

Jones Junk Foods Ltd
F J Brown
Statement Number 2
FJB4, FJB5, FJB6
01/01/2008

Trade Marks Act 1994

In the matter of application
No. 1234123 in Class 29 in the
name of Jones Junk Foods Ltd
and opposition thereto under No. 65432
in the name of Dickinson Dairy Delights Inc.

Witness statement of Fred John Brown

I, Fred John Brown of 9 Railway Terrace, Fazakerley, Liverpool, Merseyside, an independent retailer, state the following.

1. The trade mark was first used in the United Kingdom in the year
. . . . by

2. The goods/services on which the mark has been used, and the date of first use, are as follows:-

3. I refer to, marked exhibit FJB4 showing indicative use of the mark in relation to these goods/services prior to [the relevant date in the proceedings].

4. Annual sales of the goods/services before the date of application were as follows:-

Dates	Amounts (£'2)
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5. I refer to, marked exhibit FJB5 consisting of invoices showing sales of [relevant] goods/services under the mark prior to [the relevant date in the proceedings] .

6. Annual amounts spent on promoting the goods/services before the date of application were as follows:-

Dates	Amounts (£'2)
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7. I refer to, marked exhibit FJB6 consisting of advertising material showing how and where the mark was promoted prior to [the relevant date in the proceedings].

8. The mark has been used in relation to [relevant] goods/services in the following areas of the United Kingdom:-

9. Other information.

I believe that the facts stated in this witness statement are true.

Signature

Date

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This is exhibit FJB4 referred to in the witness statement of Fred John Butler dated 1
January 2008.

Signature

Date