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March 18, 2004

Kent G. Anderson
925 N. Griffin
Bismarck, ND 58501

RE: Chantecaille Beaute

Dear Kent:

Enclosed is a draft of agreement with Chantecaille Beaute for your review.


The agreement with Chantecaille Beaute differs from our proposed agreement in the following ways:

1. Chantecaille's business address has changed.
2. Chantecaille has amended its application so that the goods read "cosmetics, namely make-up, including foundation" and amended the agreement accordingly.
3. Chantecaille's limitation on use depends on the ultimate and continued registration of your marks. See Paragraph 5.
4. Please review Paragraph 14 carefully (regarding scope of agreement).

I will call you next week so we can discuss the agreement.

Take care.

Very truly yours,


Paul E. Fahrenkopf

Enclosure:
Draft of agreement with Chantecaille Beaute

OSTROLENK, FABER, GERB & SOFFEN, LLP

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September 23, 2003

Writer's direct line
(212) 596-0513

Mr. Kent G. Anderson
925 N. Griffin
Bismarck, ND 58501

RE: OFGS Ref : 7/3585-16
Opposer : Chantecaille Beaute, Inc.
Applicant : Kent G. Anderson
Opposition No . : 154189
In the Matter of Appl. Ser. No. 76/049,367
For **FUTURE and Design**
Applicant : Kent G. Anderson

Dear Mr. Anderson:

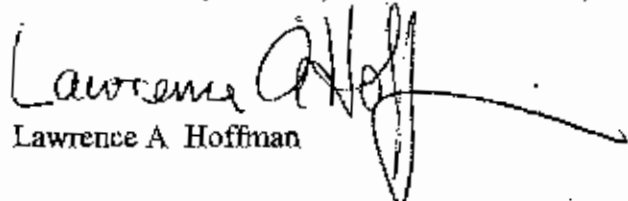
This is further to my letter dated August 29, 2003 regarding the above referenced matter. Under cover of that letter I forwarded a revised Agreement to you.

Please advise if the Agreement is satisfactory. If so, kindly sign and date the two enclosed copies and return them to me. I will then have the Agreement executed by my client and will send you a fully executed copy for your files.

Otherwise, please let us have your response to our discovery requests as soon as possible.

Very truly yours,

OSTROLENK, FABER, GERB & SOFFEN, LLP


Lawrence A. Hoffman

LAH:MGE/sks/Attachment
cc: Mr. Olivier Chantecaille
Mr. Alfred C. Schultz

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July 15, 2003

Mr. Kent G. Anderson
925 N. Griffin
Bismarck, ND 58501

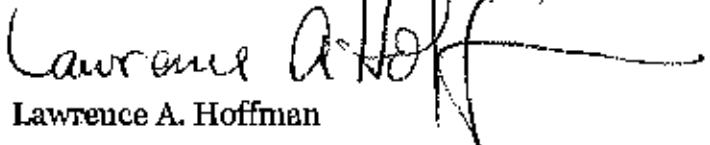
RE: OFGS Ref : 7/3585-16
Opposer : Chantecaille Beante, Inc.
Applicant : Kent G. Anderson
Opposition No. : 154189
In the Matter of Appl. Ser. No. 76/049,367
For **FUTURE and Design**
Applicant : Kent G. Anderson

Dear Mr. Anderson:

Please find enclosed Opposer's First Set of Interrogatories and First Requests for Production of Documents. We look forward to receiving your responses.

Very truly yours,

OSTROLENK FABER GERB & SOFFEN, LLP


Lawrence A. Hoffman

LAH:MGF
enclosures

cc: Mr. Olivier Chantecaille
Mr. Alfred C. Schultz

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November 9, 2001

VIA CERTIFIED MAIL/ RETURN RECEIPT REQUESTED

Mr. Kent G. Anderson
925 N. Griffin
Bismarck, ND 58501

RE: OFGS Ref: 8/3585-1
U.S. Appl. Ser. No.: 76/049,367
Trademark: **FUTURE and Design**
Applicant: Kent G. Anderson

Dear Mr. Anderson:

We are writing to you further to our letter of July 2, 2001, to which you did not reply.

As you know, we are intellectual property counsel for Chantecaille Beauté, Inc., a leading provider of high-end cosmetics in the United States. Among Chantecaille's products are the **FUTURE SKIN** line of cosmetics. Chantecaille also owns pending U.S. Application Serial No. 75/059,265 for the mark **FUTURE SKIN** for cosmetics, namely, make-up. The mark has been in use since April 2000.

We recently learned of your trademark application for **FUTURE and Design** (Serial No. 76/049,367) to be used in connection with an extensive list of hair and beauty care products, cosmetics and perfumes. The goods to be used in connection with your mark are in conflict with the goods under Chantecaille's mark **FUTURE SKIN**, and on behalf of our client, we will take the steps necessary to prevent conflicting use and registration of your mark.

Chantecaille would be willing to consider an agreement under which you could use your mark in a way that does not conflict with Chantecaille's rights. By entering into such an agreement, you could retain some rights to your mark.

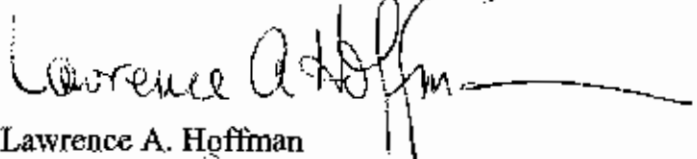
OSTROLENK, FABER, GERB & SOFFEN, LLP

Mr. Kent G. Anderson
November 9, 2001
Page 2

Please call me or Mary Fontenot of this office when you receive this letter, or alternatively, have an attorney contact us on your behalf.

Very truly yours,

OSTROLENK FABER GERB & SOFFEN, LLP


Lawrence A. Hoffman

LAH:MGF\mid

Daniel S. Kirshner
Attorney at Law, LLC
199 Route 18 South
East Brunswick, NJ 08816
Phone (732) 828-8340
Fax (732) 418-1886

December 18, 2006

Mathew J. Cuccias, Esq.
Jacobson Holman, PLLC
400 7th Street
Washington, DC 20004

Via Certified Mail Return Receipt Requested

Re: The Pep Boys Manny, Moe & Jack of California, Opposer,

vs.

Kent G. Anderson, Applicant

Application No. 76/594,751
Mark: TOMORROW/FUTURISTIC
Opposition No. 91173923

Dear Mr. Cuccias:

Please find enclosed a true and complete copy of Applicant's Answer to Notice of Opposition which was filed with the Trademark Trial and Appeal Board today by Express Mail.

Should you have any questions or concerns, please do not hesitate to contact my office.

Very truly yours,


Daniel Kirshner

COPY

JONATHAN LINN

Chartered Patent Attorney European Patent Attorney
Registered Trade Mark Agent

23 Blings Road Whaley Bridge Derbyshire SK23 7ND
United Kingdom

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Fax (+44) (0)1663 719949
Email jonathanlinn@btinternet.com

12th February 2007

Please note my new
address and other
contact details - as
above

Elzas Noordzij B.V.
Lalressestraat 159
1075 HK
Amsterdam
Netherlands

Attention: Joop J Elzas

BY FAX
Confirmation by airmail

WITHOUT PREJUDICE

Dear Mr Elzas

CTM Application No: 003886983

Mark: "FUTURE" (stylised)

Applicant: Kent G Anderson

-and-

Opposition No: B 866022 thereto by your client Fokker Services B.V.

My ref: JL/10124

Further to my brief letter of 9th January 2007, I apologise for the delay in getting back to you. However, I have been discussing this case further with my client, who has been considering your client's proposal for a settlement of this case, along the lines as suggested in your letter of 16th August 2006. I am instructed to respond to you on my client's behalf as follows.

The extent to which your client's settlement proposal requires my client not only to exclude aircraft and aircraft-related goods and services from his CTM application, but also to agree not to use (with no further qualification as to where), and to consent to your client's use in the USA of, the mark "FUTURE" appears to go way beyond what is reasonable, both as regards geographical scope and so far shown by your client to be justified in terms of the respective parties' prior rights, whether in terms of trade mark filing date or date of first use. To put my client's view more succinctly, he believes your client is trying to "bite off too much" and feels he would be losing out too much in acceding to the suggested terms as set out in your letter.

The above is consistent with my client's general principle that he is unwilling to enter into any agreement which entails him giving up rights, or granting rights to others, that goes beyond what is proper and fair. More specifically, my client is anxious that his own rights in any registrations and freedom of use of or based on the "FUTURE" name, both in the EU and the USA (and also elsewhere), should not be compromised beyond that which he can see to be appropriate (in legal trade mark terms) and commercially reasonable, especially as regards who has the relevant senior rights in the relevant territories and in respect of the relevant goods/services of interest to each side. With this in mind, it is my client's belief that your client's existing proposal is too general and far-reaching in your client's own favour to form the basis of a reasonable and fair settlement.

Nevertheless, my client would still prefer to try and settle this CTM opposition amicably without the need to go as far as the adversarial stages of the opposition procedure beyond 21st July 2007, since he still believes that a mutually beneficial co-existence arrangement should be possible and could still be sorted out with your client taking adequately into account both the UK, EU and USA (at least) and the more precisely defined respective senior rights positions of each party in each territory. Not only mutual co-existence, but possibly also working together may be an opportunity of interest to your client - you can see my client's business activities and interests from his website, www.futurevisionsaries.com. However, it does appear that more detailed factual disclosures and discussions would be needed. If your client is amenable to such further negotiations, therefore, my client would welcome further talks, and to that end would welcome the chance to discuss more detailed proposals and possible terms with your client direct.

Please would you put the above to your client and let us know if and how they would be prepared to take all this further?

I look forward to hearing from you.

Yours sincerely



S. Jonathan Linn

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July 2, 2001

Via Certified Mail; Return Receipt Requested

Mr. Kent G. Anderson
925 N. Griffin
Bismarck, ND 58501

RE: OFGS Ref: 3585-1
U.S. Appl. Ser. No.: 76/049,367
Trademark: **FUTURE and Design**
Applicant: Kent G. Anderson

Dear Mr. Anderson:

We are intellectual property counsel for Chantecaille Beauté, Inc., a leading provider of high-end cosmetics in the United States. For many years, Chantecaille Beauté, Inc. ("Chantecaille") has sold a line of cosmetics that are technologically sophisticated yet incorporate pure and natural ingredients which has been enormously successful and the subject of positive media reviews. (See attached articles from Internet web sites at Exhibit A.) Among Chantecaille's products are the **FUTURE SKIN** line of cosmetics. Chantecaille also owns pending U.S. Application Serial No. 75/059,265 for the mark **FUTURE SKIN** for cosmetics, namely, make-up. The mark has been in use since April 2000.

Mr. Kent G. Anderson
July 2, 2001
Page 2

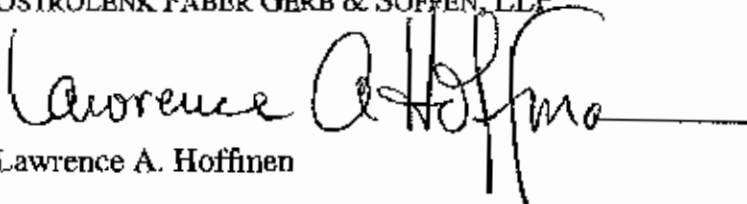
We recently learned of your trademark application for **FUTURE and Design** (Serial No. 76/049,367) to be used in connection with "hair and beauty care products, cosmetics and perfumes." See attached printout at Exhibit B. Chantecaille's use predates the filing of your application. We do not know if you were aware of Chantecaille or its **FUTURE SKIN** trademark, but in our opinion your **FUTURE and Design** designation is confusingly similar to Chantecaille's trademark. Accordingly, any use by you of the term **FUTURE and Design** is likely to cause confusion among members of the public, and will damage the goodwill and value that Chantecaille possesses in its trademark.

Chantecaille reserves its right to oppose your registration and use of **FUTURE and Design**, but hopes this matter can be resolved without litigation. To that end, Chantecaille requests that you abandon the **FUTURE and Design** trademark application and make no further attempts to commercialize the mark.

Please contact us at your earliest convenience so we can discuss this matter in further detail.

Very truly yours,

OSTROLENK FABER GERB & SOFFEN, LLP


Lawrence A. Hoffinen

LAH:MGF
Enclosures

Mr. Kent G. Anderson
July 2, 2001
Page 3

bcc: Mr. Olivier Chantecaille (w/encl.)