

ESTTA Tracking number: **ESTTA682008**Filing date: **07/06/2015**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	Anker Gebr. Schoeller GmbH & Co. KG
Granted to Date of previous extension	07/05/2015
Address	Zollhausstrasse 112 Duren, D-52319 GERMANY
Party who filed Extension of time to oppose	Anker-teppichboden Gebr. Schoeller GmbH & Co. KG
Relationship to party who filed Extension of time to oppose	The potential Opposer was misidentified through mistake in the Requests for Extension of Time and Opposer is correctly identified in this Notice of Opposition. Opposer's name was changed to ANKER Gebr. Schoeller GmbH + Co. KG on August 19, 2014.

Attorney information	Robert Mallinckrodt Thorpe North & Western, LLP 8180 South 700 East Suite 350 Sandy, UT 84070 UNITED STATES mallinckrodt@tnw.com, docket@tnw.com, kelley.warner@tnw.com
Domestic Representative	Robert Mallinckrodt Thorpe North & Western, LLP 8180 South 700 East Suite 350 Sandy, UT 84070 UNITED STATES mallinckrodt@tnw.com, docket@tnw.com, warner@tnw.com

Applicant Information

Application No	86320363	Publication date	01/06/2015
Opposition Filing Date	07/06/2015	Opposition Period Ends	07/05/2015
Applicant	L. FISHMAN & SON, INC. 6301 E. LOMBARD STREET Baltimore, MD 21224 UNITED STATES		

Goods/Services Affected by Opposition

Class 001. First Use: 1994/00/00 First Use In Commerce: 1994/00/00
All goods and services in the class are opposed, namely: ADHESIVES FOR FLOOR, CEILING AND WALL TILES; ADHESIVES FOR INDUSTRIAL PURPOSES; ADHESIVES AND GLUES FOR INDUSTRIAL PURPOSES; INDUSTRIAL ADHESIVES; ADHESIVES, OTHER THAN FOR STATIONERY

OR HOUSEHOLD PURPOSES
Class 006. First Use: 1984/00/00 First Use In Commerce: 1984/00/00 All goods and services in the class are opposed, namely: METAL SCREWS AND NAILS; CONSTRUCTION MATERIALS, NAMELY, METAL FLOORING MATERIALS, NAMELY, FLOORING TRIMS AND TRANSITIONS; NON-ELECTRIC SINGLE STRAND METAL TAG WIRE
Class 017. First Use: 1999/00/00 First Use In Commerce: 1999/00/00 All goods and services in the class are opposed, namely: ADHESIVE ANTI-SLIP TAPE FOR FLOORING APPLICATIONS; ADHESIVE TAPE FOR INDUSTRIAL AND COMMERCIAL USE; RUBBER EXPANSION JOINT COVERS
Class 019. First Use: 1983/00/00 First Use In Commerce: 1983/00/00 All goods and services in the class are opposed, namely: NON-METALLIC FLOORING UNDERLAYMENTS; NON-METAL VINYL WALL BASE; NON-METAL CARPET TACK STRIPS
Class 027. First Use: 1989/00/00 First Use In Commerce: 1989/00/00 All goods and services in the class are opposed, namely: CARPET PADDING

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Application No.	79162112	Application Date	01/13/2015
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ANKER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 024. First use: First Use: 0 First Use In Commerce: 0 Carpets and rugs for wall covering, crepe coverings Class 027. First use: First Use: 0 First Use In Commerce: 0 Carpets with trimmings, floor-covering carpets (wall-to-wall carpeting), carpet-tiles, runners (for carpets), bedside rugs, mats		

U.S. Registration No.	2379325	Application Date	08/09/1999
Registration Date	08/22/2000	Foreign Priority Date	NONE
Word Mark	ANKER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 012. First use: First Use: 1972/03/00 First Use In Commerce: 1990/10/00		

	carpet, carpet for airplanes, [and carpet tiles]
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Attachments	79162112#TMSN.png(bytes) 75769979#TMSN.png(bytes) Schmetz 001 Notice of Opposition ANCHOR.pdf(29859 bytes) Schmetz 001 Opposition Exhibit A.pdf(165301 bytes) Schmetz 001 Opposition Exhibit B.pdf(73925 bytes) Schmetz 001 Opposition Exhibit C.pdf(242501 bytes) Schmetz 001 Opposition Exhibit D.pdf(21619 bytes) Schmetz 001 Opposition Exhibit E.pdf(765369 bytes) Schmetz 001 Opposition Exhibit F.pdf(608105 bytes)
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Certificate of Service

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

Signature	/Robert Mallinkrodt/
Name	Robert Mallinckrodt
Date	07/06/2015

Peter M. de Jonge
Jed H. Hansen
Robert R. Mallinckrodt
Eric E. Westerberg
THORPE NORTH & WESTERN, L.L.P.
8180 South 700 East, Suite 350
Sandy, Utah 84070
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Attorneys for: ANKER Gebr. Schoeller GmbH + Co. KG
Opposed Mark: ANCHOR
U.S. Trademark Application Serial Number 86/320,363

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

ANKER Gebr. Schoeller GmbH + Co. KG, Formerly known as ANKER-Teppichboden Gebr. Schoeller GmbH & Co. KG. Opposer, v. L. Fishman & Son, Inc. Applicant.	Opposition No. _____
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NOTICE OF OPPOSITION

ANKER Gebr. Schoeller GmbH + Co. KG (hereinafter referred to as "Opposer"), a German Kommanditgesellschaft, having a principal place of business at Zollhausstrasse 112 D-52319, Duren, Germany, believes it will be damaged by the registration of the mark ANCHOR in Application Serial No. 86/320,363 and opposes such Registration in Classes 001, 006, 017, 019, and 027 and alleges the following:

1. Opposer herein obtained extensions of time to file the instant Notice of Opposition under the name ANKER-Teppichboden Gebr. Schoeller GmbH & Co. KG. The potential Opposer was misidentified through mistake in the Requests for Extension of Time and Opposer is correctly identified in this Notice of Opposition. Opposer's name was changed to ANKER Gebr. Schoeller GmbH + Co. KG on August 19, 2014, which is shown by Exhibit A which is a copy of the German commercial Register dated January 9, 2015 (new name shown on line 19). The change of name was filed in the German Patent and Trademark Office on January 9, 2015 with a request to record the change of name in regard to Opposer's International Trademark Registrations, including International Registration 400 015, which International Registration is the basis of Opposer's currently pending U.S. Application for Trademark Registration Serial Number 79/162,112 (see WIPO Notice dated March 30, 2015, Exhibit B, and TESS listing of U.S. Application Serial No. 79/162,112, Exhibit C). Applicant's attorneys, undersigned, had represented Opposer in connection with prior U.S. Registration Number 2,379,325, Exhibit D, prior to Opposer's change of name, and had not been informed of Opposer's change of name at the times of filing the Requests for Extension of Time to file this Notice of Opposition. Therefore, the undersigned attorneys used the prior name ANKER-Teppichboden Gebr. Schoeller GmbH & Co. KG. Opposer ANKER Gebr. Schoeller GmbH + Co. KG is the same entity as and the same type of entity, a German Kommanditgesellschaft, as ANKER-Teppichboden Gebr. Schoeller GmbH & Co. KG in which name the Extensions of Time were obtained.

2. Upon information and belief, L. Fishman & Son, Inc. (hereinafter referred to as "Applicant"), a Corporation of the State of Maryland with an address of 6301 E. Lombard Street,

Baltimore, Maryland 21224, seeks to register the mark ANCHOR for “adhesives for floor, ceiling and wall tiles; adhesives for industrial purposes; adhesives and glues for industrial purposes; industrial adhesives; adhesives, other than for stationery or household purposes” in international class 001, for “metal screws and nails; construction materials, namely, metal flooring materials, namely, flooring trims and transitions; non-electric single strand metal tag wire” in international class 006, for “power saw carbide grit discs” in international Class 007, for “plastic stretch wrap; paper goods, namely, tags” in international Class 016, for “adhesive anti-slip tape for flooring applications; adhesive tape for industrial and commercial use; rubber expansion joint covers” in international Class 017, for “non-metallic flooring underlayments; non-metal vinyl wall base; non-metal carpet tack strips” in international Class 019, for “poly twine cordage” in international Class 022, and for “carpet padding” in international Class 027. Applicant alleges that said mark has been used in commerce in connection with the goods in Class 001 since 1994, with the goods in Class 006 since 1984, with the goods in Class 007 since May, 2014, with the goods in Class 016 since 1995, with the goods in Class 017 since 1999, with the goods in Class 019 since 1983, with the goods in Class 022 since 1995, and with the goods in Class 027 since 1989.

3. Opposer believes that the goods identified in Class 001 of said Application Serial No. 86/320,363 include carpet adhesives for use in installing carpet, that the goods identified in Class 006 of said Application Serial No. 86/320,363 include metal trim used with carpets during carpet installation, that the goods identified in Class 017 of said Application Serial No. 86/320,363 include carpet tape used in installing carpet, that the goods identified in Class 019 of said Application Serial No. 86/320,363 as non-metal carpet tack strips are used in installing carpet, and that the goods identified in Class 027 of said Application Serial No. 86/320,363 as

carpet padding is placed under carpet as it is installed. Thus, Opposer believes that Classes 001, 006, and 017 include carpet related products, and classes 019, and 027 specifically refer to carpet related products. Opposer opposes registration of ANCHOR in Classes 001, 006, 017, 019, and 027.

4. Opposer is in the business of manufacturing and selling carpet, carpet tiles, rugs, runners, and mats. Opposer began using a representation of an anchor as a trademark for its carpets at least as early as 1892 and obtained U.S. Trademark Registration No. 28,979, issued October 13, 1896, Exhibit E, covering the representation of the anchor for use on carpets, covers, and furniture stuffs, and continues to use an updated representation of an “anchor” in commerce with the United States as a trademark for carpets.

5. Opposer has used the name ANKER as a prominent part of its business name in connection with the manufacture and sale of carpet since at least as early as 1959 (see Exhibit F, a listing and advertisement in the 1959-60 Edition of the CARPET ANNUAL Year-Book and Directory of the World’s Carpet Industries and Trade), and as part of its current trademark for carpet since at least as early 1972, such current trademark, which is currently used in commerce with the United States and has been in such use since at least as early as 1990, shown in expired United States Trademark Registration Certificate No. 2,379,325 issued August 22, 2000, Exhibit D, and in pending Application for U.S. Trademark Registration Serial No. 79/162,112, Exhibit C.

6. Opposer is well known under its ANKER name and its representation of an anchor in Europe, the United States, and other parts of the world as a manufacturer and seller of carpet and carpet products, and its carpet and carpet products sold under the ANKER name and representation of an anchor are well known in Europe, the United States, and other parts of the

world and such ANKER name and representation of an anchor have become distinctive of Opposer's products and have become a well-known indicator of Opposer as the source of Opposer's carpet products.

7. Opposer owns common law trademark rights in the United States in the use of a representation of an anchor as a trademark for carpet, the word ANKER as a trademark for carpet, and in the combination of a representation of an anchor and the word ANKER as a trademark for carpet.

8. Registration of Applicant's ANCHOR mark for carpet related products is likely to damage Opposer in that Applicant's mark, when used on or in connection with the carpet related products, so resembles Opposer's ANKER and representation of an anchor marks as to be likely to cause confusion, to cause mistake, or to deceive. Such confusion is likely to falsely suggest a connection between Applicant and Opposer.

9. The United States Patent and Trademark Office has cited Applicant's application in connection with a rejection of Opposer's pending Application Serial No. 79/162,112 as, if applicant's ANCHOR mark is registered, Opposer's mark "may be refused registration . . . because of a likelihood of confusion between the cited marks". Thus, registration of Applicant's ANCHOR mark for carpet related products is likely to damage Opposer in that Applicant's registration may result in a refusal by the United States Patent and Trademark Office to allow registration of Opposer's marks.

10. Registration of Applicant's ANCHOR mark is likely to damage Opposer by diluting Opposer's mark.

WHEREFORE, Opposer requests that Application Serial No. 86/320,363, in as much as it covers carpet related products be refused registration, that no registration including carpet

related products be issued to Applicant for the mark ANCHOR, and that this opposition be sustained in favor of Opposer.

The statutory Opposition Filing Fee of \$1,500.00 (\$300.00 per class opposed) is included herewith. Please charge any additional fees and credit any overpayment to Deposit Account No. 20-0100.

DATED this 6th day of July, 2015.

Respectfully submitted,

/Robert R. Mallinckrodt/

Peter M. de Jonge
Jed H. Hansen
Robert R. Mallinckrodt
Eric E. Westerberg

Attorneys for Opposer
ANKER Gebr. Schoeller GmbH + Co. KG

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE OF OPPOSITION** was served upon the Applicant at the following by the methods indicated below:

E. Anthony Figg
Rothwell, Figg, Ernst & Manbeck, PC
607 14th St. NW, Suite 800
Washington, D.C. 20005-2005

☐	Electronic Mail
☒	United States Mail, First Class
☐	Overnight Delivery
☐	Fax Transmission

DATED this 6th day of July, 2015.

/Kelley Warner/
Kelley Warner

Exhibit A

Nummer der Eintragung	a) Firma b) Sitz, Niederlassung, inländische Geschäftsanschrift, Zweigniederlassungen c) Gegenstand des Unternehmens	a) Allgemeine Vertretungsregelung b) Inhaber, persönlich haftende Gesellschafter, Geschäftsführer, Vorstand, Vertretungsberechtigte und besondere Vertretungsbefugnis	Prokura	a) Rechtsform, Beginn und Satzung b) Sonstige Rechtsverhältnisse c) Kommanditisten, Mitglieder	a) Tag der Eintragung b) Bemerkungen
1	2	3	4	5	6
1	a) <u>ANKER-Teppichboden Gebr. Schoeller GmbH Co. KG</u> b) Düren	a) Von Amts wegen ergänzt: Jeder persönlich haftende Gesellschafter vertritt einzeln. b) Persönlich haftender Gesellschafter: Gebr. Schoeller GmbH, Düren (Amtgericht Düren HRB 299)	Gesamtprokura gemeinsam mit einem anderen Prokuristen <u>Blümel, Werner, Düren</u> <u>Herpers, Günter, Düren</u> <u>Fehl, Hans, Langerwehe-Schlich</u> <u>Herx, Rainer, Schmallenberg</u> Schoeller, Markus, Dipl.-Ing., Nideggen <u>Humme, Hans-Joachim, Düren, *27.07.1936</u> Sporleder, Christian, Düren, *24.11.1964 Wojczyk, Kamil, Langerwehe-Jüngersdorf, *20.08.1957 Werker, Karl Heinz, Düren, *13.03.1957 <u>Knackstedt, Helmut, Dietfurt, *28.12.1948</u> <u>Puppel, Richard, Inden, *25.01.1950</u>	a) Kommanditgesellschaft Beginn: 01.07.1902 c) <u>Kommanditist:</u> <u>Ahlemann, Vera, Düren, Einlage: 5.700.000,00 EUR.</u> <u>Kommanditist:</u> <u>Schoeller, Markus Alexander, Student, Nideggen, Einlage: 1.900.000,00 EUR.</u> <u>Kommanditist:</u> <u>Schoeller, Michael Aurel, Nideggen, Nideggen, Einlage: 1.900.000,00 EUR.</u> <u>Kommanditist:</u> <u>Schoeller, Dominik Pascal, Schüler, Nideggen, Einlage: 1.900.000,00 EUR.</u>	a) 20.06.2002 Ronig b) Tag der ersten Eintragung: 21.06.1890 Dieses Blatt ist zur Fortführung auf EDV umgeschrieben worden und dabei an die Stelle des bisherigen Registerblattes getreten. Freigegeben am 20.06.2002. Tag der letzten Eintragung: 21.06.2001
2			<u>Prokura erloschen:</u> <u>Herx, Rainer, Schmallenberg</u> . <u>Gesamtprokura gemeinsam mit einem anderen Prokuristen:</u> <u>Edinger, Reinhard L., Hammersbach, *08.12.1957</u>		a) 19.09.2002 Heinen-Hompert
3			<u>Prokura erloschen:</u> <u>Edinger, Reinhard L., Hammersbach, *08.12.1957</u>		a) 11.07.2003 Kaumanns
4			Gesamtprokura gemeinsam mit einem anderen Prokuristen: Landherr, Erwin, Thannhausen, *28.03.1959 <u>Kütten, Leo, Mettlach, *28.05.1963</u>		a) 14.05.2004 Becker
5			<u>Prokura erloschen:</u> <u>Blümel, Werner, Düren</u> . <u>Gesamtprokura gemeinsam mit einem anderen Prokuristen:</u>		a) 14.06.2004 Kaumanns

Nummer der Eintragung	a) Firma b) Sitz, Niederlassung, inländische Geschäftsanschrift, Zweigniederlassungen c) Gegenstand des Unternehmens	a) Allgemeine Vertretungsregelung b) Inhaber, persönlich haftende Gesellschafter, Geschäftsführer, Vorstand, Vertretungsberechtigte und besondere Vertretungsbefugnis	Prokura	a) Rechtsform, Beginn und Satzung b) Sonstige Rechtsverhältnisse c) Kommanditisten, Mitglieder	a) Tag der Eintragung b) Bemerkungen
1	2	3	4	5	6
			<u>Bonne, Yves, Kreuzau, *04.05.1963</u>		
6			<u>Prokura erloschen:</u> <u>Humme, Hans-Joachim, Köln-Lindenthal, *27.07.1936</u>		a) 03.12.2004 Kaumanns
7			<u>Prokura erloschen:</u> <u>Herpers, Günter, Düren</u>		a) 11.02.2005 Kaumanns
8			<u>Gesamtprokura gemeinsam mit einem anderen</u> <u>Prokuristen:</u> <u>Raaf, Matthias, Leonberg, *16.01.1961</u>		a) 08.07.2005 Kaumanns
9	a) <u>ANKER-Teppichboden Gebr. Schoeller GmbH</u> <u>+ Co. KG</u>				a) 13.07.2005 Bohlem b) Aufgrund Migrationsfehler vom 20.06.2002 von Amts wegen berichtigt.
10			<u>Prokura erloschen:</u> <u>Knackstedt, Helmut, Dietfurt, *28.12.1948</u>		a) 11.08.2005 Franken
11			<u>Prokura erloschen:</u> <u>Kütten, Leo, Mettlach, *28.05.1963</u>		a) 02.12.2005 Kaumanns
12				c) Kommanditist: Ahlemann, Vera, Nideggen, *14.02.1931, Einlage: 5.700.000,00 EUR. Kommanditist: Schoeller, Markus Alexander, Nideggen, *02.01.1961, Einlage: 1.900.000,00 EUR. Kommanditist: Schoeller, Michael Aurel, Bornheim, *12.01.1962, Einlage: 1.900.000,00 EUR.	a) 20.09.2006 Bohlem b) Von Amts wegen berichtigt

Nummer der Eintragung	a) Firma b) Sitz, Niederlassung, inländische Geschäftsanschrift, Zweigniederlassungen c) Gegenstand des Unternehmens	a) Allgemeine Vertretungsregelung b) Inhaber, persönlich haftende Gesellschafter, Geschäftsführer, Vorstand, Vertretungsberechtigte und besondere Vertretungsbefugnis	Prokura	a) Rechtsform, Beginn und Satzung b) Sonstige Rechtsverhältnisse c) Kommanditisten, Mitglieder	a) Tag der Eintragung b) Bemerkungen
1	2	3	4	5	6
				Kommanditist: Schoeller, Dominik Pascal, München, *14.05.1967, Einlage: 1.900.000,00 EUR.	
13			Gesamtprokura gemeinsam mit einem anderen Prokuristen: Hoffe, Gerhard, Hessisch Ohlendorf, *10.10.1953		a) 02.01.2008 Mertens
14			<u>Prokura erloschen:</u> <u>Bonne, Yves, Kreuzau, *04.05.1963</u> <u>Prokura erloschen:</u> <u>Fehl, Hans, Langerwehe-Schlich, *29.12.1940</u>		a) 05.02.2008 Mertens
15			Gesamtprokura jeweils gemeinsam mit einem anderen Prokuristen: Johannsen, Eike, Herzogenrath, *26.10.1966 <u>Osterkamp, Bernd, Nettetal, *14.10.1963</u>		a) 01.09.2008 Mertens
16	b) Gemäß Artikel 65 EGHGB von Amts wegen ergänzt als Geschäftsanschrift: Zollhausstr. 112, 52353 Düren				a) 21.12.2009 Bohlem
17			<u>Prokura erloschen:</u> <u>Osterkamp, Bernd, Nettetal, *14.10.1963</u> <u>Prokura erloschen:</u> <u>Puppel, Richard, Inden, *25.01.1950</u> <u>Prokura erloschen:</u> <u>Raaf, Matthias, Leonberg, *16.01.1961</u>		a) 18.04.2013 Mertens
18			Gesamtprokura gemeinsam mit einem anderen Prokuristen: von Fuchs-Nordhoff, Alexander, Würselen, *02.05.1961		a) 15.01.2014 Becker
19	a) ANKER Gebr. Schoeller GmbH + Co. KG			b) Die Firma ist geändert.	a) 19.08.2014 Mertens

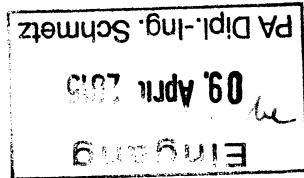
Exhibit B

WZ 5805 Me



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The International
Trademark System



Dipl.-Ing. Walter Schmetz,
Patentanwalt
Augustastrasse 14-16
52070 Aachen
Allemagne

Notre référence : 926/868362901
Votre référence : WZ 1799 ETC

Genève, le 30/03/2015

9

Enregistrements internationaux concernés :
0154572 (aucun élément verbal), 0289159 (aucun élément
verbal), 0400015 (ANKER), 0643749 (WEBART), 1045334
(ENTRE_E), 1088490 (JOIN), 1118722 (AIRLIGHT), 1154551
(PIXA).

Madame,
Monsieur,

Nous vous informons que la **modification du nom ou
l'adresse du titulaire** décrite ci-après a été inscrite au
registre international à l'égard des enregistrements
internationaux susmentionnés et sera publiée dans la
"Gazette OMPI des marques internationales" no 13/2015.

Nouveau nom et/ou nouvelle adresse du titulaire :
ANKER Gebr. Schoeller GmbH + Co. KG, Zollhausstraße 112,
52353 Düren, Allemagne

Date d'inscription : 21/01/2015

**Bureau international de l'Organisation Mondiale
de la Propriété Intellectuelle (OMPI)**

Exhibit C



United States Patent and Trademark Office

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**ANKER**

Word Mark

ANKER

Goods and Services

IC 024. US 042 050. G & S: Carpets and rugs for wall covering, crepe coverings

IC 027. US 019 020 037 042 050. G & S: Carpets with trimmings, floor-covering carpets (wall-to-wall carpeting), carpet tiles, runners (for carpets), bedside rugs, mats

Mark Drawing Code
Design Search Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

18.11.05 - Anchors

26.01.02 - Circles, plain single line; Plain single line circles

Serial Number

79162112

Filing Date

January 13, 2015

Current Basis

66A

Original Filing Basis

66A

International Registration
Number

0400015

Owner

(APPLICANT) ANKER Gebr. Schoeller GmbH + Co. KG German Kommanditgesellschaft FED REP GERMANY
Zollhausstraße 112 52353 Düren FED REP GERMANY

Type of Mark

TRADEMARK

Register

PRINCIPAL

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Exhibit D

Int. Cl.: 27

Prior U.S. Cls.: 19, 20, 37, 42 and 50

Reg. No. 2,379,325

United States Patent and Trademark Office

Registered Aug. 22, 2000

**TRADEMARK
PRINCIPAL REGISTER**



ANKER-TEPPICHBODEN GEBR. SCHOELLER GMBH
& CO. KG (FED REP GERMANY CORPORATION)
ZOLLHAUSSTRASSE 112
D-52319 DUREN, FED REP GERMANY

FIRST USE 3-0-1972; IN COMMERCE 10-0-1990.
THE ENGLISH TRANSLATION OF "ANKER" IS
ANCHOR.

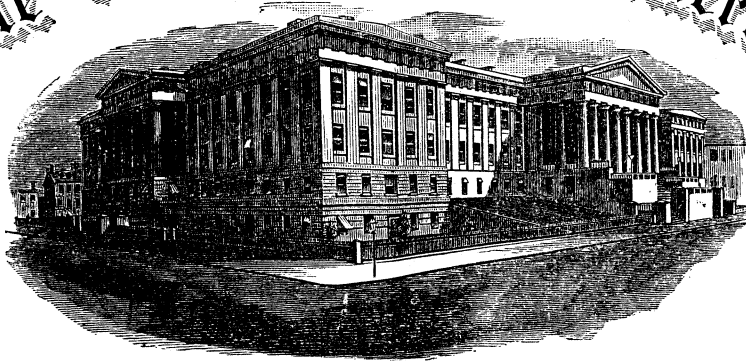
FOR: CARPET, CARPET FOR AIRPLANES, AND
CARPET TILES, IN CLASS 27 (U.S. CLS. 19, 20, 37,
42 AND 50).

SER. NO. 75-769,979, FILED 8-9-1999.

JOHN HWANG, EXAMINING ATTORNEY

Exhibit E

The United States of America



To all to whom these presents shall come:

This is to Certify That by the records of the UNITED STATES PATENT OFFICE it appears that *Gebrüder Schoeller*
of Düren, Germany,
 did, on the *20th* day of *July*,
 18*96*, deposit in said Office for REGISTRATION fac-similes of a certain

TRADE-MARK

for *Carpets, Covers, & Furniture Stuffs*
 and the date of the receipt thereof was duly noted and recorded; that on the *20th* day of *July*, 18*96*, they deposited therewith a statement, and a written declaration under the oath of *Philipp Nicolaus Ludwig Schoeller, sole member of said firm*, copies of all of which are hereto annexed; and the said firm having made the payment of a fee of TWENTY-FIVE DOLLARS, and complied with the regulations in such cases prescribed by the COMMISSIONER OF PATENTS, and in all other respects complied with an Act of Congress approved March 3, 1881, entitled "An Act to authorize the Registration of Trade-Marks and protect the same," the said fac-similes, statement, and declaration were duly recorded, and the said TRADE-MARK has been duly registered in the said PATENT OFFICE this *13th* day of *October*, one thousand eight hundred and ninety-*six*, and protection therefor will remain in force for THIRTY YEARS from said date unless sooner terminated in accordance with Section 5 of said Act

In testimony whereof the seal of the Department of the Interior is hereto affixed this *thirteenth* day of *October*, 18*96*, and of the Independence of the United States the one hundred and *twenty-first*
 Given under my hand, at Washington, D.C.

Wm. A. Reynolds

TRADE-MARK.

—o—
GEBRÜDER SCHOELLER.

CARPETS, COVERS, AND FURNITURE STUFFS.

No. 28,979.

Registered Oct. 13, 1896.



Witnesses:

*Albert Buntin
Johann Reifel.*

Proprietors:

*Gebrüder Schoeller,
By Martin Hmetz
Attorney.*

UNITED STATES PATENT OFFICE.

GEBRÜDER SCHOELLER, OF DÜREN, GERMANY.

TRADE-MARK FOR CARPETS, COVERS, AND FURNITURE STUFFS.

STATEMENT and DECLARATION of Trade-Mark No. 28,979, registered October 13, 1896.

Application filed July 20, 1896.

STATEMENT.

To all whom it may concern:

Be it known that we, GEBRÜDER SCHOELLER, (carpet manufactory,) a firm domiciled in Germany, and doing business at Düren, Rhineland, Germany, have adopted for our use a Trade-Mark for Carpets, Covers, and Furniture Stuffs, of which the following is a full, clear, and exact specification.

Our trade-mark consists of the pictorial representation of an anchor, and its essential feature is the representation of an anchor, as shown in the accompanying mounted facsimile.

This trade-mark has been used continuously in business by us since the 11th day of April, 1892.

The class of merchandise to which this trade-mark is appropriated is textile materials, and the particular description of goods comprised in such class on which it is used by us is carpets, covers, and furniture stuffs.

It is the practice to impress the trade-mark directly to the goods, and it is applied in several sizes and colors.

The trade-mark is also produced on labels, which are attached to the goods, or it is imprinted to the packages containing the goods.

The trade-mark is also used on letter-heads, circulars, cards, and otherwise in advertising our business.

In witness whereof we have hereunto set our hand in presence of two subscribing witnesses.

GEBRÜDER SCHOELLER.

PHILIPP NICOLAUS LUDWIG SCHOELLER,
Sole member of the firm.

Witnesses:

HERMANN WILK,
JOHANN BEISSEL.

DECLARATION.

United States consulate Aix-la-Chapelle, Germany ss.

PHILIPP NICOLAUS LUDWIG SCHOELLER being duly sworn, deposes and says that he is the sole owner of the firm GEBRÜDER SCHOELLER the applicant named in the foregoing statement, that he verily believes that the foregoing statement is true; that said firm has at this time a right to the use of the trade-mark therein described; that no other person, firm or corporation has the right to such use, either in the identical form or in any such near resemblance thereto as might be calcu-

lated to deceive; that it is used in commerce by said firm between the United States and foreign nations or Indian tribes, and particularly with Germany, and that the description and facsimiles presented for record truly represent the trade-mark sought to be registered.

PHILIPP NICOLAUS LUDWIG SCHOELLER.

Sworn to and subscribed before me this 8th day of July, 1896.

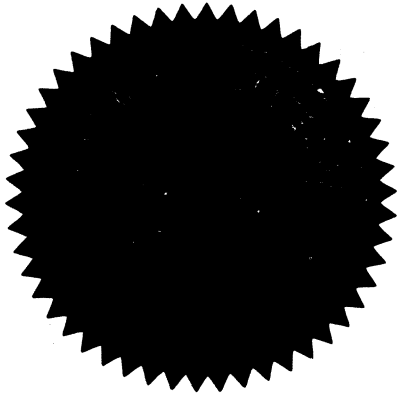
[L. s.]

P. KUETGENS,
U. S. Vice and Deputy Consul.

Dipl. Ing. R. Büchler
Patentanwalt
AACHEN,
Boxgraben 47

THE UNITED STATES OF AMERICA.

Application having been made by Gebrüder Schoeller,
of Düren, Germany, for renewal of Certificate of Registra-
tion of Trade-Mark No. 28,979, registered October 13, 1896,
to Gebrüder Schoeller, for Carpets, Covers, and Furniture
Stuffs, and the renewal fee required by law having been paid,
this is to certify that said Certificate of Registration No.
28,979, has been renewed and will remain in force for twenty
years from October 13, 1926, unless sooner terminated by law.



In testimony whereof I have here-
unto set my hand and caused the seal
of the Patent Office to be affixed at
the City of Washington, this 8th day
of March, 1927.

ATTEST:

G. R. Ducker
Law Examiner.

Thomas E. Robertson
Commissioner of Patents.

5-1865-

Issue Division.

(2-032.)

All communications should be addressed to
"The Commissioner of Patents,
Washington, D. C."

DEPARTMENT OF THE INTERIOR,

United States Patent Office,

Washington, D. C., Sept 23, 1896
per. 410-96.

Gebrüder Schaeffer
& Martin Schmetz
Aix la Chapelle
Ger.

SIR:

Your **APPLICATION** for **REGISTRATION OF TRADE-MARK** for

Carpets, Covers and Furniture Stuffs.

has been examined and allowed.

The **Certificate of Registration** will be issued and forwarded to you as
soon as practicable, in due order of business.

Very respectfully,

John S. Seymour

Commissioner of Patents.

Exhibit F

THE CARPET ANNUAL 1959-60

Annuaire de l'Industrie de Tapis

Year-Book and Directory of the World's Carpet Industries and Trade

First Published in 1935

Edited by
H. F. Tysser

BRITISH-CONTINENTAL TRADE PRESS LTD.

222, STRAND,

LONDON

CABLES: BECEPRESS

TELEPHONES: FLEet Street 1253-4 and 8420

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ABBREVIATIONS USED IN THE DIRECTORY SECTIONS:

T: Telephone	T.A.: Telegraphic Address
C: Capital	D: Director
MD: Managing Director	P: Proprietor or Partner
E: Established	Em: Employees
A: Agents	M: Manager

III.—Manufacturers of Carpets & Rugs

ALGERIA

- Bouali Bachir**, rue de Mascara 58, Tlemcen.
- Carrière (Marion)**, rue Guichaïn (Marabout) Algiers. T: 39-46. D: Jeanne Carrière. E: 1918. 30 looms. Tapis persanes et modernes de belle qualité.
- Filature de la Manufacture de Tapis d'Orient**, Quartier El-Kalaa, Tlemcen.
- HADJ SLIMANE MOHAMED FILS**, 14 rte. Nationale, Tlemcen. Sales confined to France Tapis, 16 Avenue de Messine, Paris. (See advertisement "France Tapis.")
- La Maison Mannesque (Tapis Delfau)**, 2e Impasse de Chartres 3, Algiers.
- Manufacture de Tapis d'Art**, 4 rue Marquis de Montcalm, Alger. T: 281-61.
- Maison Julien (Chetcuty Frères)**, rue du Hamma 12, Algiers.
- M.T.O. (Manufacture de Tapis d'Orient et Manufacture de Textile Oranaise)**, La Pepinière, Tlemcen. TA: Taporient. T: 150. President: Docteur Mercier. M: G. Gueron. Cap: 64,000,000 Frs.

ARGENTINE

- Alfombras Sparta Atlantida, S.A.I.C.**, Office: Suipacha 625. T: 35-3098-99, Buenos Aires. TA: Spartlantida. MD: J. Mergherian. D: J. Mergherian, Dr. H. M. Bunge Guerrico, C. B. Varela, A. Mergherian. Wilton Plain and Jacquard Carpets.
- DANDOLO & PRIMI, S.A.C.I.**, Callao 264, Buenos Aires. TA: Dandolo. T: 45-5054. Ch: Savas Dandolo. JMD: Savas Dandolo, Constantino Galata. D: Dr. Juan Scarpati, Ernesto P. Eppenstein. E: 1910. Em: 500. Hand made carpets and rugs. (See advertisement).
- Khurlopian & Poladian (Casa Bucara)**, Esmeralda 700, Buenos Aires.
- Mergherian, S.A.C.I.F.**, Suipacha 625, Buenos Aires. TA: Spartlantida. T: 35-3098-3099. MD: D. Tanielian, J. Mergherian, A. Mergherian, S. Sahaguian. Hand-made Carpets.
- Witte, Walter Paul**, Soc.Com.P.Acc., Luis M. Campos 1051, Buenos Aires. T: 73-6755. MD: Walter P. Witte. E: 1952. Manufacturers of Tufted Cut and Loop Pile Carpets, Woven Wilton and Brussels Carpets, Tufted Rugs etc.

AUSTRALIA

- British Australian Carpet Manufacturing Co. Pty. Ltd.**, Corner Nicholson Street & Victoria Parade, East Melbourne, C.2. TA: Bacmanco. T: FB 4111. D: R. Young, R. J. Webster, H. W. Rowden, G. Packer, A. Spowers, A. Dodgshun, L. A. Lochrin. GM: A. F. Wyer. Em: 460. Wilton and Axminster carpet manufacturers. E: 1945.

Carpet Manufacturers Ltd., 11/27 Harris Road, Five Dock, Sydney. TA: Auscarpets Sydney. T: WF 7241. D: Tresco G. Rowe (Chairman & Managing Director), R. Vicars, T. L. G. Rowe, W. R. Dougall, T. L. Baillieu. Sec: H. E. Buswell. E: 1937. Spool and Gripper Axminster all widths. A: London Agents: Messrs. Francis Chapman, Sons & Deeks Ltd. Distributors: J. M. Todd Pty. Ltd., Todd House, Clarence Street, Sydney, N.S.W., Australia.

Chatanooga Tufted Carpets (Australia) Pty. Ltd., G.P.O. Box 4281, Sydney. TA: Chatoga, Sydney. T: MU 2451. M: P. J. Martin. D: R. J. Webster, Col. F. H. Wright, H. W. Rowden, L. A. Lochrin, Lt.-Gen. Sir Frank Berryman. Tufted Carpets.

Felt & Textiles (of Australia) Ltd., P.O.B. 1798. G.P.O., Melbourne, C.1. Tufted Carpets.

Miller & Co. (James) Pty. Ltd., Dawson Street, Brunswick, Victoria.

United Carpet Mills Pty. Ltd., 64 Oakover Road, Preston, N.18. TA: "Unicarpets." T: J. J. 1937. J. J. 1687. D: Mr. L. Fink, S. Fink, J. Fink. MD: W. Fink. Agents: Color Master Carpets P/Ltd., 24 Bond Street, Melbourne. Manufacturers of spool Axminster, Wilton, Jacquard Wiltons.

Victoria Carpet Co. Pty. Ltd., Gladstone Road, Dandenong, Victoria. TA: Vicpet Dandenong. T: 1424-5. MD: J. H. H. Anton. Manufacturers of Axminster carpets. Sole distributors: Thorold Harper & Co. Pty. Ltd., 179, Flinders Lane, Melbourne.

Westminster Carpets Pty. Ltd., Princes Highway, Dandenong, Victoria. TA: Westcarpet Dandenong. T: Dandenong 701. MD: J. Dewes. D: F. M. Keighley, W. G. Keighley, J. C. Farrin, Webb, J. M. Rodd, C. Wallace Smith, A. B. Wenzel. A: New Zealand & Canada.

Worth (Thomas Bond) & Sons Ltd., Tyabb Road, Mornington, Victoria.

AUSTRIA

A. G. Der Teppich-und Möbelstoff-Fabriken. Vorm. Philipp Haas & Söhne. Head Office: Stock im Eisenplatz 4, Vienna I. Mills: Ebergassing, Low Austria. TA: Haasteppich Wein T: 52 36 86. 52 29 59. D: Komm. Rat Wilhelm Chinna, Richard Lichtl, Dr. Walter Gatterer, Rudolf Frinzel. Export Manager: Walter Strauss. E: 1810. 2,500 spindles, 160 looms. Em. 1,000. A: In many countries: Spool and Gripper Axminster, Hairs, Wiltons.

Erste Österreichische Mechanische Kokosteppich-und Mattenfabrik Karl Eybl, Krems-Stein, Karl Eybl-Gasse 1-3. TA: Teppichfabrik, Krems-Stein. T: Krems/Donau 2576. Telex: 01-557. D: Franz Wilhelm, Traute Wilhelm. Coir and Sisal mats and matings.



ANKER-TEPPICH-FABRIK

GEBRÜDER SCHOELLER

DÜREN/RL.



Carpets

Runners

Piece Goods

Broadlooms

Deansgate (Agencies) Limited

2-4 Warwick Square · LONDON E. C. 4/ England · Phone: City 2322, 3210

PLUSCHWEBEREI GREFRATH G.m.b.H. 29 Vinkrather Strasse, Grefrath bei Krefeld. TA: Grevelour. T: 2521. TP: 0854 821. D: O. Nickel, Dr. U. Encke, H. Wolters, CSM: H. Fischer. E: 1869. Em: 900. Manufacturers of carpets, runners, bedsurroundings, piece goods of wool and synthetics, in oriental and contemporary designs and plain. Also furnishing and other pile fabrics. (See advertisement.)

Pollems & Lingenberg G.m.b.H., Lobberich/Rhld., Bahnstrasse 47. TA: Polberg. T: 715-717. P: Mr. Berndt Cleven. MD: Ferdinand Müller. M: Heinrich Goertz, Ludwig Levartz. E: 1926. Em: 350. A: In all countries. Perlon and wool carpets, also furnishing velours.

Poser, Hartwig W. (Schwest-Teppichfabrik), Pegnitz (Ofr.) Nürnbergerstr. 22. T: 15 and 255/6. TA: Teppichposer. TP: 0642842. E: 1856. E: 450. Carpets, runners and piece goods of wool, hair and jute yarn.

Ralenkotter, F. & H., KG., Rhedaer Str., Wiedenbruck/Westfalen. TA: Ralenkotter. T: 276 and 277. TP: 933 211. MD: Heinrich Ralenkotter. M: Gerhard Ralenkotter. E: 1856. Em: 150. Spinning and Weaving Mill. Manufacturers of carpets and runners of sisal-bouclé.

Reichel, Herbert, Textilwerk, 87-89, Romerstrasse, Rheinberg/Rhineland. TA: Reichel, Rheinberg/Rhld. T: 571. TP: 0812 812. Manufacturers of carpets, rugs, runners in Wilton and Hair yarn.

Remstater Teppichfabrik G.m.b.H., Plüderhausen/Württ. T: Schorndorf 1377/78. TA: Remstaer. E: 1955. Em: 180. Carpets, runners and piece goods of hair yarn.

Rogler, Alfred Grehn, KG., Gefrees/Bayern. TA: Aros. T: Gefrees 255. D: Alfred Rogler. E: 1887. Em: 200. Manufacturers of rugs, body carpeting and furnishing fabrics of wool.

Sauermilch, Gebrüder, Tann/Rhon. TA: Sauermilch, Tann/Rhon. T: 51. D: Horst Sauermilch. E: 1945. Em: 68. Spinners and manufacturers of handwoven carpets and rugs, gobelins and furnishings.

Schilgen, J., Jutespinnerei und Weberei., Emsdetten/Westphalia, Germany. TA: Schilgenems. T: 451. TP: 0893 225. P & D: Stephan Schilgen, Hans Schilgen, Hermann Schilgen, Theo Schilgen. M: H. Schlichter, W. Kohl. E: 1873. Em: 750. Manufacturers of jute carpets, runners, bedside rugs and bedsurroundings.

SCHOELLER, GEBRUEDER, Anker-Teppich-Fabrik, Düren. TA: Ankerteppiche. T: 3044. MD: Werner Schoeller. D: Hans Rohs, Dr. Felix Pressel. E: 1854. Em: 950. Carpet manufacturers, carpets, runners, piece goods, broadlooms. (See advertisement.)

Stockle & Co., Weil der Stadt/Württemberg, POB TA: Stoeckle. T: 250. MD: Otto Stockle. E: 1933. Em: 180. Handwoven carpets, rugs of wool.

Strasser, A. Kokosweberei, 56 Finninger Strasse, Neu-Ulm/Donau. TA: Strasser Neuulmdonau. T: 7074. TP: 0712783. MD: A. Strasser. E: 1918. Em: 200. Manufacturers of coir carpets, runners and mats.

Teppich-Knüperei Erna Klein, 407 Ruhesteinstrasse, Obertal Kr. Freudenstadt/Schwarzwald. T: Obertal 176. P: Erna Finkbeiner-Klein. M: Karl Haug. E: 1938. Hand made carpets and rugs in oriental and contemporary designs.

Teppich-, Leinen- und Baumwollweberei AG., 28 Lohrerstrasse, Fulda. TA: Teppichfabrik. T: 3453/54/55. MD: Walter Wagner. Ex.M: A. von Fuchs. E: 1883. Em: 250. Manufacturers of runners, rugs and piece goods of wool and hair yarn and synthetic fibres.

Teppichfabrik Lengerich G.m.b.H., Ladbergen in Westphalia. TA: Bouclésa Ladbergen. T: 222. D: F. Giersch. E: Brandt. E: 1949. Em: 250. Carpets, runners and piece goods of sisal and bouclésa.

Teppich und Textilmanufaktur G.m.b.H., Munich 23, Leopoldstrasse 26. TA: Teppichtextil. D: Paul Dürrschmidt. München, Dr. jur. W. Mertens, Hameln. T: 33 89 41. TP: 05/23937. MD: Paul Dürrschmidt. E: 1948. Em: 250.

Teppichweberei Schwarzenhammer, G.m.b.H., Schwarzenhammer Nr. Selb (Ofr.) T: Thierstein 24. TP: 06/41227.

Teppichwerk Schaeffler KG., Herzogenaurach near Nuremberg, POB. 49. TA: Schaefflerwerk Herzogenaurach. T: 444. TP: 0629893. MD: Dr. Schaeffler. Carpets, runners and rugs of wool.

Trumpf Spinnerei, Flechtere & Weberei G.m.b.H., Nollenburg, Emmerich/Rhein. TA: Trumpf-spinnerei. T: 1243. D: Meine Meinesz, C. W. Baan. E: 1948. Em: 80 Carpets and runners of sisal.

UNION-TEPPICH-FABRIK Walter Poser & Co. KG., Mayen/Rhld., TA: Unionteppich, T: 2300. P: Walter Poser, Mrs. Ingrid Kneflowski. M: Alfred Schuster. Manufacturers of Gripper Axminster Squares and Rugs. (See advertisement.)

VEREINIGTE JUTE SPINNEREIEEN UND WEBEREIEEN A.G., 4 Noeldekestr. Hamburg-Harburg. TA: Juteweberei Harburg. T: Hamburg 771101 (4 lines). TP: 021 3436. MD: W. Janschek. D: W. Janschek, Dr. Schiermeyer, K. Müller, Dr. Spitze. E: 1883. Em: 700. Spinning and Weaving. Manufacturers of carpets, runners, body and stair carpeting in "Danufloor" viscose wilton, Perlon synthetic wilton and sisal bouclé all contemporary styled, tufted carpeting, and runners of jute rips. (See advertisement.)

Vereinigte Smyrna-Teppichfabriken G.m.b.H., Hannover, Lilienthalstrasse 2. TA: Smyrnateppich. T: 67641/42. MD: Dr. Erich Mittelsten Scheid. Em: 400.