

the same or to keep the same on the Register. There is no proceeding involving said rights pending and not disposed of either in the Patent and Trademark Office or in the courts.¹

The Registrant hereby appoints J. Rodman Steele, Jr., Gregory A. Nelson, Joseph W. Bain, Jerold I. Schneider, John C. Vetter, Larry G. Brown, Mark M. Zylka, Gregory M. Lefkowitz, and Karen C. Kline, all members of the bar of the State of Florida, with offices at Novak Druce + Quigg, LLP, 525 Okeechobee Boulevard, Fifteenth Floor, West Palm Beach, Florida 33401, as its attorneys, with full power of substitution and revocation, to file this Combined Declaration of Use and Incontestability Under Sections 8 and 15 of the Act and to transact all business in and to receive all documents from the Patent and Trademark Office in connection herewith.

DECLARATION

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Registrant; and that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

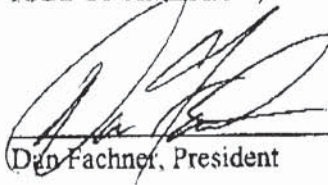
¹ Registrant discloses pending TTAB Opposition Proceeding Nos. 91185123 and 91185127, in which the owner is the plaintiff and there is no counter claim involving owner's rights in the mark. In accordance with TMEP § 1605.04, the USPTO does not consider such a proceeding to be a "proceeding involving these rights" that would preclude acknowledgement of a § 15 affidavit.

Please direct all communications to:

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Date: 7/9/09



Dan Fachner, President

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