



By fax to : +34 965 13 13 44

**OFFICE FOR HARMONIZATION
IN THE INTERNAL MARKET (OHIM)**

Avenida de Europa, 4
E-03008 ALICANTE
(Espagne)

Ref: opposition No B001766701
trade mark No 009285677

Object: Proof of use
Contestation of well-known
goods and services

Villiers-sur-Marne,
February 21, 2011

Dear Sirs,

Pursuant to Article 15 of the CTMR and Article 10 of the First Council Directive 89/104/EEC of the European Union, we request the opponent to furnish, for each and every goods and services, proof of use of the trade marks 'MAC', 'iMac' and 'MAC OS' opposed to the registration of our trade mark 'MACARAJA'.

Following a thorough reading of 'Schedule 2' of the notice of opposition filed by representative Edwards Angell Palmer & Dodge UK LLP, we are questioning the well-known goods and services referred to in this notice.

For instance, none of the three opposed trade marks is known to be used in connection with the « music entertainment and publishing » service (class 35), even though this service is mentioned in the notice of opposition. Such a use, on the other hand, would be relevant to another Apple Inc. trade mark, i.e. « itunes » (trade mark No 006838461).

Consequently, we request the opponent to specify which well-known good or service is relevant to each and every opposed trade mark, and not for the whole range of trade marks owned by Apple Inc.

Do not hesitate to contact us, should you need further information.

Best regards,

A handwritten signature in black ink, appearing to read "F. Faulhaber", written in a cursive style.

Francis FAULHABER
Chairman