

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

|                                       |   |                               |
|---------------------------------------|---|-------------------------------|
| <b>World Wide Sales, Inc.,</b>        | ) |                               |
|                                       | ) | <b>Case No. 08 CV 1198</b>    |
| Plaintiff,                            | ) |                               |
| v.                                    | ) | <b>Judge Kennelly</b>         |
|                                       | ) | <b>Magistrate Judge Brown</b> |
| <b>Church &amp; Dwight Co., Inc.,</b> | ) |                               |
|                                       | ) |                               |
| Defendant.                            | ) |                               |

**JOINT MOTION FOR ENTRY OF JUDGMENT**

Pursuant to Rule 58(d) of the Federal Rules of Civil Procedure, the parties request entry of judgment in favor of Defendant, Church & Dwight, on all claims in the Complaint for the reasons stated in the Court's Memorandum Opinion and Order of November 9, 2009. (*see* Docket Nos. 98, 99). By stipulation, the parties also request that judgment be entered in Church & Dwight's favor on Church & Dwight's counterclaim. A proposed judgment is attached hereto and is being sent to the Court via electronic mail in accordance with the Court's standing orders.

Respectfully Submitted,

WORLD WIDE SALES, INC.

CHURCH & DWIGHT CO., INC.

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*Attorneys for Defendant*

Dated: 12/29/2009

Dated: 12/30/09

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| Plaintiff,                            | ) |                               |
| v.                                    | ) | <b>Judge Kennelly</b>         |
|                                       | ) | <b>Magistrate Judge Brown</b> |
| <b>Church &amp; Dwight Co., Inc.,</b> | ) |                               |
|                                       | ) |                               |
| Defendant.                            | ) |                               |

**[PROPOSED] RULE 58 ENTRY OF JUDGMENT**

For the reasons stated in its Memorandum Opinion and Order of November 9, 2009 (Docket Nos. 98, 99), the Court granted summary judgment in favor of Defendant Church & Dwight on all of Plaintiff's claims. Accordingly, the Clerk is directed to enter judgment in favor of Defendant Church & Dwight on all counts of Plaintiff's Complaint.

Pursuant to the parties' stipulation, the Court also directs the Clerk to enter judgment in favor of Defendant Church & Dwight on Defendant's counterclaim, the only remaining claim in this matter. Accordingly, the Court hereby: (1) orders the Commissioner of Trademarks for the United States Patent and Trademark Office to rectify the Register to indicate disclaimer of the wording "fresh" and "for the fridge" apart from the mark as shown for U.S. Trademark Reg. No. 2,819,639, in accordance with 15 U.S.C. §§ 1057(g) and 1119; and (2) orders Plaintiff to take steps necessary to correct the Register in accordance with 15 U.S.C. § 1057(g).

Each party will bear its own costs and fees.

**IT IS SO ORDERED.**

\_\_\_\_\_  
JUDGE MATTHEW F. KENNELLY

Date: \_\_\_\_\_