

U.S. Customs and Border Protection



MODIFICATION OF A RULING LETTER AND REVOCATION OF TREATMENT RELATING TO THE TARIFF CLASSIFICATION OF TOY PET CARRIERS

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

ACTION: Notice of modification of a classification ruling letter and revocation of treatment relating to the tariff classification of toy pet carriers.

SUMMARY: Pursuant to section 625(c), Tariff Act of 1930, as amended (19 U.S.C. 1625(c)), this notice advises interested parties that U.S. Customs and Border Protection (CBP) is modifying a ruling letter relating to the classification of articles identified as toy “Pet Carriers”. CBP is also revoking any treatment previously accorded by it to substantially identical merchandise. Notice of the proposed action was published in the *Customs Bulletin*, Volume 44, No. 24, on June 9, 2010. No comments were received in response to the notice.

EFFECTIVE DATE: The action is effective for merchandise entered or withdrawn from warehouse for consumption on or after August 1, 2011

FOR FURTHER INFORMATION CONTACT: Ann Segura Minardi, Tariff Classification and Marking Branch; (202) 325-0031.

SUPPLEMENTARY INFORMATION:

Background

On December 8, 1993, Title VI, (Customs Modernization), of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182, 107 Stat. 2057) (hereinafter “Title VI”), became effective. Title VI amended many sections of the Tariff Act of 1930, as amended, and related laws. Two concepts which emerge from the law are “**informed compliance**” and “**shared responsibility**”. These concepts are premised on the idea that in order to maximize voluntary compliance with customs laws and regulations, the trade community needs to be clearly and completely informed of its legal obligations. Accordingly, the law imposes a greater obligation on CBP to provide

the public with improved information concerning the trade community's responsibilities and rights under the customs and related laws. In addition, both the trade and CBP share responsibility in carrying out import requirements. For example, under section 484 of the Tariff Act of 1930, as amended (19 U.S.C. Section 1484), the importer of record is responsible for using reasonable care to enter, classify and value imported merchandise, and to provide any other information necessary to enable CBP to properly assess duties, collect accurate statistics and determine whether any other applicable legal requirement is met.

Pursuant to section 625(c)(1), Tariff Act of 1930 (19 U.S.C. 1625(c)(1)), as amended by section 623 of Title VI, this notice advises interested parties that CBP is modifying a ruling letter pertaining to the tariff classification of toy pet carriers. Although in this notice, CBP is specifically referring to the modification of New York Ruling Letter (NY) L85170, dated May 31, 2005, which replaced NY L84237, dated May 19, 2005, this notice covers any rulings on this merchandise which may exist but have not been specifically identified. CBP has undertaken reasonable efforts to search existing databases for rulings in addition to the one identified. No further rulings have been found. Any party who has received an interpretive ruling or decision (i.e., a ruling letter, internal advice memorandum or decision or protest review decision) on the merchandise subject to this notice should have advised CBP during the notice period.

Similarly, pursuant to section 625(c)(2), Tariff Act of 1930 (19 U.S.C. 1625(c)(2)), as amended by section 623 of Title VI, CBP is modifying any treatment previously accorded by CBP to substantially identical transactions. Any person involved in substantially identical transactions should advise CBP during this notice period. An importer's failure to advise CBP of substantially identical transactions or of a specific ruling not identified in this notice may raise issues of reasonable care on the part of the importer or its agents for importations of merchandise subsequent to the effective date of the final decision on this notice.

In NY L85170, CBP classified the merchandise under subheading 4202.92.90, HTSUS, as a container. We have reviewed NY L85170 and found it to be in error. In order to classify articles that are both amusing and functional, such as the toy "Pet Carrier" now at issue, we look to the case of *Ideal Toy Corp. v United States*, 78 Cust. Ct. 28 (1977), in which the court stated that "when amusement and utility become locked in controversy, the question becomes one of determining whether amusement is incidental to the utilitarian purpose, or whether the utility purpose is incidental to the amusement". In this instance, we find that the subject carriers are used primarily for

amusement because they are intended for interactive play with a stuffed toy animal. Any utilitarian purpose would merely be incidental to any use as a functional container. Similarly, CBP has classified textile doll carriers designed for girls to carry their dolls and accessories as “toys” of heading 9503, HTSUS. *See* NY H81709, dated June 18, 2001; PD G83798, dated November 22, 2000; NY 851767, dated April 24, 1990. As such, CBP has determined that the merchandise is classified as “toys” in subheading 9503.00.00, HTSUS, which provides for “Tricycles, scooters, pedal cars and similar wheeled toys; dolls’ carriages; dolls, other toys; reduced-scale (“scale”) models and similar recreational models, working or not; puzzles of all kinds; parts and accessories thereof.”

Pursuant to 19 U.S.C. 1625(c)(1), CBP is modifying NY L85170. Furthermore, CBP is revoking or modifying any other ruling not specifically identified, to reflect the classification of the toy pet carriers according to the analysis contained in the ruling letter identified under Headquarters Ruling Letter (HQ) H075935, set forth as an attachment to this document. Additionally, pursuant to 19 U.S.C. 1625(c)(2), CBP is revoking any treatment previously accorded by CBP to substantially identical transactions.

In accordance with 19 U.S.C. Section 1625(c), this action will become effective 60 days after publication in the *Customs Bulletin*.

Dated: May 11, 2011

IEVA K. O’ROURKE
for

MYLES B. HARMON,
Director,

Commercial and Trade Facilitation Division

Attachment

HQ H075935

May 11, 2011

CLA-2 OT:RR:CTF:TCM H075935 ASM

CATEGORY: Classification

TARIFF NO.: 9503.00.00

Ms. CHARLOTTE CHEN
SKM ENTERPRISES, INC
15210 E. NELSON AVENUE
CITY OF INDUSTRY, CA 91744

RE: Modification of NY L85170; Classification of Toy Pet Carriers

DEAR Ms. CHEN:

This is in reference to New York Ruling Letter (NY) L85170, dated May 31, 2005, which replaced NY L84237, dated May 19, 2005, issued to you on behalf of SKM Enterprises, Inc., concerning the tariff classification of a toy “Pet Carrier” under the Harmonized Tariff Schedule of the United States (HTSUS). In that ruling, U.S. Customs and Border Protection (“CBP”) classified the merchandise as a container under subheading 4202.92.90, HTSUS. We have reviewed NY L85170 and found it to be in error. For the reasons set forth below, we hereby modify NY L85170.

Pursuant to section 625(c), Tariff Act of 1930 (19 U.S.C. Section 1625(c)), as amended by section 623 of Title VI (Customs Modernization) of the North American Free Trade Agreement Implementation Act, Pub. L. 103–182, 107 Stat. 2057, 2186 (1993), notice of the proposed modification was published in the *Customs Bulletin*, Volume 44, No. 24 on June 9, 2010. No comments were received in response to this notice.

FACTS:

In NY L85170¹, the subject merchandise, identified as item 05GND110/A, was described as follows:

The red and white “Pet Carrier” is a double handle zippered carry bag wholly of man-made fiber textile materials. The bag is designed with an opening to permit the “pet’s” head to protrude from one side, and measures approximately 4–1/2” in width x 10–1/2” in length x 7” in depth.

ISSUE:

Whether the “Pet Carrier” is classified as a container in heading 4202, HTSUS, or as a toy in heading 9503, HTSUS.

LAW AND ANALYSIS:

Classification under the Harmonized Tariff Schedule of the United States (HTSUS) is made in accordance with the General Rules of Interpretation (GRI). GRI 1 provides that the classification of goods shall be determined according to the terms of the headings of the tariff schedule and any relative Section or Chapter Notes. In the event that the goods cannot be classified solely on the basis of GRI 1, and if the heading and legal notes do not otherwise require, the remaining GRI may then be applied.

¹ NY L85170 is a later ruling involving the same merchandise and importer as NY L84237, issued in order to correct a clerical error in item number 05GND110/A.

The following headings of the HTSUS are under consideration in classifying the subject article:

- 4202** Trunks, suitcases, vanity cases, attaché cases, briefcases, school satchels, spectacle cases, binocular cases, camera cases, musical instrument cases, gun cases, holsters and similar containers; traveling bags, insulated food or beverage bags, toiletry bags, knapsacks and backpacks, handbags, shopping bags, wallets, purses, map cases, cigarette cases, tobacco pouches, tool bags, sports bags, bottle cases, jewelry boxes, powder cases, cutlery cases and similar containers, of leather or of composition leather, of sheeting of plastics, of textile materials, of vulcanized fiber or of paperboard, or wholly or mainly covered with such materials or with paper:
- 4202.92.90** Other:
- 9503.00.00** Tricycles, scooters, pedal cars and similar wheeled Toys; dolls' carriages; dolls, other toys; reduced-scale ("scale") models and similar recreational models, working or not; puzzles of all kinds; parts and accessories thereof:

The term "toy" is not defined in the HTSUS. To be a toy, the "character of amusement involved [is] that derived from an item which is essentially a plaything." *Wilson's Customs Clearance, Inc. v. United States*, 59 Cust. Ct. 36, C.D. 3061 (1967).

The General Explanatory Note (EN)² for Chapter 95 states that this "Chapter covers toys of all kinds whether designed for the amusement of children or adults." Although nothing in heading 9503 or the relevant Chapter notes explicitly states that an item's classification as a "toy" is dependent upon its use, the Court of International Trade (CIT) has found inherent in various dictionary definitions of "toy" the notion that an object is a toy only if it is designed and used for amusement, diversion or play, rather than for practical purposes. See *Minnetonka Brands, Inc. v. United States*, 110 F. Supp. 2d 1020, 1026 (CIT 2000). The court found that an object must be designed and used for amusement, diversion or play, rather than practicality in order to be classified as a "toy" of heading 9503, HTSUS.

In order to classify articles that are both amusing and functional, such as the toy "Pet Carrier", we look to the case of *Ideal Toy Corp. v. United States*, 78 Cust. Ct. 28 (1977), in which the court stated that "when amusement and utility become locked in controversy, the question becomes one of determining whether amusement is incidental to the utilitarian purpose, or whether the utility purpose is incidental to the amusement." In this instance, the subject carriers are used primarily for amusement because they are intended for interactive play with a stuffed toy animal. As evidenced by their size and construction, any utilitarian purpose would merely be incidental to use as a functional container. Similarly, CBP has classified textile doll carriers designed for girls to carry their dolls and accessories as "toys" of heading 9503,

² The Harmonized Commodity Description and Coding System Explanatory Notes ("ENs") constitute the official interpretation of the Harmonized System at the international level. While neither legally binding nor dispositive, the ENs provide a commentary on the scope of each heading of the HTSUS and are generally indicative of the proper interpretation of these headings. See T.D. 89-80, 54 Fed. Reg. 35127, 35128 (August 23, 1989).

HTSUS. See NY H81709, dated June 18, 2001; PD G83798, dated November 22, 2000; NY 851767, dated April 24, 1990.

It is the conclusion of CBP, based on the above discussion, that the subject toy pet carriers are primarily used for amusement. As such, the merchandise is classified as a “toy” in heading 9503, HTSUS.

HOLDING:

The subject merchandise, identified toy “Pet Carriers” are correctly classified in subheading 9503.00.00, HTSUS, which provides for “Tricycles, scooters, pedal cars and similar wheeled toys; dolls’ carriages; dolls, other toys; reduced-scale (“scale”) models and similar recreational models, working or not; puzzles of all kinds; parts and accessories thereof. This provision is duty free at the general column one rate of duty.

EFFECT ON OTHER RULINGS:

This ruling modifies NY L85170, dated May 31, 2005 (replacing NY L84237, dated May 19, 2005). In accordance with 19 U.S.C. Section 1625(c), this action will become effective 60 days after publication in the *Customs Bulletin*.

IEVA K. O’ROURKE
for

MYLES B. HARMON,
Director

Commercial and Trade Facilitation Division

**PROPOSED MODIFICATION AND REVOCATION OF
RULING LETTERS AND PROPOSED REVOCATION OF
TREATMENT RELATING TO THE TARIFF
CLASSIFICATION OF CERTAIN BATTERY-OPERATED
PAINT ROLLERS**

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

ACTION: Notice of proposed modification and revocation of ruling letters and treatment relating to tariff classification of certain battery-operated paint rollers.

SUMMARY: Pursuant to section 625(c), Tariff Act of 1930 (19 U.S.C. 1625 (c)), as amended by Section 623 of Title VI (Customs Modernization) of the North American Free Trade Agreement Implementation Act (Pub. L. 103–182, 107 Stat. 2057), this notice advises interested parties that Customs and Border Protection (CBP) proposes to modify and/or revoke ruling letters relating to the tariff classification of certain battery-operated paint rollers under the Harmonized Tariff Schedule of the United States (HTSUS). CBP also proposes to revoke any treatment previously accorded by CBP to substantially identical transactions. Comments are invited on the correctness of the proposed actions.

DATES: Comments must be received on or before July 1, 2011

ADDRESSES: Written comments are to be addressed to Customs and Border Protection, Office of International Trade, Regulations and Rulings, Attention: Trade and Commercial Regulations Branch, 799 9th Street, N.W. (Mint Annex), Washington, D.C. 20229. Submitted comments may be inspected at Customs and Border Protection, 799 9th Street N.W., Washington, D.C. 20001 during regular business hours. Arrangements to inspect submitted comments should be made in advance by calling Mr. Joseph Clark at (202) 325–0118.

FOR FURTHER INFORMATION CONTACT: Aaron Marx, Tariff Classification and Marking Branch: (202) 325–0195

SUPPLEMENTARY INFORMATION:

Background

On December 8, 1993 Title VI (Customs Modernization) of the North American Free Trade Agreement Implementation Act (Pub. L. 103–182, 107 Stat. 2057) (hereinafter “Title VI”), became effective. Title VI amended many sections of the Tariff Act of 1930, as amended,

and related laws. Two new concepts which emerge from the law are “informed compliance” and “shared responsibility.” These concepts are premised on the idea that in order to maximize voluntary compliance with customs laws and regulations, the trade community needs to be clearly and completely informed of its legal obligations. Accordingly, the law imposes a greater obligation on CBP to provide the public with improved information concerning the trade community’s responsibilities and rights under the customs and related laws. In addition, both the trade and CBP share responsibility in carrying out import requirements. For example, under section 484 of the Tariff Act of 1930, as amended (19 U.S.C. §1484), the importer of record is responsible for using reasonable care to enter, classify and value imported merchandise, and to provide any other information necessary to enable CBP to properly assess duties, collect accurate statistics and determine whether any other applicable legal requirement is met.

Pursuant to section 625 (c)(1), Tariff Act of 1930, as amended (19 U.S.C. 1625 (c)(1)), this notice advises interested parties that CBP intends to modify one ruling letter and revoke one ruling letter pertaining to the tariff classification of certain battery-operated paint rollers. Although in this notice, CBP is specifically referring to the modification of New York Ruling Letter (NY) N042191, dated November 20, 2008 (Attachment A), and the revocation of NY 870922, dated February 21, 1992 (Attachment B), this notice covers any rulings on this merchandise which may exist but have not been specifically identified. Any party who has received an interpretive ruling or decision (*i.e.*, ruling letter, internal advice memorandum or decision or protest review decision) on the merchandise subject to this notice should advise CBP during this notice period.

Similarly, pursuant to section 625 (c)(2), Tariff Act of 1930, as amended (19 U.S.C. 1625 (c)(2)), CBP proposes to revoke any treatment previously accorded by CBP to substantially identical transactions. Any person involved in substantially identical transactions should advise CBP during this notice period. An importer’s failure to advise CBP of substantially identical transactions or of a specific ruling not identified in this notice may raise issues of reasonable care on the part of the importer or its agents for importations of merchandise subsequent to the effective date of the final notice of this proposed action.

In NY N042191, CBP determined that the TurboRoll Battery Paint Roller was classified in the heading 9603, HTSUS, by operation of General Rule of Interpretation (GRI) 3(b). Specifically, CBP classified the product in subheading 9603.40.20, HTSUS, which provides for

“Brooms, brushes (including brushes constituting parts of machines, appliances or vehicles), hand-operated mechanical floor sweepers, not motorized, mops and feather dusters; prepared knots and tufts for broom or brush making; paint pads and rollers; squeegees (other than roller squeegees): Paint, distemper, varnish or similar brushes (other than brushes of subheading 9603.30); paint pads and rollers: Paint rollers”. It is now CBP’s position that the TurboRoll Battery Paint Roller is properly classified in subheading 9603.40.20, HTSUS, by operation of GRI 1.

In NY 870922, CBP determined that the Wagner Cordless Power Roller was classified in the heading 8413, HTSUS, by operation of GRI 3(b). Specifically, CBP classified the product in subheading 8413.50.00, HTSUS, which provides for “Pumps for liquids, whether or not fitted with a measuring device; liquid elevators; part thereof: Other reciprocating positive displacement pumps”. It is now CBP’s position that the Wagner Cordless Power Roller is properly classified in the heading 9603, HTSUS, by operation of GRI 1. Specifically, it is classified in subheading 9603.40.20, HTSUS.

Pursuant to 19 U.S.C. 1625(c)(1), CBP proposes to modify NY N042191 and revoke NY 870922, and to revoke or modify any other ruling not specifically identified, to reflect the proper classification of battery operated paint rollers according to the analysis contained in proposed Headquarters Ruling Letter (HQ) H050436, set forth as Attachment C to this document. Additionally, pursuant to 19 U.S.C. 1625(c)(2), CBP intends to revoke any treatment previously accorded by CBP to substantially identical transactions. Before taking this action, consideration will be given to any written comments timely received.

Dated: May 11, 2011

IEVA K. O’ROURKE
for

MYLES B. HARMON
Director

Commercial and Trade Facilitation Division

Attachments

[ATTACHMENT A]

N042191

November 20, 2008

CLA-2-96:OT:RR:NC:SP:233

CATEGORY: Classification

TARIFF NO.: 9603.40.2000

MR. JOHN M. PETERSON
NEVILLE PETERSON LLP
COUNSELLORS AT LAW
17 STATE STREET 19TH FLOOR
NEW YORK, NY 10004

RE: The tariff classification of a battery-operated paint roller from China.

DEAR MR. PETERSON:

In your letter dated October 15, 2008, on behalf of Wagner Spray Tech Corporation, you requested a tariff classification ruling. The sample which you submitted is being returned as requested.

A sample and description of the TurboRoll Battery Paint Roller have been submitted. This roller features a 24 inch rigid plastic cylinder with a duckbill valve on one end, a plastic plunger that travels inside the cylinder, a plunger head that contains two sealing o-rings, a battery-operated handle and a roller arm with a nine inch roller nap. The roller operates by having a continuous flow of paint moved through the cylinder by the action of the motorized pump.

The subject paint roller is composed of different components [the roller, the motorized cylinder] and is considered a composite good. Regarding the essential character of the paint roller, the Explanatory Notes to GRI 3 (b) (VIII) state that the factor which determines essential character will vary between different kinds of goods. It may for example, be determined by the nature of the materials or components, its bulk, quantity, weight or value, or by the role of a constituent material in relation to the use of the goods. When the essential character of a composite good can be determined, the whole product is classified as if it consisted only of the part that imparts the essential character to the composite good. In regards to this product, the mechanism is merely the conduit by which the paint is stored and dispensed to the roller, but it is the roller that actually applies the paint to the surfaced being painted. In this case, the paint roller component imparts the essential character to the good.

You suggest classification as a pump in 8413.50.0090. Noting our discussion above, the essential character of the paint roller is applying paint to a surface which is outside the scope of 8413.

The applicable subheading for the battery-operated paint roller will be 9603.40.2000, Harmonized Tariff Schedule of the United States (HTSUS), which provides for "Brooms, brushes (including brushes constituting parts of machines, appliances or vehicles), hand-operated mechanical floor sweepers, not motorized, mops and feather dusters; prepared knots and tufts for broom or brush making; paint pads and rollers; squeegees (other than roller squeegees): Paint, distemper, varnish or similar brushes (other than those of subheading 9603.30): paint pads and rollers: paint roller." The rate of duty will be 7.5% *ad valorem*.

Duty rates are provided for your convenience and are subject to change. The text of the most recent HTSUS and the accompanying duty rates are provided on World Wide Web at <http://www.usitc.gov/tata/hts/>.

This ruling is being issued under the provisions of Part 177 of the Customs Regulations (19 C.F.R. 177).

A copy of the ruling or the control number indicated above should be provided with the entry documents filed at the time this merchandise is imported. If you have any questions regarding the ruling, contact National Import Specialist Lawrence Mushinske at (646) 733-3036.

Sincerely,

ROBERT B. SWIERUPSKI

Director

National Commodity Specialist Division

[ATTACHMENT B]

NY 870922
February 21, 1992
CLA-2-84:S:N:N1:102 870922
CATEGORY: Classification
TARIFF NO.: 8413.50.0090

MR. LARRY P. GARRISON
RADIX GROUP INTERNATIONAL
1230 EAGAN INDUSTRIAL ROAD
SUITE 160
EAGAN, MINNESOTA 55121

RE: The tariff classification of a cordless power roller from Japan

DEAR MR. GARRISON:

In your letter dated January 22, 1992, on behalf of your client, Wagner Spray Tech Corporation, Minneapolis, you requested a tariff classification ruling.

The item is a Wagner Cordless Power Roller. The unit consists of two main components, a battery operated reciprocating hand held pump, with paint storage container, and a hand-held paint roller connected to the pump by clear plastic tubing. The paint is pumped from the container directly to the roller. We consider the essential character of this composite unit to be imparted by the pump.

The applicable subheading for the power roller will be 8413.50.0090, Harmonized Tariff Schedule of the United States (HTS), which provides for other reciprocating pumps. The rate of duty will be 3 percent ad valorem.

This ruling is being issued under the provisions of Section 177 of the Customs Regulations (19 C.F.R. 177).

A copy of this ruling letter should be attached to the entry documents filed at the time this merchandise is imported. If the documents have been filed without a copy, this ruling should be brought to the attention of the Customs officer handling the transaction.

Sincerely,
JEAN F. MAGUIRE
Area Director
New York Seaport

[ATTACHMENT C]

HQ H050436
CLA-2 OT:RR:CTF:TCM H050436 AMM
CATEGORY: Classification
TARIFF NO.: 9603.40.20

MR. JOHN M. PETERSON
NEVILLE PETERSON LLP
17 STATE STREET 19TH FLOOR
NEW YORK, NY 10004

RE: Modification of New York Ruling Letter N042191; Revocation of New York Ruling Letter 870922; Classification of Battery-Operated Paint Rollers

DEAR MR. PETERSON,

This is in reference to the request for reconsideration of New York Ruling Letter (NY) N042191, dated November 20, 2008, regarding the classification under the Harmonized Tariff Schedule of the United States (HTSUS) of a battery-operated paint roller identified as the “TurboRoll Battery Paint Roller” (TurboRoll). In that ruling, Customs and Border Protection (CBP) classified the TurboRoll under heading 9603, HTSUS, which provides in relevant part for “[P]aint pads and rollers”, by application of General Rule of Interpretation (GRI) 3(b). We have reviewed NY N042191 and found it to be incorrect. Accordingly, for the reasons set forth below, we intend to modify that ruling.

CBP also intends to revoke NY 870922, dated February 21, 1992, regarding the classification of the Wagner Cordless Power Roller (Cordless Roller) under the HTSUS. In that ruling, CBP classified the Cordless Roller under heading 8413, HTSUS (1992), which provides for “[O]ther reciprocating pumps”, by application of GRI 3(b).

FACTS:

In NY N042191, CBP described the TurboRoll as follows:

This roller features a 24 inch rigid plastic cylinder with a duckbill valve on one end, a plastic plunger that travels inside the cylinder, a plunger head that contains two sealing o-rings, a battery-operated handle and a roller arm with a nine inch roller nap. The roller operates by having a continuous flow of paint moved through the cylinder by the action of the motorized pump.

A sample of the TurboRoll was submitted. A picture is included below:

**ISSUE:**

What is the correct classification under the HTSUS of the TurboRoll?

LAW AND ANALYSIS:

Classification under the HTSUS is made in accordance with the General Rules of Interpretation. GRI 1 provides that the classification of goods shall be determined according to the terms of the headings of the tariff schedule and any relative section or chapter notes. In the event that the goods cannot be classified solely on the basis of GRI 1, and if the headings and legal notes do not otherwise require, the remaining GRIs 2 through 6 may then be applied in order.

The 2011 HTSUS provisions under consideration are as follows:

8413	Pumps for liquids, whether or not fitted with a measuring device; liquid elevators; part thereof:
8413.50.00	Other reciprocating positive displacement pumps
<hr/>	
9603	Brooms, brushes (including brushes constituting parts of machines, appliances or vehicles), hand-operated mechanical floor sweepers, not motorized, mops and feather dusters; prepared knots and tufts for broom or brush making; paint pads and rollers; squeegees (other than roller squeegees):
9603.40	Paint, distemper, varnish or similar brushes (other than brushes of subheading 9603.30); paint pads and rollers:
9603.40.20	Paint rollers
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The Harmonized Commodity Description and Coding System Explanatory Notes (EN), constitute the official interpretation of the Harmonized System at the international level. While neither legally binding nor dispositive, the EN provide a commentary on the scope of each heading of the HTSUS and are generally indicative of the proper interpretation of the headings. It is CBP's practice to consult, whenever possible, the terms of the ENs when interpreting the HTSUS. *See* T.D. 89–80, 54 Fed. Reg. 35127, 35128 (August 23, 1989).

The EN to Heading 84.13 states, in pertinent part:

This heading covers most machines and appliances for raising or otherwise continuously displacing volumes of liquids (including molten metal and wet concrete), whether they are operated by hand or by any kind of power unit, integral or otherwise.

* * *

(A) RECIPROCATING POSITIVE DISPLACEMENT PUMPS

These use the linear suction or forcing action of a piston or plunger driven within a cylinder, the inlet and outlet being regulated by valves. "Single-acting" pumps utilise the thrust or suction of one end of the piston only; "double-acting" types pump at both ends of the piston thus using both the forward and reverse strokes. In simple "lift" pumps the liquid is merely raised by suction and discharged against atmospheric pressure. In "force" pumps, the compression stroke is used, in addition to the suction stroke, to force the liquid to heights or against pressure. Multi-cylinder pumps are used for increased output. The cylinders may be either in line or in a star shape.

* * *

The EN to Heading 96.03 states, in pertinent part:

(F) PAINT PADS AND ROLLERS; SQUEEGEES (OTHER THAN ROLLER SQUEEGEES)

Paint rollers consist of a roller covered with lambskin or other material mounted on a handle.

* * *

In NY N042191, you argued that the TurboRoll was properly classified as a pump in heading 8413, HTSUS. CBP determined that the TurboRoll was classified pursuant to GRI 3(b) as a composite good under heading 9603, HTSUS, specifically under subheading 9603.40.20, HTSUS, which provides for “[P]aint pads and rollers; ... : [P]aint pads and rollers: Paint rollers”. CBP found that the essential character was imparted by the paint roller component that actually applies the paint to the surface being painted.

In *Wagner Spray Tech Corp., Inc., v. United States*, 493 F. Supp. 2d 1265, (Ct. Int'l. Trade 2007), the Court of International Trade (CIT) considered the classification of paint rollers identified as the “Paint-N-Roll”, “PaintMate Plus”, “StainMate”, and “Trim-It”. CBP had previously described these articles in the following manner:

Although each model differs slightly both in appearance and individual characteristics, they operate essentially on the same principle. By inserting a fill tube into a can of paint or stain and subsequently attaching it to the bottom of the product’s arm and opening the fill valve, a vacuum is created which draws the liquid into a reservoir located within the arm. This is done by pulling back on a plunger at the handle, forcing in the liquid. Once the reservoir is full, the valve is closed, the liquid is under pressure, and the product is ready for use. In the Paint-N-Roll Plus, the liquid is dispensed by pushing forward a plunger that forces it through the device’s nozzles and onto the roller. In the remaining three models, a trigger is used to dispense a controlled amount of liquid from the reservoir onto the pad or roller. In all four models it is the pad or roller that dispenses the paint or stain onto a surface.

See Headquarters Ruling Letter (HQ) 966933, dated April 27, 2004.

Heading 9603, HTSUS, is an *eo nomine* provision, in that it identifies “paint rollers” by name. According to the CIT in *Wagner*:

An *eo nomine* provision describes goods according to their common and commercial meaning. A court may rely upon its own understanding of the terms used consult lexicography or other reliable sources to define the tariff term. In addition, an *eo nomine* provision that names an article without terms of limitation, absent evidence of a contrary legislative intent, is deemed to include all forms of the article. Furthermore, an article which has been improved or amplified but whose essential characteristic is preserved or only incidentally altered is not excluded from an unlimited *eo nomine* statutory designation.

Wagner, 493 F. Supp. 2d at 1269–1270 (internal citations and quotations omitted). The CIT went on to define a “paint roller” as “one that consists typically of a rotating cylinder ... covered with an absorbent material and mounted on a handle so that the cylinder can be dipped into paint or otherwise ... be supplied with paint and rolled over a flat surface ... so as to apply the paint.” *Wagner*, 493 F. Supp. 2d at 1271 (citing *Webster’s Third New Int’l Dictionary* (1986) at 1622).

With respect to the products at issue in *Wagner*, the CIT also noted that:

Each *Wagner* product contains a paint pad or a paint roller, which resembles a conventional pad or roller, and the function of each product is identical to traditional pads and rollers, to spread paint onto surfaces.

The method by which this is accomplished does not warrant classification based only on component parts of the products, nor does it render the products prima facie classifiable in more than one heading.

Wagner, 493 F. Supp. 2d at 1271 (emphasis added). Noting that “an *eo nomine* designation includes all forms of the product, including improved forms” (*Id.*, at 1271, citing *Chevron Chemical Co. v. United States*, 59 F. Supp. 2d 1361 (Ct. Int’l. Trade 1999)), the CIT held that “[h]eading 9603 properly classifies the products according to their common and commercial meaning as paint pads or rollers, albeit amplified by the patented *Wagner* roller core and handle.” *Wagner*, 493 F. Supp. 2d at 1271.

Like the products considered in *Wagner*, the TurboRoll is a “paint roller” as defined above. It consists of a rotating cylinder covered with an absorbent material, which is mounted on a handle so that the cylinder can be supplied with paint and rolled over a flat surface. See *Wagner*, 493 F. Supp. 2d at 1271. The TurboRoll is an improved version of the traditional paint roller in that it contains a mechanism which supplies paint directly to the absorbent material on the rotating cylinder. The user no longer has to repeatedly dip the rotating cylinder in a tray of paint to coat the absorbent surface. However, its function is identical to traditional rollers – it is used to spread paint onto surfaces. As stated by the CIT, “[t]he method by which this is accomplished does not warrant classification based on only component parts of the products, nor does it render the products *prima facie* classifiable in more than one heading.” *Id.* Therefore, the TurboRoll is properly classified by operation of GRI 1 in heading 9603, HTSUS, specifically under subheading 9603.40.20, HTSUS, which provides for: “[P]aint pads and rollers; ... : [P]aint pads and rollers: Paint rollers”.

Inasmuch as this good is described in full by heading 9603, HTSUS, as a paint roller, its classification under heading 8413, HTSUS, by GRI 3(b) is precluded.

Our analysis also applies to the classification of *Wagner*’s Cordless Roller, a hand-held paint roller fitted with a battery-operated pump, which we classified in NY 870922 under heading 8413, HTSUS, specifically in subheading 8413.50.00, the provision for “Other reciprocating positive displacement pumps.” As the Cordless Roller is substantially similar to the TurboRoll, we find that it is properly classified by operation of GRI 1 under heading 9603, HTSUS, as a paint roller, based on all of the foregoing.

HOLDING:

By application of GRI 1, the TurboRoll Battery Paint Roller is classified under heading 9603, HTSUS, specifically in subheading 9603.40.20, HTSUS, which provides in relevant part for “Brooms, brushes (including brushes constituting parts of machines, appliances or vehicles), hand-operated mechanical floor sweepers, not motorized, mops and feather dusters; prepared knots and tufts for broom or brush making; paint pads and rollers; squeegees (other than roller squeegees): Paint, distemper, varnish or similar brushes (other than brushes of subheading 9603.30); paint pads and rollers: Paint rollers”. The column one, general rate of duty is 7.5% *ad valorem*.

Duty rates are provided for convenience only and are subject to change. The text of the most recent HTSUS and the accompanying duty rates are provided on the World Wide Web at www.usitc.gov.

EFFECT ON OTHER RULINGS:

In accordance with the above analysis, NY N042191, dated November 20, 2008, is hereby MODIFIED and NY 870922, dated February 21, 1992, is hereby REVOKED.

Sincerely,

MYLES B. HARMON,

Director

Commercial and Trade Facilitation Division

**REVOCAION OF RULING LETTER AND REVOCAION OF
TREATMENT RELATING TO THE TARIFF
CLASSIFICATION OF A CERTAIN “MY MASS KIT”**

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

ACTION: Notice of revocation of a ruling letter and treatment relating to tariff classification of a certain “My Mass Kit.”

SUMMARY: Pursuant to section 625(c), Tariff Act of 1930 (19 U.S.C. § 1625(c)), as amended by Section 623 of Title VI (Customs Modernization) of the North American Free Trade Agreement Implementation Act (Pub.L. 103–182, 107 Stat. 2057) (“Title VI”), this notice advises interested parties that U.S. Customs and Border Protection (“CBP”) is revoking one ruling letter relating to the tariff classification of a “My Mass Kit” under the Harmonized Tariff Schedule of the United States (“HTSUS”). CBP is also revoking any treatment previously accorded by CBP to substantially identical transactions. Notice of the proposed action was published in the *Customs Bulletin and Decisions*, Vol. 44, No. 24, on June 9, 2010. There were no comments received in response to the notice.

DATES: This action is effective for merchandise entered or withdrawn from warehouse for consumption on or after August 1, 2011.

FOR FURTHER INFORMATION CONTACT: Dean Cantalupo, Tariff Classification and Marking Branch: (202) 325–0085.

SUPPLEMENTARY INFORMATION:

Background

Title VI came into effect on December 8, 1993. Title VI amended many sections of the Tariff Act of 1930, as amended, and related laws. Two new concepts which emerge from the law are “**informed compliance**” and “**shared responsibility**.” These concepts are premised on the idea that in order to maximize voluntary compliance with customs laws and regulations, the trade community needs to be clearly and completely informed of its legal obligations. Accordingly, the law imposes a greater obligation on CBP to provide the public with improved information concerning the trade community’s responsibilities and rights under the customs and related laws. In addition, both the trade and CBP share responsibility in carrying out import requirements. For example, under section 484 of the Tariff Act of 1930, as amended (19 U.S.C. § 1484), the importer of record is responsible for using reasonable care to enter, classify and value im-

ported merchandise, and to provide any other information necessary to enable CBP to properly assess duties, collect accurate statistics, and determine whether any other applicable legal requirement is met.

Pursuant to section 625(c)(1) of the Tariff Act of 1930, as amended (19 U.S.C. § 1625(c)(1)), this notice advises interested parties that CBP is revoking a ruling letter pertaining to the tariff classification of a “My Mass Kit.” Although this notice specifically refers to the revocation of New York Ruling Letter (NY) N048904 (February 6, 2009), this notice also covers any rulings on this merchandise which may exist but have not been specifically identified. CBP has undertaken reasonable efforts to search existing databases for rulings in addition to the one identified. No further rulings have been found. Any party who has received an interpretive ruling or decision (i.e., ruling letter, internal advice memorandum or decision or protest review decision) on the merchandise subject to this notice should have advised CBP during the notice period.

Similarly, pursuant to section 625(c)(2) of the Tariff Act of 1930, as amended (19 U.S.C. § 1625(c)(2)), CBP is revoking any treatment previously accorded by CBP to substantially identical transactions. Any person involved in substantially identical transactions should have advised CBP during the notice period. An importer’s failure to advise CBP of substantially identical transactions or of a specific ruling not identified in this notice may raise issues of reasonable care on the part of the importer or its agents for importations of merchandise subsequent to the effective date of the final decision of this action.

In NY N048904 (February 6, 2009), CBP classified the toy components of the “My Mass Kit” under subheading 9503.00.0080, HTSUS which provides for “Tricycles, scooters, pedal cars and similar wheeled toys; dolls’ carriages; dolls, other toys; reduced-scale (“scale”) models and similar recreational models, working or not; puzzles of all kinds; parts and accessories thereof, Other.”

In addition, NY N048904 (February 6, 2009) classified the carrying case component of the “My Mass Kit” under subheading 4202.12.8030, HTSUS, which provides for “Trunks, suitcases, vanity cases, attache cases, briefcases, school satchels, spectacle cases, binocular cases, camera cases, musical instrument cases, gun cases, holsters and similar containers; traveling bags, insulated food or beverage bags, toiletry bags, knapsacks and backpacks, handbags, shopping bags, wallets, purses, map cases, cigarette cases, tobacco pouches, tool bags, sports bags, bottle cases, jewelry boxes, powder cases, cutlery cases and similar containers, of leather or of composi-

tion leather, of sheeting of plastics, of textile materials, of vulcanized fiber or of paperboard, or wholly or mainly covered with such materials or with paper: Trunks, suitcases, vanity cases, attache cases, briefcases, school satchels and similar containers: With outer surface of plastics or of textile materials: With outer surface of textile materials: Other, Attache cases, briefcases, school satchels, occupational luggage cases and similar containers: Other: Of man-made fibers.”

Pursuant to 19 U.S.C. § 1625(c)(1), CBP is revoking NY N048904 (February 6, 2009) and is revoking or modifying any other ruling not specifically identified herein, in order to reflect the proper classification of the “My Mass Kit” according to the analysis contained in Headquarters Ruling Letter H061204, set forth as an attachment to this document. Additionally, pursuant to 19 U.S.C. § 1625(c)(2), CBP intends to revoke any treatment previously accorded by CBP to substantially identical transactions.

In accordance with 19 U.S.C. § 1625(c), this action will become effective 60 days after publication in the *Customs Bulletin and Decisions*.

Dated: May 3, 2011

IEVA K. O’ROURKE
for

MYLES B. HARMON,
Director

Commercial and Trade Facilitation Division

Attachment

HQ H061204

May 3, 2011

OT: RR: CTF: TCM: H061204 DAC

CATEGORY: Classification

TARIFF NO.: 9503.00.0080

SANDY WIECKOWSKI, MANAGER
EXPEDITORS TRADEWIN, LLC
1101 METRO AIRPORT CENTER DRIVE
BLDG. M2, SUITE 110
ROMULUS, MI 48174

RE: Classification of the Wee Believers "My Mass Kit" NY N048904 Revoked

DEAR MS. WIECKOWSKI:

This is in response to the March 24, 2009 request for reconsideration of New York Ruling Letter ("NY") N048904, which you submitted on behalf of Troparian Corporation d/b/a Wee Believers. The U.S. Customs and Border Protection ("CBP") National Commodity Specialist Division issued NY N048904 on February 6, 2009 which addressed the tariff classification of the Wee Believers "My Mass Kit" from Thailand.

CBP has determined that NY N048904 is incorrect and is revoking that ruling. Pursuant to section 625(c)(1), Tariff Act of 1930 (19 U.S.C. § 1625(c)(1)), as amended by section 623 of Title VI, a notice of proposed revocation was published in the *Customs Bulletin and Decisions*, Vol. 44, No. 24, on June 9, 2010. No comments were received in response to the notice.

FACTS:

Wee Believers provided a sample of the "My Mass Kit" which consists of a zippered carrying case marked "my Mass Kit." The case contains four mesh pockets which are designed to carry an instruction booklet and twelve toys. The toys are in the shapes of a corporal, a chalice, a crucifix, a censer, a bowl, a paten, a purificator, two candles, two cruets, and EVA hosts. Most of the kits twelve toys are made of cotton twill with polyester fill. The kit is packaged in a cardboard sleeve.

The "My Mass Kit" is designed to be used as a vocational tool for children between the ages of three and twelve to learn about the parts of the Catholic Mass, identify liturgical objects, and learn about the Catholic priesthood. Wee Believers suggests that the "My Mass Kit" can be used during church services to keep children quiet, busy, and focused on the Mass rather than playing with non-church related books or toys and at home or in school where parents and teachers can use the kit to teach children about the Catholic Faith.

In NY N048904, CBP classified the toy components of the "My Mass Kit" under subheading 9503.00.0080, of the Harmonized Tariff Schedule of the United States (HTSUS) which provides for "Tricycles, scooters, pedal cars and similar wheeled toys; dolls' carriages; dolls, other toys; reduced-scale ("scale") models and similar recreational models, working or not; puzzles of all kinds; parts and accessories thereof, Other" and has a "free" rate of duty.

In the same ruling, CBP classified the carrying case component of the "My Mass Kit" under subheading 4202.12.8030, HTSUS which provides for "Trunks, suitcases, vanity cases, attache cases, briefcases, school satchels,

spectacle cases, binocular cases, camera cases, musical instrument cases, gun cases, holsters and similar containers; traveling bags, insulated food or beverage bags, toiletry bags, knapsacks and backpacks, handbags, shopping bags, wallets, purses, map cases, cigarette cases, tobacco pouches, tool bags, sports bags, bottle cases, jewelry boxes, powder cases, cutlery cases and similar containers, of leather or of composition leather, of sheeting of plastics, of textile materials, of vulcanized fiber or of paperboard, or wholly or mainly covered with such materials or with paper: Trunks, suitcases, vanity cases, attache cases, briefcases, school satchels and similar containers: With outer surface of plastics or of textile materials: With outer surface of textile materials: Other, Attache cases, briefcases, school satchels, occupational luggage cases and similar containers: Other: Of man-made fibers” and has a rate of duty of 17.6% *ad valorem*.

While NY N048904 made no mention of the classification of the instruction booklet, we note that it should be classified in heading 4901, HTSUS which covers printed books, brochures, leaflets, and similar printed matter.

ISSUE:

What is the classification the Wee Believers “My Mass Kit” under the HTSUS?

LAW AND ANALYSIS:

Classification under the HTSUS is made in accordance with the General Rules of Interpretation (“GRIs”). GRI 1 states in part that for legal purposes, classification shall be determined according to the terms of the headings, any relative section or chapter notes and, unless otherwise required, according to the remaining GRIs taken in order. The Harmonized Commodity Description and Coding System Explanatory Notes (“ENs”) constitute the official interpretation of the Harmonized System at the international level (for the four digit headings and the six digit subheadings) and facilitate classification under the HTSUS by offering guidance in understanding the scope of the headings and GRIs. While neither legally binding nor dispositive of classification issues, the ENs provide commentary on the scope of each heading of the HTSUS and are generally indicative of the proper interpretation of the headings. See T.D. 89–80, 54 Fed. Reg. 35127–28 (Aug. 23, 1989).

Goods that are, *prima facie*, classifiable under two or more headings, are classifiable in accordance with GRI 3. GRI 3(a) states in part that when two or more headings each refer to a part of the item in a set put up for retail sale, those headings are to be regarded as equally specific, even if one heading gives a more precise description of the goods. The “My Mass Kit” must be classified pursuant to GRI 3 because it consists of at least three different articles that are, *prima facie*, classifiable in different headings; the carrying case is classifiable in heading 4202, HTSUS, the instruction booklet is classifiable in heading 4901, HTSUS, and the toys are classifiable in heading 9503, HTSUS. The headings at issue only refer to part of the items in the set put up for retail sale. As such, they are regarded as equally specific and we must resort to GRI 3(b).

EN X to GRI 3(b) provides guidance for determining whether the “My Mass Kit” constitutes “goods put up in sets for retail sale.” For the

purposes of this Rule, the term “goods put up in sets for retail sale” shall be taken to mean goods which: (a) consist of at least two different articles which are, *prima facie*, classifiable in different headings . . .; (b) consist of products or articles put up together to meet a particular need or carry out a specific activity; and (c) are put up in a manner suitable for sale directly to users without repacking (e.g., in boxes or cases or on boards). In addition, CBP has generally interpreted EN X to GRI 3(b) to mean that, in most instances, a holder, case, or other container is included with other articles which clearly meet a particular need or carry out a specific activity when classified. See U.S. Customs and Border Protection, *What Every Member of the Trade Community Should Know About: Classification of Sets Under the HTSUS* (Mar. 2004).

The “My Mass Kit” consists of a case, an instruction booklet, and toys which are *prima facie* classifiable in three different headings. In addition, the “My Mass Kit” consists of products put up together to carry out a particular activity. All of the articles in the “My Mass Kit” interact with each other to provide a tool for teaching children about the Catholic Mass and to keep children quiet and occupied during Mass. With regard to the carrying case, Wee Believers notes that the instruction booklet included in the kit instructs children to use the case as the altar when reenacting the Mass. Just like the other items in the kit, the carrying case is intended to teach children about the Mass through play, which demonstrates further that the kit consists of articles put up together to meet a particular need or carry out a specific activity. Lastly, the kit, which comes packaged in a cardboard sleeve, is put up in a manner suitable for sale without repackaging. Consequently, the “My Mass Kit” constitutes a good put up in a set for retail sale.

GRI 3(b) requires that the classification of goods put up in sets for retail sale be based upon the material or component that provides the set with its essential character. EN VIII to GRI 3(b) explains that: “[t]he factor which determines essential character will vary as between different kinds of goods. It may, for example, be determined by the nature of the material or component, its bulk, quantity, weight or value, or by the role of the constituent material in relation to the use of the goods.” In addition to the guidance provided by EN VIII to GRI 3(b), courts frequently consider the role of the constituent materials or components in relation to the use of the goods to determine essential character. See *Structural Industries v. United States*, 360 F. Supp. 2d 1330, 1337–1338 (CIT 2005); *Conair Corp. v. United States*, 29 C.I.T. 888 (2005); *Home Depot USA, Inc. v. United States*, 427 F. Supp. 2d 1278, 1295–1356 (CIT 2006), *aff’d* 491 F.3d 1334 (Fed. Cir. 2007).

In determining the essential character of the “My Mass Kit,” we must consider the roles the case, the instruction booklet, and the toys play in relation to the ultimate purpose of teaching children about the Catholic Mass and keeping children quiet and occupied during Mass. In this case, not only are the toys more bulky and more numerous than the case and the instruction booklet but the role of the toys in the “My Mass Kit” is much more important in meeting the overall purpose of the “My Mass Kit.” Purchasers of the “My Mass Kit” could not meet the ultimate goal of teaching children about the Catholic Mass or keeping them occupied during Mass if the set did not contain the toys. Furthermore, the case in the “My Mass Kit” is similar

to the carrying case made for slippers classified in NY H83958 inasmuch as its purpose is to store the toys and instruction booklet inside when they are not in use. Consequently, the essential character of the “My Mass Kit” is that of a toy classifiable under heading 9503, HTSUS.

HOLDING:

By application of GRI 3(b), the “My Mass Kit” is classified in heading 9503, HTSUS. It is specifically provided for in subheading 9503.00.0080, HTSUS which provides for “Tricycles, scooters, pedal cars and similar wheeled toys; dolls’ carriages; dolls, other toys; reduced-scale (“scale”) models and similar recreational models, working or not; puzzles of all kinds; parts and accessories thereof, Other.” The “My Mass Kit” general rate of duty is free under the 2011 HTSUS schedule.

Duty rates are provided for your convenience and are subject to change. The text of the most recent HTSUS and the accompanying duty rates are provided on the World Wide Web at www.usitc.gov.

EFFECT ON OTHER RULINGS:

NY N048904, dated February 6, 2009, is hereby REVOKED.

In accordance with 19 U.S.C. § 1625(c), this ruling will become effective 60 days after its publication in the *Customs Bulletin and Decisions*.

Sincerely,

IEVA K. O’ROURKE

for

MYLES B. HARMON,

Director

Commercial and Trade Facilitation Division

**COPYRIGHT, TRADEMARK, AND TRADE NAME
RECORDATIONS****(No. 4 2011)**

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 April 2011. The last notice was published in the CUSTOMS BULLETIN on April 20, 2011.

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., Mail Stop 1179, Washington, D.C. 20229-1179.

FOR FURTHER INFORMATION CONTACT: Delois Johnson, Paralegal, Intellectual property Rights Branch, (202) 325-0088.

Dated: May 11, 2011

CHARLES R. STEUART

Chief,

*Intellectual Property Rights & Restricted
Merchandise Branch*

CBP IPR RECORDATION — APRIL 2011

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 06-00115	4/21/2011	12/12/2021	DESIGN ONLY	ADIDAS INTERNATIONAL MARKETING B.V.	No
TMK 05-00767	4/21/2011	5/8/2021	CATERPILLAR & DESIGN	CATERPILLAR INC.	No
TMK 01-00504	4/28/2011	3/16/2021	SEIKO	SEIKO HOLDINGS KABUSHIKI KAISHA T/A SEIKO HOLDINGS CORPORATION	No
TMK 01-00295	4/28/2011	4/10/2021	THE COLOR BLUE	PRINTING RESEARCH, INC.	No
TMK 01-00623	4/21/2011	10/23/2021	ENERGIZER	EVEREADY BATTERY COMPANY INC.	No
TMK 01-00616	4/21/2011	8/28/2021	ENERGIZER E2 DESIGN	EVEREADY BATTERY COMPANY INC.	No
TMK 02-00513	4/28/2011	3/13/2021	BARTOLINI	OLEM SHOE CORPORATION	No
TMK 02-00621	4/21/2011	1/30/2022	SUNKIST	SUNKIST GROWERS, INC.	No
TMK 02-01003	4/21/2011	3/19/2021	ORIOLES	BALTIMORE ORIOLES LTD. PARTNER-SHIP	No
TMK 03-00438	4/4/2011	3/13/2021	H. UPMANN	CUBAN CIGAR BANDS N.V.	No
TMK 04-00776	4/21/2011	1/23/2021	ENERGIZER & DESIGN	EVEREADY BATTERY COMPANY, INC.	No
TMK 04-00993	4/5/2011	1/23/2021	STANLEY CUP	NATIONAL HOCKEY LEAGUE	No
TMK 06-00839	4/4/2011	12/3/2020	MOPAR (STYLIZED)	CHRYSLER GROUP	No
TMK 06-01378	4/21/2011	4/2/2021	JW & DESIGN	JOHN WILEY & SONS, INC.	No
TMK 07-00148	4/28/2011	7/3/2021	OPTI-LOOP	LINEAR TECHNOLOGY CORPORATION	No
TMK 07-00482	4/21/2011	4/3/2021	FIBER CHOICE	GLAXOSMITHKLINE LLC.	No

CBP IPR RECORDATION — APRIL 2011

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tm	Owner Name	GM Restricted
TMK 07-00502	4/28/2011	4/3/2021	CLARKS (STYLIZED)	C. & J. CLARK INTERNATIONAL LIMITED	No
COP 11-00035	4/4/2011	4/4/2031	SCARFACE 3.4 SPRAY FOR MEN	3B INTERNATIONAL, LLC	No
TMK 11-00331	4/4/2011	2/15/2021	JACE FINGERBOARDS	AIKA LAU	No
TMK 08-00477	4/5/2011	5/26/2021	F	FUJITSU LIMITED	No
TMK 10-00316	4/21/2011	3/19/2021	NOJO	CROWN CRAFTS INFANT PRODUCTS, INC.	No
COP 11-00036	4/4/2011	4/4/2031	THALOMID KIT (2007)	CELGENE CORPORATION	No
TMK 11-00493	4/28/2011	11/10/2019	HYDEE AND THE HY TOPS	SKECHERS U.S.A., INC. II	No
TMK 11-00496	4/29/2011	12/16/2018	BAINULTRA THE ORIGINAL AIR JET BATH & HOME SPA	BAINS ULTRA INC.	No
TMK 11-00487	4/25/2011	5/26/2014	GOLD TOE	GAKM RESOURCES LLC	No
TMK 11-00497	4/29/2011	12/1/2019	WILDFOX	JIMMY SOMMERS	No
TMK 11-00498	4/29/2011	5/31/2015	BAINULTRA	BAINS ULTRA INC.	No
TMK 11-00499	4/29/2011	12/12/2013	DESIGN	GAKM RESOURCES LLC	No
TMK 11-00509	4/29/2011	3/23/2020	GLEE	TWENTIETH CENTURY FOX FILM CORPORATION	No
TMK 05-00590	4/21/2011	3/20/2021	TYLER WENTWORTH	TONNER DOLL COMPANY INC.	No
TMK 11-00508	4/29/2011	5/18/2013	THE SIMPSONS	TWENTIETH CENTURY FOX FILM CORPORATION	No

CBP IPR RECORDATION — APRIL 2011

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 11-00460	4/21/2011	7/13/2013	THE SIMPSONS	TWENTIETH CENTURY FOX FILM CORPORATION	No
TMK 11-00461	4/21/2011	5/9/2016	FAMILY GUY	TWENTIETH CENTURY FOX FILM CORPORATION	No
TMK 11-00462	4/21/2011	3/30/2020	GLEE	TWENTIETH CENTURY FOX FILM CORPORATION	No
COP 11-00041	4/4/2011	4/4/2031	NANO COCOON INSECT TOY.	INNOVATION FIRST, INC.	No
COP 11-00037	4/4/2011	4/4/2031	HEXBUG NANO COMB	INNOVATION FIRST, INC.	No
TMK 11-00329	4/4/2011	7/27/2014	MAINELY MULCH	LUCERNE FARMS	No
COP 11-00038	4/4/2011	4/4/2031	GAL 0531	GALLIANA CREATIONS CO. LTD.	No
TMK 11-00333	4/4/2011	1/4/2021	GREENSHIELD	GREENOLOGY PRODUCTS	No
COP 11-00039	4/4/2011	4/4/2031	COACH MADISON CLOVER OP ART -GREY BLACK BERRY	COACH, INC.	No
TMK 11-00330	4/4/2011	1/18/2021	DESIGN (SKULL / DEMON HEAD)	I GROUP, LLC	No
COP 11-00040	4/4/2011	4/4/2031	HEXBUG NANO DISPLAY BOX	INNOVATION FIRST, INC.	No
TMK 11-00325	4/4/2011	8/19/2013	ASHLEY AND DESIGN	ASHLEY FURNITURE INDUSTRIES, INC.	No
TMK 11-00463	4/21/2011	6/15/2020	EPAD	TOPAZ SYSTEMS, INC.	No
TMK 11-00336	4/4/2011	6/16/2019	ASHLEY FURNITURE HOMESTORE OUTLET AND DESIGN	ASHLEY FURNITURE INDUSTRIES, INC.	No

CBP IPR RECORDATION — APRIL 2011

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tm	Owner Name	GM Restricted
COP 11-00047	4/21/2011	4/21/2031	UNTITLED THEATRICAL PITCH GUIDE.	TWENTIETH CENTURY FOX FILM CORPORATION	No
COP 11-00046	4/21/2011	4/21/2031	ICE AGE: STYLE GUIDE.	TWENTIETH CENTURY FOX FILM CORPORATION	No
TMK 11-00467	4/21/2011	10/2/2017	TEETHING BLING	SMART MOM, LLC	No
TMK 11-00466	4/21/2011	10/15/2016	ASIAN STAR	ZALOOM MARKETING CORP.	No
COP 11-00045	4/21/2011	4/21/2031	GLEE -STYLE GUIDE (TV -STYLE GUIDE)	TWENTIETH CENTURY FOX FILM CORPORATION	No
COP 11-00048	4/21/2011	4/21/2031	ETSI HATS & APPAREL LOGO	ETSI HATS & APPAREL LLC	No
TMK 11-00332	4/4/2011	1/16/2021	DESIGN	LOUIS VUITTON MALLETTIER	No
COP 11-00034	4/4/2011	4/4/2031	REVABS : YOUR 90-DAY AB SOLUTION	PRODUCT PARTNERS, LLC	No
TMK 11-00335	4/4/2011	7/17/2017	SUN CALLI	SUN CALLI, INC.	No
TMK 11-00464	4/21/2011	7/29/2018	JOHN MASTERS ORGANICS	JOHN MASTERS ORGANIC HAIR CARE, INC.	No
TMK 11-00446	4/21/2011	9/10/2021	SUMITOMO AND DESIGN	SUMITOMO RUBBER INDUSTRIES, LTD.	No
TMK 11-00327	4/4/2011	1/2/2021	DESIGN	TIFFANY (NJ) LLC	No
TMK 11-00447	4/21/2011	2/26/2021	SUMITOMO	SUMITOMO RUBBER INDUSTRIES, LTD.	No
TMK 11-00448	4/21/2011	11/14/2015	DESIGN (GUITAR PEGHEAD)	GIBSON GUITAR CORP.	No
TMK 11-00445	4/21/2011	7/18/2020	DESIGN (GUITAR PEGHEAD)	GIBSON GUITAR CORP.	No
TMK 11-00450	4/21/2011	11/19/2016	DESIGN (GUITAR PEGHEAD)	GIBSON GUITAR CORP.	No

CBP IPR RECORDATION — APRIL 2011

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 11-00452	4/21/2011	3/11/2013	BANANA GUITAR PEG HEAD DESIGN	GIBSON GUITAR CORP.	No
TMK 11-00453	4/21/2011	7/23/2012	ES	GIBSON GUITAR CORP.	No
TMK 11-00454	4/21/2011	10/29/2012	EXPLORER	GIBSON GUITAR CORP.	No
TMK 11-00457	4/21/2011	11/16/2012	FLYING V	GIBSON GUITAR CORP.	No
TMK 11-00456	4/21/2011	7/23/2012	FV	GIBSON GUITAR CORP.	No
TMK 11-00458	4/21/2011	11/2/2013	ALL PRO	GAKM RESOURCES LLC	No
TMK 11-00459	4/21/2011	6/12/2011	GMC	GENERAL MOTORS LLC	No
TMK 11-00392	4/21/2011	5/5/2012	GM AND DESIGN	GENERAL MOTORS LLC	No
TMK 11-00507	4/29/2011	3/29/2021	SONS OF ANARCHY	TWENTIETH CENTURY FOX FILM CORPORATION	No
TMK 11-00470	4/25/2011	3/4/2013	AURO	GAKM RESOURCES LLC	No
TMK 11-00451	4/21/2011	3/31/2019	AMERICAN LIVING	PRL USA HOLDINGS, INC	No
TMK 11-00426	4/21/2011	9/7/2019	RLX	PRL USA HOLDINGS, INC	No
TMK 11-00428	4/21/2011	1/18/2021	STYLIZED DESIGN OF A GUITAR BRIDGE	GIBSON GUITAR CORP.	No
TMK 11-00429	4/21/2011	4/15/2015	DIAMOND DESIGN	GIBSON GUITAR CORP.	No
TMK 11-00430	4/21/2011	4/15/2015	DESIGN (FLOWERPOT PEGHEAD IN-LAY)	GIBSON GUITAR CORP.	No
TMK 11-00431	4/21/2011	12/14/2020	DESIGN (HUMMINGBIRD PICK GUARD)	GIBSON GUITAR CORP.	No

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Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 11-00455	4/21/2011	6/7/2019	GIBSON	GIBSON GUITAR CORP.	No
TMK 11-00432	4/21/2011	4/11/2015	KRAMER	GIBSON GUITAR CORP.	No
TMK 11-00434	4/21/2011	9/24/2012	MAESTRO	GIBSON GUITAR CORP.	No
TMK 11-00435	4/21/2011	1/21/2013	EXCELLENT (STYLIZED)	ALEXANDER BILLAN	No
TMK 11-00436	4/21/2011	9/24/2012	HUMMER	GENERAL MOTORS LLC	No
TMK 11-00437	4/21/2011	5/18/2019	HUMMER	GENERAL MOTORS LLC	No
TMK 11-00416	4/21/2011	9/18/2017	SPECIALIZED	SPECIALIZED BICYCLE COMPONENTS, INC.	No
TMK 02-00434	4/21/2011	6/2/2021	SOCOLOR	L'OREAL USA CREATIVE, INC.	No
TMK 11-00438	4/21/2011	3/1/2021	DESIGN (GUN)	CARL WALTHER GMBH	No
TMK 11-00439	4/21/2011	12/21/2020	DOVE PICK GUARD DESIGN	GIBSON GUITAR CORP.	No
TMK 11-00440	4/21/2011	1/18/2021	STYLIZED DESIGN	GIBSON GUITAR CORP.	No
TMK 11-00469	4/21/2011	6/8/2020	BALDWIN	BALDWIN PIANO, INC.	No
TMK 11-00441	4/21/2011	1/16/2013	DOBRO	GIBSON GUITAR CORP.	No
TMK 11-00442	4/21/2011	3/9/2020	OBERHEIM	GIBSON GUITAR CORP.	No
TMK 11-00443	4/21/2011	10/14/2018	FUTUROLA	FUTURE HOLDING B.V.	No
TMK 11-00444	4/21/2011	3/31/2019	ROBOT GUITAR	GIBSON GUITAR CORP.	No
TMK 11-00409	4/21/2011	3/15/2021	SG	GIBSON GUITAR CORP.	No
TMK 11-00408	4/21/2011	6/2/2017	STEINBERGER	GIBSON GUITAR CORP.	No

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Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 11-00410	4/21/2011	4/12/2017	DESIGN (ASTERISK BETWEEN PARENTHESSES)	SPECULATIVE PRODUCT DESIGN, INC. DBA SPECK PRODUCTS	No
TMK 11-00411	4/21/2011	4/12/2017	SPECK AND DESIGN	SPECULATIVE PRODUCT DESIGN, INC. DBA SPECK PRODUCTS	No
TMK 11-00406	4/21/2011	7/13/2020	CANDYSHELL	SPECULATIVE PRODUCT DESIGN, INC. DBA SPECK PRODUCTS	No
TMK 11-00412	4/21/2011	6/29/2020	TOUGHSKIN	SPECULATIVE PRODUCT DESIGN, INC. DBA SPECK PRODUCTS	No
TMK 11-00407	4/21/2011	12/24/2012	GM AND DESIGN	GENERAL MOTORS LLC	No
TMK 11-00413	4/21/2011	3/25/2013	GMC	GENERAL MOTORS LLC	No
TMK 11-00414	4/21/2011	4/30/2012	DESIGN OF A SHRIMP	ALEXANDER BILLAN	No
TMK 11-00465	4/21/2011	12/14/2020	XTREME AQUATIC FOODS AND DESIGN	RICHARD K AND TAMELA G BIRO	No
TMK 11-00341	4/5/2011	8/31/2020	SCORPION MEZCAL	DOUGLAS KOHLBERG FRENCH	No
TMK 11-00417	4/21/2011	3/1/2021	KG	CLODI L.L.C.	No
TMK 11-00326	4/4/2011	10/19/2014	AASHLEY FURNITURE AND DESIGN	ASHLEY FURNITURE INDUSTRIES, INC.	No
TMK 11-00340	4/5/2011	10/27/2019	STURDI PRODUCTS	RICHARD E. VAN ENGERS	No
TMK 11-00494	4/28/2011	12/7/2019	FOR DUMMIES	WILEY PUBLISHING, INC.	No
TMK 11-00415	4/21/2011	4/11/2020	RUGBY	PRL USA HOLDINGS, INC	No

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Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 11-00418	4/21/2011	11/27/2020	RALPH LAUREN	PRL USA HOLDINGS, INC	No
TMK 11-00419	4/21/2011	12/12/2016	S	SPECIALIZED BICYCLE COMPONENTS, INC.	No
TMK 11-00334	4/4/2011	9/9/2018	HEXBUG	INNOVATION FIRST, INC.	No
TMK 11-00338	4/5/2011	3/9/2020	CISCO AND DESIGN	CISCO TECHNOLOGY, INC.	No
TMK 11-00420	4/21/2011	6/2/2019	DESIGN	POMWONDERFUL LLC	No
TMK 11-00423	4/21/2011	3/8/2017	MIDO (STYLIZED)	MIDO AG (MIDO SA) (MIDO LTD)	No
TMK 01-00622	4/21/2011	9/18/2021	E2 AND DESIGN	EVEREADY BATTERY COMPANY INC.	No
TMK 11-00425	4/21/2011	3/8/2021	SPY-DOT	SPY-DOT, INC.	No
TMK 11-00424	4/21/2011	7/6/2020	POLO PLAYER DESIGN	PRL USA HOLDINGS, INC.	No
TMK 11-00422	4/21/2011	7/10/2014	GM	GENERAL MOTORS LLC	No
TMK 11-00421	4/21/2011	6/8/2013	EXCELLENT AND DESIGN	ALEXANDER BILLAN	No
TMK 11-00390	4/21/2011	8/31/2014	DESIGN ONLY	ALEXANDER BILLAN	No
TMK 11-00433	4/21/2011	5/16/2019	LES PAUL	GIBSON GUITAR CORP.	No
TMK 11-00391	4/21/2011	1/11/2021	C B AND DESIGN	CRYSTAL ROCK LLC	No
TMK 11-00386	4/21/2011	2/10/2014	ZEST	HIGH RIDGE BRANDS CO.	No
TMK 11-00388	4/21/2011	9/30/2013	UNITED WE STAND	JAKE'S FIREWORKS, INC.	No
TMK 11-00324	4/4/2011	12/28/2013	MASTERCARD	MASTERCARD INTERNATIONAL INCORPORATED	No
TMK 11-00323	4/4/2011	4/11/2016	PAVI	VIRGILIO G. MUNOZ	No

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TMK 11-00404	4/21/2011	11/26/2012	HUMMER	GENERAL MOTORS LLC	No
TMK 11-00403	4/21/2011	11/10/2012	HUMMER	GENERAL MOTORS LLC	No
TMK 11-00393	4/21/2011	1/26/2018	GM	GENERAL MOTORS LLC	No
TMK 11-00394	4/21/2011	6/19/2011	GMC	GENERAL MOTORS LLC	No
TMK 11-00342	4/5/2011	12/28/2020	KING-DEVICK TEST	KING-DEVICK TEST, LLC	No
TMK 11-00387	4/21/2011	10/8/2012	HUMMER	GENERAL MOTORS LLC	No
TMK 11-00398	4/21/2011	8/11/2015	DESIGN (AN ASTERISK IN PARENTHESIS)	SPECULATIVE PRODUCT DESIGN, INC. DBA SPECK PRODUCTS	No
TMK 11-00401	4/21/2011	2/5/2012	PONTIAC	GENERAL MOTORS LLC	No
TMK 01-00348	4/21/2011	1/15/2021	NEUTROGENA	NEUTROGENA CORPORATION	No
TMK 11-00510	4/29/2011	3/3/2019	SONS OF ANARCHY	TWENTIETH CENTURY FOX FILM CORPORATION	No
TMK 11-00389	4/21/2011	4/2/2021	TISSOT	TISSOT S.A.	No
TMK 11-00399	4/21/2011	3/23/2020	CPAP BIPAP BODY BELT HOSE HOLDER AND DESIGN	RONALD JACOSON	No
TMK 11-00402	4/21/2011	2/1/2021	PINK PONY AND DESIGN	PRL USA HOLDINGS, INC	No
TMK 11-00400	4/21/2011	5/22/2017	PINK PONY	PRL USA HOLDINGS, INC.	No
TMK 11-00395	4/21/2011	5/23/2019	THERMADYNE	THERMADYNE INDUSTRIES, INC.	No
TMK 11-00396	4/21/2011	3/23/2020	EXCELLENT	ALEXANDER BILLAN	No
TMK 05-00830	4/21/2011	5/1/2021	PADRES FRIAR AND BAT DESIGN	PADRES, L.F.	No

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TMK 11-00405	4/21/2011	9/16/2018	HUMMER	GENERAL MOTORS LLC	No
TMK 11-00369	4/21/2011	4/12/2017	SPECK	SPECULATIVE PRODUCT DESIGN, INC. DBA SPECK PRODUCTS	No
TMK 11-00397	4/21/2011	7/24/2017	BLU CHIC LOUNGE AND DESIGN	CHARLOTTE RUSSE MERCHANDISING, INC.	No
TMK 11-00372	4/21/2011	8/11/2019	SPECK	SPECULATIVE PRODUCT DESIGN, INC. DBA SPECK PRODUCTS	No
TMK 11-00374	4/21/2011	8/4/2019	SPECK	SPECULATIVE PRODUCT DESIGN, INC. DBA SPECK PRODUCTS	No
TMK 11-00378	4/21/2011	12/10/2012	PONTIAC	GENERAL MOTORS LLC	No
TMK 11-00375	4/21/2011	9/19/2016	SF LOGO	SUREFIRE LLC	No
TMK 11-00376	4/21/2011	2/8/2020	BLACKWIRE	PLANTRONICS, INC.	No
TMK 11-00377	4/21/2011	2/16/2020	BACKBEAT	PLANTRONICS, INC.	No
COP 11-00042	4/21/2011	4/21/2031	DOONEY & BOURKE DUCK DESIGN LOGO	DOONEY & BOURKE, INC.	No
TMK 11-00370	4/21/2011	7/24/2017	BLU CHIC AND DESIGN	CHARLOTTE RUSSE MERCHANDISING, INC.	No
COP 11-00044	4/21/2011	4/21/2031	BASKETBALL THEME PET TOY	CHARLES VIOLA	No
COP 11-00043	4/21/2011	4/21/2031	FOOTBALL THEME PET TOY	CHARLES VIOLA	No

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TMK 11-00371	4/21/2011	9/28/2014	REFUGE.	CHARLOTTE RUSSE MERCHANDISING, INC.	No
TMK 11-00383	4/21/2011	3/29/2021	COMPLEMED	HASSAN MOHAIDEN	No
TMK 11-00381	4/21/2011	1/9/2021	LAUREN	PRL USA HOLDINGS, INC	No
TMK 11-00379	4/21/2011	5/28/2016	RALPH LAUREN	PRL USA HOLDINGS, INC.	No
TMK 11-00380	4/21/2011	3/22/2021	LAUREN RALPH LAUREN	PRL USA HOLDINGS, INC	No
TMK 11-00382	4/21/2011	3/23/2020	RALPH LAUREN	PRL USA HOLDINGS, INC.	No
TMK 11-00339	4/5/2011	7/20/2020	ABSOLUTE	PREGIS INNOVATIVE PACKAGING, INC.	No
TMK 01-00621	4/4/2011	9/25/2021	E2	EVEREADY BATTERY COMPANY INC.	No
TMK 11-00337	4/5/2011	12/30/2018	NATURAL STEP	DOMINGOS NOBILE	No
TMK 11-00373	4/21/2011	4/21/2019	BLU CHIC	CHARLOTTE RUSSE MERCHANDISING, INC.	No
TMK 11-00351	4/21/2011	10/14/2015	BELL-SHAPED TRUSS ROD COVER FOR GUITAR	GIBSON GUITAR CORP.	No
TMK 11-00385	4/21/2011	4/15/2015	DESIGN (PINEAPPLE SHAPED PEG-HEAD INLAY)	GIBSON GUITAR CORP.	No
TMK 11-00352	4/21/2011	12/21/2020	DESIGN (GUITAR PICK GUARD)	GIBSON GUITAR CORP.	No
TMK 11-00353	4/21/2011	9/21/2020	DOT	GIBSON GUITAR CORP.	No
TMK 11-00354	4/21/2011	9/11/2017	S	SPECIALIZED BICYCLE COMPONENTS, INC.	No

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TMK 11-00355	4/21/2011	4/12/2015	S-WORKS	SPECIALIZED BICYCLE COMPONENTS, INC.	No
TMK 11-00357	4/21/2011	9/11/2017	S-WORKS	SPECIALIZED BICYCLE COMPONENTS, INC.	No
TMK 11-00358	4/21/2011	10/15/2012	POM	POMWONDERFUL LLC	No
TMK 11-00356	4/21/2011	2/15/2021	CITYCLASSIFIED	FORTUNE DYNAMIC INC.	No
TMK 11-00359	4/21/2011	4/5/2021	D & DESIGN	FORTUNE DYNAMIC INC.	No
TMK 11-00360	4/21/2011	9/21/2020	LINSTEAD MARKET JAMAICA AND DESIGN	CANCO LTD.	No
TMK 11-00367	4/21/2011	9/7/2020	LINSTEAD MARKET JAMAICA AND DESIGN	CANCO LTD.	No
TMK 11-00384	4/21/2011	8/29/2015	R.	CHARLOTTE RUSSE MERCHANDISING, INC.	No
TMK 11-00364	4/21/2011	4/15/2017	GUITAR BODY DESIGN	GIBSON GUITAR CORP.	No
TMK 11-00366	4/21/2011	1/5/2019	DESIGN (GUITAR BODY)	GIBSON GUITAR CORP.	No
TMK 11-00449	4/21/2011	8/15/2015	DESIGN OF A GUITAR BRIDGE	GIBSON GUITAR CORP.	No
TMK 11-00363	4/21/2011	11/30/2020	DARK FIRE	GIBSON GUITAR CORP.	No
TMK 11-00361	4/21/2011	2/20/2016	EPIPHONE	GIBSON GUITAR CORP.	No
TMK 11-00362	4/21/2011	6/12/2011	GMC	GENERAL MOTORS LLC	No

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TMK 11-00468	4/21/2011	10/30/2017	ICE AGE	TWENTIETH CENTURY FOX FILM CORPORATION	No
TMK 11-00368	4/21/2011	8/19/2013	RAZOR	RAZOR USA LLC	No
TMK 11-00343	4/21/2011	4/22/2017	DESIGN (GUITAR BODY)	GIBSON GUITAR CORP.	No
TMK 11-00344	4/21/2011	7/20/2013	CONFIGURATION OF A BODY PORTION OF A GUITAR	GIBSON GUITAR CORP.	No
TMK 11-00346	4/21/2011	9/7/2016	DESIGN (GUITAR BODY)	GIBSON GUITAR CORP.	No
TMK 11-00347	4/21/2011	9/16/2015	GUITAR PEG HEAD DOVE WING DESIGN	GIBSON GUITAR CORP.	No
TMK 11-00348	4/21/2011	8/12/2013	VALLEY ARTS	GIBSON GUITAR CORP.	No
TMK 11-00472	4/25/2011	11/20/2011	POKÉMON	NINTENDO OF AMERICA INC.	No
TMK 11-00473	4/25/2011	6/13/2020	POKÉMON	NINTENDO OF AMERICA INC.	No
TMK 11-00350	4/21/2011	4/5/2021	TORPEDO & DESIGN	E. MISHAN & SONS, INC.	No
TMK 11-00474	4/25/2011	6/13/2020	POKÉMON	NINTENDO OF AMERICA INC.	No
TMK 11-00475	4/25/2011	7/23/2012	POKÉMON	NINTENDO OF AMERICA INC.	No
TMK 11-00476	4/25/2011	1/4/2021	DESIGN (WINSTON CHURCHILL)	THE CHURCHILL CENTER	No
TMK 11-00501	4/29/2011	7/13/2020	SPORTY SHORTY	SKECHERS U.S.A., INC. II	No
TMK 11-00427	4/21/2011	1/4/2021	DESIGN (GUITAR PEGHEAD -DOVES IN FIGHT)	GIBSON GUITAR CORP.	No
TMK 11-00349	4/21/2011	12/7/2018	WURLITZER	GIBSON GUITAR CORP.	No

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TMK 11-00482	4/25/2011	2/22/2021	BALON	VALVE INNOVATIONS, LLC	No
TMK 11-00502	4/29/2011	10/17/2019	OSHKOSH B'GOSH	OSHKOSH B'GOSH, INC.	No
TMK 11-00500	4/29/2011	5/18/2019	SLIGHTS	SKECHERS U.S.A., INC. II	No
TMK 11 00471	4/25/2011	6/13/2020	POKÉMON	NINTENDO OF AMERICA INC.	No
TMK 11-00480	4/25/2011	6/6/2020	POKÉMON	NINTENDO OF AMERICA INC.	No
TMK 11-00484	4/25/2011	11/5/2012	POKÉMON	NINTENDO OF AMERICA INC.	No
TMK 11-00345	4/21/2011	5/3/2014	E	GIBSON GUITAR CORP.	No
TMK 11-00483	4/25/2011	12/24/2012	PIKACHU	NINTENDO OF AMERICA INC.	No
TMK 11-00479	4/25/2011	4/18/2020	POKÉMON	NINTENDO OF AMERICA INC.	No
TMK 11-00503	4/29/2011	7/21/2019	VELCADE AND DESIGN	MILLENNIUM PHARMACEUTICALS, INC.	No
TMK 04-00161	4/28/2011	5/15/2021	ROLAND	AMERICAN ROLAND FOOD CORP.	No
TMK 11-00478	4/25/2011	6/13/2020	POKÉMON	NINTENDO OF AMERICA INC.	No
TMK 11-00477	4/25/2011	8/1/2020	PIKACHU	NINTENDO OF AMERICA INC.	No
TMK 11-00481	4/25/2011	6/13/2020	POKÉMON	NINTENDO OF AMERICA INC.	No
TMK 11-00504	4/29/2011	3/9/2020	TONE UPS	SKECHERS U.S.A., INC. II	No
TMK 11-00365	4/21/2011	5/29/2011	GMC	GENERAL MOTORS LLC	No
TMK 11-00485	4/25/2011	6/13/2020	POKÉMON	NINTENDO OF AMERICA INC.	No
TMK 11-00486	4/25/2011	3/26/2012	POKÉMON	NINTENDO OF AMERICA INC.	No
TMK 11-00495	4/28/2011	12/25/2011	NOVANTRONE	IMMUNEX CORPORATION	No

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Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tm	Owner Name	GM Restricted
TMK 11-00505	4/29/2011	8/14/2014	NOVANTRONE	IMMUNEX CORPORATION	No
TMK 11-00506	4/29/2011	8/31/2020	X-LASER	DAN GOLDSMITH	No
COP 11-00049	4/29/2011	4/29/2031	FAMILY GUY STYLE GUIDE.	TWENTIETH CENTURY FOX FILM CORPORATION	No
TMK 11-00488	4/28/2011	8/24/2020	BAINULTRA THE QUEST FOR YOUR WELLNESS	BAINS ULTRA INC.	No
TMK 11-00489	4/28/2011	6/12/2017	INTENZE PROD.	INTENZE PRODUCTS, INC.	No
TMK 11-00490	4/28/2011	11/16/2020	DESIGN	PHITEN CO., LTD.	No
TMK 11-00492	4/28/2011	5/13/2016	MY-THO	ANHING CORPORATION	No
TMK 11-00491	4/28/2011	12/29/2019	SHAPE-UPS	SKECHERS U.S.A., INC. II	No

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Date as of: 5/3/2011