

# EXHIBIT C

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

<p><i>In re Matter of Application No. 77/285,596 for the mark: MAMA MARLEY</i></p>	<p>Opposition No. _____</p>
<p>Fifty-Six Hope Road Music Limited,  Opposer,</p>	<p>NOTICE OF OPPOSITION</p>
<p>v.</p>	
<p>Richard Marley Booker and Cedella Marley Booker,</p>	<p>08/28/2008 SWILSONI 00000078 77285596 01 FC:6402 1500.00 OP</p>
<p>Applicants.</p>	

TO: Commissioner for Trademarks  
ATTN: Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, Virginia 22313-1451



08-25-2008

U.S. Patent & TM Office/TM Mail Repl Ct #72

Opposer, Fifty-Six Hope Road Music Limited, a Bahamas International Business Company, having its principal place of business at c/o Bob Marley Music, 76 Ninth Avenue, New York, New York 10011, ("Opposer"), believes that it will be damaged by the registration of the mark MAMA MARLEY, as shown in U.S. Application Serial No. 77/285,596 (the "Application"), and hereby opposes its registration on the following grounds:

1. Opposer owns the trademark BOB MARLEY (Reg. No. 2,349,361) in Classes 3, 6, 9, 14, 16, 18, 21, 24, 25, 26 and 34; and the trademark applications to register BOB MARLEY CAFE (76/656,675) and MARLEY RESORT (76/664,835) in Class 43, (hereinafter collectively referred to as "the MARLEY Marks"), and all other rights associated with hotel and restaurant services, including the preparation and service of food and beverages and other goods and services offered under the MARLEY Marks (the "Marley Goods and Services").

2. On September 21, 2007, Richard Marley Booker and Cedella Marley Booker, individuals residing at 12401 Vista Lane, Pinecrest, Florida 33156 ("Applicants"), filed the

Application seeking registration, on an intent to use basis, of MAMA MARLEY for use with fish, fish and chips, fish cakes, fish croquettes, fish fillets, fish mousse, fish sausages, fish stock, seasoned fish, seafood, poultry and vegetables, smoked fish, snack dips, snack food dips, steamed cakes of smashed fish and yam (hampen), tuna fish, prepared entrees consisting primarily of meat, fish, poultry or vegetables, prepared meals consisting primarily of meat, fish, poultry or vegetables, fish, seafood, poultry and vegetable croquettes, fish, seafood, poultry and vegetable soufflés, coconut oil, coconut powder, and flaked coconut in Class 29; noncarbonated caloric and low calorie coffee in Class 30; distilled drinking water, drinking water, energy drinks, fruit drinks, fruit flavored soft drinks, fruit-based soft drinks flavored with tea, guarana drinks, pop, soft drinks, soft drinks flavored with tea, carbonated and noncarbonated caloric and low calorie cola, fruit flavored tea infused soft drinks, sports drinks, coconut milk, coconut water, and coffee flavored soft drinks in Class 32; hotel, bar and restaurant services and resort hotels in Class 43; and hotel concierge services in Class 45.

3. The Application was published for opposition in the Official Gazette on July 22, 2008.

4. Opposer first used the mark BOB MARLEY in 1990 for greeting cards, stickers, portfolios, postcards, postcard books, songbooks, decals, trading cards, calendars, novels and bookmarks in Class 16, for textile wall hangings in Class 24, for clothing in Class 25 and for ornamental cloth patches in Class 26. Such date of first use precedes the filing date of the Application.

5. Opposer first used the mark BOB MARLEY in 1992 for backpacks, fanny packs, wallets and tote bags in Class 18. Such date of first use precedes the filing date of the Application.

6. Opposer first used the mark BOB MARLEY in 1994 for jewelry, watches and medallions in Class 14. Such date of first use precedes the filing date of the Application.

7. Opposer first used the mark BOB MARLEY in 1995 for novelty license plates in Class 6 and for mugs in Class 21. Such date of first use precedes the filing date of the Application.

8. Opposer first used the mark BOB MARLEY in 1996 for incense in Class 3, for plastic cases for beepers and magnets in Class 9, and for smoking pipes in Class 34. Such date of first use precedes the filing date of the Application.

9. Opposer filed the application to register the mark BOB MARLEY CAFE in Class 43 for restaurant services, namely, preparation and service of food and beverages for consumption on March 9, 2006. Such date precedes the filing date of the Application.

10. Opposer filed the application to register the mark MARLEY RESORT in Class 43 for hotel services, namely, serving food and drinks and providing temporary accommodations and lodging on August 18, 2006. Such date precedes the filing date of the Application.

11. Opposer is owned and operated by the children of the world-renowned reggae artist, Bob Marley, and is the owner of all intellectual property rights in the name and likeness of Bob Marley. The goods and services sold under the MARLEY Marks have been favorably received and are otherwise recognized by the consuming public and are associated with Opposer and the late musical legend, Bob Marley.

12. Applicant's proposed mark is similar in sound, appearance and meaning and is confusingly similar to Opposer's MARLEY Marks. Further, the goods and services to be offered by Applicant are similar and related to those offered under Opposer's MARLEY Marks.

13. Applicants are related to Bob Marley, in that Richard Marley Booker is Bob Marley's half brother, and Cedella Marley Booker is Bob Marley's mother and now deceased. Neither Applicant has permission to use or register MAMA MARLEY

14. The MARLEY Marks are inherently distinctive and have acquired secondary meaning and are associated with Opposer and Bob Marley. The MARLEY Marks are famous and distinctive within the meaning of the Federal Trademark Dilution Act. Applicant filed the Application after the MARLEY Marks had become famous, and Applicant seeks to commercially use the applied-for mark MAMA MARLEY.

15. The registration of the mark shown in the Application is likely to dilute the MARLEY Marks.

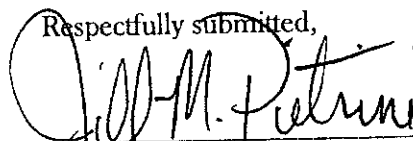
16. As a result of all of the foregoing, the maturation of the Application into a registration would cause a likelihood of confusion, mistake, or deception and a likelihood of dilution as to the source or origin of Opposer's MARLEY Goods and Services and Applicant's MAMA MARLEY goods and services. Consumers will erroneously believe that Applicant's goods and services are produced or licensed by or associated with Opposer.

17. Opposer would be damaged by the registration of the mark shown in the Application, in that such registration would give Applicant a *prima facie* exclusive right to the use of MAMA MARLEY, despite the likelihood of confusion, mistake, or deception and likelihood of dilution described above, and will allow Applicant to trade on Opposer's existing goodwill in the MARLEY Marks.

18. A duplicate copy of this Notice of Opposition is submitted herewith. Please charge the \$1,500 opposition fee (\$300 per class) and any additional amounts or credit any overpayment to Deposit Account No. 131241.

WHEREFORE, Opposer prays that this Opposition be sustained in favor of Opposer, that the Application be rejected, and that registration of the Application be refused.

Dated: August 20, 2008

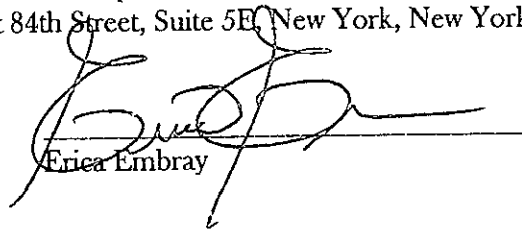
Respectfully submitted,  


Jill M. Pietrini  
Thomas D. Lyford  
MANATT, PHELPS & PHILLIPS, LLP  
11355 W. Olympic Blvd.  
Los Angeles, California 90064  
(310) 312-4000

*Attorney for Opposer Fifty-Six Hope Road Music Limited*

CERTIFICATE OF SERVICE

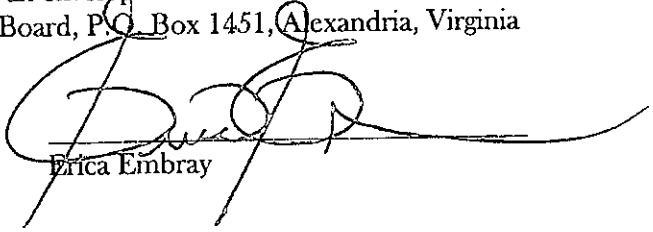
I hereby certify that this Notice of Opposition is being deposited with the United States Postal Service, postage prepaid, first class mail, in an envelope addressed to:  
Ali R. Latifi, Esq., Tucker & Latifi, LLP, 160 East 84th Street, Suite 5E, New York, New York 10028, on this 20th day of August, 2008.



Erica Embray

CERTIFICATE OF MAILING

I hereby certify that this Notice of Opposition is being deposited with the United States Postal Service, postage prepaid, first class mail, in an envelope addressed to: Commissioner for Trademarks, Attn: Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, Virginia 22313-1451, on this 20th day of August, 2008.



Erica Embray

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