

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION SERIAL NO. 88429640
MARK: RE:UNITE
APPLICANT: Unite Eurotherapy, Inc.
TRADEMARK ATTORNEY: Raul Cordova – Law Office 114

LETTER OF CONSENT

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Dear Madam Commissioner:

This letter, when signed, will confirm the following:

Debra Wasser (“Wasser”) owns U.S. Trademark Application Serial No. 88260567 for “REUNITED” for “Cosmetics and make-up; Make-up preparations; Make-up sets; Make-up remover; Body and beauty care cosmetics; Face and body beauty creams; Oils for cosmetic purposes; Coloring preparations for cosmetic purposes; Cosmetic products in the form of aerosols for skincare; Fragrance and perfumery” (the “REUNITED Mark”).

Unite Eurotherapy, Inc. (“Unite”) filed U.S. Trademark Application Serial No. 88429640 for RE:UNITE for “Hair care products, namely, shampoo, conditioner, hair masks, and hair treatment preparations” (the “RE:UNITE Mark”).

Pursuant to the parties’ discussions and contemporaneous execution of a settlement agreement, Wasser hereby consents to the use and concurrent registration of the above referenced RE:UNITE Mark by Unite.

The basis for this consent is Wasser's and Unite's mutual determination that confusion as to source, origin or affiliation is not likely to arise as a result of the concurrent use and registration of the REUNITED Mark and RE:UNITE Mark. This is supported by the fact that the parties intend to use their respective marks in connection with different goods. The REUNITED Mark will be used in connection with cosmetics and makeup, while the RE:UNITE Mark will be used for hair care products. To further distinguish between the two marks, Wasser has further agreed to amend the description of her mark to "Cosmetics and make-up; Make-up preparations; Make-up sets; Make-up remover; Body and beauty care cosmetics; Face and body beauty creams; Oils for cosmetic purposes; Coloring preparations for cosmetic purposes; Cosmetic products in the form of aerosols for skincare; Fragrance and perfumery; except in each case, none of the foregoing for use in connection with hair products." (underline added)

In addition, the marks are sufficiently different in their entireties as to appearance, sound and the commercial impression they create – "REUNITED" vs. "RE:UNITE" - so as to prevent any likelihood of confusion, and are unlikely to be considered derived from the same source. Further, Unite's house mark is UNITE and will most often be used along with the mark RE:UNITE.

The parties agree that in the unlikely event that incidents of actual or suspected confusion as to source, origin or affiliation arise from concurrent use of their respective marks, the parties will cooperate to undertake reasonable steps to avoid and eliminate the same.

Both parties agree to the terms of this consent by signing, dating, and returning this letter to Unite.

Very truly yours,

Unite Eurotherapy, Inc.

By:  _____

Name: Nikki Neubarth

Title: Chief Operating Officer

Address: 2870 Whiptail Loop East, Suite 100
Carlsbad, California 92010

Confirmed and Agreed to by:

Debra Wasser

By:  _____

Name: Debra Wasser

Address: 211 E. 43rd Street, 25th Floor
New York, New York 10017