	United States	Beverages	13,706	3%	+
24	23	ORACLE	United States	Computer Software	13,699	-1%	+
25	28	NESCAFÉ	Switzerland	Beverages	13,317	2%	+
26	29		United States	Sporting Goods	13,179	4%	+
27	31	SAP	Germany	Computer Software	12,106	-1%	+
28	35	IKEA	Sweden	Home Furnishings	12,004	10%	+

Best Global Brands 2008

Creating and managing brand value™

Interbrand

Lessons from the Best Global Brands

Building brand value

Collaborative branding

Activating employees

Are you acting like a brand leader?

Sustainability's impact on brand value

Marketing and sector performance

The Red Thread of brand value

Best Global Brands 2008

2008 Rank	2007 Rank	Brand	Country of Origin	Sector	2008 Brand Value ($m)	Change in Brand Value
1	1	Coca-Cola	US	Beverages	66,667	2%
2	3	IBM	US	Computer Services	59,031	3%
3	2	Microsoft	US	Computer Software	59,007	1%
4	4	GE	US	Diversified	53,086	3%
5	5	NOKIA	Finland	Consumer Electronics	35,942	7%
6	6	TOYOTA	Japan	Automotive	34,050	6%
7	7	intel	US	Computer Hardware	31,261	1%
8	8	McDonald's	US	Restaurants	31,049	6%
9	9	Disney	US	Media	29,251	0%
10	20	Google	US	Internet Services	25,590	43%
11	10	Mercedes-Benz	Germany	Automotive	25,577	9%
12	12	hp	US	Computer Hardware	23,509	6%
13	13	VW	Germany	Automotive	23,298	8%
14	16	Gillette	US	Personal Care	22,069	8%
15	15	[illegible]	US	Financial Services	21,940	5%
16	17	LV	France	Luxury	21,602	6%
17	18	CISCO	US	Computer Services	21,306	12%
18	14	Marlboro	US	Tobacco	21,300	0%
19	11	citi	US	Financial Services	20,174	-14%
20	19	HONDA	Japan	Automotive	19,079	6%
21	21	SAMSUNG	South Korea	Consumer Electronics	17,689	5%
22	–	H&M	Sweden	Apparel	13,840	NEW
23	27	ORACLE	US	Computer Software	13,831	11%
24	33	[illegible]	US	Consumer Electronics	13,724	24%
25	25	SONY	Japan	Consumer Electronics	13,583	5%
26	26	PEPSI	US	Beverages	13,249	3%
27	23	HSBC	UK	Financial Services	13,143	-3%
28	24	NESCAFÉ	Switzerland	Beverages	13,055	1%
29	29	[illegible]	US	Sporting Goods	12,672	6%
30	28	[illegible]	US	Transportation	12,621	5%
31	34	SAP	Germany	Computer Software	12,228	13%
32	31	DELL	US	Computer Hardware	11,695	1%
33	30	Budweiser	US	Alcohol	11,438	-2%
34	22	Merrill Lynch	US	Financial Services	11,399	-21%
35	38	IKEA	Sweden	Home Furnishings	10,913	8%
36	36	Canon	Japan	Computer Hardware	10,876	3%
37	32	JPMorgan	US	Financial Services	10,773	-6%
38	35	[illegible]	US	Financial Services	10,331	-3%
39	40	Kellogg's	US	Food	9,710	4%
40	44	Nintendo	Japan	Consumer Electronics	8,772	13%
41	39	UBS	Switzerland	Financial Services	8,740	-11%
42	37	Morgan Stanley	US	Financial Services	8,696	-16%
43	42	PHILIPS	Netherlands	Diversified	8,325	8%
44	–	[illegible]	Canada	Media	8,313	NEW
45	46	GUCCI	Italy	Luxury	8,254	7%
46	48	eBay	US	Internet Services	7,991	7%
47	50	accenture	US	Computer Services	7,948	9%
48	43	SIEMENS	Germany	Diversified	7,943	3%
49	41	Ford	US	Automotive	7,896	-12%
50	45	[illegible]	US	Automotive	7,609	-1%
51	51	L'ORÉAL	France	Personal Care	7,508	7%
52	52	[illegible]	US	Media	7,193	4%
53	54	VW	Germany	Automotive	7,047	8%
54	47	AIG	US	Financial Services	7,022	-6%
55	49	AXA	France	Financial Services	7,001	-4%
56	53	Heinz	US	Food	6,646	2%
57	57	Colgate	US	Personal Care	6,437	7%
58	62	amazon.com	US	Internet Services	6,434	19%
59	56	XEROX	US	Computer Hardware	6,393	6%
60	58	CHANEL	France	Luxury	6,355	9%
61	59	[illegible]	US	Food	6,105	6%
62	64	ZARA	Spain	Apparel	5,955	15%
63	63	Nestlé	Switzerland	Food	5,592	5%
64	60	[illegible]	US	Restaurants	5,582	-2%
65	55	YAHOO!	US	Internet Services	5,496	-9%
66	67	[illegible]	France	Food	5,408	8%
67	68	[illegible]	Germany	Automotive	5,407	11%
68	66	CATERPILLAR	US	Diversified	5,288	5%
69	65	AVON	US	Personal Care	5,264	3%
70	69	adidas	Germany	Sporting Goods	5,072	6%
71	71	ROLEX	Switzerland	Luxury	4,956	8%
72	72	HYUNDAI	South Korea	Automotive	4,846	9%
73	–	BlackBerry	Canada	Consumer Electronics	4,802	NEW
74	70	Pampers	US	Personal Care	4,636	1%
75	75	[illegible]	Germany	Automotive	4,603	9%
76	73	HERMÈS	France	Luxury	4,575	8%
77	61	GAP	US	Apparel	4,357	-20%
78	78	Panasonic	Japan	Consumer Electronics	4,281	4%
79	83	Cartier	Switzerland	Luxury	4,236	10%
80	79	TIFFANY & CO.	US	Luxury	4,208	5%
81	74	Starbucks	US	Restaurants	4,097	-4%
82	80	Allianz	Germany	Financial Services	4,033	2%
83	85	MOËT & CHANDON	France	Alcohol	3,951	6%
84	84	[illegible]	UK	Energy	3,911	3%
85	88	[illegible]	US	Restaurants	3,879	7%
86	81	ING	Netherlands	Financial Services	3,768	-3%
87	77	MOTOROLA	US	Consumer Electronics	3,721	-10%
88	89	DURACELL	US	Consumer Electronics	3,682	2%
89	91	[illegible]	UK	Alcohol	3,590	6%
90	92	LEXUS	Japan	Automotive	3,588	7%
91	94	PRADA	Italy	Luxury	3,585	9%
92	90	Johnson & Johnson	US	Personal Care	3,582	4%
93	–	[illegible]	Italy	Automotive	3,527	NEW
94	–	ARMANI	Italy	Luxury	3,526	NEW
95	87	Hennessy	France	Alcohol	3,513	-1%
96	–	Marriott	US	Hospitality	3,502	NEW
97	93	[illegible]	Netherlands	Energy	3,471	4%
98	96	NIVEA	Germany	Personal Care	3,401	9%
99	–	FedEx		Transportation	3,359	NEW
100	–	VISA	US	Financial Services	3,338	NEW

EXHIBIT 5

CNNMoney.com

World's Most Admired Companies

COURTESY: APPLE

Apple

MOST ADMIRED
Top 50 rank: 1
Rank in Computers: 1
(Previous rank: 1)
Overall score: 8.16
Why it's admired For the fourth straight year, Apple tops Fortune's Most Admired list. The company's blistering pace of new product releases has continued to set the bar high for tech companies across the board.

Apple took a stock hit when iconic CEO Steve Jobs announced in January that he'd be taking a second medical leave, two years after receiving a liver transplant during a six-month sabbatical. But Jobs assured the market in the company's recent earnings report that Apple was still "firing on all cylinders."

It certainly appears to be. Apple nearly doubled its quarterly profits vs. a year ago. The iPad 2 was introduced in March, marking the second generation of one of Apple's milestone product successes. And Jobs made a surprise appearance at the launch.

Another huge move by Apple was the announcement this January that the iPhone 4 would be available from Verizon, offering another option to consumers frustrated with dropped calls on AT&T. --*By Shelley DuBois*

Apple stats

Nine key attributes of reputation	Industry rank
Innovation	1
People management	1
Use of corporate assets	1
Social responsibility	1
Quality of management	1
Financial soundness	1
Long-term investment	1

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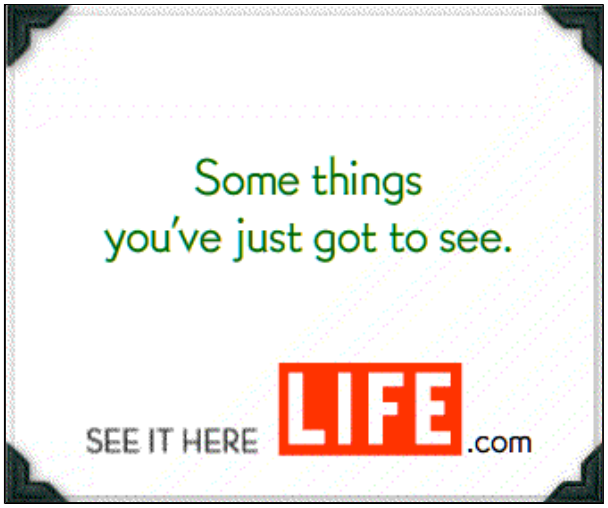

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CNNMoney.com

Quality of products/services	1
Global competitiveness	2

Industry: Computers

Most Admired

Rank	Company	Overall score
1	**Apple**	**8.16**
2	**EMC**	**6.79**
3	**Hewlett-Packard**	**6.71**

See all

From the March 21, 2011 issue

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World's Most Admired Companies

Apple

MOST ADMIRED**Top 50 rank:** 1
Rank in Computers: 1
(Previous rank: 2)
Overall score: 7.95
Why it's admired Steve Jobs does it again: Apple is keeping its Most Admired crown for the third year in a row.

PHOTO: RYAN ANSON/AFP/GETTY IMAGES

With 250 million iPods, 43 million iPhones, and 32 million iPod touches sold to date, plus the promise of a game-changing iPad, Apple won this year's vote by the highest margin ever for a No. 1. Two more years as champ and Apple will match GE for most appearances in the top spot.

What makes Apple so admired? Product, product, product. This is the company that changed the way we do everything from buy music to design products to engage with the world around us. Its track record for innovation and fierce consumer loyalty translates into tremendous respect across business' highest ranks.

As BMW CEO Norbert Reithofer puts it, "The whole world held its breath before the iPad was announced. That's brand management at its very best." --*Christopher Tkaczyk*

Apple stats

Nine key attributes of reputation	Industry rank
Innovation	1
People management	1
Use of corporate assets	2
Social responsibility	2
Quality of management	1
Financial soundness	1
Long-term investment	2

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Nine key attributes of reputation	Industry rank
Quality of products/services	1
Global competitiveness	2

Industry: Computers

Most Admired

Rank	Company	Overall score
1	Apple	7.95
2	Hewlett-Packard	7.74
3	EMC	6.86

From the March 22, 2010 issue

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WORLD'S MOST ADMIRED COMPANIES

2009

Apple

MOST ADMIRED
Top 50 rank: 1
Rank in Computers: 2 (Previous rank: 2*)
Overall score: 7.07

Why it's admired

It's been a rocky year for Apple: CEO Steve Jobs' health made headlines, and critics said Cupertino wasn't being open enough about it. But customers remained loyal to the brand that made white ear buds cool. As much of the computer industry struggled, Apple shipped 22.7 million iPods during its first quarter (up 3 percent from last year), 2.5 million Macs (up 9 percent), and 4.4 million iPhones. No wonder Apple tops our Most Admired list for the second year in a row. --*Alyssa Abkowitz*

Address: 1 Infinite Loop
Cupertino, CA 95014
Phone: 408-996-1010
Website: www.apple.com

COURTESY APPLE

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Nine key attributes of reputation	Industry rank
Innovation	1
People management	1
Use of corporate assets	3
Social responsibility	5
Quality of management	3
Financial soundness	2
Long-term investment	3
Quality of products/services	1
Global competitiveness	5

Industry: Computers

Most Admired

Rank	Company	Overall score
1	Xerox	7.28

...Top 50 Headquarters

Show: Top 50 | **All Most Admired:** The Americas | Europe | Asia/Australia

...What Readers Say

They speak out on the Most Admired ..

Goldman Sachs, Morgan Chase, and Bank of America in the Top 50?? Y...

How about Genentech, 9 billion in sales with significant profit,whi...

AT&T most admired? Not by their rank and file employees. 12,000...

jobs by

Job openings... at Apple

Quartz Engineering
Cupertino, CA - Apple

Handwriting Recognition Engineer
Cupertino, CA - Apple

AirPort Firmware Engineer
Cupertino, CA - Apple

Sr. Trademark/Brand Protection Counsel
Cupertino, CA - Apple

Tooling and Process Engineer (Metals)
Cupertino, CA - Apple

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Find companies *you* most admire

2	Apple	7.07
3	Hewlett-Packard	7.04

More competitors See all

Have your say

From the March 16, 2009 issue

*Designated as an international industry. Prior year's ranks, unless otherwise noted, are ranks in the World's Most Admired Companies listing.

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Looking for Alternatives to Bankruptcy?
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Buy a link here

Find companies you most admire

- Innovation
- Quality of management
- People management
- Financial soundness
- Use of corporate assets
- Long-term investment
- Social responsibility
- Product/services quality
- Global competitiveness

Select Industry(s) See All

Select State(s) See All

Select Country(s) See All

Get more Most Admired data
(HOW THIS TOOL WORKS) Submit

Video (3 of 3)

Least admired companies
Fortune's Stanley Bing looks at qualities, like repeated layoffs, that could land a company on this, um, prestigious list. **Watch**

Top 3

INNOVATION | PEOPLE MANAGEMENT | FINANCIAL SOUNDNESS

Company	Industry rank
Apple	2
Walt Disney	1
Google	1

See the rest

How we pick the Most Admired

This year *Fortune* has revamped the Most Admired Survey by combining the former America's Most Admired Company (AMAC) survey and the former World's Most Admired Company (WMAC) survey into one... More

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How Facebook is taking over our lives

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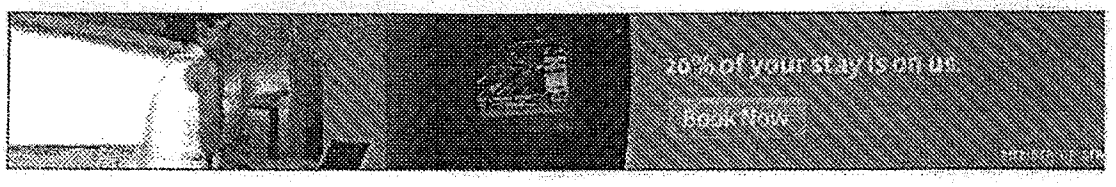


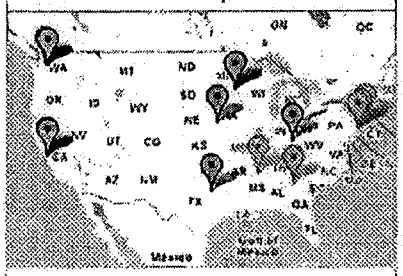
AMERICA'S MOST ADMIRED COMPANIES 2008

Top 20

For the 20 most admired companies overall. FORTUNE's survey asked businesspeople to vote for the companies that they admired most, from any industry.

Rank	Company
1	Apple
2	Berkshire Hathaway
3	General Electric
4	Google
5	Toyota Motor
6	Starbucks
7	FedEx
8	Procter & Gamble
9	Johnson & Johnson
10	Goldman Sachs Group
11	Target
12	Southwest Airlines
13	American Express
14*	BMW
14*	Costco Wholesale
16	Microsoft
17	United Parcel Service

Most Admired Companies HQs



Show: Top 20 | Full list

What readers say...

- Safeway should be ranked one of the WORST companies to work for! I ...
- Indeed these are amongst the most admired companies overall. One t...
- I work for the IKAN CORPORATION in Houston Texas. We sell video pro...

Have your say

Find compar

Innovation
People managem
Use of corporate a
Social responsibili

Industry:
For multiple selections, ho down the <Ctrl> key

State:
For multiple selections, ho down the <Ctrl> key

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Stock

Motley Fool don't think so. The Advisor in the bea

96% of the picks t up. 83% are beati than tripled...

Activision is up 80 earning returns lik they're recommen

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*Results as of 5/13/08

18	Cisco Systems
19	3M
20	Nordstrom

From the March 17, 2008 issue

Indicates a tie.

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Company

Apple

Nike

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Industry ch

EXHIBIT 6

Bloomberg Businessweek
Thursday February 25, 2010

The 50 Most Innovative Companies 2010

Special Report: The 50 Most Innovative Companies 2010
Story: 50 Most Innovative Companies
Story: What Executives Make of Innovation
Slide Show: Cutting Edge Companies

Before the world shuddered two years ago, U.S. companies dominated our Most Innovative Companies ranking, easily outnumbering corporations based outside of America. But now that the global economy seems to be growing again, senior executives surveyed by the Boston Consulting Group (BCG) no longer consider the U.S. the be-all and end-all in innovation. Yes, Apple reigns as No. 1 again, trailed by silver medalist Google. And Microsoft and IBM find themselves back in the top five, based on BCG's global poll. But for the first time ever, more companies on our Top 50 are based outside the U.S. China's rise is the fastest. A year ago, its only representative was Lenovo, at 46. This year Greater China is tied with Asia's postwar powerhouse, Japan, thanks to showings by BYD (8), Haier Electronics (27), Lenovo (29), China Mobile (44), and Taiwan-based HTC (47). To make room for 2010's freshmen, a half-dozen American giants on 2009's list got dumped: AT&T, ExxonMobil, 3M, Johnson & Johnson, Southwest Airlines, and Target. For more details on the ranking, see the footnotes at the bottom of the table.

Click column heading once to reorder from highest to lowest. Click twice to reorder from lowest to highest.

2010 Rank	2009 Rank	Company	HQ Country	HQ Continent	Stock Returns 2006-09 * (in %)	Revenue Growth 2006-09 ** (in %)	Margin Growth 2006-09 *** (in %)
1	1	Apple	U.S.	North America	35	30	29
2	2	Google	U.S.	North America	10	31	2
3	4	Microsoft	U.S.	North America	3	10	-4
4	6	IBM	U.S.	North America	12	2	11
5	3	Toyota Motor	Japan	Asia	-20	-11	NA
6	11	Amazon.com	U.S.	North America	51	29	6
7	27	LG Electronics	South Korea	Asia	31	16	707
8	NR	BYD	China	Asia	99	42	-1
9	17	General Electric	U.S.	North America	-22	-1	-25
10	14	Sony	Japan	Asia	-19	-5	NA
11	16	Samsung Electronics	South Korea	Asia	10	17	-9
12	33	Intel	U.S.	North America	3	0	12
13	31	Ford Motor	U.S.	North America	10	-12	NA
14	8	Research In Motion	Canada	North America	17	75	-6
15	18	Volkswagen	Germany	Europe	8	0	14
16	7	Hewlett-Packard	U.S.	North America	9	8	9
17	13	Tata Group	India	Asia	Private	Private	Private
18	20	BMW	Germany	Europe	-8	0	NA
19	24	Coca-Cola	U.S.	North	9	9	1

				America			
20	5	Nintendo	Japan	Asia	-8	22	3
21	10	Wal-Mart Stores	U.S.	North America	7	6	-1
22	NR	Hyundai Motor	South Korea	Asia	23	12	17
23	9	Nokia	Finland	Europe	-14	0	-37
24	34	Virgin Group	Britain	Europe	Private	Private	Private
25	12	Procter & Gamble	U.S.	North America	1	5	2
26	22	Honda Motor	Japan	Asia	-11	-9	NA
27	NR	Fast Retailing	Japan	Asia	17	15	0
28	NR	Haier Electronics	China	Asia	28	22	-15
29	19	McDonald's	U.S.	North America	15	2	10
30	46	Lenovo	China	Asia	18	-1	NA
31	32	Cisco Systems	U.S.	North America	-4	8	-6
32	21	Walt Disney	U.S.	North America	0	2	0
33	15	Reliance Industries	India	Asia	21	23	-4
34	NR	Siemens	Germany	Europe	-3	-4	27
35	NR	Dell	U.S.	North America	-17	-4	-7
36	38	Nestlé	Switzerland	Europe	8	4	1
37	NR	British Sky Broadcasting	Britain	Europe	6	9	-10
38	25	Vodafone	Britain	Europe	6	17	-13
39	47	JPMorgan Chase	U.S.	North America	-2	18	-21
40	NR	Oracle	U.S.	North America	13	13	5
41	NR	Petrobras	Brazil	South America	18	5	-11
42	42	Banco Santander	Spain	Europe	2	-1	8
43	48	Fiat	Italy	Europe	-10	-2	-12
44	NR	China Mobile	China	Asia	1	16	1
45	NR	Goldman Sachs	U.S.	North America	-5	6	4
46	43	Nike	U.S.	North America	12	5	2
47	NR	HTC	Taiwan	Asia	6	11	-11
48	40	Facebook	U.S.	North America	Private	Private	Private
49	36	HSBC	Britain	Europe	-5	-7	-45
50	30	Verizon Communications	U.S.	North America	1	7	6

FOOTNOTES

Data: Analysis and data provided in collaboration with the Boston Consulting Group's innovation practice and BCG-ValueScience. Reuters and Standard & Poor's Compustat supplied financial data; Bloomberg provided total shareholder returns.

* Stock returns are annualized, Dec. 31, 2006, to Dec. 31, 2009, and account for price appreciation and dividends.

** Revenue and operating margin growth are annualized based on 2006-2009 fiscal years. Margin growth is earnings before interest and taxes as a

percentage of revenues. Where possible, quarterly and semiannual data are used to bring performance for pre-June yearends closer to December 2009. Financial figures are calculated in local currency.

*** Calculating three-year compound annual growth rates for operating margins is not possible when the starting or end figure is negative.

NR: Not ranked in 2009 survey.

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Bloomberg Businessweek
Thursday February 25, 2010

The 50 Most Innovative Companies

With the sudden reversal of the global economy, businesses are struggling not only with shrinking income and budgets, but also with seismic shifts that are upending entire industries, from autos and retail to banking and entertainment. These same forces are apparent in our latest ranking of the Most Innovative Companies. While the 2009 list includes some stalwarts in their usual top positions—namely Apple and Google—15 newcomers have joined the lineup, the biggest change since *BusinessWeek* and Boston Consulting Group first partnered on this proprietary survey in 2005. These include more companies headquartered outside the U.S. than in the past, such as Volkswagen, Infosys, and Telefónica. See a full explanation of our methodology as well as the footnotes at the bottom of the table.

Special Report: Most Innovative Companies 2009
Slide Show: *BW*'s 50 Most Innovative Companies
CEO's Picks: CEOs name the companies they admire
Methodology: The thinking behind the rankings
Survey: Agree? Disagree? Let us know

Click column heading once to reorder from highest to lowest. Click twice to reorder from lowest to highest.

2009 Rank	2008 Rank	Company	HQ Country	HQ Continent	Stock Returns 2005-08 * (in %)	Revenue Growth 2005-08 ** (in %)	Margin Growth 2005-08 *** (in %)	Known for its Most Innovative (% who think so)
1	1	Apple	U.S.	North America	5.9	30.4	15.8	Product (47%)
2	2	Google	U.S.	North America	-9.5	52.6	-8.2	Customer Experience (26%)
3	3	Toyota Motor	Japan	Asia	-20.7	4.2	-35.9	Process (35%)
4	5	Microsoft	U.S.	North America	-8.0	13.5	-1.3	Process (26%)
5	7	Nintendo	Japan	Asia	36.7	61.1	20.6	Product (48%)
6	12	IBM	U.S.	North America	2.3	4.4	14.3	Process (31%)
7	15	Hewlett-Packard	U.S.	North America	9.1	10.9	31.6	Process (39%)
8	13	Research In Motion	Canada	North America	24.6	74.1	11.2	Product (53%)
9	10	Nokia	Finland	Europe	-8.3	14.0	-10.3	Product (38%)
10	23	Wal-Mart Stores	U.S.	North America	8.0	9.1	-2.1	Process (49%)
11	11	Amazon.com	U.S.	North America	2.8	31.2	-4.8	Customer Experience (41%)
12	8	Procter & Gamble	U.S.	North America	4.5	11.7	2.4	Process (27%)
13	6	Tata Group	India	Asia	Private	Private	Private	Product (44%)
14	9	Sony	Japan	Asia	-25.8	3.1	-41.1	Product (40%)
15	19	Reliance Industries	India	Asia	22.6	28.5	11.9	Business Model (35%)
16	26	Samsung Electronics	South Korea	Asia	-10.8	10.5	-1.5	Product (41%)
17	4	General Electric	U.S.	North America	-19.7	10.1	-12.2	Process (36%)
18	NR	Volkswagen	Germany	Europe	-14.4	7.1	33.6	Customer Experience (38%)
19	30	McDonalds	U.S.	North America	25.8	7.2	9.5	Customer Experience (55%)
20	14	BMW	Germany	Europe	-14.8	6.9	-14.6	Customer Experience (37%)
21	17	Walt Disney	U.S.	North America	-0.2	6.4	17.2	Customer Experience (68%)
22	16	Honda Motor	Japan	Asia	-15.4	4.8	-14.6	Product (47%)
23	27	AT&T	U.S.	North America	9.9	41.5	9.7	Product (33%)
				North				

24	NR	Coca-Cola	U.S.	America	6.8	11.4	0.1	Customer Experience (38%)
25	47	Vodafone	Britain	Europe	8.6	10.2	NA	Product (25%)
26	NR	Infosys	India	Asia	-8.1	32.4	2.0	Process (40%)
27	NR	LG Electronics	South Korea	Asia	-5.0	9.6	17.0	Product (46%)
28	NR	Telefónica	Spain	Europe	12.2	17.0	-2.0	Business Model (40%)
29	31	Daimler	Germany	Europe	-11.9	1.5	39.0	Product (40%)
30	34	Verizon Communications	U.S.	North America	10.4	11.9	-1.0	Customer Experience (38%)
31	NR	Ford Motor	U.S.	North America	-32.6	-3.3	NA	Product (36%)
32	35	Cisco Systems	U.S.	North America	-1.6	14.3	-8.0	Process (27%)
33	48	Intel	U.S.	North America	-14.3	-1.1	-8.0	Process (35%)
34	28	Virgin Group	Britain	Europe	Private	Private	Private	Customer Experience (45%)
35	NR	ArcelorMittal	Luxembourg	Europe	-6.7	64.4	-18.0	Business Model (63%)
36	40	HSBC Holdings	Britain	Europe	-6.1	20.3	-18.0	Process (32%)
37	42	ExxonMobil	U.S.	North America	14.5	8.8	2.0	Process (47%)
38	NR	Nestlé	Switzerland	Europe	4.3	6.5	-14.0	Product (47%)
39	NR	Iberdrola	Spain	Europe	7.5	54.0	-14.0	Customer Experience (40%)
40	25	Facebook	U.S.	North America	Private	Private	Private	Customer Experience (51%)
41	22	3M	U.S.	North America	-7.2	6.1	-3.0	Product (44%)
42	NR	Banco Santander	Spain	Europe	-9.3	11.8	2.0	Business Model (37%)
43	45	Nike	U.S.	North America	7.1	11.5	-4.0	Customer Experience and Product (36% each)
44	NR	Johnson & Johnson	U.S.	North America	2.4	8.1	1.0	Customer Experience (42%)
45	49	Southwest Airlines	U.S.	North America	-19.2	13.3	-25.0	Customer Experience (45%)
46	NR	Lenovo	China	Asia	-14.2	6.6	4.0	Business Model (35%)
47	NR	JPMorgan Chase	U.S.	North America	-4.4	-2.6	NA	Process (62%)
48	NR	Fiat	Italy	Europe	-13.5	8.5	2.0	Product (30%)
49	24	Target	U.S.	North America	-13.5	8.1	2.0	Customer Experience (60%)
50	NR	Royal Dutch Shell	Netherlands	Europe	4.7	14.3	-8.0	Process (45%)

FOOTNOTES
DATA: Analysis and data provided in collaboration with the innovation practice of the Boston Consulting Group and BCG-ValueScience. Reuters and Compustat were used for financial and industry data and Bloomberg for total shareholder returns.
* Stock returns are annualized, Dec. 31, 2005, to Dec. 31, 2008, and account for price appreciation and dividends.
** Revenue and operating margin growth are annualized based on 2005-08 fiscal years. Margin growth is earnings before interest and taxes as a percentage of revenues reported in most recent statements or filings. Where possible, quarterly and semiannual data were used to bring performance for pre-June yearends closer to December 2008. Financial figures were calculated in local currency.
*** Calculating three-year compound annual growth rate for operating margins was not possible when either figure was negative.
NR: Not Rated.
-Back to top-

BusinessWeek

The World's 50 Most Innovative Companies

In a climate when innovation efforts and research and development budgets are likely to see more scrutiny than ever, our 2008 list of the World's Most Innovative Companies adds three financial measures to the mix to determine the rankings. For this year's list, votes cast in the proprietary BusinessWeek-BCG survey received 80% of the overall weighting, stock returns were weighted 10%, while three-year revenue and margin growth each got 5%. While these changes -- only votes from our survey counted in the past -- marked the biggest shift yet in our rankings of the World's Most Innovative Companies, there are some similarities to previous years. Once again, Apple's design whizzes lead our list, followed by Google's search geniuses and Toyota's hybrid car mavens. But the added financial metrics and the greater diversity of our survey, which polled more global and C-suite respondents than ever also helped to produce a few big changes. Global names such as Tata Group and Nintendo, both making their first appearance, landed in the top 10. Traditional innovation icon 3M plummeted from No. 7 to No. 22. And dark horses such as No. 18 General Motors, which has suffered through a tumultuous year financially, received a surprising number of votes thanks to concept cars like the electric Chevrolet Volt and the Detroit automaker's renewed focus on design. For a full explanation of our methodology, click here -- and see the footnotes at the bottom of the table.

Special Report: Inside Innovation
Slide Show: The World's 50 Most innovative Companies

Click column heading once to reorder from highest to lowest. Click twice to reorder from lowest to highest.

Rank	Company	HQ Country	HQ Continent	Revenue Growth 2004-07* (in %)	Margin Growth 2004-07* (in %)	Stock Returns 2004-07** (in %)	Most Known for its Innovative... (% who think so)
1	APPLE	USA	North America	47	69	83	Products (52%)
2	GOOGLE	USA	North America	73	5	53	Customer Experience (26%)
3	TOYOTA MOTOR	Japan	Asia	12	1	15	Processes (36%)
4	GENERAL ELECTRIC	USA	North America	9	1	3	Processes (43%)
5	MICROSOFT	USA	North America	16	8	12	Products (26%)
6	TATA GROUP	India	Asia	NA	NA	NA	Products (58%)
7	NINTENDO	Japan	Asia	37	4	77	Products (63%)
8	PROCTER & GAMBLE	USA	North America	16	4	12	Processes (30%)
9	SONY	Japan	Asia	8	13	17	Products (56%)
10	NOKIA	Finland	Europe	20	2	35	Products (36%)
11	AMAZON.COM	USA	North America	29	-11	28	Customer Experience (33%)
12	IBM	USA	North America	1	11	4	Processes (31%)
13	RESEARCH IN MOTION	Canada	North America	56	-1	51	Products (37%)
14	BMW	Germany	Europe	6	-5	11	Customer Experience (40%)
15	HEWLETT-PACKARD	USA	North America	10	17	35	Processes, Business Models, and Customer Experience (27% each)
16	HONDA MOTOR	Japan	Asia	12	6	14	Products (40%)
17	WALT DISNEY	USA	North America	6	14	7	Customer Experience (63%)
18	GENERAL MOTORS	USA	North America	-2	-98	-11	Products (55%)
19	RELIANCE INDUSTRIES	India	Asia	31	-7	94	Business Models (31%)
20	BOEING	USA	North America	9	32	21	Products (63%)
21	GOLDMAN SACHS GROUP	USA	North America	30	6	28	Processes and Business Models (33% each)
22	3M	USA	North America	7	5	3	Products (45%)
23	WAL-MART STORES	USA	North America	10	-2	-2	Processes (48%)
24	TARGET	USA	North America	11	3	NA	Customer Experience (67%)
25	FACEBOOK	USA	North America	NA	NA	NA	Customer Experience (51%)
26	SAMSUNG ELECTRONICS	South Korea	Asia	2	-14	8	Products (42%)
27	AT&T	USA	North America	43	6	23	Customer Experience (33%)
28	VIRGIN GROUP	Britain	Europe	NA	NA	NA	Customer Experience (47%)
29	AUDI	Germany	Europe	11	11	41	Products (50%)
30	MCDONALD'S	USA	North America	7	-7	25	Customer Experience (42%)
31	DAIMLER	Germany	Europe	-11	37	28	Products (35%)
32	STARBUCKS	USA	North America	23	-2	-13	Customer Experience (60%)
33	EBAY	USA	North America	33	-37	-17	Business Models (28%)
34	VERIZON COMMUNICATIONS	USA	North America	12	NA	9	Services (41%)

35	CISCO SYSTEMS	USA	North America	20	-5	12 Products (35%)
36	ING GROEP	Netherlands	Europe	7	4	11 Services (41%)
37	SINGAPORE AIRLINES	Singapore	Asia	9	5	20 Customer Experience (55%)
38	SIEMENS	Germany	Europe	1	21	22 Products (41%)
39	COSTCO WHOLESALE	USA	North America	11	-5	14 Customer Experience (46%)
40	HSBC	Britain	Europe	12	-1	4 Services (39%)
41	BANK OF AMERICA	USA	North America	12	NA	NA Customer Experience and Services (23% each)
42	EXXON MOBIL	USA	North America	11	7	25 Processes (50%)
43	NEWS CORP.	USA	North America	4	4	4 Business Models (47%)
44	BP	Britain	Europe	14	-5	11 Processes (42%)
45	NIKE	USA	North America	8	-1	14 Customer Experience (43%)
46	DELL	USA	North America	7	-12	-17 Business Models (37%)
47	VODAFONE GROUP	Britain	Europe	7	-21	15 Business Models (33%)
48	INTEL	USA	North America	4	-10	6 Products (53%)
49	SOUTHWEST AIRLINES	USA	North America	15	9	-9 Customer Experience (50%)
50	AMERICAN EXPRESS	USA	North America	3	1	3 Customer Experience (35%)

DATA: Analysis and data provided in collaboration with the innovation practice of the Boston Consulting Group and BCG-VaueScience. Reuters and Compustat were used for financial and industry data and Bloomberg for total shareholder returns.

*Compound growth rates for revenue and operating margins are based on 2004-07 fiscal year data as originally stated. Operating margin is earnings before interest and taxes, as a percentage of revenue. Where possible, quarterly and semiannual data were used to bring performance for pre-June yearends closer to December, 2007. Financial figures were calculated in local currency.

**Stock returns are annualized, 12/31/04 to 12/31/07, and account for price appreciation and dividends.

***Calculating three-year compound annual growth rate for operating margins was not possible when either figure was negative.

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The McGraw-Hill Companies

EXHIBIT 7

Int. Cl.: 9

Prior U.S. Cl.: 26

United States Patent Office

Reg. No. 1,078,312
Registered Nov. 29, 1977

TRADEMARK
Principal Register

APPLE

Apple Computer, Inc. (California corporation)
20863 Stevens Creek Blvd.
Cupertino, Calif. 95014

For: COMPUTERS AND COMPUTER PROGRAMS RECORDED ON PAPER AND TAPE, in CLASS 9 (U.S. CL. 26).

First use during April 1976; in commerce during April 1976.

Ser. No. 120,444, filed Mar. 25, 1977.

G. T. GLYNN, Examiner

United States Patent and Trademark Office

Trademarks > Trademark Electronic Search System (TESS)

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Typed Drawing

Word Mark	APPLE
Goods and Services	IC 009. US 026. G & S: COMPUTERS AND COMPUTER PROGRAMS RECORDED ON PAPER AND TAPE. FIRST USE: 19760400. FIRST USE IN COMMERCE: 19760400
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73120444
Filing Date	March 25, 1977
Current Filing Basis	1A
Original Filing Basis	1A
Registration Number	**1078312**
International Registration Number	0870749
Registration Date	November 29, 1977
Owner	(REGISTRANT) APPLE COMPUTER, INC. CORPORATION CALIFORNIA 1 INFINITE LOOP CUPERTINO CALIFORNIA 950142081 (LAST LISTED OWNER) APPLE INC. CORPORATION CALIFORNIA 1 INFINITE LOOP CUPERTINO CALIFORNIA 95014
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Thomas R. La Perle
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070621.
Renewal	1ST RENEWAL 20070621
Live/Dead Indicator	LIVE

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38 and 50

Reg. No. 3,226,289

United States Patent and Trademark Office

Registered Apr. 10, 2007

TRADEMARK
PRINCIPAL REGISTER

APPLE

APPLE COMPUTER, INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: PRINTED MATERIALS AND PUBLICATIONS, NAMELY, USER MANUALS, BROCHURES, DATA SHEETS, WHITE PAPERS, NEWSLETTERS, CATALOGS, PAMPHLETS, PERIODICALS AND MAGAZINES, ALL IN THE FIELDS OF BUSINESS, CREATIVE DESIGN, COMPUTERS, INFORMATION TECHNOLOGY, WORD PROCESSING, DATABASE MANAGEMENT, MULTIMEDIA, ENTERTAINMENT, ELECTRONIC COMMERCE AND TELECOMMUNICATIONS; STATIONERY, PENS AND PENCILS, CLIPBOARDS, POSTERS, MEMO PADS, BINDERS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 4-1-1976; IN COMMERCE 4-1-1976.

OWNER OF U.S. REG. NOS. 1,078,312, 2,273,661 AND OTHERS.

SER. NO. 76-116,541, FILED 8-24-2000.

H. M. FISHER, EXAMINING ATTORNEY

United States Patent and Trademark Office

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TARR Status | ASSIGN Status | TDR | TTAB Status ***(Use the "Back" button of the Internet Browser to return to TESS)***

Typed Drawing

Word Mark	APPLE
Goods and Services	IC 016. US 002 005 022 023 029 037 038 050. G & S: Printed materials and publications, namely, user manuals, brochures, data sheets, white papers, newsletters, catalogs, pamphlets, periodicals and magazines, all in the fields of business, creative design, computers, information technology, word processing, database management, multimedia, entertainment, electronic commerce and telecommunications; stationery, pens and pencils, clipboards, posters, memo pads, binders. FIRST USE: 19760401. FIRST USE IN COMMERCE: 19760401
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	**76116541**
Filing Date	August 24, 2000
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	November 11, 2003
Registration Number	3226289
Registration Date	April 10, 2007
Owner	(REGISTRANT) Apple Computer, Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Thomas R. La Perle
Prior Registrations	1078312;1144147;1895326;2273661;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead	

Indicator LIVE

Int. Cl.: 36

Prior U.S. Cl.: 102

Reg. No. 1,895,326

United States Patent and Trademark Office

Registered May 23, 1995

SERVICE MARK
PRINCIPAL REGISTER

APPLE

APPLE COMPUTER, INC. (CALIFORNIA CORPORATION)
20525 MARIANI AVENUE
CUPERTINO, CA 95014

FOR: EXTENSION OF RETAIL CREDIT SERVICES FOR THE PURCHASE OF COMPUTERS AND RELATED ACCESSORIES, IN CLASS 36 (U.S. CL. 102).

FIRST USE 7-0-1983; IN COMMERCE 7-0-1983.

OWNER OF U.S. REG. NO. 1,303,085.

SER. NO. 74-527,910, FILED 5-23-1994.

BARBARA S. HUDSON, EXAMINING ATTORNEY

United States Patent and Trademark Office

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Typed Drawing

Word Mark	APPLE
Goods and Services	IC 036. US 102. G & S: extension of retail credit services for the purchase of computers and related accessories. FIRST USE: 19830700. FIRST USE IN COMMERCE: 19830700
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74527910
Filing Date	May 23, 1994
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	February 28, 1995
Registration Number	**1895326**
Registration Date	May 23, 1995
Owner	(REGISTRANT) APPLE COMPUTER INC CORPORATION CALIFORNIA 1 INFINITE LOOP CUPERTINO CALIFORNIA 95014 (LAST LISTED OWNER) APPLE INC. CORPORATION CALIFORNIA 1 INFINITE LOOP CUPERTINO CALIFORNIA 95014
Assignment Recorded	ASSIGNMENT RECORDED
Prior Registrations	1303085
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20050824.
Renewal	1ST RENEWAL 20050824
Live/Dead Indicator	LIVE

Int. Cl.: 9
Prior U.S. Cls.: 26 and 38
United States Patent and Trademark Office
Amended

Reg. No. 1,114,431
Registered Mar. 6, 1979
OG Date Nov. 10, 2009

TRADEMARK
PRINCIPAL REGISTER

APPLE INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014
OWNER OF U.S. REG. NO. 1,078,312.
THE MARK CONSISTS OF A SILHOUETTE OF AN APPLE WITH A BITE REMOVED.

FOR: COMPUTERS AND COMPUTER PROGRAMS RECORDED ON PAPER AND TAPE, IN CLASS 9 (U.S. CLS. 26 AND 38).

FIRST USE 1-0-1977; IN COMMERCE 1-0-1977.

SER. NO. 73-162,799, FILED 3-20-1978.

In testimony whereof I have hereunto set my hand and caused the seal of The Patent and Trademark Office to be affixed on Nov. 10, 2009.

United States Patent and Trademark Office

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Goods and Services	IC 009. US 026 038. G & S: COMPUTERS AND COMPUTER PROGRAMS RECORDED ON PAPER AND TAPE. FIRST USE: 19770100. FIRST USE IN COMMERCE: 19770100
Mark Drawing Code	(2) DESIGN ONLY
Design Search Code	05.09.05 - Apples
Serial Number	73162799
Filing Date	March 20, 1978
Current Filing Basis	1A
Original Filing Basis	1A
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration Number	**1114431**
Registration Date	March 6, 1979
Owner	(REGISTRANT) APPLE COMPUTER, INC. CORPORATION CALIFORNIA 1 INFINITE LOOP CUPERTINO CALIFORNIA 95014 (LAST LISTED OWNER) APPLE INC. CORPORATION CALIFORNIA 1 INFINITE LOOP CUPERTINO CALIFORNIA 95014
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Thomas R. La Perle

Prior Registrations	1078312
Description of Mark	THE MARK CONSISTS OF A SILHOUETTE OF AN APPLE WITH A BITE REMOVED.
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080314.
Renewal	2ND RENEWAL 20080314
Live/Dead Indicator	LIVE

Int. Cl.: 9

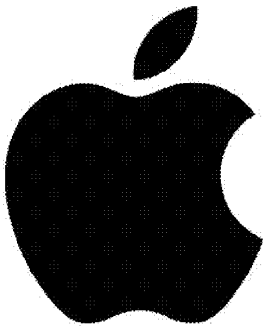
Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 3,679,056

United States Patent and Trademark Office

Registered Sep. 8, 2009

TRADEMARK
PRINCIPAL REGISTER



APPLE INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: COMPUTERS; COMPUTER HARDWARE; COMPUTER PERIPHERALS; HANDHELD COMPUTERS; HANDHELD MOBILE DIGITAL ELECTRONIC DEVICES FOR RECORDING, ORGANIZING, TRANSMITTING, MANIPULATING, AND REVIEWING TEXT, DATA, IMAGE, AUDIO, AND AUDIOVISUAL FILES, FOR THE SENDING AND RECEIVING OF TELEPHONE CALLS, ELECTRONIC MAIL, AND OTHER DIGITAL DATA, FOR USE AS A DIGITAL FORMAT AUDIO PLAYER, HANDHELD COMPUTER, PERSONAL DIGITAL ASSISTANT, ELECTRONIC ORGANIZER, ELECTRONIC NOTEPAD, CAMERA, AND GLOBAL POSITIONING SYSTEM (GPS) ELECTRONIC NAVIGATION DEVICE; DIGITAL AUDIO AND VIDEO RECORDERS AND PLAYERS; PERSONAL DIGITAL ASSISTANTS; ELECTRONIC ORGANIZERS; CAMERAS; TELEPHONES; MOBILE PHONES; SATELLITE NAVIGATIONAL SYSTEMS, NAMELY, GLOBAL POSITIONING SYSTEMS (GPS); ELECTRONIC NAVIGATIONAL DEVICES, NAMELY, GLOBAL POSITIONING SATELLITE (GPS) BASED NAVIGATION RECEIVERS; COMPUTER GAME MACHINES FOR USE WITH EXTERNAL DISPLAY SCREENS, MONITORS, OR TELEVISIONS; A FULL LINE OF ACCESSORIES AND PARTS FOR THE AFOREMENTIONED GOODS; STANDS, COVERS, CASES, HOLSTERS, POWER ADAPTORS, AND WIRED AND WIRELESS REMOTE CONTROLS FOR THE AFOREMENTIONED GOODS; COMPUTER MEMORY HARDWARE; COMPUTER DISC DRIVES; OPTICAL DISC DRIVES; COMPUTER NETWORKING HARDWARE; COMPUTER MONITORS; FLAT PANEL DISPLAY MONITORS; COMPUTER KEYBOARDS; COMPUTER CABLES; MODEMS; COMPUTER MICE; ELECTRONIC DOCKING STATIONS; SET TOP BOXES; BATTERIES; BATTERY CHARGERS; ELECTRICAL CONNECTORS, WIRES, CABLES, AND ADAPTORS; DEVICES FOR HANDS-FREE USE; HEADPHONES; EARPHONES; EAR BUDS; AUDIO SPEAKERS; MICROPHONES; AND HEADSETS; A FULL LINE OF COMPUTER SOFTWARE FOR BUSINESS, HOME, EDUCATION, AND DEVELOPER USE; USER MANUALS FOR USE WITH, AND SOLD AS A UNIT WITH, THE AFOREMENTIONED GOODS; DOWNLOADABLE AUDIO AND VIDEO FILES, MOVIES, RING TONES, VIDEO GAMES, TELEVISION PROGRAMS, POD CASTS AND AUDIO BOOKS VIA THE INTERNET AND WIRELESS DEVICES FEATURING MUSIC, MOVIES, VIDEOS, TELEVISION, CELEBRITIES, SPORTS, NEWS, HISTORY, SCIENCE, POLITICS, COMEDY, CHILDREN'S ENTERTAINMENT, ANIMATION, CULTURE, CURRENT EVENTS AND TOPICS OF GENERAL INTEREST, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-31-1977; IN COMMERCE 1-31-1977.

OWNER OF U.S. REG. NOS. 1,114,431, 2,753,069 AND OTHERS.

THE MARK CONSISTS OF THE DESIGN OF AN APPLE WITH A BITE REMOVED.

SER. NO. 77-648,705, FILED 1-13-2009.

JERI J. FICKES, EXAMINING ATTORNEY

United States Patent and Trademark Office

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Goods and Services	IC 009. US 021 023 026 036 038. G & S: Computers; computer hardware; computer peripherals; handheld computers; handheld mobile digital electronic devices for recording, organizing, transmitting, manipulating, and reviewing text, data, image, audio, and audiovisual files, for the sending and receiving of telephone calls, electronic mail, and other digital data, for use as a digital format audio player, handheld computer, personal digital assistant, electronic organizer, electronic notepad, camera, and global positioning system (GPS) electronic navigation device; digital audio and video recorders and players; personal digital assistants; electronic organizers; cameras; telephones; mobile phones; satellite navigational systems, namely, global positioning systems (GPS); electronic navigational devices, namely, global positioning satellite (GPS) based navigation receivers; computer game machines for use with external display screens, monitors, or televisions; a full line of accessories and parts for the aforementioned goods; stands, covers, cases, holsters, power adaptors, and wired and wireless remote controls for the aforementioned goods; computer memory hardware; computer disc drives; optical disc drives; computer networking hardware; computer monitors; flat panel display monitors; computer keyboards; computer cables; modems; computer mice; electronic docking stations; set top boxes; batteries; battery chargers; electrical connectors, wires, cables, and adaptors; devices for hands-free use; headphones; earphones; ear buds; audio speakers; microphones; and headsets; a full line of computer software for business, home, education, and developer use; user manuals for use with, and sold as a unit with, the aforementioned goods. downloadable audio and video files, movies, ring tones, video games, television programs, pod casts and audio books via the internet and wireless devices featuring music, movies, videos, television, celebrities, sports, news, history, science, politics, comedy, children's entertainment, animation, culture, current events and topics of general interest. FIRST USE: 19770131. FIRST USE IN COMMERCE: 19770131
Mark Drawing Code	(2) DESIGN ONLY
Design Search Code	05.09.05 - Apples
Trademark Search Facility	VEG Plant life such as trees,flowers,fruits,grains,nuts,wreaths,and leaves

Classification Code	
Serial Number	77648705
Filing Date	January 13, 2009
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	June 23, 2009
Registration Number	**3679056**
International Registration Number	1014459
Registration Date	September 8, 2009
Owner	(REGISTRANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014
Attorney of Record	Thomas R. La Perle
Prior Registrations	1114431;2715578;2753069;AND OTHERS
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of the design of an apple with a bite removed.
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

Int. Cls.: 35 and 39

Prior U.S. Cls.: 100, 101, 102, and 105

Reg. No. 2,926,853

United States Patent and Trademark Office

Registered Feb. 15, 2005

SERVICE MARK
PRINCIPAL REGISTER

APPLE COMPUTER, INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: ANALYSIS AND CONSULTATION IN THE FIELD OF BUSINESS INFORMATION MANAGEMENT, NAMELY, THE SELECTION, ADOPTION AND OPERATION OF COMPUTERS AND COMPUTER INFORMATION MANAGEMENT SYSTEMS; PROVIDING INFORMATION IN THE FIELDS OF BUSINESS AND COMMERCE OVER COMPUTER NETWORKS AND GLOBAL COMMUNICATION NETWORKS; BUSINESS SERVICES, NAMELY, PROVIDING COMPUTER DATABASES REGARDING THE PURCHASE AND SALE OF A WIDE VARIETY OF PRODUCTS AND SERVICES OF OTHERS; BUSINESS SERVICES, NAMELY, DISSEMINATION OF ADVERTISING FOR OTHERS VIA COMPUTER NETWORKS AND GLOBAL COMMUNICATION NETWORKS; RETAIL STORE SERVICES FEATURING COMPUTERS, COMPUTER SOFTWARE, COMPUTER PERIPHERALS AND CONSUMER ELECTRONICS, AND DEMONSTRATION OF PRODUCTS RELATING THERETO; ONLINE RETAIL STORE SERVICES PROVIDED VIA COMPUTER NETWORKS AND GLOBAL COMMUNICATION NETWORKS FEATURING COMPUTERS, COMPUTER SOFTWARE, COMPUTER PERIPHERALS AND CONSUMER ELECTRONICS, AND DEMONSTRATION OF PRODUCTS RELATING THERETO, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 0-0-1983; IN COMMERCE 0-0-1983.

FOR: COMPUTERIZED DATA STORAGE SERVICES; DATA STORAGE RELATING TO BUSINESS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 0-0-1985; IN COMMERCE 0-0-1985.

PRIORITY CLAIMED UNDER SEC. 44(D) ON ERPN CMNTY TM OFC APPLICATION NO. 2593671, FILED 2-26-2002, DATED 0-0-0000.

OWNER OF U.S. REG. NOS. 1,114,431, 1,401,154, AND OTHERS.

THE MARK CONSISTS OF THE DESIGN OF AN APPLE WITH A BITE REMOVED.

SN 78-155,188, FILED 8-16-2002.

NORA BUCHANAN WILL, EXAMINING ATTORNEY

United States Patent and Trademark Office

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Goods and Services	IC 035. US 100 101 102. G & S: analysis and consultation in the field of business information management, namely, the selection, adoption and operation of computers and computer information management systems; providing information in the fields of business and commerce over computer networks and global communication networks; business services, namely, providing computer databases regarding the purchase and sale of a wide variety of products and services of others; business services, namely, dissemination of advertising for others via computer networks and global communication networks; retail store services featuring computers, computer software, computer peripherals and consumer electronics, and demonstration of products relating thereto; online retail store services provided via computer networks and global communication networks featuring computers, computer software, computer peripherals and consumer electronics, and demonstration of products relating thereto. FIRST USE: 19830000. FIRST USE IN COMMERCE: 19830000 IC 039. US 100 105. G & S: computerized data storage services; data storage relating to business. FIRST USE: 19850000. FIRST USE IN COMMERCE: 19850000
Mark Drawing Code	(2) DESIGN ONLY
Design Search Code	05.09.05 - Apples
Serial Number	78155188
Filing Date	August 16, 2002
Current Filing Basis	1A
Original Filing Basis	1B;44D
Published for Opposition	July 29, 2003
Registration	**2926853**

Number	
International Registration Number	0871151
Registration Date	February 15, 2005
Owner	(REGISTRANT) Apple Computer, Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014 (LAST LISTED OWNER) APPLE INC. CORPORATION CALIFORNIA 1 INFINITE LOOP CUPERTINO CALIFORNIA 95014
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Thomas R. La Perle
Priority Date	February 26, 2002
Prior Registrations	1114431;1130288;1401154;AND OTHERS
Description of Mark	The mark consists of the design of an apple with a bite removed.
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

Int. Cl.: 16

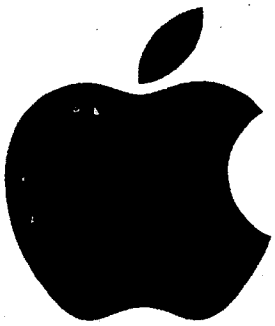
Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38 and 50

Reg. No. 2,657,931

United States Patent and Trademark Office

Registered Dec. 10, 2002

TRADEMARK
PRINCIPAL REGISTER



APPLE COMPUTER, INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: PRINTED MATERIALS AND PUBLICATIONS, NAMELY, USER MANUALS, SERIES OF BOOKS, BOOKLETS, BROCHURES, DATA SHEETS, WHITE PAPERS, NEWSLETTERS, CATALOGS, PAMPHLETS, PERIODICALS AND MAGAZINES, ALL IN THE FIELDS OF BUSINESS, CREATIVE DESIGN, COMPUTERS, INFORMATION TECHNOLOGY, WORD PROCESSING, DATABASE MANAGEMENT, MULTIMEDIA, ENTERTAINMENT, ELECTRONIC COMMERCE AND TELECOMMUNICATIONS; STATIONERY, PENS AND PENCILS, CLIPBOARDS, POSTERS, MEMO PADS, BINDERS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 1-6-1979; IN COMMERCE 1-6-1979.

OWNER OF U.S. REG. NOS. 1,219,945, 2,180,949 AND OTHERS.

SER. NO. 76-117,498, FILED 8-24-2000.

ANTHONY TAMBOURINO, EXAMINING ATTORNEY

Trademarks > Trademark Electronic Search System (TESS)

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Goods and Services	IC 016. US 002 005 022 023 029 037 038 050. G & S: Printed materials and publications, namely, user manuals, [series of books,] booklets, brochures, data sheets, white papers, [newsletters, catalogs,] pamphlets, [periodicals and magazines,] all in the fields of business, creative design, computers, information technology, word processing, database management, multimedia, entertainment, electronic commerce and telecommunications; [stationery,] pens and pencils, [clipboards,] posters, [memo pads,] binders. FIRST USE: 19790106. FIRST USE IN COMMERCE: 19790106
Mark Drawing Code	(2) DESIGN ONLY
Design Search Code	05.09.05 - Apples
Serial Number	76117498
Filing Date	August 24, 2000
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	September 17, 2002
Registration Number	**2657931**
International Registration Number	0868666
Registration Date	December 10, 2002
Owner	(REGISTRANT) Apple Computer, Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino

	CALIFORNIA 95014
	(LAST LISTED OWNER) APPLE INC. CORPORATION CALIFORNIA 1 INFINITE LOOP CUPERTINO CALIFORNIA 95014
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Thomas R. La Perle
Prior Registrations	1219945;1401154;2180949;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

Int. Cl.: 36

Prior U.S. Cls.: 100, 101 and 102

Reg. No. 2,820,066

Registered Mar. 2, 2004

United States Patent and Trademark Office

SERVICE MARK
PRINCIPAL REGISTER

APPLE COMPUTER, INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: CONSUMER LENDING SERVICES; RETAIL CREDIT SERVICES; RETAIL CREDIT SERVICES FOR THE PURCHASE OF COMPUTERS, COMPUTER SOFTWARE, CONSUMER ELECTRONICS AND RELATED ACCESSORIES; PROVIDING INFORMATION IN THE FIELDS OF INVESTMENT AND FINANCE OVER COMPUTER NETWORKS AND GLOBAL COMMUNICATION NETWORKS; FINANCIAL SERVICES, NAMELY, INSTALLMENT LOANS, LEASE-PURCHASE FINANCING AND LOANS, AND LOAN FINANCING, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 7-0-1983; IN COMMERCE 7-0-1983.

OWNER OF U.S. REG. NO. 1,303,085.

THE MARK CONSISTS OF THE DESIGN OF AN APPLE WITH A BITE REMOVED.

SER. NO. 78-255,986, FILED 5-29-2003.

PAULA MAYS, EXAMINING ATTORNEY

United States Patent and Trademark Office

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Mar 21 04:35:46 EDT 2012

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Record 1 out of 1

Goods and Services	IC 036. US 100 101 102. G & S: Consumer lending services; retail credit services; retail credit services for the purchase of computers, computer software, consumer electronics and related accessories; providing information in the fields of investment and finance over computer networks and global communication networks; financial services, namely, installment loans, lease-purchase financing and loans, and loan financing. FIRST USE: 19830700. FIRST USE IN COMMERCE: 19830700
Mark Drawing Code	(2) DESIGN ONLY
Design Search Code	05.09.05 - Apples
Serial Number	78255986
Filing Date	May 29, 2003
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	December 9, 2003
Registration Number	**2820066**
International Registration Number	0885881
Registration Date	March 2, 2004
Owner	(REGISTRANT) Apple Computer, Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014

	(LAST LISTED OWNER) APPLE INC. CORPORATION CALIFORNIA 1 INFINITE LOOP CUPERTINO CALIFORNIA 95014
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Thomas R. La Perle
Prior Registrations	1303085
Description of Mark	The mark consists of the design of an apple with a bite removed.
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,462,798

United States Patent and Trademark Office

Registered June 19, 2001

SERVICE MARK
PRINCIPAL REGISTER

APPLESTORE

APPLE COMPUTER, INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: ONLINE RETAIL STORE SERVICES PROVIDED VIA A GLOBAL COMPUTER NETWORK FEATURING COMPUTERS, COMPUTER HARDWARE, COMPUTER SYSTEMS, COMPUTER SOFTWARE, COMPUTER PERIPHERALS AND ACCESSORIES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 11-1-1997; IN COMMERCE 11-1-1997.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "STORE", APART FROM THE MARK AS SHOWN.

SN 75-857,151, FILED 11-23-1999.

NAAKWAMA ANKRAH, EXAMINING ATTORNEY

United States Patent and Trademark Office

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Sep 14 04:35:46 EDT 2011

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Record 1 out of 1

 (Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark	APPLE STORE
Goods and Services	IC 035. US 100 101 102. G & S: online retail store services provided via a global computer network featuring computers, computer hardware, computer systems, computer software, computer peripherals and accessories. FIRST USE: 19971101. FIRST USE IN COMMERCE: 19971101
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75857151
Filing Date	November 23, 1999
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	June 20, 2000
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration Number	**2462798**
Registration Date	June 19, 2001
Owner	(REGISTRANT) APPLE COMPUTER, INC. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014 (LAST LISTED OWNER) APPLE INC. CORPORATION CALIFORNIA 1 INFINITE LOOP CUPERTINO CALIFORNIA 95014
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Thomas R. La Perle
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "STORE" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK

Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20110411.
Renewal	1ST RENEWAL 20110411
Live/Dead Indicator	LIVE

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

Reg. No. 2,683,410

United States Patent and Trademark Office

Registered Feb. 4, 2003

SERVICE MARK
PRINCIPAL REGISTER

APPLE STORE

APPLE COMPUTER, INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: RETAIL STORE SERVICES FEATURING COMPUTERS, COMPUTER SOFTWARE, COMPUTER PERIPHERALS AND CONSUMER ELECTRONICS, AND DEMONSTRATION OF PRODUCTS RELATING THERETO; ONLINE RETAIL STORE SERVICES PROVIDED VIA A GLOBAL COMPUTER NETWORK FEATURING COMPUTERS, COMPUTER SOFTWARE, COMPUTER PERIPHERALS AND CONSUMER ELECTRONICS, AND DEMONSTRATION OF PRODUCTS RELATING THERETO, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 11-1-1997; IN COMMERCE 11-1-1997.

OWNER OF U.S. REG. NOS. 1,078,312, 2,462,798 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "STORE", APART FROM THE MARK AS SHOWN.

SER. NO. 76-400,649, FILED 4-25-2002.

ANNE MADDEN, EXAMINING ATTORNEY

United States Patent and Trademark Office

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Record 1 out of 1

 (Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark	APPLE STORE
Goods and Services	IC 035. US 100 101 102. G & S: Retail store services featuring computers, computer software, computer peripherals and consumer electronics, and demonstration of products relating thereto; online retail store services prov.ded via a global computer network featuring computers, computer software, computer peripherals and consumer electronics, and demonstration of products relating thereto. FIRST USE: 19971101. FIRST USE IN COMMERCE: 19971101
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	76400649
Filing Date	April 25, 2002
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	November 12, 2002
Registration Number	**2683410**
International Registration Number	0883222
Registration Date	February 4, 2003
Owner	(REGISTRANT) Apple Computer, Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014 (LAST LISTED OWNER) APPLE INC. CORPORATION CALIFORNIA 1 INFINITE LOOP CUPERTINO CALIFORNIA 95014
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Thomas R. La Perle

Prior Registrations	1078312;1225776;2424976;2462798;AND OTHERS
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "STORE" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

United States of America

United States Patent and Trademark Office

APPLE STORE

Reg. No. 3,710,912
Registered Nov. 17, 2009

APPLE INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

Int. Cls.: 37, 38, 41 and 42

SERVICE MARK
PRINCIPAL REGISTER

FOR: MAINTENANCE, INSTALLATION AND REPAIR OF COMPUTER HARDWARE, COMPUTER PERIPHERALS AND CONSUMER ELECTRONIC DEVICES, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 5-19-2001; IN COMMERCE 5-19-2001.

FOR: TECHNICAL CONSULTING IN THE FIELD OF CONSUMER ELECTRONICS, NAMELY, TELEPHONES, CELLULAR TELEPHONES AND WIRELESS TELECOMMUNICATIONS DEVICES; CONSULTING SERVICES IN THE FIELD OF SELECTION, IMPLEMENTATION AND USE OF CONSUMER ELECTRONIC SYSTEMS FOR OTHERS, NAMELY, TELECOMMUNICATIONS SYSTEMS FEATURING TELEPHONES, CELLULAR TELEPHONES AND WIRELESS TELECOMMUNICATIONS DEVICES, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 6-29-2007; IN COMMERCE 6-29-2007.

FOR: EDUCATION AND TRAINING SERVICES, NAMELY, CONDUCTING CLASSES, WORKSHOPS, AND SEMINARS IN THE FIELD OF COMPUTERS, COMPUTER SOFTWARE, ONLINE SERVICES, INFORMATION TECHNOLOGY, INTERNET WEBSITE DESIGN, MUSIC, PHOTOGRAPHY AND VIDEO PRODUCTS AND CONSUMER ELECTRONICS; ARRANGING PROFESSIONAL WORKSHOP AND TRAINING COURSES; COMPUTER EDUCATION TRAINING SERVICES; TRAINING IN THE USE AND OPERATION OF COMPUTERS, COMPUTER SOFTWARE AND CONSUMER ELECTRONICS; ENTERTAINMENT SERVICES, NAMELY, PROVIDING A FACILITY FOR LIVE CONCERTS AND SPECIAL EVENTS IN THE NATURE OF LIVE MUSICAL PERFORMANCES; TECHNICAL CONSULTING IN THE FIELD OF CONSUMER ELECTRONICS, NAMELY, AUDIO, AUDIOVISUAL AND HOME AND PORTABLE ENTERTAINMENT SYSTEMS AND DEVICES; CONSULTING SERVICES IN THE FIELD OF SELECTION, IMPLEMENTATION AND USE OF COMPUTER HARDWARE, COMPUTER SOFTWARE AND CONSUMER ELECTRONIC SYSTEMS FOR OTHERS, NAMELY, AUDIO, AUDIOVISUAL AND HOME AND PORTABLE ENTERTAINMENT SYSTEMS AND DEVICES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 5-19-2001; IN COMMERCE 5-19-2001.

FOR: TECHNICAL SUPPORT SERVICES, NAMELY, TROUBLESHOOTING COMPUTER HARDWARE, COMPUTER PERIPHERAL, COMPUTER SOFTWARE AND CONSUMER ELECTRONIC DEVICES; INSTALLATION, UPDATING, MAINTENANCE AND REPAIR OF COMPUTER SOFTWARE; TECHNICAL CONSULTING IN THE FIELD OF COMPUTERS AND COMPUTER-BASED CONSUMER ELECTRONICS; COMPUTER AND CONSUMER

David J. Kappos

Director of the United States Patent and Trademark Office

Reg. No. 3,710,912 ELECTRONIC DIAGNOSTIC SERVICES; CONSULTING SERVICES IN THE FIELD OF SELECTION, IMPLEMENTATION AND USE OF COMPUTER HARDWARE, COMPUTER SOFTWARE AND COMPUTER-BASED CONSUMER ELECTRONIC SYSTEMS FOR OTHERS; COMPUTER DATA RECOVERY; CONSULTING SERVICES IN THE FIELD OF SELECTION, IMPLEMENTATION AND USE OF COMPUTER HARDWARE AND COMPUTER SOFTWARE FOR THE OPERATION OF CONSUMER ELECTRONIC SYSTEMS FOR OTHERS IN THE NATURE OF AUDIO, AUDIOVISUAL AND HOME AND PORTABLE ENTERTAINMENT SYSTEMS AND DEVICES, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 5-19-2001; IN COMMERCE 5-19-2001.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,078,312, 3,317,089 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "STORE", APART FROM THE MARK AS SHOWN.

SER. NO. 77-388,365, FILED 2-4-2008.

MARILYN IZZI, EXAMINING ATTORNEY

Trademarks > Trademark Electronic Search System (TESS)

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APPLE STORE

Word Mark APPLE STORE

Goods and Services IC 037. US 100 103 106. G & S: Maintenance, installation and repair of computer hardware, computer peripherals and consumer electronic devices. FIRST USE: 20010519. FIRST USE IN COMMERCE: 20010519

IC 038. US 100 101 104. G & S: Technical consulting in the field of consumer electronics, namely, telephones, cellular telephones and wireless telecommunications devices; consulting services in the field of selection, implementation and use of consumer electronic systems for others, namely, telecommunications systems featuring telephones, cellular telephones and wireless telecommunications devices. FIRST USE: 20070629. FIRST USE IN COMMERCE: 20070629

IC 041. US 100 101 107. G & S: Education and training services, namely, conducting classes, workshops, and seminars in the field of computers, computer software, online services, information technology, internet website design, music, photography and video products and consumer electronics; arranging professional workshop and training courses; computer education training services; training in the use and operation of computers, computer software and consumer electronics; entertainment services, namely, providing a facility for live concerts and special events in the nature of live musical performances; technical consulting in the field of consumer electronics, namely, audio, audiovisual and home and portable entertainment systems and devices; consulting services in the field of selection, implementation and use of computer hardware, computer software and consumer electronic systems for others, namely, audio, audiovisual and home and portable entertainment systems and devices. FIRST USE: 20010519. FIRST USE IN COMMERCE: 20010519

IC 042. US 100 101. G & S: Technical support services, namely, troubleshooting computer hardware, computer peripheral, computer software and consumer electronic devices; installation, updating, maintenance and repair of computer software; technical consulting in the field of computers and computer-based consumer electronics; computer and consumer electronic diagnostic services; consulting services in the field of selection, implementation and use of computer hardware, computer

	software and computer-based consumer electronic systems for others; computer data recovery; consulting services in the field of selection, implementation and use of computer hardware and computer software for the operation of consumer electronic systems for others in the nature of audio, audiovisual and home and portable entertainment systems and devices. FIRST USE: 20010519. FIRST USE IN COMMERCE: 20010519
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77388365
Filing Date	February 4, 2008
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	September 1, 2009
Registration Number	**3710912**
International Registration Number	0973841
Registration Date	November 17, 2009
Owner	(REGISTRANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014
Attorney of Record	Thomas R. La Perle
Prior Registrations	1078312;2683410;3317089;AND OTHERS
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "STORE" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE