



(Tel): 022-24134555 (Email): madrid.tmr@nic.in

(Email): madrid.tmr@nic.in (website): www.ipindia.nic.in

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	e making the notification:	TRADE MARKS REGISTRY, GOVERNMENT OF INDIA				
Number of the international registration: 1416166							
l''.	(Refe	rence IRDI No allotted to this international registration	n by the TMR India) 3908232				
III.	Name	e of the holder (or other information enabling the iden	tity of the international registration to be confirmed):				
	XIE PINGPING						
IV.	V. Provisional refusal based on an opposition						
	The fo	ollowing 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						
٧.	Provi	sional refusal for all the goods and/or services					
VI.	-						
	_	Grounds are mentioned as per the Notice(es) of Oppos	sition attached herewith				
VII.	Infor	mation relating to an earlier mark					
	 		1. 16				
VIII.		entioned in Notice(es) of Opposition attached herewit					
VIII.	Corre	esponding essential provisions of the applicable law [(See text under Any):				
	Section	on 21 of Trade Marks Act 1999 and Rules 47, 48, 49, 5	0 51 52 53 54 55 and 56				
		ons 9, 11, 12, 13, 14 of Trade Marks Act 1999 and Rule					
IX.		mation relating to subsequent procedure:	3 47, 40, 40, 00, 01, 02, 00, 04, 00 and 00				
	(i)	-	to protect his trademark in India he/she, on receipt of the				
		Provisional Refusal based on Opposition must subn	nit a Counter Statement on form TM-6/TM-O through a				
		registered trademark agent/advocate having address	s in India. The said Counter Statement must be submitted				
		along with the scanned copy of the Statement of Cas	se 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 Count	er Statement against the provisional refusal: Two month				
		from the date of receipt of provisional refusal by the	holder of international registration.				
	L						
	(iii)	1	I should be made: The response to the provisional refusal				
			tted before the Registrar of Trade Marks, International				
			i. The Counter Statement including the scanned copy of				
		the Statement of Case and the Power of Attorney mu	ist be submitted online through the gateway				
		comprehensive e-filing services for trademarks.					
	/i. d	Indications as a securing the supplied ment of a venues	systetive. The response to the provisional refusal must be				
	(iv)		entative: The response to the provisional refusal must be				
			ve. The said agent may be a trademark agent registered				
		j ,	vocate within the meaning of Indian Advocates Act, 1961.				
			through a Power of Attorney on form TM-48 executed in				
		the favor of the said trademark agent/advocate.					
Х.	Date	I of the notification of provisional refusal:					
Α.		/2019					
XI.		ature or official seal of the Office making the notificati	on:				
	FOR REGISTRAR OF TRADEMARK						
	DIPMALA P MATHAPATI						
	Designation: SENIOR EXAMINER						
	Mumbai						

Corresponding essential provisions of the applicable law:

XII.

*** 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						
EE 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 REGISTERE	D 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 TH	IE MATTER OF						
DETAILS OF APPLICATION NUMBER 3908232							
CLASS	25						
REQUEST NOTICE OF OPPOSITION							
GROUNDS OF OPPOSITION	Grounds of opposition are attached separately						
Date 28-08-2018 06:20 PM							

Digitally Signed By

PRANEET SINGH DAVAR

for PSDAVAR
[Attorney]





सत्यमेव जयते

Certificate No.

Certificate Issued Date

Account Reference

Unique Doc. Reference

Purchased by

Description of Document

Property Description

Consideration Price (Ps.

First Party

Second Party

Stamp Duty Paid By

Stamp Duty Amount(Rs.)

INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

e-Stamp

N-DL65319884178945

30-Jun-2016 03:26 PM

IMPACC (IV)/ dl732103/ DELHI/ DL

SUBIN-DLDL732103300651308655290

P S DAVAR AND CO

Article Others

Not Applicable

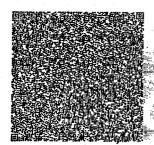
(Zero) .

P S DAVAR AND CO

Not Applicable

P S DAVAR AND CO

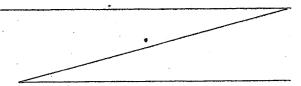
(One Hundred only)



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General Power of Attorney

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



- 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.
 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	day of _	<u> June</u>	, 2016		
		Λ			
	(1 b)	I MIN	In		
	** Jam	X / / / / Y			
	Do	n.t Isima	ACK maon,	Senior	Counse 1

*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

** Lim The 2016

Daniel J. McLinnon, 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 **PINGPING**.

in class 25 in the name of XIE

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 faithffly,

(P.S.Davar Advocate

Of P.S. Davar & CO

Encl; as above

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** constitues 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.
- 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 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.
- 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	Registratio n/ Applicatio n Number	Class	Journal Number	Registrant	Goods
1.	JE	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.

PS 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.	AND	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.	畫	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
1				ŀ			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	New Balance	clothing, footwear and
	, , , , , , , , , , , , , , , , , , ,	NDA	1349714	23	1/9/2008	Athletics, Inc.	headgear.
							articles of athletic and
		·					sports, footwear and
							clothing, such as hats,
							sweat bands, visors,
							sport shirts singlets, t-
					<u> </u>		shirts, running shorts,
		NEW BALANCE	472336		1047-0 Dated 16.01.1993	New Balance Athletics, Inc.	running suits, all
	10.			25			weather suits,
		e e			10.01.1773	Atmicues, inc.	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	bags, such as
						Athletics, Inc.,	backpacks and tote
	11.	NEW BALANCE	525511	18	1149-0	(formerly known	bags for carrying
						as New Balance	sporting articles
						Licensing, LLC)	included in class 18.
- 1		1 ·	1	1	1		I

(PS 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

Certificate No.

Certificate Issued Date

Account Reference

Unique Doc. Reference

Purchased by

Description of Document

Property Description

Consideration Price (Rs.)

First Party

Second Party

Stamp Duty Paid By

Stamp Duty Amount(Rs.)

INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

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:- 30-Jun-2016 03:26 PM

: IMPACC (IV)/ dl732103/ DELHI/ DL-DLH

: SUBIN-DLDL732103300651308655290

: PS DAVAR AND CO

: Article Others

: Not Applicable

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(Zero) .

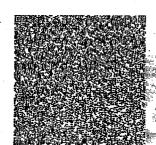
: PSDAVAR AND CO

Not Applicable

: PS DAVAR AND CO

100

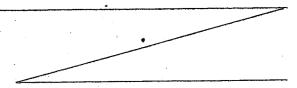
(One Hundred only)



...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:

- The authenticity of this Stamp Certificate should be verified at "www.shcilestamp.com". Any discrepancy in the details on this Certificate and as
 available on the website renders it invaild.
- 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

** Land M.

Daniel J. McKinnon, Senior Counse 1

*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 19 day of JUNE, 2016

Daniel J. Mcbinnon, 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)