

# U.S. Customs and Border Protection

## *General Notices*

### GRANT OF “LEVER-RULE” PROTECTION

**AGENCY:** Customs & Border Protection, Department of Homeland Security.

**ACTION:** Notice of grant of “*Lever-rule*” protection.

**SUMMARY:** Pursuant to 19 CFR 133.2(f), this notice advises interested parties that Customs & Border Protection (CBP) has granted *Lever-rule* protection to Embotelladora Aga Del Pacifico, S.A. de C.V. (Embotelladora).

**FOR FURTHER INFORMATION CONTACT:** Dax Terrill, Intellectual Property Rights Branch, Regulations & Rulings, Office of International Trade, (202) 572—8829.

### **SUPPLEMENTARY INFORMATION:**

#### **BACKGROUND**

Pursuant to 19 CFR § 133.2(f), this notice advises interested parties that CBP has granted *Lever-rule* protection for the following Embotelladora products: AGA carbonated soft drinks.

In accordance with the decisions in *Davidoff & CIE v. PLD Int’l Corp.*, 263 F. 3d 1297 (11th Cir. 2001), *Societe Des Produits Nestle, S.A. v. Casa Helvetia, Inc.*, 982 F.2d 633 (1st Cir. 1992) and *Ferrero U.S.A., Inc. v. Ozak Trading, Inc.*, 753 F. Supp. 1240 (D.N.J), aff’d 935 F.2d 1281 (3d Cir. 1991), CBP has determined that the above-referenced gray market AGA carbonated soft drink products differ physically and materially from the AGA carbonated soft drink products authorized for sale in the United States in one or more of the following respects: different chemical composition between the products authorized for sale in the United States and the products distributed in Mexico, including ingredients found in the Mexican products that are banned in the United States by the U.S. Food and Drug Administration; different product construction and labeling, including lack of United States product specification on Mexican bottles, as well as written that is in Spanish only; and differing trade dress exhibited by the United States and Mexican products.

## ENFORCEMENT

Importation of the above-referenced gray market AGA carbonated soft drink products is restricted, unless the labeling requirements of 19 CFR § 133.23(b) have been satisfied.

Dated: October 17, 2008

GEORGE FREDERICK MCCRAY,  
*Chief,*  
*Intellectual Property Rights Branch,*  
*Regulations & Rulings,*  
*Office of International Trade.*

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## PROPOSED COLLECTION; COMMENT REQUEST

### DOCUMENTS REQUIRED ABOARD PRIVATE AIRCRAFT

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** 60-Day Notice and request for comments; Extension of an existing collection of information: 1651-0058

**SUMMARY:** : As part of its continuing effort to reduce paperwork and respondent burden, the U.S. Customs and Border (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Documents Required Aboard Private Aircraft. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments should be received on or before December 22, 2008, to be assured of consideration.

**ADDRESS:** Direct all written comments to U.S. Customs and Border Protection, Attn.: Tracey Denning, 1300 Pennsylvania Avenue NW, Room 3.2C, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to U.S. Customs and Border Protection, Attn.: Tracey Denning, 1300 Pennsylvania Avenue NW, Room 3.2C, Washington, D.C. 20229, Tel. (202) 344-1429.

### SUPPLEMENTARY INFORMATION:

CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44

U.S.C. 3506(c)(2)(A)). The comments should address the accuracy of the burden estimates and ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology, as well as other relevant aspects of the information collection. The comments that are submitted will be summarized and included in the CBP request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

**Title:** Documents Required Aboard Private Aircraft

**OMB Number:** 1651-0058

**Form Number:** N/A

**Abstract:** The documents required by CBP regulations for private aircraft arriving from foreign countries pertain only to baggage declarations, and if applicable, to Overflight authorizations. CBP also requires that the pilots present documents required by FAA to be on the plane.

**Current Actions:** There are no changes to the information collection. This submission is being made to extend the expiration date.

**Type of Review:** Extension (without change)

**Affected Public:** Individuals

**Estimated Number of Respondents:** 150,000

**Estimated Number of Annual Responses:** 150,000

**Estimated Time Per Respondent:** 1 minute

**Estimated Total Annual Burden Hours:** 2,490

Dated: October 14, 2008

TRACEY DENNING,  
*Agency Clearance Officer,*  
*Customs and Border Protection.*

## **PROPOSED COLLECTION; COMMENT REQUEST**

### **Declaration of Owner for Merchandise Obtained (other than) in Pursuance of a Purchase or Agreement to Purchase and Declaration of Importer of Record When Entry is Made by an Agent**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** 60-Day Notice and request for comments; Extension of an existing collection of information: 1651-0093.

**SUMMARY:** : As part of its continuing effort to reduce paperwork and respondent burden, the U.S. Customs and Border (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Declaration of Owner for Merchandise Obtained (other than) in Pursuance of a Purchase or Agreement to Purchase and Declaration of Importer of Record When Entry is Made by an Agent. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments should be received on or before December 22, 2008, to be assured of consideration.

**ADDRESS:** Direct all written comments to U.S. Customs and Border Protection, Attn.: Tracey Denning, 1300 Pennsylvania Avenue NW, Room 3.2C, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to U.S. Customs and Border Protection, Attn.: Tracey Denning, 1300 Pennsylvania Avenue NW, Room 3.2C, Washington, D.C. 20229, Tel. (202) 344-1429

#### **SUPPLEMENTARY INFORMATION:**

CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3506(c)(2)(A)). The comments should address the accuracy of the burden estimates and ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology, as well as other relevant aspects of the information collection. The comments that are submitted will be summarized and included in the CBP request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

**Title:** Declaration of Owner for Merchandise Obtained (other than) in Pursuance of a Purchase or Agreement to Purchase and Declaration of Importer of Record When Entry is Made by an Agent.

**OMB Number:** 1651-0093

**Form Number:** CBP Forms-3347 and 3347A

**Abstract:** CBP Forms-3347 and 3347A allow an agent to submit, subsequent to making the entry, the declaration of the importer of record that is required by statute. These forms also permit a nominal importer of record to file the declaration of the actual owner and to be relieved of statutory liability for the payment of increased duties.

**Current Actions:** There are no changes to the information collection. This submission is being made to extend the expiration date.

**Type of Review:** Extension

**Affected Public:** Business or other for-profit institutions

**Estimated Number of Respondents:** 5,700

**Estimated Time Per Respondent:** 6 minutes

**Estimated Total Annual Burden Hours:** 570

Dated: October 14, 2008

TRACEY DENNING,  
*Agency Clearance Officer,*  
*Customs and Border Protection.*

[Published in the Federal Register, October 22, 2008 (73 FR 63000)]

## PROPOSED COLLECTION; COMMENT REQUEST

### NAFTA Regulations and Certificate of Origin

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** 60-Day Notice and request for comments; Extension of an existing collection of information: 1651-0098.

**SUMMARY:** : As part of its continuing effort to reduce paperwork and respondent burden, the U.S. Customs and Border (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the NAFTA Regulations and Certificate of Origin. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments should be received on or before December 22, 2008, to be assured of consideration.

**ADDRESS:** Direct all written comments to U.S. Customs and Border Protection, Attn.: Tracey Denning, 1300 Pennsylvania Avenue NW, Room 3.2C, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to U.S. Customs and Border Protection, Attn.: Tracey Denning, 1300 Pennsylvania Avenue NW, Room 3.2C, Washington, D.C. 20229, Tel. (202) 344-1429

**SUPPLEMENTARY INFORMATION:**

CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3506(c)(2)(A)). The comments should address the accuracy of the burden estimates and ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology, as well as other relevant aspects of the information collection. The comments that are submitted will be summarized and included in the CBP request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

**Title:** NAFTA Regulations and Certificate of Origin

**OMB Number:** 1651-0098

**Form Number:** CBP Forms 434 and 446

**Abstract:** The objectives of NAFTA are to eliminate barriers to trade in goods and services between the United States, Mexico, and Canada and to facilitate conditions of fair competition within the free trade area. CBP uses these forms to verify eligibility for preferential tariff treatment under NAFTA.

**Current Actions:** There are no changes to this information collection. This submission is being made to extend the expiration date.

**Type of Review:** Extension

**Affected Public:** Business or other for-profit institutions

**Estimated Number of Respondents:** 120,050

**Estimated Total Annual Responses:** 120,050

**Estimated Time Per Respondent:** 15 minutes

**Estimated Total Annual Burden Hours:** 30,037

Dated: October 14, 2008

TRACEY DENNING,  
*Agency Clearance Officer,  
Customs and Border Protection.*

[Published in the Federal Register, October 22, 2008 (73 FR 63002)]

## **PROPOSED COLLECTION; COMMENT REQUEST**

### **U.S./Central American Free Trade Agreement (CAFTA)**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** 60-Day Notice and request for comments; Extension of an existing collection of information: 1651-0125.

**SUMMARY:** : As part of its continuing effort to reduce paperwork and respondent burden, the U.S. Customs and Border (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the U.S./Central American Free Trade Agreement (CAFTA). This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments should be received on or before December 22, 2008, to be assured of consideration.

**ADDRESS:** Direct all written comments to U.S. Customs and Border Protection, Attn.: Tracey Denning, 1300 Pennsylvania Avenue NW, Room 3.2C, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to U.S. Customs and Border Protection, Attn.: Tracey Denning, 1300 Pennsylvania Avenue NW, Room 3.2C, Washington, D.C. 20229, Tel. (202) 344-1429

### **SUPPLEMENTARY INFORMATION:**

CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3506(c)(2)(A)). The comments should address the accuracy of the burden estimates and ways to minimize the burden including the use of automated collection techniques or the use of other forms

of information technology, as well as other relevant aspects of the information collection. The comments that are submitted will be summarized and included in the CBP request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

**Title:** CAFTA

**OMB Number:** 1651-0125

**Form Number:** N/A

**Abstract:** The collection of data for CAFTA is used to ascertain if claims filed with CBP are eligible for duty refunds.

**Current Actions:** There are no changes to this information collection. This submission is being made to extend the expiration date.

**Type of Review:** Extension

**Affected Public:** Business or other for-profit institutions

**Estimated Number of Respondents:** 2,500

**Estimated Total Annual Responses:** 10,000

**Annual Number of Responses per Respondent:** 4

**Estimated Time Per Response:** 24 minutes

**Estimated Total Annual Burden Hours:** 4,000

Dated: October 14, 2008

TRACEY DENNING,  
*Agency Clearance Officer,*  
*Customs and Border Protection.*

[Published in the Federal Register, October 22, 2008 (73 FR 63001)]

**Assessment and Mitigation of Claims for Liquidated Damages for Nonpayment or Late Payment of Estimated Duties under the Automated Commercial Environment (ACE) Periodic Monthly Statement Payment Process Test**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** General notice.

**SUMMARY:** This document announces guidelines for the assessment of claims for liquidated damages and the mitigation of those claims when participants in the National Customs Automation Pro-



gram (NCAP) test for the Periodic Monthly Statement Payment Process fail to pay estimated duties in the time period prescribed by law. In addition, CBP may exercise the authority to suspend any bond principal (the importer of record) from participation in the Periodic Monthly Payment Statement test and require that the bond principal pay estimated duties and fees on an entry-by-entry basis. Further, CBP may exercise the authority to require the bond principal to file entry summary documentation with estimated duties and fees attached before merchandise is released from any CBP port.

**EFFECTIVE DATE:** The guidelines are effective on October 17, 2008.

**ADDRESSES:** Comments concerning this Notice should be submitted via email to Jeremy Baskin at [Jeremy.Baskin@dhs.gov](mailto:Jeremy.Baskin@dhs.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On February 4, 2004, Customs and Border Protection (CBP) published a General Notice in the **Federal Register** (69 FR 5362) announcing the National Customs Automation Program (NCAP) test for the Periodic Monthly Payment Statement Process. The test, which is part of CBP's Automated Commercial Environment (ACE), benefits participants by giving them access to operational data through the ACE Secured Data Portal ("ACE Portal"), which provides them the capability to interact electronically with CBP, and by allowing them to deposit estimated duties and fees on a monthly basis based on a Periodic Monthly Statement generated by CBP.

As provided in the February 4, 2004 General Notice announcing the test, participants in the Periodic Monthly Statement test are required to schedule entries for monthly payment. A Periodic Monthly Payment Statement will list Periodic Daily Statements that have been designated for monthly payment. The Periodic Monthly Statement can be created on a national basis by an ABI filer. If an importer chooses to file the Periodic Monthly Statement on a national basis, it must use its filer code and schedule and pay the monthly statements. The Periodic Monthly Statement will be routed under existing CBP procedures. Brokers will only view/receive information that they have filed on an importer's behalf. ACE will not route a Periodic Monthly Statement to a broker through ABI that lists information filed by another broker.

On August 8, 2005, CBP published a General Notice in the **Federal Register** (70 FR 45736) changing the time period allowed for the deposit of the duties and fees from the 15th calendar day to the 15th working day of the month following the month in which the goods are either entered or released. That change was made in order to comply with the provisions of section 2004 of the Miscellaneous Trade and Technical Corrections Act of 2004, Public Law 108-429,

which extended the time of deposit of those estimated duties and fees. On January 20, 2006, CBP published a General Notice in the **Federal Register** clarifying that CBP must receive the settlement for the credit by the 15th working day in order to have the periodic monthly statement marked paid and treated as a timely payment.

On September 22, 2005, CBP published a General Notice in the **Federal Register** (70 FR 55623) establishing that if the bond principal is late with a periodic monthly statement by more than two business days, CBP will notify both the bond principal and the surety on the affected bond that the merchandise will not be released from any CBP port until the entry summary documentation is filed with estimated duties and fees attached. The bond principal will only be released from such a requirement upon full payment of any unpaid estimated duties and fees that have come due under the Periodic Monthly Payment Statement Process test. In addition, this Notice eliminated the requirement that participants in the Periodic Monthly Statement test provide a bond rider covering the periodic payment of estimated duties and fees, but in turn allowed sureties to terminate bonds with three business days' notice rather than 30 days as required by current regulation. The Notice indicated that nonpayment or untimely payment of estimated duties and fees, however, may result in action by CBP to impose sanctions on the delinquent importer of record.

The failure to pay estimated duties under Periodic Monthly Statement by the 15th working day of the month following the month in which the merchandise was entered or released is a breach of the bond condition found at 19 CFR 113.62(a)(1)(i) that requires that estimated duties be paid in the time period prescribed by law or regulation. The breach of this obligation can result in the assessment of liquidated damages against the bond principal and surety, jointly and severally.

In order for estimated duties and fees to be considered to be paid, the money must be available in the payor's account for transfer to CBP on the date that the statement filer designates for payment (which must be on or before the date that the payment is due) and funds must transfer to CBP (either pulled from the account by CBP via Automated Clearing House (ACH) Debit or pushed to CBP by the payer via ACH Credit) with sufficient information for CBP to be able to apply the money to the appropriate debt. When insufficient information is given and CBP cannot identify the debt to which the payment should be applied, the payment will be held by CBP until sufficient information is received to allow CBP to apply the payment. Delays resulting from lack of sufficient information may result in the payment being considered late.

## Description of the Changes

### 1. Assessment of Liquidated Damages

Rather than resort to the sole remedy of requiring a bond principal who has not paid Periodic Monthly Payment Statement estimated duties in a timely fashion to file entry summary documentation with estimated duties and fees attached before its merchandise may be released from any CBP port, CBP has decided to revise the current procedure. Through implementation of these guidelines, CBP is exercising the authority to assess liquidated damages against the bond principal and surety, jointly and severally, when such a failure to pay or untimely payment occurs. This document publishes guidelines for the assessment and mitigation of these claims.

When a Periodic Monthly Statement estimated duty payment is not fully paid on or before the 15th working day after the month in which the entry or release of the merchandise occurred, CBP has the authority to assess liquidated damages against the bond principal and surety, jointly and severally, for the failure to pay those duties in a timely manner. As a matter of policy, before issuing any claim or claims, CBP will notify the statement filer (either the importer principal and/or his customs broker ) electronically or by paper notice on or before the first day of the month following the month that the payment was due that those estimated duties and fees have not been paid. The statement filer will then have two working days from the date of notification to pay the estimated duties and fees or correct the situation. If the estimated duties and fees are not paid or the situation corrected after this two-working day period, then CBP will issue liquidated damages claims to bond principals and sureties, jointly and severally, for non-payment of the estimated duties and fees. If the estimated duties and fees are paid in an untimely manner, then CBP may issue liquidated damages claims or a broker penalty claim in a manner consistent with the language in the NOTE to section 2.a. under the Assessment and Mitigation Guidelines set forth later in this document. Payment of the estimated duties and fees within the two-working day period does not relieve any charged party from incurring a claim for late payment of those estimated duties and fees.

Notwithstanding the provisions of 19 CFR 172.1 and 172.4, any notification of the assessment of claims for liquidated damages for non-payment of estimated duties and fees will be considered to be a demand on surety for the unpaid estimated duties and fees. Bond principals and sureties will share concurrent petitioning time frames for this violation.

For any claim for liquidated damages assessed for untimely payment of estimated duties and fees (as opposed to non-payment of estimated duties and fees), the petitioning process as provided by current regulation will be in effect.

## 2. Consequences of Non-payment of Estimated Duties and Fees; Suspension from the Test

Notwithstanding any other General Notice provision relating to removal of a party from participation in the ACE test, if estimated duties and fees due under the Periodic Monthly Payment Statement test are unpaid and a claim for liquidated damages for non-payment of estimated duties and fees is assessed, CBP may deny the bond principal the privilege of paying estimated duties and fees via the Periodic Monthly Payment Statement process. CBP will have the discretion to either require the bond principal to pay estimated duties and fees on an entry-by-entry basis or require the bond principal to file entry summary documentation with estimated duties and fees attached before its merchandise may be released from any CBP port. Any bond principal that is denied the privilege of paying estimated duties and fees via the Periodic Monthly Payment Statement process will be so denied for a minimum of three months. If during that three-month period the bond principal establishes a record of timely payment of estimated duties and fees on an entry-by-entry basis, it may petition CBP to participate again in the periodic monthly statement test. CBP will notify the surety of any bond principals removed or reinstated to the periodic monthly statement test.

Any Customs broker who is responsible for repeated incidents of late or non-payment of estimated duties under the Periodic Monthly Payment Statement test may be subject to penalties for violation of the provisions of 19 U.S.C 1641. In the most serious cases of repeat non-compliance, license revocation or suspension actions may be brought.

### **Assessment and Mitigation Guidelines**

#### 1. Periodic Monthly Statement Failure to Pay Estimated Duties

##### a. Assessment

When duties and fees due under a periodic monthly statement payment are not paid, liquidated damages in an amount equal to two times the unpaid estimated duties and fees or \$1,000 (whichever is greater) may be assessed for violation of 19 U.S.C 1505, 19 CFR 113.62(a)(1)(i), and 19 CFR 113.62(l)(4). No claim for liquidated damages can be issued for an amount in excess of the bond obligated to guarantee payment of these estimated duties and fees. CBP will provide notification of claims for liquidated damages to the bond principal and surety.

**NOTE:** The importer/bond principal is responsible for payment of estimated duties and fees and the bond amount does not limit his liability for payment of those duties and fees.

b. Petition for Relief

A petition for relief may be filed in accordance with the provisions of 19 CFR 172.2 and 172.3, except that the time period to submit the petition when estimated duties have not been paid shall be 10 days from the date of notification.

c. Mitigation of Claim

Unless a petition for relief shows that the duties and fees were not owed or that the duties and fees were paid, there will be no relief afforded from a claim for liquidated damages for failure to pay estimated duties and fees due under the Periodic Monthly Statement until the estimated duties and fees owed are paid. Once estimated duties and fees are paid, CBP will re-issue liquidated damages as a claim for untimely payment of estimated duties and fees in accordance with paragraph 2. below. Failure to pay rightfully owed estimated duties and fees will result in removal of the bond principal from the Periodic Monthly Statement test and may result in the requirement that the bond principal file entry summary documentation with estimated duties and fees attached before its merchandise may be released from any CBP port.

2. Periodic Monthly Statement Untimely Payment of Estimated Duties and Fees

a. Assessment

When duties and fees due under a periodic monthly statement payment are paid in an untimely manner, liquidated damages in an amount equal to two times the unpaid estimated duties and fees or \$1,000 (whichever is greater) may be assessed for violation of 19 U.S.C 1505, 19 CFR 113.62(a)(1)(i), and 19 CFR 113.62(l)(4). No claim can be issued for an amount in excess of the bond obligated to guarantee payment of these estimated duties and fees. Notification of the claim by CBP will be provided to the bond principal and surety. An Option 1 mitigation may be offered on the face of the notification of the claim, with Option 1 amount being calculated in accordance with these guidelines.

NOTE: When estimated duties and fees are paid untimely but prior to the expiration of the two-working day period afforded to ensure that appropriate monies are paid, in lieu of liquidated damages, CBP may issue a \$30,000 broker penalty against a broker for failing to exercise responsible supervision and control over the customs business it conducts in violation of the provisions of 19 U.S.C 1641(d)(1)(c) and 19 USC 1641(b)(4). If such a claim is issued, an Option 1 amount consistent with the provisions of section 2.c. may be authorized.

b. Petition for Relief

A petition for relief may be filed in accordance with the provisions of 19 CFR 172.2 and 172.3. In lieu of filing a petition for relief, an Option 1 amount, described below, may be paid in settlement of any claim resulting from the untimely payment of a periodic monthly statement payment.

c. Mitigation of Claim

i. Option 1 offer of payment.

An offer of payment of the Option 1 amount in settlement of the claim will be authorized only after payment of estimated duties and fees.

ii. Calculation of Option 1 payment if a failure to pay claim **has not** been issued.

If a claim for liquidated damages for failure to pay estimated duties under periodic monthly statement has not been issued to the bond principal and surety with regard to the untimely payment, the Option 1 amount will be calculated at one percent (1%) of the untimely paid duties and fees (but not less than \$1,000 nor more than \$4,000) plus an amount equal to interest that would have accumulated had it been calculated at the Internal Revenue Service rate beginning the time the payment was due until it is paid. The amount equal to interest charge will accrue against both the principal and surety from the date the payment was due until the date of payment.

iii. Calculation of Option 1 payment when a failure to pay claim **has** been issued.

When a failure to pay estimated duties under periodic monthly statement has been issued to the bond principal and surety with regard to the particular claim, the Option 1 amount will be calculated at one and one-half percent (1 1/2%) of the untimely paid duties and fees (but not less than \$1,500 nor more than \$6,000) plus an amount equal to interest that would have accumulated had it been calculated at the Internal Revenue Service rate beginning the time the payment was due until it is paid. The amount equal to interest charge will accrue for both the principal and surety from the date the payment was due until the date of payment.

iv. Filing a petition (Option II)

A petition may be filed in accordance with the provisions of 19 CFR part 172. CBP may remit or mitigate any claim to an amount that exceeds the Option 1 amount if the facts and circumstances so warrant.

v. Failure to pay/Customs brokers

If in the time period prescribed in the notice, a customs broker fails to pay the Option 1 amount or petition for relief in a 1641 assessment described in the NOTE above, liquidated damages claims will be issued against all bond principals and sureties whose bonds were breached.

3. Extraordinary relief

In recognition that as new participants join the test that electronic system malfunctions may occur, CBP is not precluded from considering petitions for relief and granting extraordinary relief when system failure is determined to be the cause of a nonpayment or late payment.

4. Enforcement discretion

CBP always retains the right to exercise enforcement discretion and refrain from issuing a claim for liquidated damages or penalty if circumstances warrant. These situations will be considered on a case-by-case basis.

5. Termination of Bonds

Nothing in this Notice changes any procedures or authorities regarding termination of bonds described in the Notice of September 22, 2005 (70 FR 55623).

6. Delegation of Authority

For purposes of the test, the authority to assess claims for liquidated damages resides with the Office of Finance, Revenue Division, Indianapolis, Indiana. The authority to mitigate or cancel any claim for liquidated damages arising for failure to pay or the untimely payment of estimated duties and fees under the Periodic Monthly Payment Statement test or to refrain from issuing such a claim shall reside with CBP Headquarters, Office of International Trade. Petitions for relief should be addressed to officials designated on the CF-5955A.

Dated: October 10, 2008

DANIEL BALDWIN,  
*Assistant Commissioner,  
Office of International Trade.*

[Published in the Federal Register, October 17, 2008 (73 FR 61891)]

**COPYRIGHT, TRADEMARK, AND TRADE NAME  
RECORDATIONS**

**(No. 9 2008)**

AGENCY: U. S. Customs and Border Protection, Department of Homeland Security.

SUMMARY: Presented herein are the copyrights, trademarks, and trade names recorded with U. S. Customs and Border Protection during the month of September 2008. The last notice was published in the CUSTOMS BULLETIN on September 25, 2008.

Corrections or updates may be sent to: Department of Homeland Security, U. S. Customs and Border Protection, Office of Regulations and Rulings, IPR Branch, 1300 Pennsylvania Avenue, N.W., Mint Annex, Washington, D.C. 20229.

FOR FURTHER INFORMATION CONTACT: Delois Johnson, Paralegal, Intellectual Property Rights Branch, (202) 572-8710.

Dated: October 15, 2008

GEORGE MCCRAY, ESQ.,  
*Chief,*  
*Intellectual Property Rights Branch.*



CBP IPR RECORDATION - SEPTEMBER 2008

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tm/Trn	Owner Name	GM Restrict
TMK 93-00725	9/5/2008	10/13/2017	LOGO DESIGN	TOMMY HILFGER LICENSING LLC	No
TMK 93-00727	9/8/2008	6/24/2016	TOMMY HILFGER	TOMMY HILFGER LICENSING, INC.	No
TMK 96-00591	9/8/2008	9/3/2016	TOMMY	TOMMY HILFGER LICENSING, INC.	No
TMK 94-00275	9/8/2008	3/28/2019	CAESARS MAN	CAESARS WORLD, INC.	No
TMK 95-00014	9/8/2008	5/14/2018	COMPLETE	KELOGG NORTH AMERICA COMPANY	No
TMK 96-00155	9/8/2008	6/28/2018	PRO ALL SPORT	E. GLUCK CORPORATION	No
TMK 99-00577	9/8/2008	8/18/2018	CATERPILLAR AND DESIGN	CATERPILLAR INC.	No
TMK 99-00578	9/8/2008	5/12/2018	CATERPILLAR AND DESIGN	CATERPILLAR, INC.	No
TMK 99-00581	9/8/2008	7/14/2018	CAT AND DESIGN	CATERPILLAR, INC.	No
TMK 99-00582	9/8/2008	5/19/2018	CAT AND DESIGN	CATERPILLAR, INC.	No
TMK 95-01041	9/8/2008	7/7/2018	CHARLIE CHAPLIN & DESIGN	BUBBLES INCORPORATED S.A.	No
TMK 99-00692	9/8/2008	6/23/2018	FREESTYLE	FORD MOTOR COMPANY	No
TMK 02-00116	9/8/2008	8/4/2018	ANGELS BY VICTORIA'S SECRET	VICTORIA'S SECRET BRAND MANAGEMENT INC.	No
TMK 02-01006	9/8/2008	6/23/2018	NETS AND DESIGN	NEW JERSEY BASKETBALL, LLC	No
TMK 02-00817	9/8/2008	12/12/2018	BCI	CANON KABUSHIKI KAISHA	No
TMK 04-00410	9/8/2008	5/27/2018	NEWPORT	LORILLARD LICENSING COMPANY LLC	Yes
TMK 04-00982	9/8/2008	8/17/2018	CRISTAL LR CHAMPAGNE & DESIGN	CHAMPAGNE LOUIS ROEDERER (CLR)	No
TMK 05-00731	9/8/2008	11/15/2018	DYNA-COIN	WM STEIN MFG. CO.	No
TMK 05-00587	9/8/2008	10/7/2017	BZ AND DESIGN	WHAM-O, INC.	No
TMK 89-00299	9/8/2008	8/30/2018	TOMMY HILFGER	TOMMY HILFGER LICENSING LLC	No
TMK 08-00940	9/8/2008	9/17/2017	INTERLOCKING C DESIGN	CHANEL, INC.	No
TMK 08-00950	9/8/2008	9/8/2028	ZONA ROSA	A&E STORES INC.	No
TMK 08-00916	9/8/2008	9/8/2028	REAT HORNED OWL	DALEN PRODUCTS, INC.	No
TMK 08-00975	9/8/2008	8/20/2012	SMART MEDIA	SUPERIOR FIBERS, LLC	No
TMK 08-00917	9/8/2008	4/7/2018	DESIGN ONLY	CHAM. ALBERT W.	No
TMK 08-00974	9/8/2008	6/10/2013	SMART MEDIA	SUPERIOR FIBERS, LLC	No
TMK 08-00925	9/8/2008	3/10/2018	GRAND PATRICIAN	WP IP, LLC	No
COP 08-00096	9/8/2008	7/29/2018	DELTAWARE AND DESIGN	DELTAWARE, INC.	No
TMK 08-00915	9/8/2008	9/8/2028	ROLLY THE INSULTING PARROT	MAPA TOYS MFG. LTD.	No
TMK 08-00912	9/8/2008	2/27/2017	REV	CEIGENE CORPORATION	No
TMK 08-00911	9/8/2008	8/9/2010	CEIGENE & DESIGN	CEIGENE CORPORATION	No
TMK 08-00914	9/8/2008	8/17/2016	PARABOLA DESIGN	CEIGENE CORPORATION	No
TMK 08-00910	9/8/2008	7/7/2018	P	PRINTPACK, INC.	No
TMK 08-00928	9/8/2008	12/7/2012	FROST CUTLERY AND DESIGN	JAMES A. FROST	No
TMK 08-00906	9/8/2008	5/13/2018	ZULTANITE	ZULTANITE GEMS LLC	No
TMK 08-00926	9/8/2008	5/23/2016	XURON	XURON CORP.	No
TMK 08-00926	9/8/2008	10/29/2012	FLUIDITY	FLUIDITY ENTERPRISES, INC.	No

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TMK 08-00913	9/8/2008	4/11/2010	FROST CUTLERY DESIGN ONLY	JAMES A. FROST	No
TMK 08-00927	9/8/2008	6/20/2016	RAMS	HERMAN MILLER, INC.	No
TMK 08-00920	9/8/2008	6/17/2018	FRAM	ST. LOUIS RAMS PARTNERSHIP	No
TMK 08-00919	9/8/2008	6/18/2016	IN	HONEYWELL INTERNATIONAL INC.	No
TMK 08-00918	9/8/2008	12/4/2014	BETTERFILTER	NEW BALANCE ATHLETIC SHOE INC.	No
TMK 08-00929	9/8/2008	7/29/2018	P. F. FLYERS	HARMSCO, INC.	No
TMK 08-00921	9/8/2008	9/20/2013	ALLPOWER+	NEW BALANCE ATHLETIC SHOE INC.	No
TMK 08-00943	9/8/2008	8/5/2018	SAS WITH DESIGN	DYNAMIC HARDWARE CONCEPTS LLC	No
TMK 08-00909	9/8/2008	2/6/2011	SAIZEN PATIENT INFORMATION.	SAN ANTONIO SHOE, INC.	No
COP 08-00097	9/8/2008	9/8/2008		INDUSTRIELLE DE L'OV228TTAZ, AUBONNE, C11-1170, SWITZERLAND	No
TMK 08-00907	9/8/2008	7/22/2018	SMS	APPLE INC.	No
TMK 08-00908	9/8/2008	12/13/2013	RB AND DESIGN	NEW BALANCE ATHLETIC SHOE INC.	No
TMK 08-00930	9/8/2008	8/21/2017	M (STYLIZED)	NEW BALANCE ATHLETIC SHOE INC.	No
TMK 08-00931	9/8/2008	6/17/2013	MOTIONFLEX	VARSITY SPIRIT FASHIONS AND SUPPLIES, INC.	No
TMK 08-00944	9/8/2008	7/29/2018	BAY STUDIO	BDSRCO, INC.	No
TMK 08-00902	9/8/2008	5/3/2013	PF	NEW BALANCE ATHLETIC SHOE INC.	No
TMK 08-00971	9/8/2008	7/15/2018	SUN WITH RAYS WEARING GLASSES WITH DESIGN	ARIZONA SUN ELECTRICAL CONTRACTORS, INC.	No
TMK 08-00903	9/8/2008	12/24/2012	ERICSSON	TELEFONAKTIEBOLAGET LM ERICSSON	No
TMK 08-00938	9/8/2008	6/25/2012	SIMPSONS	DON SIMMONS SPORTS, INC.	No
TMK 08-00932	9/8/2008	8/5/2018	CONFIDENCE	GELLYNNE CORPORATION	No
TMK 08-00937	9/8/2008	6/17/2018	MALCOLM FONTER	MALCOLM FONTER	No
TMK 08-00939	9/8/2008	1/5/2018	SUGAR BOWL CLASSIC	SUGAR BOWL	No
TMK 08-00933	9/8/2008	5/5/2018	GOLDEN BOY WITH DESIGN	LIEN HOA FOOD CORPORATION	No
TMK 08-00973	9/8/2008	7/29/2018	DANISH DESIGN BY KARE TOFTE IN A CIRCLE	HUA SHIA CORP.	No
TMK 08-00922	9/8/2008	10/31/2015	BIO-CLEAN	KINZIE & PAYNE BIOCHEMICAL CORP.	No
TMK 08-00941	9/8/2008	7/17/2011	MILLENNIUM THREE	BEST INTENTIONS INVESTMENTS LIMITED CORPORATION	No
TMK 08-00923	9/8/2008	3/25/2018	BIO-CLEAN	KINZIE & PAYNE BIOCHEMICAL CORP.	No
TMK 08-00942	9/8/2008	9/26/2015	AVALANCHE	BEST INTENTIONS INVESTMENTS LIMITED CORPORATION	No
TMK 08-00945	9/8/2008	11/28/2015	SILENCE	BEST INTENTIONS INVESTMENTS LIMITED CORPORATION	No
TMK 08-00947	9/8/2008	3/28/2010	M3	BEST INTENTIONS INVESTMENTS LIMITED CORPORATION	No
TMK 08-00904	9/8/2008	8/8/2016	PFIZER AND DESIGN	PFIZER INC.	No
TMK 08-00905	9/8/2008	7/16/2016	HOLLAND HOUSE AND DESIGN	HIZKAN AMERICAS, INC.	No

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TMK 08-00946	9/8/2008	1/9/2016	BANDIT LURES	BANDIT LURES, INC.	No
TMK 08-00989	9/8/2008	1/8/2012	FIESTA GARDEN	OCEAN GARDEN PRODUCTS, INC.	No
TMK 08-00968	9/8/2008	6/9/2012	CALMEX	OCEAN GARDEN PRODUCTS, INC.	No
TMK 08-00967	9/8/2008	7/31/2014	OCEAN GARDEN	OCEAN GARDEN PRODUCTS, INC.	No
TMK 08-00966	9/8/2008	12/1/2017	ASIAN GARDEN	OCEAN GARDEN PRODUCTS, INC.	No
TMK 08-00948	9/8/2008	7/22/2018	CDI ELECTRONICS	CDI ELECTRONICS, INC.	No
TMK 08-00949	9/8/2008	8/4/2018	V. ALEXANDER & COMPANY, INC.	V. ALEXANDER & CO., INC.	No
TMK 08-00960	9/8/2008	4/20/2016	LASER	KARAYA HOLDINGS LIMITED	No
TMK 08-00951	9/8/2008	7/10/2017	EXTREME SERIES	GRIZZLY INDUSTRIAL, INC.	No
TMK 08-00965	9/8/2008	5/13/2018	32°	TRADEMARK HOLDINGS CORPORATION	No
TMK 08-00972	9/8/2008	7/31/2011	DESIGN ONLY (CONFIGURATION OF A POST)	LAVI INDUSTRIES	No
TMK 08-00934	9/8/2008	8/12/2018	WORLDBRIDGE LOGISTICS, INC. AND DESIGN	WORLDBRIDGE LOGISTICS, INC.	No
TMK 08-00936	9/8/2008	4/3/2017	SINGCHUCK	PHILIP G. WESSELLS	No
TMK 08-00950	9/8/2008	7/31/2014	COMPASS	OCEAN GARDEN PRODUCTS, INC.	No
TMK 08-00955	9/8/2008	11/27/2014	MARK	OCEAN GARDEN PRODUCTS, INC.	No
TMK 08-00901	9/8/2008	5/17/2015	PFIZER	PFIZER INC.	No
TMK 08-00961	9/8/2008	12/25/2017	PERFECTION OF MENTHOL	TRADEMARK HOLDINGS CORPORATION	No
TMK 08-00970	9/8/2008	6/16/2017	CORN FLAKES	A&E STORES INC.	No
COP 08-00101	9/8/2008	9/8/2028	CORE RHYTHMS FULL WORKOUT DVD COVER	DV CREATIONS, INC.	No
TMK 08-00963	9/8/2008	3/4/2018	32° DEGREES THE PERFECTION OF MENTHOL ST AND DESIGN	TRADEMARK HOLDINGS CORPORATION	No
COP 08-00098	9/8/2008	9/8/2028	CORE RHYTHMS KICK START DVD COVER	DV CREATIONS, INC.	No
COP 08-00099	9/8/2008	9/8/2028	CORE RHYTHMS LATIN DANCE MADE EASY DVD COVER	DV CREATIONS, INC.	No
TMK 08-00924	9/8/2008	7/22/2018	EMASMAX	ENGINEERED ARRESTING SYSTEMS CORPORATION	No
TMK 08-00964	9/8/2008	2/19/2018	1&1	WHOLESOME CHOICE MARKET, INC.	No
TMK 08-00962	9/8/2008	9/13/2015	SILVER AND DESIGN	TRADEMARK HOLDINGS CORPORATION	No
TMK 08-00959	9/8/2008	9/28/2014	CHAMPION	TRADEMARK HOLDINGS CORPORATION	No
COP 08-00103	9/8/2008	9/8/2028	CORE RHYTHMS 7 DAY DIET GUIDE	DV CREATIONS, INC.	No
COP 08-00103	9/8/2008	9/8/2028	CORE RHYTHMS QUICK WORKOUT DVD COVER	DV CREATIONS, INC.	No
TMK 08-00957	9/8/2008	12/26/2016	CORE RHYTHMS	DANCESPORT VIDEOS, LLC	No
COP 08-00100	9/8/2008	9/8/2028	CORE RHYTHMS STARTER PACKAGE (RETAIL)	DV CREATIONS, INC.	No
TMK 08-00953	9/8/2008	10/8/2015	LAUREN EVAN	A&E STORES INC.	No

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TMK 08-00954	9/8/2008	5/21/2015	LAUREN EVAN	A&E STORES, INC.	No
TMK 08-00952	9/8/2008	31/4/2015	ZONA ROSEA	A&E STORES, INC.	No
TMK 08-00956	9/8/2008	10/10/2016	LAUREN EVAN	A&E STORES, INC.	No
TMK 08-00935	9/8/2008	4/14/2017	VELOCE & SOO WITH DESIGN	A & E STORES INC.	No
TMK 08-00958	9/8/2008	7/31/2017	CORE RHYTHMS DANCE EXERCISE PROGRAM	DANCESPORT VIDEOS, LLC	No
TMK 97-00058	9/10/2008	10/30/2016	U (WITHIN A CIRCLE)	UNION OF ORTHODOX JEWISH CONGREGATIONS OF AMERICA	No
TMK 99-00564	9/10/2008	9/1/2018	S.W.A.T.	TAYLOR BRANDS LLC	No
TMK 99-00690	9/10/2008	6/16/2018	VICTORIAS SECRET GARDEN	VICTORIA'S SECRET STORES BRAND MANAGEMENT, INC.	No
TMK 93-00836	9/15/2008	4/14/2018	TESSAR (STYLIZED)	CARL ZEISS AG	No
TMK 98-00118	9/15/2008	7/15/2017	STYLIZED LETTER X	XEROX CORPORATION	No
TMK 06-00317	9/15/2008	8/27/2018	ERNIE BALL	ERNIE BALL, INC.	No
TMK 04-00214	9/15/2008	7/28/2018	MATHE	NORAC, INC.	No
TMK 05-00355	9/15/2008	6/9/2018	CROSS & SHIELD DEVICE	SWISS ARMY BRAND LTD.	No
TMK 88-00599	9/15/2008	7/12/2018	3 + 1 BASS GUITAR TUNER CONFIGURATION	ERNIE BALL, INC	No
TMK 08-00995	9/15/2008	9/20/2014	DESIGN	WIRECO WORLDGROUP INC	No
COP 08-00105	9/15/2008	9/15/2028	POLLY THE INSULTING PARROT	MAPA TOYS MANUFACTURING, LTD.	No
TMK 08-00992	9/15/2008	7/4/2016	SUNTECH WITH DESIGN	WUXI SUNTECH POWER CO., LTD.	No
TMK 08-00994	9/15/2008	7/8/2018	CONFIGURATION OF THE REAR END OF A TONNEAU COVER	AGRI-COVER INC.	No
TMK 08-00993	9/15/2008	5/6/2018	ALTON BROWN	BE SQUARE PRODUCTIONS, INC.	No
TMK 08-00988	9/15/2008	7/6/2016	CLASSIC	NEENAH PAPER, INC.	No
TMK 08-00989	9/15/2008	8/20/2014	CLASSIC	NEENAH PAPER, INC.	No
TMK 08-00990	9/15/2008	7/29/2018	HONEY T	DISTRIBUTION G.V.A. (CANADA) INC.	No
TMK 08-00991	9/15/2008	10/17/2016	BEBE AU LAIT NURSING COVERS FOR CHIC MOTHERS	BEBE AU LAIT LLC	No
TMK 08-00986	9/15/2008	1/22/2018	BEBE AU LAIT	BEBE AU LAIT LLC	No
TMK 08-00976	9/15/2008	6/20/2015	TCBY	TCBY SYSTEMS, LLC	No
TMK 08-00984	9/15/2008	9/26/2012	GOOD EARTH	THE GOOD EARTH CORPORATION	No
TMK 08-00987	9/15/2008	7/17/2018	QUINTON	LABORATOIRES QUINTON INTERNATIONAL S.L. CORPORATION SPAIN	No
COP 08-00104	9/15/2008	9/15/2028	DIAGNOSTIC AND STATISTICAL MANUAL FOR MENTAL DISORDERS (DSM-IV-TR) : TEXT REVISION	AMERICAN PSYCHIATRIC ASSOCIATION	No
TMK 08-00977	9/15/2008	5/30/2010	CHEROKEE	STRATEGIC PARTNERS, INC. (CALIFORNIA CORPORATION)	No
TMK 08-00978	9/15/2008	2/4/2013	LOVE GLOVE	WIND OF TRADE, LLC	No
TMK 08-00980	9/15/2008	12/5/2010	WORKCENTRE	XEROX CORPORATION	No
TMK 08-00979	9/15/2008	2/10/2017	CLAPPER	JOSEPH ENTERPRISES, INC.	No

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TMK	OS	00985	9/15/2008	7/15/2018	DESIGN ONLY (HANDBAG DESIGN)	2K6 L.L.C.	No
TMK	08-00981	9/15/2008	6/3/2018	WII	NINTENDO OF AMERICA INC.	NINTENDO OF AMERICA INC.	No
TMK	08-00982	9/15/2008	6/3/2018	WII	NINTENDO OF AMERICA INC.	NINTENDO OF AMERICA INC.	No
TMK	08-00983	9/15/2008	8/5/2018	WII	NINTENDO OF AMERICA INC.	NINTENDO OF AMERICA INC.	No
TMK	00-00401	9/18/2008	8/2/2018	SPAM	HORMEL FOODS, LLC.	HORMEL FOODS, LLC.	No
TMK	04-00416	9/18/2008	7/28/2018	NORAC	NORAC, INC.	NORAC, INC.	No
TMK	05-00589	9/18/2008	5/20/2017	FLAG	TOMMY HILFINGER LICENSING LLC	TOMMY HILFINGER LICENSING LLC	No
TMK	06-00538	9/18/2008	8/26/2018	BUD	ANHEUSER-BUSCH, INCORPORATED	ANHEUSER-BUSCH, INCORPORATED	No
TMK	08-01002	9/18/2008	8/12/2018	ANYCLEAN	ABRAHAM CHO, DBA SATEC U.S.A., LLC	ABRAHAM CHO, DBA SATEC U.S.A., LLC	No
TMK	08-01001	9/18/2008	7/22/2018	OYA STONE	EVERT-FRESH CORPORATION	EVERT-FRESH CORPORATION	No
TMK	08-01690	9/18/2008	6/7/2014	EVERT-FRESH	EVERT-FRESH CORPORATION	EVERT-FRESH CORPORATION	No
TMK	08-00996	9/18/2008	10/16/2013	CSA	CANADIAN STANDARDS ASSOCIATION CORPORATION	CANADIAN STANDARDS ASSOCIATION CORPORATION	No
TMK	08-00999	9/18/2008	9/28/2009	DESIGN MARK	EVERT-FRESH CORPORATION	EVERT-FRESH CORPORATION	No
TMK	08-00998	9/18/2008	9/20/2010	GREEN BAGS	EVERT-FRESH CORPORATION	EVERT-FRESH CORPORATION	No
TMK	08-00997	9/18/2008	1/18/2010	HEALTH CONCERNS	GOODE, INC.	GOODE, INC.	No
TMK	93-00631	9/25/2008	8/9/2018	HUNTING HORSE DEVICE DESIGN	ARAMIS, INC.	ARAMIS, INC.	No
TMK	99-00337	9/25/2008	9/22/2018	CLINIQUE HAPPY	CLINIQUE LABORATORIES INC.	CLINIQUE LABORATORIES INC.	No
TMK	00-00475	9/25/2008	12/29/2018	JO MALONE	JO MALONE LIMITED	JO MALONE LIMITED	No
TMK	05-01140	9/25/2008	6/23/2018	CYPRESS	CYPRESS SEMICONDUCTOR CORP.	CYPRESS SEMICONDUCTOR CORP.	No
TMK	08-01003	9/25/2008	7/7/2011	PALLADIUM	K-SWISS INC.	K-SWISS INC.	No
TMK	08-01004	9/25/2008	3/22/2014	PALLADIUM	K-SWISS INC.	K-SWISS INC.	No
TMK	08-01006	9/25/2008	12/10/2012	DESIGN (SAFETY ROPE)	BEE WELDING, INC.	BEE WELDING, INC.	No
TMK	08-01007	9/25/2008	5/20/2018	AVEDA	AVEDA CORPORATION	AVEDA CORPORATION	No
TMK	08-01005	9/25/2008	9/2/2018	SEPADERM	GANEX, INC.	GANEX, INC.	No
TMK	08-01008	9/25/2008	10/14/2017	EL DESIGN	ESTEE LAUDER, INC.	ESTEE LAUDER, INC.	No
TMK	08-01009	9/25/2008	9/24/2018	JAGERMEISTER	MAST-JAGERMEISTER AKTIENGESELLSCHAFT	MAST-JAGERMEISTER AG	No
TMK	08-01012	9/25/2008	12/28/2009	STAG DESIGN (HUBERTUSHIRSKOPF)	MAST-JAGERMEISTER AG	MAST-JAGERMEISTER AG	No
TMK	08-01014	9/25/2008	6/4/2016	TOMMY HILFINGER	TOMMY HILFINGER LICENSING LLC	TOMMY HILFINGER LICENSING LLC	No
TMK	08-01010	9/25/2008	3/5/2015	SWOOSH DESIGN	NIKE, INC.	NIKE, INC.	No
TMK	08-01013	9/25/2008	3/19/2015	NIKE AND SWOOSH DESIGN	NIKE, INC.	NIKE, INC.	No
TMK	08-01015	9/25/2008	11/12/2015	AIR JORDAN	NIKE, INC.	NIKE, INC.	No
TMK	08-01011	9/25/2008	3/13/2017	ESTEE LAUDER	ESTEE LAUDER, INC.	ESTEE LAUDER, INC.	No
TMK	08-01017	9/25/2008	12/24/2012	BASKETBALL PLAYER DESIGN	NIKE, INC.	NIKE, INC.	No
TMK	08-01020	9/25/2008	5/12/2017	POINT ZERO	BERIKO, INC.	BERIKO, INC.	No
TMK	08-01019	9/25/2008	2/25/2017	ZERO TOLERANCE	BERIKO, INC.	BERIKO, INC.	No
TMK	08-01018	9/25/2008	5/4/2014	DSM-IV-TR	AMERICAN PSYCHIATRIC ASSOCIATION	AMERICAN PSYCHIATRIC ASSOCIATION	No
TMK	08-01016	9/25/2008	10/2/2017	ASA-5	BENDIX COMMERCIAL VEHICLE SYSTEMS LLC	BENDIX COMMERCIAL VEHICLE SYSTEMS LLC	No

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Total Records: 169  
Date as of: 10/8/2008