



PRU

04-17-2000

**RATION OF USE & INCONTESTIBILITY UNDER §§ 8 & 15 ( 15 U.S.C. §§ 1058 &**

U.S. Patent & TMO/c/TM Mail Rpt Dt. #70

~To the Assistant Commissioner for Trademarks~

#4

**<TRADEMARK/SERVICE MARK INFORMATION>**

<Mark> Ball Park Fun Franks  
<Registration Number> 1,856,890  
<Registration Date> October 4, 1994

**<OWNER INFORMATION>**

<Name> Sara Lee Corporation  
<Street> 470 Hanes Mill Road  
<City> Winston Salem  
<State> North Carolina  
<Country> USA  
<Zip/Postal Code> 27105

**<DOMESTIC REPRESENTATIVE>** ~Require ONLY if the owner's address is outside the United States.~

<Name> ~is hereby appointed the owner's  
representative upon whom notice or process in the proceedings affecting the mark may be served.~  
<Street>  
<City>  
<State>  
<Zip Code>

**<GOODS AND/OR SERVICES INFORMATION>**

<All Goods and/or Services in Existing Registration>~The owner has used this mark in commerce for five (5) consecutive years after the date of registration, or the date of publication under § 12(c), and is still using the mark in commerce on or in connection with all goods and/or services listed in the existing registration. ~

<Goods and/or Services Not Covered>~

05/15/2000 TSMITH 00000017 190142 1856890  
01 FC:372 100.00 CH ✓  
02 FC:373 200.00 CH

<FEE INFORMATION>

~Combined §§ 8 & 15 Filing Fee~

\$300.00 x <Number of Classes> = \$300.00

~Grace Period Fee: If filing during the six-month grace period, enter § 8 Grace Period Fee~

\$100.00 x <Number of Classes> = \$ 0.00

~Filing Fee Due + Grace Period Fee Due~ = \$300.00

<SPECIMEN AND SIGNATURE INFORMATION>

~The owner is using the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as currently used in commerce. The mark has been in continuous use in commerce for five (5) consecutive years after the date of registration, or the date of publication under § 12(c), and is still in use in commerce on or in connection with all goods and/or services listed in the existing registration. There has been no final decision adverse to the owner's claim of ownership of such mark for such goods and/or services, or to the owner's right to register the same or to keep the same on the register; and there is no proceeding involving said rights pending and not disposed of either in the Patent and Trademark Office or in the courts. (You MUST ATTACH A SPECIMEN showing the mark as currently used in commerce for at least for at least one product or service in each international class covered.)

The undersigned, being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner, and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true~

~Signature~

<Date Signed> April 14, 2000

<Name> Arthur J. DeBaugh

<Title> Assistant Secretary

<CONTACT INFORMATION>

<Name> Arthur J. DeBaugh

<Company/Firm Name> Sara Lee Corporation

<Street> 470 Hanes Mill Road

<City> Winston Salem

<State> North Carolina

<Country> USA

<Zip/Postal Code> 27105

<Telephone Number> 336 519 7407

<Fax Number> 336 519 7427

<e-Mail Address> adebaugh@saralee.com

<CERTIFICATE OF MAILING>~Recommended to avoid lateness due to mail delay.~

~I certify that the foregoing is being deposited with the United States Postal Service at first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on~

<Date of Deposit> April 14, 2000

~Signature~ Tammy K. Muller

<Name> Tammy K. Muller

The information collected on this form allows the PTO to determine whether a mark for which a registration was issued is still in use in commerce in connection with some or all of the goods identified in the registration. Responses to the request for information are required in order to retain the benefit of a registration on the Principal of Supplemental Register. 15 U.S.C. §§ 1051 et seq. and 37 C.F.R. Part 2. All information collected will be made public. Gathering and providing the information will require an estimated eleven minutes. Please direct comments on the time needed to complete this form, and/or suggestions for reducing this burden to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington D.C. 20231. Please note that the PTO may not conduct or sponsor a collection of information using a form that does not display a valid OMB control number (See bottom left side of this form).



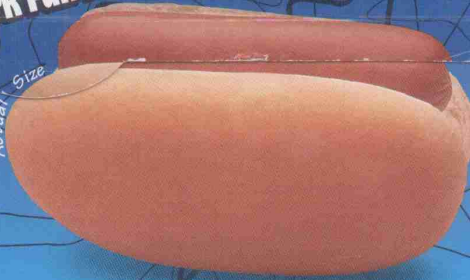
ball  
park  
BRAND

6 Microwaveable  
Ball Park Fun Franks

FUN  
FRANKS

(FRANKS MADE WITH BEEF &  
PORK, TURKEY ON A BUN.)

Actual Size



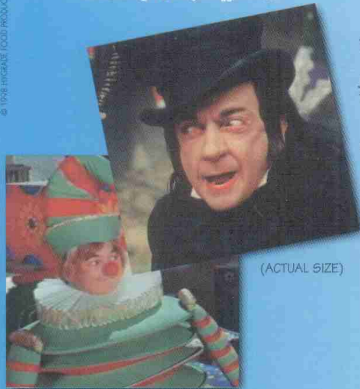
67063-000  
28BIEZ02

12365 11/98

### Chitty Chitty Bang Bang Motion Cards

Collect all 4 (While supplies last)

© 1998 HERRING FOOD PRODUCTS

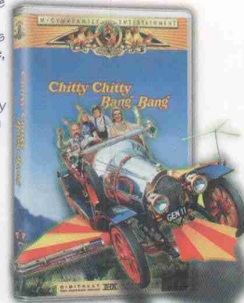


(ACTUAL SIZE)

### A Truly Scrumptious Offer

Get a **\$5 rebate** on this special 30th Anniversary  
Chitty Chitty Bang Bang video release!

Your kids will love Truly Scrumptious and all the characters from this beloved family classic – just as much as they love the truly scrumptious taste of Ball Park Franks. To get your \$5 rebate, fill out the form that's inside your video and mail it with the UPC's from 3 of your favorite Ball Park products along with your Chitty Chitty Bang Bang proof of purchase. We'll mail you a \$5 rebate check!



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04-17-2000

U.S. Patent & TMO/TM Mail Rcpt Dt. #70



Please Quote Ref. No.  
9300014946

April 6, 2000

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

RE: Combined Declaration of Use & Incontestability Under §§ 8 & 15 in the Name of Sara Lee Corporation for the Trademark Registration No. 1,856,890, **BALL PARK FUN FRANKS**

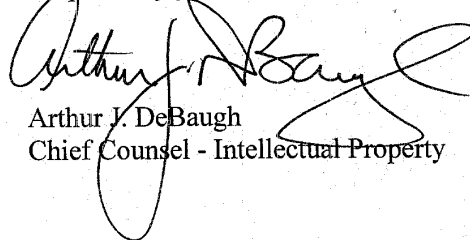
Dear Sir:

Enclosed is a declaration under Sections 8 and 15 for the above referenced trademark registration.

Please charge Sara Lee Corporation PTO Account #19-0142 the amount of Three Hundred Dollars (\$300) to cover the required fee.

Kindly direct all communications regarding this application to the undersigned.

Respectfully yours,



Arthur J. DeBaugh  
Chief Counsel - Intellectual Property

/tkm  
Enclosures