

Government of India
TRADE MARKS REGISTRY
Boudhik Sampada Bhavan, S.M. Road, Antop Hill,
Mumbai-400 037, India.

NOTIFICATION OF PROVISIONAL REFUSAL OF PROTECTION OF AN INTERNATIONAL REGISTRATION DESIGNATING INDIA

Rule 17(1) of the Common Regulations

I.	Office making the notification:	TRADE MARKS REGISTRY, GOVERNMENT OF INDIA
II.	Number of the international registration: 1416166 (Reference IRDI No allotted to this international registration by the TMR India)... 3908232	
III.	Name of the holder (or other information enabling the identity of the international registration to be confirmed): XIE PINGPING	
IV.	Provisional refusal based on an opposition The following person(s) have filed opposition to protection of the trademark in India- 1. New Balance Athletics, Inc., 100 Guest Street, Boston, MA 02135-2088, United States of America	
V.	Provisional refusal for all the goods and/or services	
VI.	Grounds for refusal [(where applicable, see item VII)]: The Grounds are mentioned as per the Notice(es) of Opposition attached herewith	
VII.	Information relating to an earlier mark As mentioned in Notice(es) of Opposition attached herewith, if any.	
VIII.	Corresponding essential provisions of the applicable law [(see text under XII)]: Section 21 of Trade Marks Act 1999 and Rules 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56 Sections 9, 11, 12, 13, 14 of Trade Marks Act 1999 and Rules 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56	
IX.	Information relating to subsequent procedure:	
	(i)	If the holder of the International Registration wants to protect his trademark in India he/she, on receipt of the Provisional Refusal based on Opposition must submit a Counter Statement on form TM-6/TM-O through a registered trademark agent/advocate having address in India. The said Counter Statement must be submitted along with the scanned copy of the Statement of Case signed by the holder and the Power of Attorney in favor of the agent/attorney.
	(ii)	Time limit for response or for a request to file Counter Statement against the provisional refusal: <i>Two month</i> from the date of receipt of provisional refusal by the holder of international registration.
	(iii)	Authority to which such request for review or appeal should be made: The response to the provisional refusal in the form of the Counter Statement must be submitted before the Registrar of Trade Marks, International Registration Division, Trade Marks Registry, Mumbai. The Counter Statement including the scanned copy of the Statement of Case and the Power of Attorney must be submitted online through the gateway <i>comprehensive e-filing services for trademarks.</i>
	(iv)	Indications concerning the appointment of a representative: The response to the provisional refusal must be submitted through an Indian agent or a representative. The said agent may be a trademark agent registered with the Indian Trade Marks Registry office or an Advocate within the meaning of Indian Advocates Act, 1961. Such agent/attorney must be engaged by the holder through a Power of Attorney on form TM-48 executed in the favor of the said trademark agent/advocate.
X.	Date of the notification of provisional refusal: 13/02/2019	
XI.	Signature or official seal of the Office making the notification: FOR REGISTRAR OF TRADEMARK DIPMALA P MATHAPATI Designation: SENIOR EXAMINER Mumbai	

XII.	Corresponding essential provisions of the applicable law:
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*** end of the report ***

Receipt No.: 2018202
Date: 28/08/2018
Amount: Rs.2700/-
Ref No: A-3908232 Form
No: 949595

FORM TM-O
THE TRADE MARKS ACT, 1999

Notice of Opposition / Application for Rectification of the Register by cancelling or varying registration of a trade mark / Counter statement / Request to refuse or invalidate a trade mark under Section 25(a),(b) of Geographical Indication of Goods (Regulation and Protection) under the Trade Marks Act

REQUEST	NOTICE OF OPPOSITION
FEE	2700
APPLICANT OR REGISTERED PROPRIETOR/OPPONENT/THIRD PARTY MAKING THE APPLICATNION/REQUEST	
Opponent Name	New Balance Athletics, Inc.
Treading As	
Address	100 Guest Street, Boston, MA 02135-2088, United States of America
Service Address	P.S. Davar & Co.N-220 Greater Kailash Part-1, New Delhi 110048
Mobile No	9811402998
Email address	psdavar@psdavar.com
AGENT OF THE APPLICANT OR REGISTERED PROPRIETOR/OPPONMENT/THIRD PARTY AS THE CASE MAY BE(if any)	
Agent Name	P S DAVAR
Address	N-220 Greater Kailash-1, New Delhi 110048 India
Mobile No	9811402998
Nature of the Agent	Advocate
Registration No	16828
REQUEST OPPOSITION/APPLICATION IN THE MATTER OF	
DETAILS OF APPLICATION NUMBER	3908232
CLASS	25
REQUEST	NOTICE OF OPPOSITION
GROUND OF OPPOSITION	Grounds of opposition are attached separately
Date	28-08-2018 06:20 PM

Digitally Signed By

PRANEET SINGH DAVAR

for P S DAVAR
[Attorney]



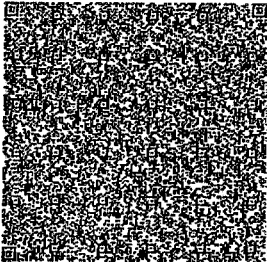
सत्यमेव जयते

INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

e-Stamp

Certificate No. : IN-DL653198841789450
Certificate Issued Date : 30-Jun-2016 03:26 PM
Account Reference : IMPACC (IV)/ dl732103/ DELHI/ DL-DLH
Unique Doc. Reference : SUBIN-DL732103300651308655290
Purchased by : P S DAVAR AND CO
Description of Document : Article Others
Property Description : Not Applicable
Consideration Price (Rs.) : 0
(Zero)
First Party : P S DAVAR AND CO
Second Party : Not Applicable
Stamp Duty Paid By : P S DAVAR AND CO
Stamp Duty Amount(Rs.) : 100
(One Hundred only)



Please write or type below this line

General Power of Attorney

IN THE MATTER OF: Indian Trademark Applications/Registrations in the name of New Balance Athletics, Inc.

Statutory Alert:

1. The authenticity of this Stamp Certificate should be verified at "www.sholestamp.com". Any discrepancy in the details on this Certificate and as available on the website renders it invalid.
2. The onus of checking the legitimacy is on the users of the certificate.

Applicable for Trade Marks In India
TRADEMARKS ACT 1999

GENERAL POWER OF ATTORNEY

IN THE MATTER OF

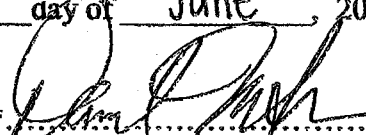
We, New Balance Athletics, Inc., a company incorporated and registered under the laws of U.S.A and having its office at 100 Guest Street, Boston, Massachusetts -02135-2088, U.S.A

the above named applicants, hereby authorize, P.S.DAVAR, A. DAVAR, MONA SAINI, C.M.GAIND, S.MOKTAN, all representatives of P.S.DAVAR & CO., having their offices at N-220 Greater Kailash Part 1, New Delhi 110048, India, all of Indian nationality, jointly and severally to act on my/our behalf in connection with filing Applications, Obtaining Registrations, Oppositions, Appeals, Rectifications, Recordal of Assignments, Change of name and all other proceedings under the Trademarks Act, 1999 and to proceed further with the same including substituting and/or authorising any other person/s on their behalf and request that all notices, requisitions and communications relating thereto may be sent to such agent at the above address.

We hereby revoke all previous authorisations, if any, in respect of the same matter or proceeding.

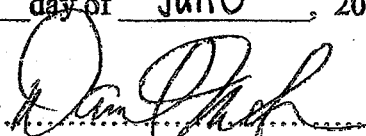
We also confirm all action already taken by them in this matter.

Dated this 29 day of June, 2016

** 
Daniel J. McInnon, Senior Counsel

*We, also authorise the said representatives of the firm of P.S.DAVAR & CO. jointly and severally to complete Form TM-50 requesting entry of an address for service as part of my/our registration under the authorisation.

Dated this 29 day of June, 2016

** 
Daniel J. McInnon, Senior Counsel

* This additional endorsement should be signed only in the case of trademark matters.

* Please enter the name and designation of the person signing.

(Note:- No legalisation of Signature is necessary)

P S DAVAR & COMPANY
Patent & Trademark Attorneys

Address : N-220, Greater Kailash 1
New Delhi 110048, India
Tel No.: +91 11 2924 1034,36,37
Fax No.: +91 11 2924 1035, 4168 7500
Email : psdavar@psdavar.com
patents@psdavar.com
trademarks@psdavar.com

Dated: 28th August, 2018

To
The Trade Marks Registry
The Registrar of Trademark
MUMBAI

Fee of Rs. 2700/-

Reference: Opposition filed by New Balance Athletics, Inc. to International Registration no. **1416166**

(IRDI No. **3908232**) dated **03/05/2018** for the mark  in class **25** in the name of **XIE PINGPING**.

Trade Marks Journal No. **1863** dated **20/08/2018** at page no. **7087**.

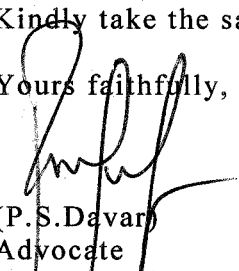
Dear Sir,

In connection with the above, we are filing the Notice of Opposition (Form TM-O) for the above application on behalf of our client. We are enclosing herewith the following:-

1. The Notice of Opposition(Form TM-O);
2. Fees of Rs. 2700/-(E-Filing);
3. A copy of the advertisement cutting; and
4. General Power of Attorney in our favor

Kindly take the same on record and proceed further with the matter.

Yours faithfully,


(P.S.Davar)
Advocate
Of P.S.Davar & CO
Encl; as above

Fee Rs.2700/-

BEFORE THE TRADE MARKS REGISTRY, MUMBAI

FORM TM-O

THE TRADE MARKS ACT, 1999

Agent Code No. 16828

Proprietor's Code No.

Notice of Opposition to Application for Registration of a trademark or a Collective mark or a certification

[Section 21(1), Rule 42(1) and Rule 43]

IN THE MATTER OF Opposition by **New Balance Athletics, Inc.** to **International Registration Number 1416166 (IRDI-3908232)** dated **03/05/2018** for the mark



in class **25** in the name of **XIE PINGPING**, of **Room 705, Qianshuiwan Taoyuan, No. 1699 Xiadian Road, Gongchen Street, Licheng District, Putian City Fujian Province China.**

We, **New Balance Athletics, Inc.**, a company incorporated and existing under the laws of the United States of America of **100 Guest Street, Boston, Massachusetts 02135-2088, United States of America**, (hereinafter referred to as the Opponent, such expression also includes its predecessors and group entities) hereby give notice of our intention to oppose the registration of the trade mark comprising above mentioned impugned mark, which is advertised under the above trademark application number in class **25** in respect of "*Clothing; layettes [clothing]; clothing for gymnastics; shoes; hats; hosiery; neckties; scarfs; leather belts [clothing]; gloves [clothing]*" in the Trade Marks Journal No. **1863** dated **20/08/2018** at page number **7087**.

THE GROUNDS OF OPPOSITION ARE AS FOLLOWS:

1. The Opponent was established over 100 years ago. In fact, the Opponent was established as early as in 1906.
2. The Opponent is an extremely reputed and well established company engaged *inter-alia* in the manufacture and sale of all types of apparel, clothing, footwear, headgear including sporting apparel, sporting products, all related goods and accessories of the aforesaid goods. In fact, the Opponent is one of the leading, well established and reputed companies in the world in the aforesaid fields.
3. The trademark comprising **N device** represented in a unique, creative and fanciful manner was first invented/created and adopted by the Opponent many decades ago. Such a trademark was invented and adopted by the Opponent for its own use. The subject trademark was derived and adopted from the first component of the trading name **NEW BALANCE** of the Opponent. The aforesaid trademark is represented in many different ways including as shown in **Annexure-A** (and are hereinafter collectively referred to as the **N Device Trademark**).
4. The **N Device Trademark** was first adopted by the Opponent in USA and thereafter in numerous other countries around the world. The trademark **N Device Trademark** has been in extensive and continuous use for a substantially long period of time in numerous countries transcending various continents and including in India.
5. The **N Device Trademark** was first adopted by the Opponent in India a substantially long period of time ago.
6. The goods in relation to the **N Device Trademark** are sold in more than 120 countries including in India through stand-alone stores, specialty retailers, departmental stores, Opponent's licensed and owned retail stores and factory stores. The Opponent also has a substantial presence online and a substantial portion of sale of its products is conducted through online portals.
7. The Opponent is the registered proprietor of various other marks comprising **N** as an essential and prominent component such as **NB device trademarks**. The **NB device trademarks** are also trademarks extensively used and registered around the world including in India.

8. The Opponent is one of the world's reputed manufacturer of all types of apparel, footwear including sporting apparel, footwear and accessories and sporting goods and has an annual sales turnover of approximately USD \$ 4.1billion (United States Dollar Four Point One Billion).
9. The Opponent has manufacturing units in numerous countries around the world. The Opponent has approximately over 5000 (five thousand) employees worldwide. The Opponent has 6 (six) manufacturing facilities of its own in the USA and in other countries. Further, the Opponent has wholly owned operating subsidiaries in U.K., Hong Kong, Singapore, Australia, New Zealand, Mexico, Canada and South Africa. The Opponent also has contract manufactures and wherein production occurs in North America, South America, Asia, Europe, Middle East and Africa.
10. The Opponent is renowned for and prides itself in offering innovative goods with constant improvements, developments in technology, design, style and comfort. In this respect, the Opponent has extensive research and development facilities.
11. The Opponent is the proprietor of the **N Device Trademark** and other similar trademarks, in various classes under the Trade Marks Act, 1999, details of which are enclosed in **Annexure-B**. The fact that such registrations / applications are subsisting can be ascertained from the records of the Registry.
12. The Opponent is the registered proprietor of the **N Device Trademark** and similar marks such as **NB** trademarks around the world in almost each and every country. Details of worldwide registrations shall be provided at the Evidence stage.
13. The Opponent has expended tremendous resources and efforts in promotion of the **N Device Trademark** including by way of advertisement, endorsement and sponsorship. The **N Device Trademark** is endorsed by leading celebrities and sportswomen and sportsmen in all parts of the world including in India. The **N Device Trademark** is also being endorsed by various teams in numerous team sports and which include national teams as well. The Opponent has also promoted various events including sporting events of substantial stature under the **N Device Trademark**.

14. Due to the extensive and continuous use of the **N Device Trademark** in relation to its goods by the Opponent in India for a substantial period of time, due to Indian trademark registrations, extensive advertisement and promotion and excellence in quality of its products under the said trademark, the **N Device Trademark** is a well-known and reputed trademark in favor of the Opponent in India. The **N Device Trademark** is closely and only associated with the Opponent and none other.
15. Due to the extensive and continuous use of the **N Device Trademark** in relation to its goods by the Opponent throughout the world and extending to each continent, worldwide registrations, extensive advertisement, promotion including by way of advertisement and excellence in quality of its products the **N Device Trademark** is a well-known and reputed trademark in favor of the Opponent in all parts of the world.
16. The **N Device Trademark** has been successfully defended and protected against third parties in numerous countries around the world. The **N Device Trademark** has been held to be a well-known trademark in many judicial decisions including but not limited to USA, Europe and other parts of Asia as well. Decisions and details thereof shall be provided at the Evidence stage.
17. The **N Device Trademark** has been regularly ranked as a prominent trademark in surveys of repute.
18. The **N Device Trademark** constitutes a very valuable asset of the Opponent and essentially signifies the Opponent's identity.
19. The **N Device Trademark** is a well-known trademark and has immense goodwill and reputation in favor of the Opponent and has acquired a well-known status as per the provisions of **Article 6 bis of the Paris Convention Treaty** to which India is a signatory, as well as the provisions of **Section 2(1)(zg) of the Trade Marks Act, 1999**.
20. Our attention has now been drawn to **International Registration Number 1416166 (IRDI-3908232)** which has been advertised in the Trade Mark Journal no. 1863 dated 20/08/2018.

21. The Applicant's impugned trademark comprising the **N logo** is substantially identical, confusingly and deceptively substantially similar to the Opponent's aforesaid prior, reputed and well-known **N Device Trademark** in respect of directly overlapping, identical, similar goods of the Opponent. The fraudulent and dishonest adoption by the Applicant is evident from the fact that the Applicant has no basis or justification in adopting and depicting the impugned trademark in a similar manner as the **N Device Trademark** of the Opponent. Such an adoption of the impugned trademark by the Applicant is clearly with the intention to trade upon the national and international goodwill and reputation accruing to the Opponent in their **N Device Trademark**. Hence there is a likelihood of confusion and deception amongst the public and which includes the likelihood of association of the impugned mark with the Opponent's prior well-known trademark and therefore the provisions of **Section 11(1)** of the Trade Marks Act, 1999 are attracted.
22. Goods bearing the **N Device Trademark** have come to be exclusively associated with the Opponent by the members of the trade and public and have become exceedingly popular in the market. The impugned mark is substantially identical, confusingly and deceptively similar to the Opponent's **N Device Trademark** as to be likely to deceive or cause confusion in the course of trade and therefore, the registration of the impugned mark is prohibited having regard to the provisions of **Section 11(3)(a)** of the Trade Marks Act, 1999. The Applicant's fraudulent and dishonest intentions are clearly evident and established by the Applicant adopting an **N device** which is deceptively similar to the **N Device Trademark** of the Opponent which is a fanciful device trademark created by the Opponent merely for its own use. The commencement of any use of the impugned mark by the Applicant will also attract the provisions of **Section 29** of the Trade Marks Act, 1999.
23. As goods related to the **N Device Trademark** are closely and only associated with the Opponent, the public at large and purchasers will be confused and deceived into believing that there is a connection of source, sponsorship, affiliation or endorsement between the Opponent and the Applicant by the Applicant's adoption of the impugned mark. The Applicant's adoption will tarnish and dilute the goodwill and reputation of the Opponent in respect of their **N Device Trademark** and goods. The Applicant will diminish the consumer's capacity to associate the mark with the quality products offered under the prior

and well-known trademark of the Opponent by adopting the mark in respect of goods which are not associated or related to the Opponent's quality branded goods. The Applicant's dishonest adoption creates a very real risk that the Opponent's **N Device Trademark** is not only being associated with goods not related to the Opponent's branded products but also to goods over which the Opponent has no quality control.

24. The substantially subsequent adoption of the impugned mark by the Applicant is dishonest and fraudulent and merely to trade upon the tremendous reputation and goodwill of the Opponent in their substantially prior, renowned and extremely well-known trademark. The fraudulent and dishonest adoption by the Applicant is evident from the adoption of a **N logo** as their trademark for which there is no justification or basis. The registration of International Registration Number 1416166 (IRDI-3908232) taking into account the Opponent's prior, renowned and well-known trademark under **Sections 11(6), 11(7) and 11(8)**, of the Trade Marks Act 1999, should be refused.
25. The impugned mark of the Applicant is neither distinctive nor capable of distinguishing their goods from those of the Opponent and without prejudice to the Opponent's rights the impugned mark does not qualify for registration under the provisions of **Section 9(1)(a)** of the Trade Marks Act 1999.
26. In view of the impugned mark being substantially identical, confusingly and deceptively similar to the Opponent's **N Device Trademark** and in respect of identical, similar goods, overlapping fields, the members of the public and trade would be misled into believing that the goods bearing the impugned mark also emanate from the Opponent or that the Applicant is in some way or the other connected with the Opponent and hence there is a likelihood of confusion or deception not only between the marks but also with respect to the trade origin of the goods. In such circumstances, and without prejudice to the Opponent's rights, the registration of the impugned mark would be contrary to the provisions of **Section 9(2)(a)** of the Trade Marks Act, 1999.
27. The Applicant's adoption of the impugned mark is in bad faith and therefore the registration of the impugned mark would be contrary to the provisions of **Section 11(10)** of the Trade Marks Act 1999.

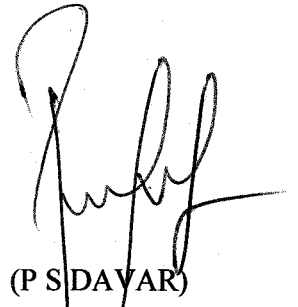
28. The Applicant has fraudulently and dishonestly adopted the impugned mark and hence the Applicant cannot, in any circumstances, claim any proprietary right upon or in relation to the trade mark applied for registration under the provisions of **Section 18(1)** of the Trade Marks Act 1999.
29. The registration of the opposed trademark of the Applicant will be contrary to the provisions of **Sections 9(1)(a), 9(2)(a), 11, 11(1), 11(2), 11(3)(a), 11(10), 18(1) and 28** of the Trade Marks Act, 1999 and the Hon'ble Tribunal ought to refuse the application opposed herein.
30. The wrongful and fraudulent adoption of the impugned mark by the Applicant also constitutes falsifying of a trademark under the provisions of **Sections 102 and 103** of the Trade Marks Act, 1999 and the Applicant is liable to be prosecuted under such provisions as well.
31. The impugned trademark of the Applicant is "*Proposed to be Used*" and thus no inconvenience will be caused to the Applicant by refusal of the impugned application. On the other hand, the Opponent's **N Device Trademark** is a prior, and well-known trademark and which has been used continuously and registered extensively all around the world, including in India for a substantially long period of time.
32. The Registrar should be pleased to exercise his discretion under **Section 18(4)** of the Trade Marks Act, 1999 for maintaining purity of the Register, for protecting the public interest and to simultaneously prevent violation of the Opponent's rights in the well-known **N Device Trademark** in favor of the Opponent. Thus, the Registrar should refuse the impugned application.
33. The Opponent craves leave to amend, alter or add to all or any of the foregoing grounds in respect of this Notice of Opposition.
34. The Applicant cannot be considered as proprietor of the impugned mark as the Opponent adopted their trademark several decades ago on a worldwide basis including in India and is the substantially prior adopter of the **N Device Trademark** to which the Applicant's mark is substantially subsequent and confusingly and deceptively similar.

35. The foregoing constitutes sufficient grounds for the exercise of the Registrar's discretion in the Opponents favour.
36. In the circumstances it is prayed that:
- (a) The impugned application be refused registration;
 - (b) The instant opposition be allowed; and
 - (c) Costs of these proceedings be awarded to the Opponent.

All communications in relation to these proceedings may be sent to following address in India:-

P.S.DAVAR & CO.,
Patent & Trademarks Attorneys,
N-220 Greater Kailash-1, New Delhi 110048 INDIA
Email: psdavar@psdavar.com

Dated this 28th day of August, 2018



(P S DAVAR)
Advocate,
of P.S.DAVAR & CO.

To,
THE REGISTRAR OF TRADEMARKS,
THE TRADEMARKS REGISTRY,
MUMBAI

VERIFICATION:

I, Smita Bhatia, acting on behalf of the Opponent hereby state that the contents of paragraphs 1 to 19 are based on the information received from the Opponent's records and believed to be true and correct and the contents of paragraphs 11 (also) and 20 from the Registry records and are correct and the contents of paragraphs 21 to 35 are submissions in support of the objections taken on behalf of the Opponent and the same affirmed as true and correct and the statement made in paragraph 36 is the prayer before the Learned Hon'ble Tribunal.

Dated 28th day of August, 2018

Place: Delhi

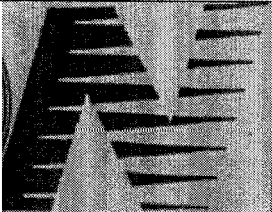
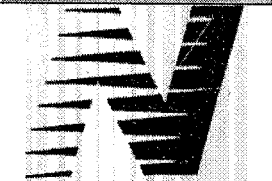
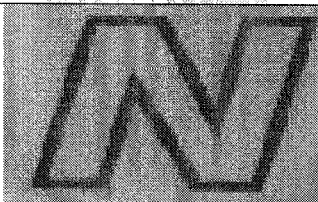
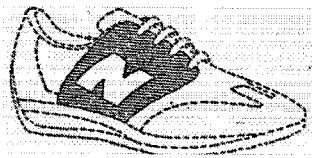


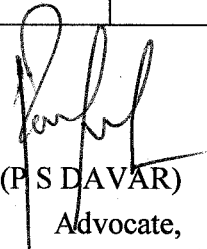
(Smita Bhatia)

Advocate

Of P.S.DAVAR & CO.

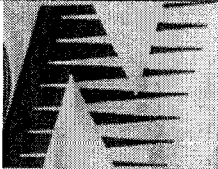
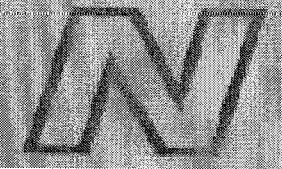
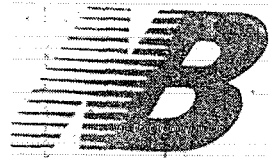
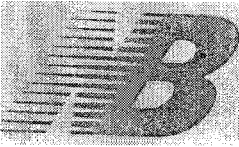
Annexure-A

S.No.	Mark	Registration/ Application Number	Class	Journal Number	Registrant	Goods
1.		768875	18	9999-3 Dated : 14/10/2003	New Balance Athletics, Inc.	bags for carrying sporting articles
2.		768874	25	9999-4 Dated : 25/10/2003	New Balance Athletics, Inc.	footwear and clothing for men, women and children.
3.		1537347	25	1608-0 Dated : 30/09/2013	New Balance Athletics, Inc.	athletic footwear
4.		472335	25	1044-1	New Balance Athletics, Inc.	athletic shoes, including aerobic dancing shoes.

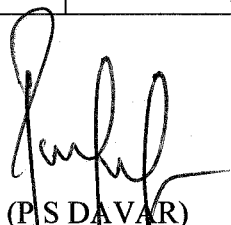

(P S DAVAR)

Advocate,
of P.S.DAVAR & CO.

Annexure-B

S.No.	Mark	Registration/ Application Number	Class	Journal Number	Registrant	Goods
1.		768875	18	9999- 3 Dated : 14/10/2003	New Balance Athletics, Inc.	bags for carrying sporting articles
2.		768874	25	9999- 4 Dated : 25/10/2003	New Balance Athletics, Inc.	footwear and clothing for men, women and children.
3.		1537347	25	1608- 0 Dated : 30/09/2013	New Balance Athletics, Inc.	athletic footwear
4.		472335	25	1044-1	New Balance Athletics, Inc.	athletic shoes, including aerobic dancing shoes.
5.		525286	18	1227	New Balance Athletics, Inc.	bags, such as backpacks and tote bags for carrying sporting articles
6.		706035	18	Mega (Spl-1)	New Balance Athletics, Inc., (formerly known as New Balance Licensing, LLC)	bags, such as backpacks and tote bags for carrying sporting articles.
7.		1637760	25	1401- 0 Dated : 01/10/2008	New Balance Athletics, Inc.	clothing, footwear and headgear.
8.		472334	25	1032- 0 Dated : 01/06/1992	New Balance Athletics, Inc.	articles of athletic and sports, footwear and clothing, such as hats, sweat bands, visors, sport shirts, singlets, t-

						shirts, running shorts, running suits, all-weather suits, recreational tops and shorts, aerobic exercise wear, socks, athletic shoes, walking shoes, aerobic dancing shoes, and hiking boots, all included in class 25.
9.	NBX	1549714	25	1399-0 dated 1/9/2008	New Balance Athletics, Inc.	clothing, footwear and headgear.
10.	NEW BALANCE	472336	25	1047-0 Dated 16.01.1993	New Balance Athletics, Inc.	articles of athletic and sports, footwear and clothing, such as hats, sweat bands, visors, sport shirts singlets, t-shirts, running shorts, running suits, all weather suits, recreational tops and shorts, aerobic exercise wear, socks athletic shoes, walking shoes, aerobic dancing shoes and hiking boots, all included in class 25.
11.	NEW BALANCE	525511	18	1149-0	New Balance Athletics, Inc., (formerly known as New Balance Licensing, LLC)	bags, such as backpacks and tote bags for carrying sporting articles included in class 18.


(P.S. DAVAR)
Advocate,

of P.S.DAVAR & CO.



3908232 03/05/2018

[International Registration No. : 1416166]

XIE PINGPING

Room 705, Qianshuiwan Taoyuan, No. 1699 Xiadian Road, Gongchen Street, Licheng District, Putian City Fujian Province China

Proposed to be Used

IR DIVISION

Clothing; layettes [clothing]; clothing for gymnastics; shoes; hats; hosiery; neckties; scarfs; leather belts [clothing]; gloves [clothing].



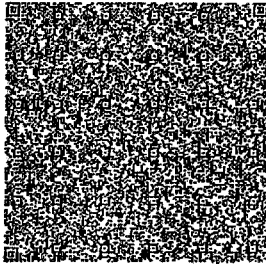
सत्यमेव जयते

INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

e-Stamp

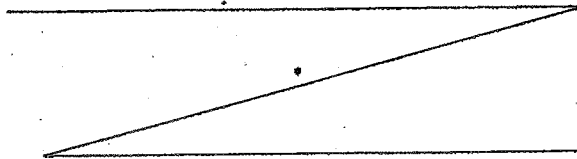
Certificate No.	: IN-DL653198841789450
Certificate Issued Date	: 30-Jun-2016 03:26 PM
Account Reference	: IMPACC (IV)/ dl732103/ DELHI/ DL-DLH
Unique Doc. Reference	: SUBIN-DL732103300651308655290
Purchased by	: P S DAVAR AND CO
Description of Document	: Article Others
Property Description	: Not Applicable
Consideration Price (Rs.)	: 0 (Zero)
First Party	: P S DAVAR AND CO
Second Party	: Not Applicable
Stamp Duty Paid By	: P S DAVAR AND CO
Stamp Duty Amount(Rs.)	: 100 (One Hundred only)



.....Please write or type below this line.....

General Power of Attorney

IN THE MATTER OF: Indian Trademark Applications/Registrations in the name of New Balance Athletics, Inc.



Statutory Alert:

1. The authenticity of this Stamp Certificate should be verified at "www.shcliestamp.com". Any discrepancy in the details on this Certificate and as available on the website renders it invalid.
2. The onus of checking the legitimacy is on the users of the certificate.

Applicable for Trade Marks In India
TRADEMARKS ACT 1999

GENERAL POWER OF ATTORNEY

IN THE MATTER OF

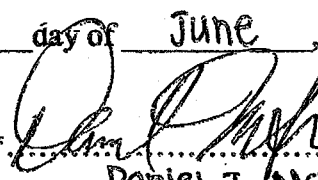
We, New Balance Athletics, Inc., a company incorporated and registered under the laws of U.S.A and having its office at 100 Guest Street, Boston, Massachusetts -02135-2088, U.S.A

the above named applicants, hereby authorize, P.S.DAVAR, A. DAVAR, MONA SAINI, C.M.GAIND, S.MOKTAN, all representatives of P.S.DAVAR & CO., having their offices at N-220 Greater Kailash Part 1, New Delhi 110048, India, all of Indian nationality, jointly and severally to act on my/our behalf in connection with filing Applications, Obtaining Registrations, Oppositions, Appeals, Rectifications, Recordal of Assignments, Change of name and all other proceedings under the Trademarks Act, 1999 and to proceed further with the same including substituting and/or authorising any other person/s on their behalf and request that all notices, requisitions and communications relating thereto may be sent to such agent at the above address.

We hereby revoke all previous authorisations, if any, in respect of the same matter or proceeding.

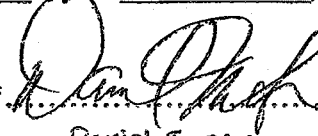
We also confirm all action already taken by them in this matter.

Dated this 29 day of June, 2016

** 
.....
Daniel J. McInnery, Senior Counsel

*We, also authorise the said representatives of the firm of P.S.DAVAR & CO. jointly and severally to complete Form TM-50 requesting entry of an address for service as part of my/our registration under the authorisation.

Dated this 29 day of June, 2016

** 
.....
Daniel J. McInnery, Senior Counsel

* This additional endorsement should be signed only in the case of trademark matters.

* Please enter the name and designation of the person signing.

(Note:- No legalisation of Signature is necessary)