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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

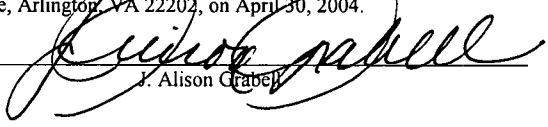
In the Matter of Application Serial No. 78/127,374
Filed May 8, 2002
Mark: FAHARI and Design
Published in the Official Gazette of March 18, 2003

ELIE TAHARI,)
)
)
 Opposer,)
)
 v.)
)
 FAHARI, INC.)
)
 Applicant.)

**APPLICANT'S NOTICE OF
RELIANCE ON RELEVANT
PORTIONS OF THE NEIMAN
MARCUS AND SAKS FIFTH AVENUE
CATALOGUES**

Opposition No. 156,740

CERTIFICATION UNDER 37 CFR 1.8
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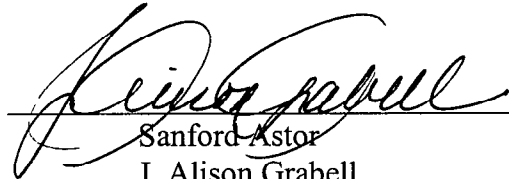
By: 
J. Alison Grabell

To Gottlieb, Rackman & Reisman, P.C., attorneys of record for Opposer Elie Tahari, please take notice that, pursuant to 37 CFR § 2.122(e) and TBMP § 703.03, Applicant relies on the relevant portions of the Neiman Marcus catalogue of ay 2004 at pages 50-57 and the Saks Fifth Avenue catalogue of October 2003 attached hereto. The material being offered is relevant to absence of a likelihood of confusion between Applicant's mark FAHARI and Design, Serial No. 78/127,374 and Opposer's ELIT TAHARI Marks.

Dated: April 30, 2004

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By:



Sanford Astor
J. Alison Grabell
Attorneys for Applicant
FAHARI, INC.

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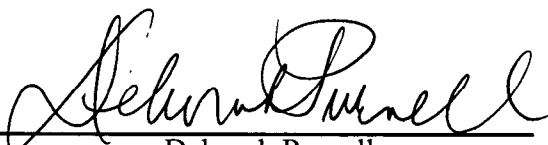
I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is Eighteenth Floor, 10940 Wilshire Boulevard, Los Angeles, California 90024-3952. On April 30, 2004, I served the following document(s): **APPLICANT'S NOTICE OF RELIANCE ON RELEVANT PORTIONS OF THE NEIMAN MARCUS AND SAKS FIFTH AVENUE CATALOGUES** on the interested parties in this action, by placing a true copy thereof enclosed in a sealed envelope as follows:

Amy B. Goldsmith, Esq.
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Deborah Purnell

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ELIE TAHARI,)	APPLICANT FAHARI, INC.'S
)	MOTION FOR SUMMARY
Opposer,)	JUDGMENT; MEMORANDUM OF
	)	POINTS AND AUTHORITIES IN
v.	)	SUPPORT THEREOF; AND
	)	DECLARATIONS OF DOMINIQUE
FAHARI, INC.)	BRAUD, SANFORD ASTOR AND J.
)	ALISON GRABELL
Applicant.)	
)	
)	

Opposition No. 156,740

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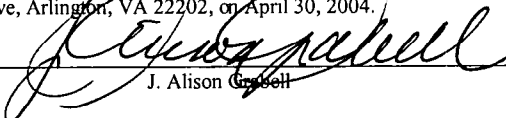
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Applicant Fahari, Inc. (“Fahari”) hereby moves the Trademark Trial and Appeal Board, pursuant to § 2.116 of the Trademark Rules of Practice and Rule 56 of the Federal Rules of Civil Procedure, for summary judgment against opposer Elie Tahari (“Tahari”) dismissing the opposition against Fahari’s application Serial No. 78/127,374. In the alternative, if the Trademark Trial and Appeal Board denies Fahari’s Motion for Summary Judgment, Fahari requests that the testimony and other due dates in this opposition be reset.

This Motion is based upon the record, consisting of Fahari’s application Serial No. 78/127,374; the pleadings on file in this opposition; Fahari’s Responses to Opposer’s First Set of Interrogatories Nos. 1, 4, 5, 6, 7, 8, 9, 13; Fahari’s documents produced in response to Opposer’s First Set of Document Requests bearing the production numbers F0001-F0019; Tahari’s Responses to Applicant’s First Set of Requests for Admissions Nos. 3, 4, 8, 17, 19, 22, 23, 24, 31, 32, 33, 34; Tahari’s Responses to Applicant’s Second Set of Interrogatories No. 34; copies of documents produced by Tahari in response to Fahari’s First Set of Requests for Production of Documents and Things, bearing Production Nos. OPP 001 – OPP 064; and the attached Declarations of Dominique Braud, Sanford Astor and J. Alison Grabell and the Exhibits thereto.

I. RECITATION OF UNDISPUTED FACTS

This is an action by Tahari opposing registration of application Serial No. 78/127,374 of Fahari under the provisions of Section 13 of the Trademark Act of 1946, as amended, 15 U.S.C. § 1063.

Fahari, Inc.'s Background

Fahari is a small business, created by its president Dominique Braud to support “pride” among African-American women. Fahari, of Los Angeles, California, is engaged in the business of selling tee-shirts and has conducted its business since April 2002. Braud Decl. ¶ 11; Astor Decl. ¶ 3, Ex. 1 (Interrogatory Response No. 1). Fahari filed application Serial No. 78/127,374 on May 8, 2002 for the mark FAHARI and Design, for “t-shirts”, on an intent to use basis. The mark consists of the word “FAHARI”, which means “have pride in yourself” in Swahili, appearing under a drawing of a woman’s face, Afro hairdo and partial shoulder. Braud Decl. ¶ 6, 7 Ex. 1. The “i” at the end of FAHARI has a slash mark instead of a dot. The Trademark Attorney found no similar registered or pending mark which would bar registration of Fahari’s mark under Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d). The Trademark Office approved FAHARI and Design for publication and the mark was published for opposition in the Office Gazette of March 18, 2003. This opposition was instituted on June 19, 2003.

Dominique Braud created the FAHARI and Design mark in December 2000 because it conveyed African-American pride. Braud Decl. ¶ 5. She intended to target goods and appeal to the African-American neo-soul market¹. Braud Decl. ¶ 4; Astor Decl. ¶ 3, Ex. 1 (Interrogatory Response No. 4). Ms. Braud selected the word “fahari” because the word means “pride” in Swahili, one of the major African languages. Braud Decl. ¶ 6, Ex. 1; Astor Decl. ¶ 3, Ex. 1

¹ “Neo-Soul” is a term describing a form of music that developed in the 1990’s, combining elements of rhythm and blues, hip hop, and the soul music of artists like Aretha Franklin and Marvin Gaye. The sound is classified as “urban music”, and also includes radio formats catering predominantly to the African-American audience. Braud Decl. ¶ 4; Astor Decl. ¶ 6, Ex. 4.

(Interrogatory Response No. 4). As to the design, Ms. Braud was inspired by a photograph she saw of an unidentified African-American woman and created an image depicting an African-American woman with a full Afro hairdo. Braud Decl. ¶ 7; Astor Decl. ¶ 3, Ex. 1 (Interrogatory Response No. 4). Ms. Braud combined the word “fahari” and the image of an African-American woman to create the FAHARI and Design mark. Braud Decl. ¶ 8; Astor Decl. ¶ 3, Ex. 1 (Interrogatory Response No. 4). Prior to filing the application, Ms. Braud conducted an on-line search of Trademark Office records for the mark FAHARI and found no conflicts. Braud Decl. ¶ 9; Astor Decl. ¶ 3, Ex. 1 (Interrogatory Response No. 5).

Ms. Braud first sold tee-shirts bearing the FAHARI and Design mark on March 2, 2002, at the Poetic Soul event in Long Beach, California, a poetry-reading event accompanied by displays and sales of various fashions. Braud Decl. ¶ 10; Astor Decl. ¶ 3 Ex. 1 (Interrogatory Responses Nos. 6, 7). Fahari subsequently sold its tee-shirts bearing the FAHARI and Design mark at the African World Festival in Milwaukee, Wisconsin on July 31, 2003 and at the African Marketplace at the Sports Arena in Los Angeles, California in August 2003. Braud Decl. ¶ 12, 13; Astor Decl. ¶ 3, Ex. 1 (Interrogatory Response No. 7). Fahari’s customers are typically individuals who purchase a single tee-shirt. Braud Decl. ¶ 12, 13; Astor Decl. ¶ 3, Ex. 1 (Interrogatory Response No. 13).

Fahari also maintained a web site located at the URL www.fahari.com, which offered for sale tee-shirts bearing the FAHARI and Design, from March 2, 2002 to approximately November 1, 2003. Braud Decl. ¶ 14; Astor Decl. ¶ 3 Ex. 1 (Interrogatory Response No. 7). The Fahari web site has not operated since March 23, 2004. Braud Decl. ¶ 19, Ex. 3.

From March 2002 through October 2003, Fahari’s sales of tee-shirts and other goods

from its web site were approximately \$15,000.00 and sales from festival attendance were approximately \$10,000.00. Braud Decl. ¶ 15, 16; Astor Decl. ¶ 3, Ex. 1 (Interrogatory Response No. 8). Fahari has expended less than \$7,000.00 on advertising and promoting its tee-shirts and developing and hosting its web site. Braud Decl. ¶ 17; Astor Decl. ¶ 3, Ex. 1 (Interrogatory Response No. 9). An urban soul singer wearing Fahari's tee-shirt is featured in an article in Time Out Magazine in February 2003. Braud Decl. ¶ 18, Ex. 2; Astor Decl. ¶ 3, Ex. 1 (Interrogatory Response No. 18[sic]). Other than the fact that the singer was wearing the tee-shirt, Fahari had no involvement in the singer's appearance in the tee-shirt and did not know about the coverage in advance. Braud Decl. ¶ 18; Astor Decl. ¶ 7, Ex. 5.

Elie Tahari's Background

Elie Tahari is the owner of Registration Nos. 1,489,405 for the mark TAHARI, 1,814,977 for the mark TAHARI, 2,653,216 for the mark ELIE TAHARI and 2,681,767 for the mark ELIE TAHARI, as shown in the table below.

<u>Mark</u>	<u>Reg. No.</u>	<u>Goods</u>
TAHARI	1489405	Women's high fashion designer blouses, skirts and suits
TAHARI	1814977	Women's high fashion designer blouses, skirts, and suits; jackets, skirts, pants, dresses, suits, sweaters, jumpsuits, blouses, shirts, coats, vests, bustiers, belts, raincoats, jeans, bodysuits and T-shirts.
ELIE TAHARI	2653216	Apparel, namely women's high fashion design blouses, skirts and suits; jackets, skirts, pants, dresses, suits, sweaters, jumpsuits, blouses, shirts, coats, vests, bustiers, belts, raincoats, jeans, bodysuits, and t-shirts; lingerie, over-coats and children's clothing, namely dresses, skirts, blouses, jackets, pants, shirts, blazers, pullovers, cardigans, overalls and socks.
ELIE TAHARI	2681767	Leather goods, namely belts, handbags, key cases, wallets, tote bags, cosmetic bags sold empty, backpacks, fanny packs, and luggage; and umbrellas.

Elie Tahari is the Chairman and Chief Executive Officer of Tahari, Ltd. and is a corporate officer of Tahari, Ltd. Astor Decl. ¶ 5, Ex. 3 (Opposer's Responses to Requests for Admissions Nos. 22, 23, 24); Astor Decl. ¶ 4, Ex. 2 (Opposer's Response to Applicant's Second Set of Interrogatories, No. 34). Elie Tahari is also Chairman, CEO and a corporate officer of Tahari Store-WFC Co., Inc. Astor Decl. ¶ 5, Ex. 3 (Opposer's Responses to Requests for Admissions Nos. 31, 32, 33). Elie Tahari is an upscale fashion designer who caters to a sophisticated user. Astor Decl. ¶ 8, Ex. 6. Tahari's aggregate sales figures for merchandise offered under the TAHARI Marks exceeded \$100,000,000.00 (one hundred million dollars) at wholesale in 2002. Astor Decl. ¶ 5, Ex. 3 (Response to Request for Admissions No. 15). Advertising expenditures in 2002 for goods bearing the Tahari Marks exceeded \$1,000,000.00. Astor Decl. ¶ 5, Ex. 3 (Response to Requests for Admissions No. 17). Tahari did not advertise in Time Out magazine. Astor Decl. ¶ 5, Ex. 3 (Response to Request for Admission No. 8). Tahari maintains a web site located at the URL www.tahari.com, which provides a detailed explanation of the stores in which Tahari's goods are sold and distributed and the publications in which Tahari advertises its goods. Grabell Decl. ¶ 6, Ex. 4; Astor Decl. ¶ 5-7, Exs. 3, 5 (Responses to Requests for Admissions Nos. 3, 34).

Tahari's collection is offered at upscale department stores, among them Bergdorf Goodman in New York City. Astor Decl. ¶ 3, Ex. 1 (Responses to Requests for Admission Nos. 4, 19). Bergdorf Goodman is one of the most exclusive fashion retailers in the United States, "known throughout the world for elegance, luxury and superior service." Grabell Decl. ¶ 3, Ex. 1. Tahari also sells its goods at Neiman Marcus and Saks Fifth Avenue. In addition, Tahari offers its goods at its own shops, Elie Tahari Central Valley (New York) and Elie Tahari Las Vegas.

Astor Decl. ¶ 5, Ex. 3 (*see* Response to Request for Admission No. 4). Tahari is unaware of any actual confusion between the parties' marks among consumers. Astor Decl. ¶ 5, Ex. 3 (Responses to Applicant's First Set of Requests for Admission No. 10(a)).

The facts in this case are not in dispute. Tahari cannot raise any issue of material fact which would be contrary to Fahari's evidence that the FAHARI and Design mark when used on or in connection with Fahari's tee-shirts, is not likely to cause confusion, or to cause mistake or to deceive. Accordingly, the opposition must be dismissed.

II. ARGUMENT

A. SUMMARY JUDGMENT IN FAHARI'S FAVOR IS APPROPRIATE BECAUSE THERE IS NO GENUINE ISSUE OF MATERIAL FACT TO SUPPORT TAHARI'S OPPOSITION.

The standard for granting summary judgment in an opposition on the issue of likelihood of confusion is within the Board's scope. *Genesco, Inc. v. Levi Strauss & Co.*, 219 USPQ 1205 (TTAB 1983), *aff'd*, 222 USPQ 939 (Fed. Cir. 1984). Summary judgment is proper where the pleadings, depositions, responses to interrogatories, admissions on file and affidavits show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law. Fed. R. Civ. P. 56(c); *Celotex Corp. v. Catrett*, 477 U.S. 317, 106 S. Ct. 2548, 91 L. Ed. 2d. 265 (1986); *L. D. Kichler Co. v. Davoil, Inc.*, 52 USPQ 2d 1307, 1309 (Fed. Cir. 1999). The evidence must be viewed in a light favorable to the non-moving party and all justifiable inferences must be drawn in the non-moving party's favor. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248, 106 S. Ct. 2505, 91 L. Ed. 2d 202 (1986).

In a motion for summary judgment, once the moving party has made a *prima facie* case showing that summary judgment is appropriate under Rule 56 of the Federal Rules of Civil

Procedure, the burden of going forward shifts to the non-moving party to show, by affidavit or otherwise, that there is an absence of evidence to support the summary judgment motion.

Celotex, 106 S. Ct. at 2554; *Sweats Fashions, Inc. v. Pannill Knitting Co., Inc.*, 4 USPQ2d 1793, 1795 (Fed. Cir. 1987). A party does not meet this burden simply by resting on mere denials or conclusory assertions, but must produce evidence in accordance with Fed. R. Civ. P. 56 showing that there is a genuine issue of material fact for trial. *Copelands' Ents. Inc. v. CNV Inc.*, 20 USPQ2d 1295 (Fed. Cir. 1991); *Sweats Fashions*, 4 USPQ2d at 1795. Summary judgment must be granted “forthwith” when one party is unable to show a genuine issue as to a material fact on which that party will bear the burden of proof at trial, so long as judgment against the party is appropriate as a matter of law. *Department of Commerce v. U.S. House of Representatives*, 525 U.S. 316, 327, 119 S. Ct. 765, 772, 148 L. Ed. 2d 797 (1999). A “genuine issue” exists where the evidence before the court is of such a nature that a reasonable jury could return a verdict in favor of the non-moving party. A mere “scintilla” of evidence, or evidence that is only “colorable” or is not sufficiently probative, is not enough to defeat summary judgment. Instead, there must be evidence upon which a jury could reasonably find in the non-moving party’s favor. *Anderson v. Liberty Lobby, Inc.*, 106 S. Ct. at 2510-12.

Whether a fact is “material” hinges on the substantive law at issue. The fact is “material” if it might affect the outcome of the case. *Id.* at 2510. Disputes over irrelevant or unnecessary facts are insufficient to defeat a motion for summary judgment. *Id.*

Here, no genuine issue of material fact exists. Tahari must show that there is a likelihood of confusion between the FAHARI and Design mark for tee-shirts and the TAHARI Marks for a variety of women’s clothing. This Tahari cannot do because it cannot meet the multi-factor test

for likelihood of confusion as set forth in *In re E. I. DuPont de Nemours*, 177 USPQ 563 (CCPA 1973).

B. UNDER *du PONT*, “FAHARI AND DESIGN” DIFFERS FROM “TAHARI”, WHEN THE MARKS ARE CONSIDERED IN THEIR ENTIRETIES, SUCH THAT THE FACTORS WEIGH HEAVILY IN FAHARI’S FAVOR AND CONFUSION IS UNLIKELY.

The FAHARI and Design mark differs in its entirety from the TAHARI Marks as to the majority of the *du Pont* factors such that there can be no likelihood of confusion. The factors weigh heavily in Fahari’s favor, as summarized below. The Board must weigh the evidence relative to each factor and balance the factors to reach its conclusion. No single factor is dispositive; the Board must consider *all* of the evidence in reaching its decision. *Id.* at 567-68. After the Board has considered the factors, it will be clear that the evidence of no likelihood of confusion weighs overwhelmingly in Fahari’s favor.

The thirteen *duPont* factors are: 1) similarity or dissimilarity of the marks as to sight, sound, connotation and commercial impression; 2) similarity or dissimilarity and nature of the goods; 3) similarity or dissimilarity of trade channels; 4) “impulse” purchasers vs. “sophisticated” purchasers; 5) fame of the prior mark; 6) number and nature of similar marks used on similar goods; 7) actual confusion; 8) concurrent use without actual confusion; 9) variety of goods on which mark is used; 10) market interface; 11) applicant’s right to exclude others; 12) extent of potential confusion; and 13) other established probative facts.

1. FAHARI And Design And The TAHARI Marks Are Dissimilar As To Sight, Sound, Connotation And Commercial Impression.

The composite word and design mark FAHARI and Design looks quite different from the TAHARI word marks. FAHARI and Design consists of four components: the word “FAHARI”

and the distinctive design of an African-American woman's head, hair and shoulder. TAHARI, on the other hand, consists of a single element, which is the surname of Opposer and, as evidenced in the record, has no other meaning. ELIE TAHARI, similarly, is Opposer's name and consists only of those two terms.

Any visual and phonetic similarities in the "-ahari" syllables of "FAHARI" and "TAHARI" are not sufficient, without more, to support a finding of likelihood of confusion. *Cf. Lever Bros. Co. v. Babson Bros. Co.*, 94 USPQ 161 (CCPA 1953). In that case, both marks – SURF and SURGE for detergents, contained the first three letters "SUR" and there were no other relevant distinguishing features of the marks. The Court found that the letter similarity was insufficient to support a finding of likelihood of confusion. Even without the significant design elements of Fahari's mark, buyers would be unlikely to confuse FAHARI and TAHARI merely on the basis of the "ahari" portion of the marks. *Id. at 163-64* (holding that SURGE and SURF are not confusingly similar, despite the same first three letters, because of the differences in their respective meanings). Similarly here, the marks have completely different meanings: "fahari" is a Swahili word meaning "pride"; "Tahari" is the name of a women's apparel designer.

Further, the majority of Fahari's composite word and design mark also consists of a depiction of the head, hair and a shoulder of an African-American woman above the term FAHARI. The design elements of the mark comprise more than 85% of the entire mark and are the dominant elements. The TAHARI Marks lack a dominant design component. In fact, the TAHARI Marks derive their commercial significance from the Tahari name, which distinguishes them from the FAHARI and Design mark. Where the ordinary purchaser of the goods is unlikely to confuse the meaning of the marks, there is no likelihood of confusion between the marks.

Lever Bros. Co. v. Babson Bros. Co., 94 USPQ at 163. On balance, the numerous differences between the marks at issue considered in their entireties above and beyond several shared letters make the likelihood of confusion remote.

When considering whether a composite word and design mark is confusingly similar to a word mark, the Court of Appeals for the Federal Circuit has stated that there is no general rule for determining which element -- word or design -- predominates in a composite mark, nor is the dominance of one or the other dispositive. *In re Electrolyte Laboratories, Inc.*, 913 F.2d 930, 16 USPQ2d 1239, 1240 (Fed. Cir. 1990) (holding that composite letter and design mark K+ and stylized letter mark K+EFF, for dietary supplements, were not confusingly similar). The court considered all elements of the marks and stated that “the design [of K+] is a significant feature” and that “the design of the marks is substantially different.” *Id.* Even more so when the predominant design element is an “eye-catching” portrait, consumers are likely to perceive and remember the portrait portion of the mark. *See In re Sloppy Joe’s Int’l, Inc.*, 43 USPQ2d 1350, 1355 (TTAB 1997) (finding that the portrait of Hemingway in the mark SLOPPY JOE’S and Hemingway portrait was confusingly similar to HEMINGWAY and HEMINGWAY’S for similar restaurant services).

In the instant case, the FAHARI and Design mark consists of the term “FAHARI” dominated by several distinctive design elements. In contrast, the TAHARI Marks consist of the names “TAHARI” or “ELIE TAHARI” only. Unlike the “Hemingway” case, where the author’s portrait reinforced the “Hemingway” name and word portion of the applicant’s mark in consumers’ perceptions, here Fahari’s African-American woman design does not represent Elie Tahari. Indeed, the design portion of Fahari’s mark is so “eye-catching” and dominant that the

likelihood of consumers' confusing FAHARI and Design with the TAHARI Marks is virtually nil. Accordingly, based on the Federal Circuit's approach, the visual and phonetic differences between FAHARI and Design and the TAHARI Marks render confusion unlikely.

The parties' marks also convey quite different connotations and commercial impressions. FAHARI and Design derived from strong verbal and visual references to Africa. "FAHARI" is the Swahili word for "pride". The design elements are unquestionably African or African-American. Fahari consciously and deliberately sought to create and adopt a mark that connoted and conveyed a commitment to pride among African-American women. The TAHARI Marks, in contrast, just as deliberately and consciously, were created and adopted to refer to and reflect the persona of Elie Tahari. Thus, the marks are not confusingly similar and this factor is virtually dispositive in Fahari's favor.

2. The Parties' Goods Are On the Whole Dissimilar, With The Exception of Tee-Shirts.

Fahari seeks to register FAHARI and Design for tee-shirts only. The TAHARI Marks are used on a wide variety of apparel, as evidenced in the record and set forth above. Although the TAHARI Marks cover tee-shirts, tee-shirts are but one item among the myriad items covered by Tahari's pleaded registrations. As the marks at issue overlap as to a single item only, the weight of this factor favors Fahari.

3. The Parties' Trade Channels Are Different.

Fahari sold its tee-shirts to individuals attending three African-American heritage festivals: the Poetic Soul poetry-reading event in Long Beach, California; the African Marketplace in Los Angeles, California; and the African World Festival in Milwaukee, Wisconsin. Fahari also made sales via its website located at the URL www.fahari.com. Although

purchasers of Fahari's tee-shirts were unknown to Fahari, it is reasonable to conclude, and there is no reason not to, that the purchasers were African-American individuals and/or individuals interested in African-American heritage.

Tahari's customers, in contrast, purchase Tahari's numerous apparel items bearing the TAHARI Marks in upscale department stores throughout the United States, including perhaps *the* most exclusive American department store. *See* Opposer's Responses to Requests for Admission Nos. 3 and 19. Although African-Americans probably purchase goods bearing the TAHARI Marks, it is equally clear that Tahari, unlike Fahari, does not target specifically African-American channels of trade.

Not only is there no evidence that Fahari and Tahari sell their respective goods in the same channels of trade, but the Board must consider the "normal and usual channels of trade and distribution" for the parties' goods to determine whether confusion is likely. *Kangol Ltd. v. KagaRoos U.S.A., Inc.*, 23 USPQ2d 1945, 1946 (Fed. Cir. 1992). In that case, the Court found that both the applicant's golf shirts and the opposer's athletic shirts, bearing confusingly similar marks, were likely to be sold in department stores or specialty stores "in close proximity" to each other. That is not the case here. As Fahari has shown, its goods bearing the FAHARI and Design mark are sold specifically at special, one-time events for and about African-Americans. In contrast, Tahari's goods are sold regularly at upscale, and exclusive, department stores throughout the United States and Tahari's own retail outlets in New York and Nevada.

4. Fahari's Purchasers Purchase On Impulse, Whereas Tahari's Purchasers Are "Sophisticated" Purchasers.

As established above, Fahari sold its tee-shirts at ethnic festivals. It is commonplace for

festival attendees to purchase commemorative or thematic tee-shirts as “souvenirs” on impulse because they know that that is the only opportunity to acquire such goods. In contrast, Tahari conducts a one hundred million dollar plus business from New York City. Opposer’s Responses to Requests for Admission Nos. 15 and 21. Even if some purchasers overlap, it is unlikely that they would be confused as to the origins or nature of the parties’ respective goods.

5. Fame, If Any, Of The TAHARI Marks Is Irrelevant.

Fahari submits that this factor is of little or no relevance in determining whether the parties’ marks are confusingly similar. Even if the TAHARI Marks are famous, which Fahari does not admit, the differences between the marks, as analyzed above, weigh so heavily in Fahari’s favor as to render this factor irrelevant in the instant analysis.

6. The Trademark Office Record Shows No Other Similar Marks For Similar Goods.

The record shows that the Examiner found no other similar registered or pending mark which would bar registration of Fahari’s mark under Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d). Yet, there is an incontestable and renewed federal registration for the mark HARARI and Design, Registration No. 1,606,491, owned by Harari, Inc. of Los Angeles, California, registered on July 17, 1990, for “Adult jackets, coats, shirts, blouses, t-shirts, sweaters, sweatshirts, jumpsuits, dresses, pants, shorts, women’s lingerie and underwear.” Tahari did not oppose registration of HARARI and Design, nor did it petition to cancel the registration or otherwise challenge the mark. Astor Decl. ¶ 5, Ex. 3 (Opposer’s Responses to Requests for Admission Nos. 11, 12, 13). In fact, Harari’s goods are luxury apparel for women, sold in Harari boutiques in the Los Angeles area. Grabell Decl. ¶ 5, Ex. 3.

In view of the Trademark Office record and Tahari's apparent record of inaction in enforcing its rights, this factor also weighs in Fahari's favor.

7. There Has Been No Actual Confusion Between FAHARI and Design and the TAHARI Marks.

Both Fahari and Tahari are unaware of any actual confusion between their marks. To date, Tahari has produced no evidence of such confusion. Astor Decl. ¶5, Ex. 3 (Opposer's Response to Request for Admissions No. 10(a)). Thus, this factor weighs in Tahari's favor.

8. Fahari and Tahari Have Used Their Respective Marks Concurrently Without Actual Confusion.

As shown above in connection with factor 7, the parties' mark have co-existed in the marketplace without any evidence of actual confusion. This factor weighs in Tahari's favor.

9. Fahari Uses FAHARI And Design Only On Tee-Shirts, Whereas Tahari Uses The TAHARI Marks On An Extensive Variety Of Designer Apparel.

Fahari seeks to register FAHARI and Design for tee-shirts only. Tahari has registrations for an extensive variety of designer apparel, as set forth in the table above. As discussed above regarding Factor 2, the mere fact that Fahari uses its mark on one of the myriad goods covered in the TAHARI registrations is insufficient to support a finding of likelihood of confusion.

10. There Are No Agreements Between Fahari and Tahari To Preclude Confusion Because Confusion Is Not Likely.

The parties have not experienced or documented any confusion as to their respective marks, nor is it reasonable to assume that confusion is likely, given the numerous and significant differences between the marks, the goods in total, channels of trade and purchasers, as set forth above. Therefore, this factor is not relevant to the likelihood of confusion analysis in this case.

11. Fahari Has The Right To Exclude Others From Using The FAHARI And Design Mark On Tee-Shirts.

The Examiner did not raise and the Trademark Office records do not show any other marks that are confusingly similar to the FAHARI and Design Mark that would limit Fahari's right to exclude others from using the FAHARI and Design mark. Thus, this factor is irrelevant in this case.

12. Potential Confusion Is Unlikely Between FAHARI And Design And The TAHARI Marks.

It is unlikely that confusion will arise between Fahari's mark and the Tahari Marks, for the reasons set forth above. Thus, this factor weighs in Fahari's favor.

13. The Probative Facts In This Case Support A Finding That Confusion Between FAHARI and Design and the TAHARI Marks Is Unlikely.

It is clear from the record, the evidence on file and the facts of the marketplace that Tahari's opposition to registration of FAHARI and Design is not well-founded. All a prospective purchaser has to do is to enter one of many major, upscale department stores or Tahari's own boutiques to purchase goods bearing the TAHARI Marks. Fahari does not market its tee-shirts bearing the FAHARI and Design mark in these venues to these customers. Any confusion arising between the parties' respective marks is, therefore, not only unlikely but also virtually unimaginable.

Based on the foregoing, eleven of the thirteen *duPont* factors and all of the relevant factors weigh heavily in Fahari's favor.

III.

SUMMARY

Fahari has shown that the differences between the FAHARI and Design mark and the TAHARI Marks are so significant that confusion is unlikely. All of the relevant *duPont* factors weigh in Fahari's favor: the differences between the marks when they are considered in their entirety; the *de minimis* similarity between the parties' goods, limited to tee-shirts; the differences between the ethnic festivals and upscale national department stores as respective channels of trade; the "impulse" nature of purchases of Fahari's tee-shirts versus Tahari's sophisticated purchasers; the absence of similar registrations or pending applications that would bar registration of FAHARI and Design, coupled with Tahari's failure to enforce its rights, if any, against the HARARI mark; absence of actual or potential confusion; and the scope of Tahari's business versus Fahari's business. In light of the overwhelming evidence presented, Fahari's motion should be granted.

Dated: April 30, 2004

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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05-03-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

Attorneys for Applicant

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

ELIE TAHARI,	)	DECLARATION OF DOMINIQUE
	)	BRAUD IN SUPPORT OF FAHARI,
	)	INC.'S MOTION FOR SUMMARY
Opposer,	)	JUDGMENT
)	
v.	)	Opposition No. 156,740
)	
FAHARI, INC.)	
)	
Applicant.)	

I, Dominique Braud, hereby declare:

1. I am president of Fahari, Inc., the applicant in this proceeding.
2. I make this declaration on the basis of my own personal knowledge and if

I were called as a witness in this proceeding, I could and would testify competently to the following facts.

3. I was born and raised in Inglewood, California, a predominantly African-American suburb of Los Angeles. I received a Bachelor of Arts degree from California State University, Dominguez Hills, in Ethnic Studies.

4. In December 2000, I decided to market tee-shirts that would appeal to the African-American neo-soul market. "Neo-soul" describes a type of music that arose in the 1990s and blends rhythm and blues, hip-hop and the music of soul singers such as Marvin Gaye and Aretha Franklin.

5. I decided that I wanted to convey a sense of African-American pride. I thought that a word meaning "pride" in an African language would be appropriate to convey that idea.

6. As Swahili is one of the major African languages, I consulted my own copy of the Oxford Swahili Dictionary and found the word "fahari", meaning "pride". Attached hereto as Exhibit 1 is a true and correct copy of the relevant pages from the Oxford Swahili Dictionary, bearing the production numbers F 0001 – F 0003.

7. I was also inspired by a photograph of an African-American woman that I had seen and I created an image, based on the photograph, of an African-American woman with a full Afro hairdo.

8. I combined the word "fahari" with the image of the African-American woman to create the trademark FAHARI and Design.

9. Before May 8, 2002, I conducted an on-line search of the USPTO trademark database for the word "fahari". I saw no conflict.

10. On March 2, 2002, I attended the Poetic Soul Event in Long Beach, California, where I first sold tee-shirts bearing the FAHARI and Design mark to event attendees. This was a poetry-reading event accompanied by displays and sales of various fashions.

11. Fahari, Inc. is in the business of selling tee-shirts and has conducted business since April 2002.

12. On July 31, 2003, I attended the African World Festival in Milwaukee, Wisconsin, where Fahari, Inc. sold tee-shirts bearing the FAHARI and Design mark to festival attendees.

13. In August 2003, I attended the African Marketplace at the Sports Arena in Los Angeles, California, where Fahari, Inc. sold tee-shirts bearing the FAHARI and Design mark to event attendees.

14. From March 2, 2002 to approximately November 1, 2003, Fahari, Inc. sold tee-shirts bearing the FAHARI and Design mark via the web site located at the URL www.fahari.com.

15. Fahari's gross sales of tee-shirts via the fahari.com web site totaled approximately \$15,000.00.


16. From March 2, 2002 to August 2003, Fahari, Inc.'s sales of tee-shirts at festivals totaled approximately \$10,000.00.

17. Fahari, Inc. has spent less than \$7,000.00 on advertisement and promotion of tee-shirts bearing the FAHARI and Design mark and development and hosting of the web site www.fahari.com.

18. Urban soul singer Goapele Mohlabane was pictured wearing Fahari's tee-shirt bearing the FAHARI and Design mark, as part of a feature article appearing in the February 20-27, 2003 edition of Time Out Magazine. Attached hereto as Exhibit 2 is true and correct copy of the article from Time Out, bearing production Nos. F 0017 – F 0018. Fahari did not know about the placement in advance, did not place the tee-shirt, did not pay for and was not paid for the placement.

19. The web site located at the URL www.fahari.com has not been in operation since March 23, 2004. Attached hereto as Exhibit 3 is the web site home page downloaded from the web site on April 20, 2004.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct and that this declaration has been executed this 27th day of April, 2004 at Los Angeles, California.



DOMINQUE BRAUD

A STANDARD
ENGLISH-SWAHILI
DICTIONARY

FOUNDED ON MADAN'S
ENGLISH-SWAHILI DICTIONARY

By the former

INTER-TERRITORIAL LANGUAGE
COMMITTEE OF EAST AFRICA

under the direction of

THE LATE FREDERICK JOHNSON

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B. J. RATCLIFFE,
Secretary, I.L.C.

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PRINTED IN GREAT BRITAIN

TO
KRAPE, MADAN AND STEERE
WHOSE WORK FOR THE
SWAHILI LANGUAGE SHOULD NEVER
BE FORGOTTEN

PROPOPULATION

428

propulation, n. kusukuma, kupoleka mbele, musukumo. propulsiwe, a. -a kupoleka (kusukuma) mbele. pro rata, adv. kwa kadiri (ya kuli-ngana).

PROTEIN

429

prosper, v.t. fanikisha, sitawisha; endisha, kaza; — v.i. sitawi, fani-kiwa, fana, endisha vizuri, nakaka, kumjuka, -wa na heri. God prosper you, Allah bilikheri, Mungu akubarihi. Mwenyezi Mungu akuswele. My affairs have prospered, mambo yame-afanika. prosperity, n. mali, utiawi, hari, peema, baraka, kula-nikiwa, faaka, ufanisi, ghatima, jaha, prosperous, a. -enye pros-perity, fani.

PROTEST

430

protest, v.t. (affirm etc.) shuhudia, kama kwa utahiti (e.g. kana, kubali, kata, tokubali, dakuliza, teta, leta udaku (tetesi). He protested, alisema hapendi (hataki) hapendelei, hakubali, alitea tetesi (udaku). — n. hali, alitea tetesi (udaku); (objection) ushuhuda, kuhuhudia; (objection) makarizo, dakizo, udaku, teta, makarizo, dakizo, udaku, teta, makarizo tetesi. protestant, n. Mkristo asiyekubali baadhi ya mafundisho ya Kanisa la kirumi. protestant-talism, n. hali (mafundisho, ma-dhahabu) ya protestant. protesta-tion, n. mameno ya kuhuhudia (ya kukata, kukubali, ya kutera etc.). protocol, n. hali ya mapatano (ya muda tu mpaka hati halisi iwe tayari).

PROVISION

431

prove, v.t. thibitisha, shuhudia, banisha, hakikisha, hakiki; (try) jaribu, jaribia, onja; — v.i. (turn out) tokea, tekeza, onekana, bantika. provable, a. -a kuweza kuhibitika. proven, a. -lihibitika, jar- bati. provender, n. chakula (cha ng'ombe au farasi etc.; majani, nyasi, majisio). proved, n. mchali, miano wa mameno. proverbial, a. -a proverb; (generally known) -a kujulikana na wote, -a kutumika kote. provide, v.t. toa, andaa, weka tayari, auni; — v.i. (prepare for) amuru mbele, tazama mbele, -wa tayari kwa weka akiba, andaa; (supply) -wa riziki ya, -wa akiba ya, -wa mali ya. Provide for (food etc.) lisha, -pa riziki, ruzuku, kimu, chukua. provide, v.t. (for) -wa sharti ya, iwapo, kama, ikiwa, kwa sharti ya, Mungu, maongozi ya Mungu, amri ya Mungu, majaliwa; (for) sharti buara, mawazo ya mbele, kutazama mbele; (for) kuweka akiba, uwe- kevu, kukata gharama. provide, a. -enye buara, -a kutazama mbele, -a kuweka akiba, -wekevu. provide, v.t. (for) -wa sharti ya, iwapo, kama, ikiwa, kwa sharti ya, Mungu, maongozi ya Mungu, amri ya Mungu, majaliwa; (for) sharti buara, mawazo ya mbele, kutazama mbele; (for) kuweka akiba, uwe- kevu, kukata gharama. provide, a. -enye buara, -a kutazama mbele, -a kuweka akiba, -wekevu. provide, v.t. (for) -wa sharti ya, iwapo, kama, ikiwa, kwa sharti ya, Mungu, maongozi ya Mungu, amri ya Mungu, majaliwa; (for) sharti buara, mawazo ya mbele, kutazama mbele; (for) kuweka akiba, uwe- kevu, kukata gharama. provide, a. -enye buara, -a kutazama mbele, -a kuweka akiba, -wekevu.

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PROTEIN

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Time Out New York



ra, see page 10



J. Lo's, see page 14

OVERRATED
 TONY
 humbles the
 overhyped and
 honors the
 overlooked
UNDERRATED



Ryan Adams, see page 12

UNDERRATED NEWS
MAY 2003





Chambers's bewitching solo debut, *The Captain*, released here in 1999; among its highlights were the haunting title track; the moeey, melodic "Cry like a Baby"; and the amusingly morbid sing-along "We're All Gonna Die Someday."

Live, Chambers's twangy vocals reverberate with passion, then catch with a kind of wistful restraint. Whether at an intimate listening room like Fez or a roomy schmooze palace like Roseland, her past New York performances have been formidable. One minute she had you teary-eyed with the intense sadness of her material, and the next she'd get you laughing by describing some goofy misadventure. In 2001, Chambers bravely opened shows on Williams's Gravel Road Tour by primarily previewing material from her then-unreleased second album.

That sophomore effort, *Barricades & Brickwalls* (2002), was darker, painting a picture of a 25-year-old sweet thang whose heart has been dragged through the gutter a few times. From the obsessive lust of the title song to the vulnerability of "Not Pretty Enough," the album depicts the singer finding—and losing, then finding again—love in the big city.

Not long after *Barricades*' release, Chambers went off the road to have a baby, and this Irving Plaza gig will be her first NYC show since this latest transition in her life. The homey vibe at the venerable dance hall should be just right to welcome her back with open arms. Who knows how Chambers's recent experiences have affected her songcraft? One thing's for sure: She won't be afraid to let her audiences find out.

—Holy George Warren

Casey Chambers
Irving Plaza; Thu 27

Casey Chambers seems more a fantasy creature from a 1950s French movie than a typical singing star. A wild child who grew up traveling the Australian outback with her gypsy-style musical family, she learned about life from the songs of Jimmie Rodgers, Hank Williams and Gram Parsons, which were taught to her by a C&W-ovin' daddy. At 12, she saw a Lucinda Williams concert in Sydney and was smitten; by 17, she had composed a spectacular batch of tuneful country-rock songs inspired by Williams's own work. Four years later, those tunes made up

The Hidden Cameras
Fez, Wed 26

Things didn't look good for the Moldy Peaches, a Toronto rock journalist wrote last year, pitying the band's unenviable position of playing after local favorites the Hidden Cameras. The Cameras are said to have outquipped the Peaches that night, successfully upstaging one of New York's least upstageable bands. This week, we will get our first taste of the Canadian group's self-described gay-folk-church music, which translates as melodic, deliberately reverent-sounding songs about hot guys and homo sex, set to acoustic guitars, organs and tambourines.

The Hidden Cameras consist of about a dozen musicians, dancers and assorted fellow travelers performing the music of zinester and songwriter Joel Gibb. The music is often compared to Belle and Sebastian, perhaps due to Gibb's smooth, almost British vibrato. But on *The Smell of Our Own*, the band's debut album (due on Rough Trade in April), the overall sound is more like *Godspell* crossed with the Beach Boys' version of "Sloop John B." It's the band Stephen Merritt might have formed had he grown up taking antidepressants and attending a gay-friendly church youth group. The Cameras' concerts—which include overhead projections and two go-go dancers who gyrate clad only in underwear and ski masks—are nearing legendary status in their



normally staid hometown, inspiring profligate displays of inhibition-free enthusiasm such as sing-alongs and dance routines. "The show is designed to break down the barriers that exist in the culture of bar shows," Gibb explains. "How can you stand cross-armed when there's 13 people playing music in front of you and a guy dancing in his underwear?"

If that isn't enough, the Fez show will also feature the clever electro cabaret of the Plantains and visual projections by an impressive roster of gay artists including Toronto's smarty-porn titan Bruce LaBruce, local video impresario Stephen Keut Jusick and ex-New Yorker Scott Berry.—Sara Marcus

Goapele
S.O.B.'s, Wed 26

Bay Area singer-songwriter Goapele Mohlabane is one of urban soul music's best-kept secrets. In 2002, she released her debut CD, the widely overlooked *Even Closer*, on her own Skyblaze label. The disc is an imaginative mix of melodic soul accentuated by heavy hip-hop beats, West Coast electro-funk and jazzy orchestrations. But it's Goapele's tremendously rich and beautiful voice, which recalls Alicia Keys's commanding timbre, that truly distinguishes her from the throngs of neosoul sisters who've followed the trail blazed by Erykah Badu. She's also endowed with a gift for storytelling that rivals Jill Scott's earthy around-the-way-girl attitude and Mystic's street-smart perspective.

Rather than portraying herself as a self-righteous priestess, Goapele (pronounced "GWAH-pah-lay") is equal parts seductive sex kitten and playfully profane soul rebel—that rare breed of earth mama who equates spirituality with sensuality. Her pragmatic lyrics mostly focus on love, relationships and self-discovery, but she digs beneath the surface to connect with listeners by exposing her vulnerability. The conviction of her raw emotions emanates from her voice, as passionate ("Romantic"), empowering ("The Daze") and inspirational ("Salvation")

grooves are ornamented by catchy hooks and bridges.

The daughter of a Jewish mother and an exiled South African political activist father, Goapele also promotes socially relevant themes in her music, which is infused with diverse sounds such as reggae rhythms, Middle Eastern flavor and dirty Delta blues. For instance, in "It Takes More," she laments how our society fails a generation of kids who are either dying young or spending most of their lives behind bars. Similarly, "Red, White and Blues" is a sobering elegy inspired by the September 11 attacks.

Already a favorite in her native San Francisco, Goapele is likely to win a devoted local following when she plays S.O.B.'s this week. She's a remarkable breath of fresh air in an increasingly crowded sound garden of unoriginal neosoul singers.—Margeaux Watson



Also this week

Bee and Flower
(Tonic, Fri 21) Bee and Flower's *What's Mine Is Yours* (Neurot) may not surprise anyone who knows the band, but hopefully it'll help Dana Schechter & Co. get some recognition for their oddly skewed dark pop. It'd really search if Schechter out loose a bit more onstage, but few bands in town have this kind of nocturnal nuance.

Rah Bras + Castro + Zombi
(Above the Right Bank, Fri 21) Rah Bras use gurgling synthesizers, but they aren't electro; they're weird, but they aren't arty; and they cover the "Sugarbabes" mash-up hit "Freak Like Me." What's not to love? Excellent support comes from dicksy pop group Castro as well as Zombi, which plays '70s-style horror-film music.

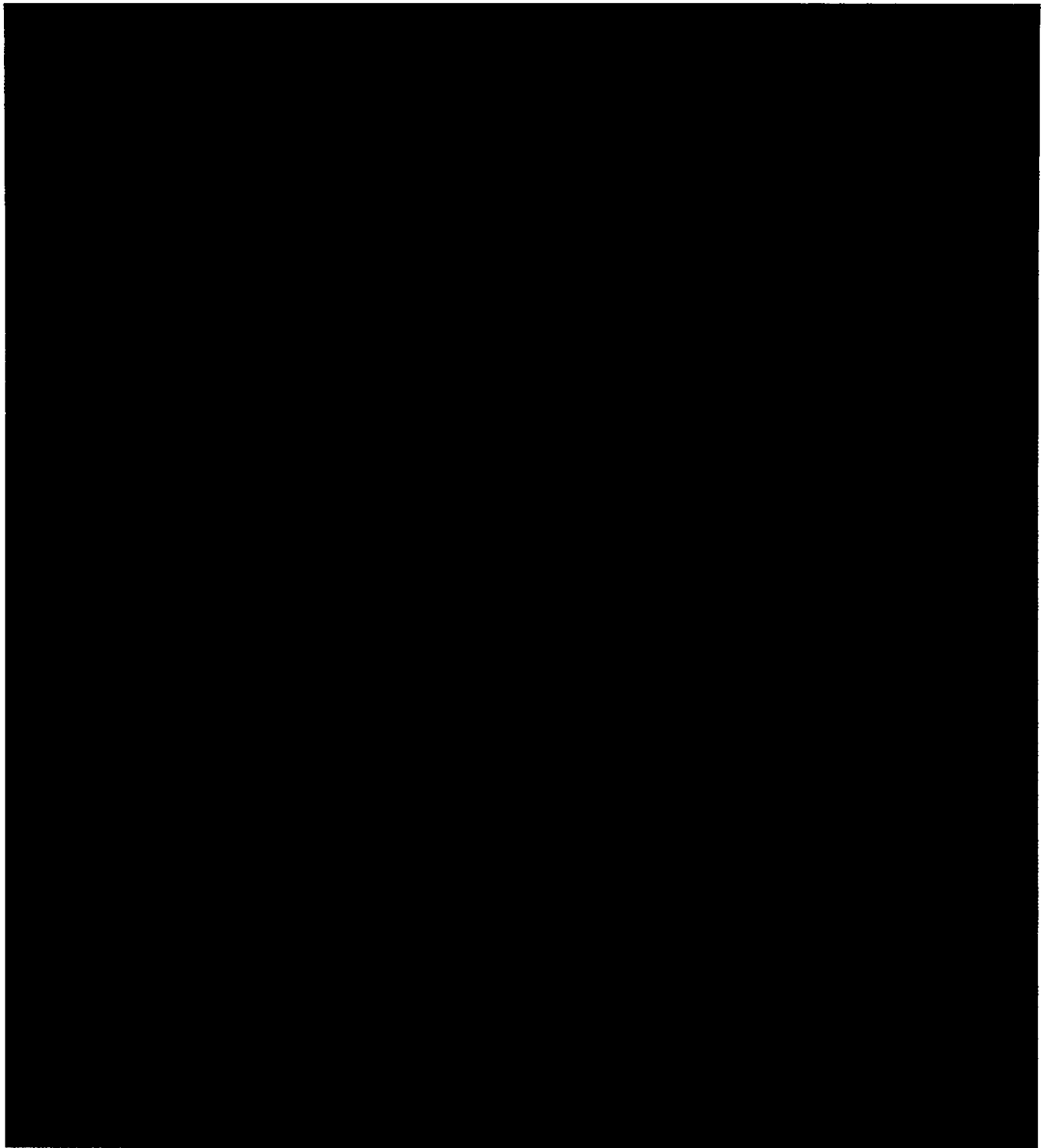
Archie Shepp and Roswell Rudd
(Alice Tully Hall at Lincoln Center, Fri 21) Archie Shepp (tenor sax) and Roswell Rudd (trombone) aren't mere survivors of some earlier incarnation of the jazz avant-garde; they've regrouped on several occasions since the '60s, with smashing results (check out 2001's *Live in New York*). Tonight, they have a fine rhythm section (Andrew Cyrille, Reggie Workman) and poet Amin Bano on hand.

El Concierto Del Amor
featuring Gilberto Santa Rosa + El Gran Combo de Puerto Rico + India + Tito Rojas + Los Hornos + Rossano + Don Chazón
(Continental Airlines Arena, Sat 22) This star-studded evening of salsa is about as varied as you can get, but there's one unifying force: *LUUUV*. Romance will be at a premium, no matter who's onstage.

Satanicide
(Bowery Ballroom, Sat 22) When Satanicide began playing out, we described the Jersey band's piss-take on hair metal as entertaining, but not in the realm of arch-rock satirists Spinal Tap. No longer. Satanicide's longform video *Jan 2 Nights* is a gut-flayer and the band's new CD, *Heather (Enabler)*, which is celebrated at tonight's show, is a solid good time, too. Dare we say it?

The Voodoo Organist
(Hank's Saloon, Tue 25) Because one nutty organ grinder, Quintron, just wasn't enough, here comes the Voodoo Organist. His latest, *Exotic Demonic Blues* (Witch Doctor), sounds like what would have happened if Screamin' Jay Hawkins had been a recurring character on *Foo-Wee's Playhouse*.

MUSIC



Sanford Astor
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Attorneys for Applicant

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

ELIE TAHARI,	)	DECLARATION OF SANFORD
	)	ASTOR IN SUPPORT OF FAHARI,
	)	INC.'S MOTION FOR SUMMARY
Opposer,	)	JUDGMENT
)	
v.	)	Opposition No. 156,740
)	
FAHARI, INC.)	
)	
Applicant.)	
)	

I, Sanford Astor, hereby declare:

1. I am a member of the State Bar of California and partner in the firm of Birch, Stewart, Kolasch & Birch, LLP, counsel for applicant Fahari, Inc. ("Fahari") in this proceeding.

2. I make this declaration on the basis of my own personal knowledge and if I were called as a witness in this proceeding, I could and would testify competently to the following facts.

3. Attached hereto as Exhibit 1 is a true and correct copy of Fahari's Responses to Opposer's First Set of Interrogatories, Nos. 1, 4, 6, 7, 8, 9, 13, 18[sic], 19.

4. Attached hereto as Exhibit 2 is a true and correct copy of Tahari's Responses to Applicant's Second Set of Interrogatories No. 34.

5. Attached hereto as Exhibit 3 is a true and correct copy of Tahari's Responses to Applicant's First Set of Requests for Admissions Nos. 3, 4, 8, 10(a), 11, 12, 13, 17, 19, 22, 23, 24, 31, 32, 33, 34.

6. Attached hereto as Exhibit 4 are representative articles downloaded from the LEXIS-NEXIS® web site located at the URL www.lexisnexis.com and representative articles downloaded from the web sites located at the URLs www.soul-patrol.com, www.washingtonpost.com and www.prince.org defining the term "neo-soul".

7. Attached hereto as Exhibit 5 are true and correct copies of Fahari's documents produced in response to Tahari's First Set of Documents Requests, bearing productions Nos. F 0001 – F 0019.

8. Attached hereto as Exhibit 6 are true and correct copies of Tahari's documents produced in response to Fahari's First Set of Requests for Production of Documents and Things, bearing productions Nos. OPP 001 – OPP 064.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct and that this declaration has been executed this 27th day of April, 2004 at Los Angeles, California.



SANFORD ASTOR

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

ELIE TAHARI,	X	
Opposer,	:	
v.	:	Opposition No. 91/156,740
FAHARI, INC.,	:	
Applicant.	:	

Commissioner for Trademarks
BOX TTAB - NO FEE
2900 Crystal Drive
Arlington, VA 22202-3514

APPLICANT'S RESPONSES TO OPPOSER'S FIRST SET OF INTERROGATORIES

Applicant FAHARI, INC. ("APPLICANT") hereby responds to the interrogatories and requests for production of documents propounded by opposer ELIE TAHARI ("OPPOSER").

GENERAL OBJECTIONS

Applicant interposes the following general objections to Opposer's interrogatories:

1. Applicant objects generally to all of Opposer's definitions and instructions to the extent that they purport to impose upon Applicant discovery obligations beyond those imposed by the Federal Rules of Civil Procedure, as applicable under 37 CFR § 2.210.
2. Applicant objects generally to all of Opposer's interrogatories to the extent that they seek information that is protected from disclosure by the attorney-client or attorney work product privileges.
3. Applicant objects generally to all of Opposer's interrogatories to the extent that they seek the disclosure of information that is not currently in Applicant's possession, custody, or control. Applicant reserves the right to rely upon and introduce at trial or in any pre-trial

proceeding any information obtained after the service of its responses to these interrogatories, subject to Applicant's obligations under Rule 26 of the Federal Rules of Civil Procedure to supplement these responses. Applicant has not yet completed its investigation or discovery in this case and reserves the right to rely upon and introduce at trial or in any pre-trial proceeding any information obtained after the service of its responses to these interrogatories, subject to Applicant's obligations under Rule 26 of the Federal Rules of Civil Procedure to supplement these responses.

4. Applicant objects generally to all of Opposer's requests to the extent that they seek the disclosure of information that is confidential or proprietary to Applicant. Applicant will disclose any such information subject to the entry of an appropriate protective order.

RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 1

With respect to Applicant:

a) state the address and telephone number of each location at which Applicant has maintained or now maintains an office or other place of business and describe the functions carried out at each such place or other place of business;

b) briefly state the nature of Applicant's principal business and the period in which it has conducted such business.

RESPONSE TO INTERROGATORY NO. 1

a) 2421 5th Avenue, Los Angeles, California 90018. Applicant carries out all of its functions at this place of business.

b) Applicant is in the business of selling tee-shirts and leather cuffs. Applicant has conducted its business since April 2002 to the present.

INTERROGATORY NO. 2

Identify:

a) each of Applicant's present: (i) officers, (ii) shareholders or partners, (iii)

comptroller, (iv) bookkeeper, (v) head of sales, (vi) head of marketing and/or advertising, (vii) head of production, (viii) custodian of business records, and (ix) accountants; and

b) the persons named in (a) above, for the period from May 8, 2002 to date.

RESPONSE TO INTERROGATORY NO. 2

- a) (i) Dominique Braud
- (ii) Dominique Braud;
- (iii) none;
- (iv) none;
- (v) Dominique Braud;
- (vi) Dominique Braud;
- (vii) Dominique Braud;
- (viii) Dominique Braud; and
- (ix) Steve Baker, CPA, 4328 Vantage Avenue, Studio City, California 91604.

INTERROGATORY NO. 3

State the basis for Applicant's alleged claim of ownership and rights in Applicant's Mark, including whether Applicant has any predecessor(s) in interest (including predecessor(s) in title or other names in which Applicant has been doing business) with respect to Applicant's Mark.

RESPONSE TO INTERROGATORY NO. 3

Dominique Braud is the creator of Applicant's mark. Applicant is the owner and user of Applicant's mark. Applicant has no predecessors in interest.

INTERROGATORY NO. 4

a) State the date Applicant decided to adopt Applicant's Mark and the motive or reasons for its selection and adoption including any alternatives considered and any prior marks that were replaced or supplemented with Applicant's Mark; and

b) Identify the person(s) who first conceived of Applicant's Mark for use by Applicant or who participated in its selection and in the decision to adopt it and identify all documents

referring or relating to such first conception and selection.

RESPONSE TO INTERROGATORY NO. 4

a) Applicant interposes its General Objections Nos. 1, 3 and 4. Applicant further objects specifically to this Interrogatory on the grounds that that it is vague, ambiguous and unintelligible as to the meaning of the phrase "alternatives considered". Applicant assumes that the "alternatives considered" is meant to refer to circumstances surrounding the selection and adoption of Applicant's mark and to marks not containing the term "fahari". Applicant will respond based on the foregoing assumptions. Applicant further objects specifically to this Interrogatory on the grounds that it seeks information that is neither relevant to the subject matter of this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Without waiving those objections, Applicant responds as follows: Applicant selected Applicant's mark in December 2000. Dominique Braud identified and selected a mark that conveyed African-American pride, for the purpose of targeting and appealing to the African-American neo-soul market. Ms. Braud decided that a word meaning "pride" in an African language would be appropriate to convey this concept. As Swahili is one of the predominant languages in Africa, she consulted her own copy of the Oxford Swahili Dictionary and found the word "fahari", meaning "pride". Ms. Braud also was inspired by a photograph in an advertisement of an African-American woman and created and adopted an image depicting an African-American woman with a full Afro hairdo.

b) Dominique Braud; Oxford Swahili Dictionary.

INTERROGATORY NO. 5

State whether a trademark search or any other type of search was conducted by Applicant in connection with adoption or use of Applicant's Mark. If so, identify all documents referring or relating to such search(es) and identify the person(s) most knowledgeable thereof. Furthermore, identify all registrations, applications or uses located by such search(es).

RESPONSE TO INTERROGATORY NO. 5

Applicant interposes its general Objection Nos. 1, 2, 3 and 4. Applicant further objects specifically to this Interrogatory on the grounds that it is vague and ambiguous as to the meaning of "any other type of search". Applicant further objects specifically to this Interrogatory on the grounds that it overly broad, unduly burdensome and oppressive. Without waiving those objections, Applicant responds as follows: Dominique Braud conducted an online search of the U.S. P. T. O. database for the term "fahari". Ms. Braud also consulted the Oxford Swahili Dictionary.

INTERROGATORY NO. 6

Identify by common commercial descriptive name each type of product sold, offered for sale, advertised and/or promoted by Applicant in the United States which bears or has borne the Applicant's Mark and for each of the goods:

a) state the date of first use of Applicant's Mark in commerce and in interstate commerce in conjunction with the goods and describe the circumstances surrounding such first use; and

b) identify all documents concerning each such first use mentioned in response to subpart a.

RESPONSE TO INTERROGATORY NO. 6

Tee-shirts and leather cuffs.

a) March 2, 2002 as to tee-shirts, at the Poetic Soul event in Long Beach, California; May 2002 as to leather cuffs, at the UCLA Jazz and Reggae Festival.

b) Photograph of Fahari, Inc. booth at UCLA Jazz and Reggae Festival.

INTERROGATORY NO. 7

a) Describe in particularity the way in which Applicant first used Applicant's Mark in connection with T-shirts.

b) Describe in particularity the way in which Applicant is now using Applicant's Mark

in connection with T-shirts.

c) Identify representative documents sufficient to show the nature and extent of the usages identified in a-c, above.

RESPONSE TO INTERROGATORY NO. 7

a) Applicant displayed tee-shirts bearing Applicant's mark at "Poetic Soul", a poetry-reading event accompanied by displays and sales of various fashions, held in Long Beach, California on March 2, 2002.

b) See Applicant's web site at www.fahari.com.

c) Applicant's tee-shirts; flyer from Poetic Soul event; flyer from UCLA Reggae event; flyer from African Marketplace at the Sports Arena, Los Angeles, California; flyer from the Milwaukee, Wisconsin African World Festival; promotional cards.

INTERROGATORY NO. 8

For the goods marketed, offered for sale, and sold in connection with Applicant's Mark, indicate by month and year, sales under the Applicant's Mark, by dollar volume, from the date of first use to the present.

RESPONSE TO INTERROGATORY NO. 8

Applicant interposes its General Objections Nos. 1 and 4. Without waiving those objections, Applicant responds as follows:

From March 2, 2002 to the present:

Sales from Applicant's web site: approximately \$15,000.00

Sales from festival attendance: approximately \$10,000.00

INTERROGATORY NO. 9

State the dollar volume expended by Applicant in the United States in advertising or promoting the goods offered in connection with Applicant's Mark from the date of first use to the present.

RESPONSE TO INTERROGATORY NO. 9

Applicant interposes its General Objections Nos. 1 and 4. Without waiving those objections, Applicant responds as follows:

Advertising and promotion: less than \$5,000.00

Development of web site: approximately \$1,700.00

Hosting of web site: approximately \$20.00/month

INTERROGATORY NO. 10

State whether there has ever been a period when Applicant's use of Applicant's Mark was discontinued or interrupted for any period and, if so, for each period state:

- a) the inclusive dates; whether the discontinuance or interruption was temporary, or permanent;
- c) the reason Applicant's Mark was not used; and
- d) the identity of each document and oral communication supporting or contradicting or otherwise referring or relating to, in whole or in part, each of the answers to each subpart of this Interrogatory.

RESPONSE TO INTERROGATORY NO. 10

None.

INTERROGATORY NO. 11

Describe the channels of trade in which the goods on or in connection with which Applicant's Mark are used, sold or distributed, including:

- a) a general description of the chain of distribution of services rendered under Applicant's Mark;
- b) the website(s) which feature or carry or advertise Applicant's Mark;

- c) the specific department stores that are or will be selling the goods identified in Applicant's Mark; and
- (d) whether any department stores are or will be selling the goods identified in Applicant's Mark, and if so, provide the names of the stores.

RESPONSE TO INTERROGATORY NO. 11

Applicant interposes its General Objection Nos. 1 and 4. Applicant further specifically objects to this Interrogatory on the grounds that it is unintelligible as to "chain of distribution of services rendered under Applicant's mark." Applicant assumes that the phrase "chain of distribution of services rendered under Applicant's mark" is meant to refer to Applicant's chain of distribution of goods marketed or offered for sale under Applicant's mark". Applicant will respond based on the foregoing assumption. Applicant further objects specifically to this Interrogatory on the grounds that the phrase "department stores that . . . will be selling the goods identified in Applicant's Mark" is vague, ambiguous, unintelligible and speculative. Without waiving those objections, Applicant responds as follows: Applicant's goods are marketed and sold at African-American Heritage festivals and reggae festivals and via Applicant's web site.

- a) Dominique Braud sells tee-shirts bearing Applicant's mark at African-American Heritage festivals and reggae festivals.
- b) www.fahari.com.
- c) None.
- d) None, at present.

INTERROGATORY NO. 12

Describe the channels of trade in which the goods on or in connection with which Applicant's Mark are intended to be used, sold or distributed, including:

- a) a general description of the chain of distribution of services to be rendered under Applicant's Mark;
- b) the website(s) which will feature or carry or advertise Applicant's Mark;
- c) the specific department stores that are or will be selling the goods identified in Applicant's Mark; and
- d) whether any department stores are or will be selling the goods identified in Applicant's Mark, and if so, provide the names of the stores.

RESPONSE TO INTERROGATORY NO. 12

Applicant interposes its General Objections Nos. 1 and 4. Applicant further objects specifically to this Interrogatory on the grounds that it is vague, ambiguous, unintelligible and speculative as to its meaning.

INTERROGATORY NO. 13

Identify:

- a) ten (10) representative customers of Applicant (including the five largest customers, by volume); and
- b) all distributors of (wholesale and retail) the goods/services leading to the sale/ distribution to the ultimate consumer.

RESPONSE TO INTERROGATORY NO. 13

Applicant interposes its General Objections Nos. 1 and 4. Applicant further objects specifically to this request on the grounds that it is overly broad, unduly burdensome and oppressive. Applicant further objects specifically to this Interrogatory on the grounds that it is vague, ambiguous and unintelligible as to the meaning of "goods/services". Applicant assumes that "goods/services" is meant to refer to Applicant's goods. Applicant will respond based on

the foregoing assumption. Without waiving those objections, Applicant responds as follows:

a) Applicant's customers are individuals unknown to Applicant, who typically purchase a single tee-shirt; and

b) None.

INTERROGATORY NO. 14

Identify:

a) ten (10) prospective customers of Applicant; and

b) ten (10) prospective distributors of Applicant, leading to the sale/distribution to the ultimate consumer.

RESPONSE TO INTERROGATORY NO. 14

Applicant interposes its General Objections Nos. 1 and 4. Applicant further objects specifically to this Interrogatory on the grounds that it is vague, ambiguous, unintelligible and speculative as to the meaning of the phrases "prospective customers" and "prospective distributors".

INTERROGATORY NO. 15

a) From 2002 to the present identify all negotiations (oral or reduced to writing), including but not limited to license, [sic] entered into by Applicant with respect to Applicant's Mark, including parties to the agreement and the term(s) of the agreements; and

b) State the manner of use of Applicant's Mark by the foregoing licensees or third parties.

RESPONSE TO INTERROGATORY NO. 15

Applicant interposes its General Objections Nos. 1 and 4. Applicant further objects specifically to this Interrogatory on the grounds that it is vague, ambiguous and unintelligible as to the meaning of the phrase "agreement and the term(s) of the agreements". Applicant assumes that the phrase "agreement and term(s) of the agreements" is meant to refer to license agreements between Applicant and licensees. Applicant will respond based on the foregoing

assumption. Without waiving those objections, Applicant responds as follows:

- a) None; and
- b) None.

INTERROGATORY NO. 16

a) From 2002 to the present, identify all agreements (oral or reduced to writing), including but not limited to licenses, entered into by Applicant with respect to Applicant's Mark, including the parties to the agreement and the term(s) of the agreements; and

b) State the manner of use of Applicant's Mark by the foregoing licensees or third parties.

RESPONSE TO INTERROGATORY NO. 16

Applicant interposes its General Objections Nos. 1 and 4. Applicant further objects specifically to this request on the grounds that it is overly broad, unduly burdensome and oppressive. Applicant further objects specifically to this Interrogatory on the grounds that it is vague, ambiguous and unintelligible as to the meaning of the phrase "agreement and the term(s) of the agreements". Applicant assumes that the phrase "agreement and term(s) of the agreements" is meant to refer to license agreements between Applicant and licensees. Applicant will respond based on the foregoing assumption. Applicant further objects to this Interrogatory on the grounds that it is duplicative of Interrogatory No. 15. Without waiving those objections, Applicant responds as follows:

See Response to Interrogatory No. 15.

INTERROGATORY NO. 17

From the date of first use of Applicant's Mark to the present, identify the person or persons primarily responsible for the sales and marketing activities of Applicant with respect to those goods offered or otherwise marketed under or in association with Applicant's Mark.

RESPONSE TO INTERROGATORY NO. 17

Dominique Braud.

INTERROGATORY NO. 18

Identify the person or persons who will be primarily responsible for the sales and marketing activities of Applicant with respect to those goods to be offered or otherwise marketed under or in association with Applicant's Mark.

RESPONSE TO INTERROGATORY NO. 18

Applicant interposes its General Objection No. 1. Applicant further objects specifically to this Interrogatory on the grounds that it is vague, ambiguous, unintelligible and speculative as to the meaning of the phrase "person or persons who will be primarily responsible for the sales and marketing activities of Applicant". Applicant further objects specifically to this Interrogatory on the grounds that it seeks information that is neither relevant to the subject matter of this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Without waiving those objections, Applicant responds as follows:

Dominique Braud.

INTERROGATORY NO. 18 [sic]

Identify by publication, title, issue date and page number, all publications in which Applicant advertised or otherwise referred to products offered for sale in association with Applicant's Mark.

RESPONSE TO INTERROGATORY NO. 18 [sic]

Applicant interposes its General Objection No. 1. Applicant further objects specifically to this Interrogatory on the grounds that it is overly broad, unduly burdensome and oppressive. Without waiving those objections, Applicant responds as follows:

Honey Magazine, September 2002 and August 2003;

Time Out Magazine, February 2003.

INTERROGATORY NO. 20

Identify by name, date and location every trade show or fair in the United States where Applicant has displayed, promoted, advertised, offered for sale or sold its products in connection

with Applicant's Mark.

RESPONSE TO INTERROGATORY NO. 20

Applicant interposes its General Objection No. 1. Applicant further objects specifically to this Interrogatory on the grounds that it is overly broad, unduly burdensome and oppressive. Without waiving those objections, Applicant responds as follows: See Response to Interrogatory No. 7.

INTERROGATORY NO. 21

State when Applicant or anyone on Applicant's behalf first learned of Opposer's Marks, and identify the individual persons who had or have any such knowledge, the circumstances under which they gained it, all later knowledge Applicant learned or gained about Opposer's Marks or Opposer, and whether Applicant had knowledge of Opposer's use of Opposer's Marks prior to Applicant's decision to begin using Applicant's Mark, and if so state:

a) whether Applicant considered the issue of, and/or received any opinions concerning likelihood of confusion between Opposer's Marks and Applicant's Marks;

b) identify all documents and oral communications referring or relating to Applicant's considerations of the issue referred to in "(a)" above, and/or opinion(s) received by Applicant with respect to said issue; and

c) identify all documents and oral communications which refer or relate to the answers, in whole or in part, to each subpart of this Interrogatory.

RESPONSE TO INTERROGATORY NO. 21

Applicant interposes its General Objections Nos. 1, 2, 3 and 4. Applicant further objects specifically to this request on the grounds that it is overly broad, unduly burdensome and oppressive. Applicant further objects specifically to this Interrogatory on the grounds that it is vague, ambiguous and unintelligible as to the meaning of the phrase "all later knowledge Applicant learned or gained about Opposer's Marks or Opposer." Without waiving those objections, Applicant responds as follows:

Applicant first learned of Opposer's mark when Applicant received the Notice of Opposition in this proceeding. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Applicant has no documents responsive to this Interrogatory.

INTERROGATORY NO. 22

State all facts and identify all documents upon which Applicant bases its denial in paragraph 6 of the Notice of Opposition that "Applicant has made no use of Applicant's Mark for the goods in Applicant's Application."

RESPONSE TO INTERROGATORY NO. 22

Applicant interposes its General Objections Nos. 1 and 2. Applicant further objects specifically to this Interrogatory on the grounds that it is overly broad and unduly burdensome in that it requires the equivalent of a narrative of Applicant's entire defense and an inventory of its trial evidence. Without waiving those objections, Applicant responds as follows: See Response to Interrogatory No. 6. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Applicant will produce concurrently herewith non-privileged documents responsive to this Interrogatory, to the extent that they are not subject to the entry of an appropriate protective order.

INTERROGATORY NO. 23

State all facts and identify all documents upon which Applicant bases its denial in paragraph 8 of the Notice of Opposition that "at least some of the goods and services authorized by Opposer and marketed as stated heretofore under the Trademarks, and the goods of Applicant, as set forth in Applicant's Application, would be offered to the same class of purchasers and/or would be advertised and promoted through the same media."

RESPONSE TO INTERROGATORY NO. 23

Applicant interposes its General Objections Nos. 1 and 2. Applicant further objects specifically to this Interrogatory on the grounds that it is overly broad and unduly burdensome in that it requires the equivalent of a narrative of Applicant's entire defense and an inventory of its

trial evidence. Without waiving those objections, Applicant responds as follows: See Response to Interrogatory No. 7. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Applicant will produce concurrently herewith non-privileged documents responsive to this Interrogatory, to the extent that they are not subject to the entry of an appropriate protective order.

INTERROGATORY NO. 24

State all facts and identify all documents upon which Applicant bases its denial in paragraph 9 that "Applicant's Mark as applied to the goods of Applicant, as set forth in Applicant's Application, so resembles the Trademark previously used and registered by Opposer, especially Opposer's TAHARI trademark, as applied to the goods or used for the services of Opposer, as to be likely to cause confusion, mistake or deceit."

RESPONSE TO INTERROGATORY NO. 24

Applicant interposes its General Objections Nos. 1 and 2. Applicant further objects specifically to this Interrogatory on the grounds that it is overly broad and unduly burdensome in that it requires the equivalent of a narrative of Applicant's entire defense and an inventory of its trial evidence. Without waiving those objections, Applicant responds as follows: See Response to Interrogatory No. 4. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Applicant will produce concurrently herewith non-privileged documents responsive to this Interrogatory.

INTERROGATORY NO. 25

State all facts and identify all documents upon which Applicant bases its denial in paragraph 10 of the Notice of Opposition that "the use by Applicant of Applicant's Mark in connection with the goods of Applicant, as set forth in Applicant's Application, is likely to cause the public, familiar with the goods and services of Opposer promoted under the Trademarks,

especially Opposer's TAHARI trademark, to falsely assume that the goods of Applicant are sponsored, endorsed by or in some way associated or connected with Opposer."

RESPONSE TO INTERROGATORY NO. 25

Applicant interposes its General Objections Nos. 1 and 2. Applicant further objects specifically to this Interrogatory on the grounds that it is overly broad and unduly burdensome in that it requires the equivalent of a narrative of Applicant's entire defense and an inventory of its trial evidence. Without waiving those objections, Applicant responds as follows: See Response to Interrogatory Nos. 4, 5 and 7. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Applicant will produce concurrently herewith non-privileged documents responsive to this Interrogatory.

INTERROGATORY NO. 26

State all facts and identify all documents which Applicant bases its denial in paragraph 11 of the Notice of Opposition that "the use by Applicant of Applicant's Mark in connection with the goods of Applicant, as set forth in Applicant's Application, is likely to dilute the distinctive quality of the Trademarks, especially Opposer's TAHARI trademark."

RESPONSE TO INTERROGATORY NO. 27

Applicant interposes its General Objections Nos. 1 and 2. Applicant further objects specifically to this Interrogatory on the grounds that it is overly broad and unduly burdensome in that it requires the equivalent of a narrative of Applicant's entire defense and an inventory of its trial evidence

INTERROGATORY NO. 27

State all facts and identify all documents which Applicant bases its first Affirmative defense that "Applicant's mark here sought to be registered is a composite mark including distinctive design components that warrant the registration of Applicant's mark."

RESPONSE TO INTERROGATORY NO. 27

Applicant interposes its General Objections Nos. 1 and 2. Applicant further objects specifically to this Interrogatory on the grounds that it is overly broad and unduly burdensome in that it requires the equivalent of a narrative of Applicant's entire defense and an inventory of its trial evidence. Without waiving those objections, Applicant responds as follows: See Response to Interrogatory No. 4. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Applicant will produce concurrently herewith non-privileged documents responsive to this Interrogatory.

INTERROGATORY NO. 28

State all facts and identify all documents which Applicant bases its second affirmative defense that "The word portion of Applicant's mark here sought to be registered means 'to have pride in yourself' in Swahili, and thereby distinguishes it from Opposer's marks."

RESPONSE TO INTERROGATORY NO. 28

Applicant interposes its General Objections Nos. 1 and 2. Applicant further objects specifically to this Interrogatory on the grounds that it is overly broad and unduly burdensome in that it requires the equivalent of a narrative of Applicant's entire defense and an inventory of its trial evidence. Without waiving those objections, Applicant responds as follows: See Response to Interrogatory No. 4. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Applicant will produce concurrently herewith non-privileged documents responsive to this Interrogatory.

INTERROGATORY NO. 29

State all facts and identify all documents which Applicant bases its third affirmative defense that "Opposer's marks are not famous."

RESPONSE TO INTERROGATORY NO. 29

Applicant interposes its General Objections Nos. 1 and 2. Applicant further objects specifically to this Interrogatory on the grounds that it is overly broad and unduly burdensome in that it requires the equivalent of a narrative of Applicant's entire defense and an inventory of its trial evidence.

INTERROGATORY NO. 30

(a) Identify each persons [sic] whom Applicant expects to call as an expert witness during trial periods in this proceeding; and

(b) As to each person, state the subject matter on which the expert is expected to testify, the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

RESPONSE TO INTERROGATORY NO. 30

Applicant interposes its General Objections Nos. 1, 2 and 3. Applicant further objects specifically to this Interrogatory on the grounds that it is overly broad and unduly burdensome in that it requires the equivalent of a narrative of Applicant's entire defense and an inventory of Applicant's trial evidence. Applicant further objects specifically to this Interrogatory on the grounds that Applicant has not yet made an expert determination. Without waiving those objections, Applicant responds as follows:

a) None; and

b) none.

INTERROGATORY NO. 31

a) Identify each person whom Applicant expects to call as a fact witness during trial periods in this proceeding; and

b) As to each person state the subject matter on which the witness is expected to testify, the substance of the facts and to which the witness is expected to testify and a summary of the grounds for each opinion.


RESPONSE TO INTERROGATORY NO. 31

Applicant interposes its General Objections Nos. 1, 2 and 3. Applicant further objects specifically to this Interrogatory on the grounds that it is overly broad and unduly burdensome in that it requires the equivalent of a narrative of Applicant's entire defense and an inventory of Applicant's trial evidence. Applicant further objects specifically to this Interrogatory on the grounds that it is vague, ambiguous and unintelligible as to the meaning of the phrase "the grounds for each opinion." Without waiving those objections, Applicant responds as follows:

- a) Dominique Braud;
Eric Kaufman, 4811 Smith Creek, #201, Raleigh, North Carolina 27612;
Virgo Evans, 2421 5th Avenue, Los Angeles, California 90018; and
- b) Dominique Braud – selection, adoption, use, promotion and advertising of Applicant's mark; channels of trade and customers;
Eric Kaufman – creation of design portion of Applicant's mark;
Virgo Evans – Applicant's channels of trade and customers.

Dated: Nov. 5, 2003

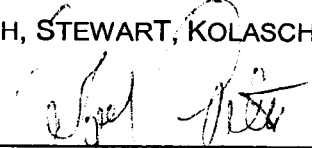
As to the Responses:



Dominique Braud

As to the Objections:

BIRCH, STEWART, KOLASCH & BIRCH, LLP



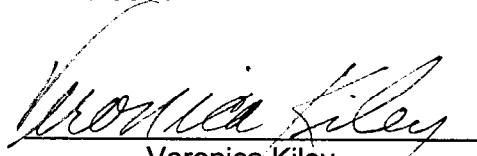
Sanford Astor
J. Alison Grabell
10940 Wilshire Boulevard, 18th Floor
Los Angeles, California 90024
Attorneys for Applicant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "APPLICANT'S RESPONSES TO OPPOSER'S FIRST SET OF INTERROGATORIES" was served upon Opposer's counsel, via First Class Mail, on this 11th day of November, 2003 as follows:

Amy B. Goldsmith, Esq.
Barbara H. Loewenthal, Esq.
Gottlieb, Rackman and Reisman, P.C.
270 Madison Avenue
New York, New York 10016-0601

Dated: November 11, 2003


Veronica Kiley

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 78/127,374
Published in the Official Gazette of April 17, 2003

ELIE TAHARI,)	
)	
Opposer,	)	Opposition No. 156,740
)	
v.)	
)	
FAHARI, INC.,)	
)	
Applicant.)	

OPPOSER'S RESPONSES TO APPLICANT'S SECOND SET OF INTERROGATORIES

Opposer responds to Applicant's Second Set of Interrogatories as set forth below.

In responding to the foregoing requests, Opposer is relying on the definitions utilized by Applicant in its Second Set of Interrogatories as opposed to the definition set forth in its First Set of Interrogatories to Opposer and Applicant's First Set of Requests for Production of Documents and Things.

GENERAL OBJECTIONS

1. Opposer objects to any discovery request to the extent that it calls for the disclosure of, or production of any documents containing, communications or other information privileged from disclosure under the attorney client privilege or which are the subject of the work product doctrine.

2. Opposer objects to any discovery request to the extent that it requires the providing of information not known to it or within its domain or control. Opposer's provision of information known to it as of this date is not a representation that additional relevant

information does not exist which may become known or available to it at a later date. If and when Opposer becomes aware of such additional relevant information it will supplement these responses in accordance with Fed. R. Civ. Pro. 26 (e).

3. Opposer further objects to Applicant's definitions and instructions to the extent they are inconsistent or go beyond the requirements of the Federal Rules of Civil Procedure or the Trademark Rules of Practice.

INTERROGATORIES

INTERROGATORY NO. 33

For each Request for Admission served concurrently herewith, if the response is anything other than an unqualified admission, state in detail the reasons for such denial or objection.

RESPONSE

See Responses to Requests for Admission Nos. 4, 6, 8, 9, 10, 10(a), 16, 18, 27, 28 and 29.

INTERROGATORY NO. 34

For each Request for Admission served concurrently herewith, if the response is anything other than an unqualified admission, state the name, address and title of the persons with the most knowledge of such denial or objection.

RESPONSE

Amy B. Goldsmith, Gottlieb, Rackman & Reisman, P.C., 270 Madison Avenue, New York, New York.

Barbara Loewenthal, Gottlieb, Rackman & Reisman, P.C., 270 Madison Avenue,
New York, New York.

Husein Jafferjee, Tahari, Ltd., 16 Bleeker Street, Millburn, New Jersey 07041.

INTERROGATORY NO. 35

For each Request for Admission served concurrently herewith, if the response is anything other than an unqualified admission, identify, with specific reference to each Request for Admission, all documents and things used to support such denial or objection.

RESPONSE

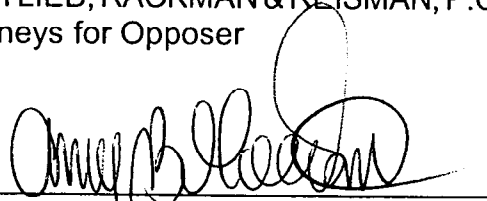
See Response to Interrogatory No. 33. Despite the foregoing, documents responsive to this Interrogatory will be produced to the extent they exist.

Dated: New York, New York
December 12, 2003

Respectfully submitted,

GOTTLIEB, RACKMAN & REISMAN, P.C.
Attorneys for Opposer

By: _____

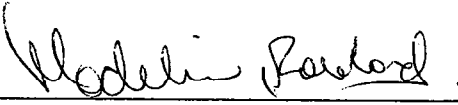

Amy B. Goldsmith
Barbara H. Loewenthal
270 Madison Avenue
New York, NY 10016
(212) 684-3900

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document "Opposer's Responses to Applicant's Second Set of Interrogatories to Opposer" was served upon Applicant's counsel, via First Class Mail, on this 12th day of December, 2003 as follows:

Sanford Astor, Esq.
J. Alison Grabell, Esq.
Birch, Stewart, Kolasch & Birch, LLP
10940 Wilshire Boulevard, 18th Floor
Los Angeles, California 90024

Dated: December 12, 2003



Madelin Rowland

S:\barbara\clients\Tahari\2nd inter.response.wpd

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 78/127,374
Published in the Official Gazette of March 18, 2003

ELIE TAHARI,)	
)	
Opposer,	)	Opposition No. 156,740
)	
v.)	
)	
FAHARI, INC.,)	
)	
Applicant.)	
)	
)	

**OPPOSER'S RESPONSES TO APPLICANT'S
FIRST SET OF REQUEST FOR ADMISSIONS**

Opposer, Elie Tahari, in accordance with Rule 36 Fed. R. Civ. P. and Rules 2.116 and 2.120 of the Trademark Rules of Practice, Answers and objects to Applicant, Fahari, Inc.'s First Set of Requests for Admissions as set forth below.

In responding to the foregoing requests, Opposer is relying on the definitions utilized by Applicant in its First Set of Requests to Admission as opposed to the definitions set forth in its First Set of Interrogatories to Opposer and Applicant's First Set of Requests for Production of Documents and Things.

REQUESTS

REQUEST FOR ADMISSION NO. 1

OPPOSER has used OPPOSER'S MARK "in connection with the goods identified in the identification of goods in Opposer's Marks, namely: women's high fashion designer blouses, skirts and suits; jackets, skirts, pants, dresses, suits, sweaters, jump suits, blouses,

shirts, coats, vests, bustiers, belts, raincoats, jeans, body suits and T-shirts; apparel, namely women's high fashion design blouses, skirts and suits; jackets, skirts, pants, dresses, suits, sweaters, jump suits, blouses, shirts, coats, vests, bustiers, belts, raincoats, jeans, body suits, and T-shirts; lingerie, over-coats and children's clothing, namely dresses, skirts, blouses, jackets, pants, shirts, blazers, pullovers, cardigans, overalls and socks; leather goods, namely belts, handbags, key cases, wallets, tote bags, cosmetic bags sold empty, backpacks, fanny packs and luggage and umbrellas," as set forth in OPPOSER'S response to APPLICANT'S Interrogatory No. 6.

RESPONSE TO REQUEST FOR ADMISSION NO. 1

Applicant admits that it has used OPPOSER'S MARKS in connection with "women's high fashion designer blouses, skirts and suits; jackets, skirts, pants, dresses, suits, sweaters, jump suits, blouses, shirts, coats, vests, bustiers, belts, raincoats, jeans, body suits and T-shirts; apparel, namely women's high fashion design blouses, skirts and suits; jackets, skirts, pants, dresses, suits, sweaters, jump suits, blouses, shirts, coats, vests, bustiers, belts, raincoats, jeans, body suits, and T-shirts; lingerie, over-coats and children's clothing, namely dresses, skirts, blouses, jackets, pants, shirts, blazers, pullovers, cardigans, overalls and socks; leather goods, namely belts, handbags, key cases, wallets, tote bags, cosmetic bags sold empty, backpacks, fanny packs and luggage and umbrellas" as set forth in OPPOSER'S response to APPLICANT'S Interrogatory No. 6.

REQUEST FOR ADMISSION NO. 2

OPPOSER intends to use OPPOSER'S MARKS in connection with the goods identified in the identification of goods in Opposer's Marks, namely: women's high fashion designer blouses, skirts and suits; jackets, skirts, pants, dresses, suits, sweaters, jump suits, blouses,

shirts, coats, vests, bustiers, belts, raincoats, jeans, body suits and T-shirts; apparel, namely women's high fashion design blouses, skirts and suits; jackets, skirts, pants, dresses, suits, sweaters, jump suits, blouses, shirts, coats, vests, bustiers, belts, raincoats, jeans, body suits, and T-shirts; lingeries, over-coats and children's clothing, namely dresses, skirts, blouses, jackets, pants, shirts, blazers, pullovers, cardigans, overalls and socks; leather goods, namely belts, handbags, key cases, wallets, tote bags, cosmetic bags sold empty, backpacks, fanny packs and luggage and umbrellas.

RESPONSE TO REQUEST FOR ADMISSION NO. 2

See Response to Request for Admission No. 1.

REQUEST FOR ADMISSION NO. 3

OPPOSER'S WEB SITE provides a detailed "explanation" of the stores in which OPPOSER'S goods are sold and distributed.

RESPONSE TO REQUEST FOR ADMISSION NO. 3

OPPOSER admits that OPPOSER'S WEB SITE provides a detailed "explanation" of the stores in which OPPOSER'S goods are sold and distributed.

REQUEST FOR ADMISSION NO. 4

OPPOSER'S goods are sold and distributed in the United States only in and to Saks Fifth Avenue, Neiman Marcus, Nordstrom, Bloomingdale's, Macy's West, Elie Tahari East Hampton, Elie Tahari Central Valley, Marshall Field's and Elie Tahari Las Vegas, as set forth in OPPOSER'S WEB SITE.

RESPONSE TO REQUEST FOR ADMISSION NO. 4

OPPOSER denies that OPPOSER'S goods are sold and distributed in the United States only in and to Saks Fifth Avenue, Neiman Marcus, Nordstrom, Bloomingdale's, Macy's

West, Elie Tahari East Hampton, Elie Tahari Central Valley, Marshall Field's and Elie Tahari Las Vegas.

REQUEST FOR ADMISSION NO. 5

OPPOSER'S MARKS are used in connection with women's high fashion clothing, as set forth in the identification of goods in OPPOSER'S MARKS.

RESPONSE TO REQUEST FOR ADMISSION NO. 5

OPPOSER admits that OPPOSER'S MARKS are used in connection with women's high fashion clothing as set forth in the identification of goods in OPPOSER'S MARKS.

REQUEST FOR ADMISSION NO. 6

OPPOSER MARKS are used in connection with women's high fashion accessories, as set forth in the identification of goods in OPPOSER'S MARKS.

RESPONSE TO REQUEST FOR ADMISSION NO. 6

OPPOSER objects to this Request on the ground that it lacks information or knowledge sufficient to admit or deny this request because Applicant has not provided a definition for the terms "women's high fashion accessories."

REQUEST FOR ADMISSION NO. 7

OPPOSER has never advertised in Honey Magazine.

RESPONSE TO REQUEST FOR ADMISSION NO. 7

OPPOSER object to this Request on the grounds that it lacks information and knowledge sufficient to admit or deny this request because OPPOSER is still investigating whether it has advertised in Honey magazine.

REQUEST FOR ADMISSION NO. 8.

OPPOSER has never advertised in Time Out magazine.

RESPONSE TO REQUEST FOR ADMISSION NO. 8

OPPOSER denies that it has advertised in Time Out magazine.

REQUEST FOR ADMISSION NO. 9

OPPOSER has never attended African-American Heritage festivals for the purpose of displaying, advertising, promoting, offering for sale or distributing OPPOSER'S GOODS.

RESPONSE TO REQUEST FOR ADMISSION NO. 9

OPPOSER objects to this Request on the ground that it lacks information or knowledge sufficient to admit or deny this request because Applicant has not provided a definition of African-American Heritage festivals.

REQUEST FOR ADMISSION NO. 10

OPPOSER has never attended reggae festivals for the purpose of displaying, advertising, promoting, offering for sale or distributing OPPOSER'S GOODS.

RESPONSE TO REQUEST FOR ADMISSION NO. 10

OPPOSER objects to this Request on the ground that it lacks information or knowledge sufficient to admit or deny this request because Applicant has not provided a definition of "reggae festivals."

REQUEST FOR ADMISSION 10(a)

OPPOSER has no evidence, as of the date of these Requests, of actual confusion between OPPOSER'S MARKS and APPLICANT'S MARKS.

RESPONSE TO REQUEST FOR ADMISSION NO. 10(a)

OPPOSER objects to this Request on the grounds that it lacks information or knowledge sufficient to admit or deny this request because OPPOSER is still investigating whether instances of confusion have occurred.

REQUEST FOR ADMISSION NO. 11

OPPOSER did not oppose federal registration of the mark HARARI, Registration No. 1,606,491.

RESPONSE TO REQUEST FOR ADMISSION NO. 11

OPPOSER admits that it did not oppose federal registration of the mark HARARI, Registration No. 1,606,491.

REQUEST FOR ADMISSION NO. 12

OPPOSER did not seek to cancel or otherwise challenge the mark HARARI, Registration No. 1,606,491, before July 17, 1995.

RESPONSE TO REQUEST FOR ADMISSION NO. 12

OPPOSER admits that it did not seek to cancel or otherwise challenge the mark HARARI, Registration No. 1,606,491, before July 17, 1995.

REQUEST FOR ADMISSION NO. 13

OPPOSER did not seek to cancel or otherwise challenge the mark HARARI, Registration No. 1,606,491, before July 17, 1996.

RESPONSE TO REQUEST FOR ADMISSION NO. 13

OPPOSER admits that it did not seek to cancel or otherwise challenge the mark HARARI, Registration No. 1,606,491, before July 17, 1996.

REQUEST FOR ADMISSION NO. 14

OPPOSER first became aware of APPLICANT through OPPOSER'S utilization of a trademark watch service.

RESPONSE TO REQUEST FOR ADMISSION NO. 14

OPPOSER admits that it first became aware of APPLICANT through its utilization of a trademark watch services.

REQUEST FOR ADMISSION NO. 15

OPPOSER'S aggregate sales figures for merchandise under OPPOSER'S MARKS exceeded one hundred million dollars at wholesale in 2002.

RESPONSE TO REQUEST FOR ADMISSION NO. 15

OPPOSER admits that OPPOSER'S aggregate sales figures for merchandise under OPPOSER'S MARKS exceeded one hundred million dollars at wholesale in 2002.

REQUEST FOR ADMISSION NO. 16

OPPOSER'S retail sales in 2002 were approximately two hundred million dollars in 2002.

RESPONSE TO REQUEST FOR ADMISSION NO. 16

OPPOSER denies that its retail sales in 2002 were approximately two hundred million dollars in 2002.

REQUEST FOR ADMISSION NO. 17

OPPOSER'S advertising expenditures in 2002 exceeded one million dollars.

RESPONSE TO REQUEST FOR ADMISSION NO. 17

OPPOSER admits that OPPOSER'S advertising expenditures in 2002 exceeded one million dollars.

REQUEST FOR ADMISSION NO. 18

OPPOSER does not exclusively target OPPOSER'S goods to the African-American neo-soul market.

RESPONSE TO REQUEST FOR ADMISSION NO. 18

OPPOSER objects to this Request on the ground that it lacks information or knowledge sufficient to admit or deny this request because Applicant has not provided a definition of "African-American neo-soul market."

REQUEST FOR ADMISSION NO. 19

The Elie Tahari Collection is offered at Bergdorf Goodman.

RESPONSE TO REQUEST FOR ADMISSION NO. 19

OPPOSER admits that the Elie Tahari Collection is offered at Bergdorf Goodman.

REQUEST FOR ADMISSION NO. 20

The registrant of OPPOSER'S DOMAIN NAME is Tahari, Ltd.

RESPONSE TO REQUEST FOR ADMISSION NO. 20

OPPOSER admits that the registrant of OPPOSER'S DOMAIN NAME is Tahari, Ltd.

REQUEST FOR ADMISSION NO. 21

Tahari, Ltd. has an address at 1114 Avenue of the Americas, New York, New York.

RESPONSE TO REQUEST FOR ADMISSION NO. 21

OPPOSER admits that Tahari, Ltd. has an address at 1114 Avenue of the Americas, New York, New York.

REQUEST FOR ADMISSION NO. 22

OPPOSER is Chairman of Tahari, Ltd.

RESPONSE TO REQUEST FOR ADMISSION NO. 22

OPPOSER admits that OPPOSER is the Chairman of Tahari, Ltd.

REQUEST FOR ADMISSION NO. 23

OPPOSER is Chief Executive Officer of Tahari, Ltd.

RESPONSE TO REQUEST FOR ADMISSION NO. 23

OPPOSER admits that OPPOSER is the Chief Executive Officer of Tahari, Ltd.

REQUEST FOR ADMISSION NO. 24

OPPOSER is a corporate officer of Tahari, Ltd.

RESPONSE TO REQUEST FOR ADMISSION NO. 24

OPPOSER admits that OPPOSER is a corporate officer of Tahari, Ltd.

REQUEST FOR ADMISSION NO. 25

OPPOSER has an address at 860 Fifth Avenue, New York, New York.

RESPONSE TO REQUEST FOR ADMISSION NO. 25

OPPOSER admits that OPPOSER has an address at 860 Fifth Avenue, New York, New York.

REQUEST FOR ADMISSION NO. 26

Tahari Outlets Inc. has an address at 501 Broad Avenue, Ridgefield, New Jersey.

RESPONSE TO REQUEST FOR ADMISSION NO. 26

OPPOSER admits that Tahari Outlets Inc. had an address at 501 Broad Avenue, Ridgefield, New Jersey.

REQUEST FOR ADMISSION NO. 27

OPPOSER is Chairman of Tahari Outlets Inc.

RESPONSE TO REQUEST FOR ADMISSION NO. 27

OPPOSER denies that OPPOSER is Chairman of Tahari Outlets Inc.

REQUEST FOR ADMISSION NO. 28

OPPOSER is Chief Executive Officer of Tahari Outlets Inc.

RESPONSE TO REQUEST FOR ADMISSION NO. 28

OPPOSER denies it is Chief Executive Officer of Tahari Outlets Inc.

REQUEST FOR ADMISSION NO. 29

OPPOSER is a corporate officer of Tahari Outlets Inc.

RESPONSE TO REQUEST FOR ADMISSION NO. 29

OPPOSER denies it is a corporate officer of Tahari Outlets Inc.

REQUEST FOR ADMISSION NO. 30

Tahari Store-WFC Co., Inc. has an address at 501 Broad Avenue, Ridgefield, New Jersey.

RESPONSE TO REQUEST FOR ADMISSION NO. 30

OPPOSER admits that Tahari Store-WFC Co., Inc. once had an address at 501 Broad Avenue, Ridgefield, New Jersey.

REQUEST FOR ADMISSION NO. 31

OPPOSER is Chairman of Tahari Store-WFC Co., Inc.

RESPONSE TO REQUEST FOR ADMISSION NO. 31

OPPOSER admits OPPOSER is Chairman of Tahari Store-WFC Co., Inc.

REQUEST FOR ADMISSION NO. 32

OPPOSER is Chief Executive Officer of Tahari Store-WFC Co., Inc.

RESPONSE TO REQUEST FOR ADMISSION NO. 32

OPPOSER admits OPPOSER is Chief Executive Officer of Tahari Store-WFC Co., Inc.

REQUEST FOR ADMISSION NO. 33

OPPOSER is a corporate officer of Tahari Store-WFC Co., Inc.

RESPONSE TO REQUEST FOR ADMISSION NO. 33

OPPOSER admits OPPOSER is a corporate officer of Tahari Store-WFC Co., Inc.

REQUEST FOR ADMISSION NO. 34

OPPOSER has advertised in the following publications, as set forth in OPPOSER'S WEB SITE: The Look, Lucky, Shape, W, Redbook, WWD, InStyle, OceanDrive, Marie Claire, Hamptons, Ramp, Allure, Grace, Fitness, Self, More, All Woman, Shuz, Good Housekeeping.

RESPONSE TO REQUEST FOR ADMISSION NO. 34

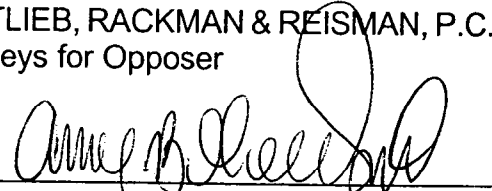
OPPOSER admits it has advertised in the following publications, as set forth in OPPOSER'S WEB SITE: The Look, Lucky, Shape, W, Redbook, WWD, InStyle, OceanDrive, Marie Claire, Hamptons, Ramp, Allure, Grace, Fitness, Self, More, All Woman, Shuz, Good Housekeeping.

Dated: New York, New York
December 12, 2003

Respectfully submitted,

GOTTLIEB, RACKMAN & REISMAN, P.C.
Attorneys for Opposer

By: _____



Amy B. Goldsmith
Barbara H. Loewenthal
270 Madison Avenue
New York, NY 10016
(212) 684-3900

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document "Opposer's Responses to Applicant's First Set of Requests For Admissions" was served upon Applicant's counsel, via First Class Mail, on this 12th day of December, 2003 as follows:

Sanford Astor, Esq.
J. Alison Grabell, Esq.
Birch, Stewart, Kolasch & Birch, LLP
10940 Wilshire Boulevard, 18th Floor
Los Angeles, California 90024

Dated: December 12, 2003


Madelin Rowland

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March 5, 2004 Friday ADVANCE EDITION

SECTION: FEATURES WEEKEND; Pg. W17

LENGTH: 1067 words

HEADLINE: Erykah Badu still putting neo into soul;
She's bringing her inspired vibe to the Tower.

BODY:

On the liner notes to "Back in the Day (Puff)," one of the 10 inventive jams on Erykah Badu's current Worldwide Underground(Motown), the singer credited with developing neo-soul explains that the piece was inspired by "all that music we used to love growing up before there was a four-minute limit,... before they played the same six songs on the radio all day." The fiery Badu might be thinking throwback to her formative musical experiences, but she's definitely not singing that way: Despite its rubbery bass line (and neatly speared electric-piano accompaniment from Philadelphia producer James Poyser), the vibe of "Back" is totally forward, all rippling rhythmic restraint and whiplashing refrains that show how melodically bankrupt much contemporary R&B has become. Badu will play the Tower Sunday with Philly's own hot-wired hip-hop/R&B duo, Floetry, opening. If she follows the directional shift that Worldwiderepresented, expect an evening of limber, open-ended jams, spontaneous vocal ad-libs, and at least a few hectoring screeds.

- Tom Moon

Erykah Badu, with Floetry, at 8 p.m. Sunday at the Tower Theater, 69th and Ludlow Streets, Upper Darby. Tickets: \$39.50 and \$50. Phone: 215-336-2000.

BR549

When BR549 came along in the mid-'90s, the Nashville quintet injected a welcome dose of old-time honky-tonk authenticity into a country scene that was growing pop-bland - even if the band did at times act as if it was God's gift to twang. But when some less-inspired work was followed by the departure of two members, including coleader Gary Bennett, BR549 seemed to have run its course. Well, whaddaya know: The band has reloaded with two new recruits and just released its best album. Tangled in the Pines(Dualtone) is an invigorating set of straight-up barroom country immersed in the "Honky Tonkin' Lifestyle," to borrow one song title. Original coleader Chuck Mead does most of the writing and singing - new guitarist Chris Scruggs also chips in - but the band avoids the smugness and campiness that marred some of its earlier music.

- Nick Cristiano

BR549, with the Mavericks, at 8 p.m. Sunday at the Theatre of Living Arts, 334 South St. Tickets: \$32; \$29.50 advance. Phone: 215-922-1011.

Mike Patton

and Rahzel

At first glance, the pairing of hip-hop MC Rahzel and heavy-metal singer Mike Patton seems like somebody's idea of a joke. The former is an East Coast beatboxing legend best known as a member of the Roots crew; the latter is the former front man for San Francisco funk-metal pioneers Faith No More.

But if you strip away the genre dividers, both men are essentially known for the same thing: the ability to re-create an orchestra's worth of sounds using only their voices. Rahzel is virtually a human turntable, capable of mimicking with his mouth every beat, scratch, bass line and melody a DJ might play. Patton, considered by many to be one of rock's greatest vocalists, seems to be possessed by Satan when he screams, groans, whispers, chatters and wails. Wednesday's show at the Trocadero is one of four on the vocal gymnasts' short collaborative tour. On stage, they will be accompanied only by Patton's sampler and keyboard, and, we hope, lots of bottles of water.

- Amy Phillips

Rahzel and Mike Patton, with JS-ONE and DJ Still, at 7 p.m. Wednesday at the Trocadero, 1003 Arch St. Tickets: \$17. Phone: 215-922-5483.

Ruben Studdard

Hope you're enjoying the Idols of March. On Tuesday it was Kelly and Clay at the Liacouras Center. Next Thursday it will be Ruben Studdard, the pride of Birmingham, Ala., at the Tower. Studdard's shows, like his debut CD, *Soulful* (J-Records), explore two moods: the Lutheresque ballads such as "Superstar" and "How Can You Mend a Broken Heart," when the big man wears his heart on his copious sleeve, and the sweaty throwdowns such as "Sorry 2004," when he shows off his limber and funky side. We're not kidding about "sweaty," by the way. Folks who have seen Ruben perform say that he gives his towel a better workout than Temple coach John Chaney.

- David Hiltbrand

Ruben Studdard at 8 p.m. Thursday at the Tower Theater, 69th and Ludlow Streets, Upper Darby. Tickets: \$35 and \$39.50. Phone: 215-336-2000.

Marah

Marah is back in fightin' form. After taking a detour to Wales for their overproduced last album, Dave and Serge Bielanko returned to South Philly to work on *20,000 Streets Under the Sky*, due in June on Yep Roc. The new songs reclaim the form that made Marah's first two releases, including the soon-to-be-reissued-with-bonus tracks *Let's Cut The Crap...*, quintessential Philadelphia albums. Recent shows have featured banjos, bagpipes, the girl group the Shalitas, rambling stories, and plenty of soulful swagger. The Bielanko brothers will be joined Wednesday by sidekicks Kirk Henderson, Mike "Slo-Mo" Brenner, plus, on drums, Superchunk's Jon Wurster. Marah's Tin Angel appearances are often wonderful ramshackle celebrations that end up with Serge walking on tables, singing "Love Train" or Motown songs. Cary Hudson, formerly of the roots-rocking Blue Mountain, and Andy Friedman will open.

- Steve Klinge

Marah, with Cary Hudson and Andy Friedman, at 8:30 p.m. Thursday at the Tin Angel, 20 S. Second Street. Tickets: \$15. Phone: 215-928-0978.

Cooper Temple Clause

Members of the British buzz band the Cooper Temple Clause aren't so art-rock that they don't occasionally let their guitars do the talking - and quite loudly, at that. "Written Apology," the sprawling, 10-minute monster that closes its sophomore album, *Kick Up the Fire, and Let the Flames Break Loose* (RCA), is rudely interrupted in the middle of a meditative passage by power chords that cast a violent pall. Similar guitar noise blackens the already moody "Talking to a Brick Wall." But these noisy six-string excursions aren't gratuitous ploys to obscure the sextet's fairly traceable Radiohead, Verve and Spiritualized influences. In the former, the guitars form a sturdy bridge between the song's Pink Floyd-like beginnings and its short-circuited electronica finale. On the latter, they serve as a strident juxtaposition to a beautiful hook. It's not just art-rock; it's also quite smart rock.

- Patrick Berkery

The Cooper Temple Clause, with Calla, at 9 p.m. Saturday at the Khyber, 56 S. Second St. Tickets: \$10. Phone: 215-238-5888.

LOAD-DATE: March 5, 2004

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February 27, 2004 Friday
Chicago Final Edition

SECTION: FRIDAY ; ZONE C; ON STAGE. THEATER & MUSIC. MUSIC/PLAY ON. ; Pg. 3

LENGTH: 770 words

HEADLINE: The world according to Erykah Badu

BYLINE: Greg Kot, Tribune rock critic.

BODY:

Erykah Badu, who headlines Saturday at the Auditorium Theatre, makes only one demand at her soul-lifting concerts: Be who you are.

In Badu's case, it's a full-time job staying true to who she is. This is a woman whose muse, music and sense of style are in constant motion. "I was the weird girl for a long time, in high school, grade school," Badu says as she reflects on her childhood in a rough Dallas neighborhood. "I knew it, but I didn't feel bad about it."

Now Badu's molasses drawl is tucked inside one of the more insinuating female voices in R&B since Nina Simone. She arrived with a distinctive personality and sound--an amalgam of hip-hop brashness and beats, soul-era consciousness and jazz-inflected vocals--and wrapped it in the cloak of her personal philosophy, "Baduizm." She explains: "To me there are three levels to artistry. The first level is consumed by the artist who hurts, and it hurts to do what we do. It's painful. There is work involved. Even though it's such a natural thing, it does hurt, because it comes from our experiences, our emotional centers. The second level are those who emulate the first level. Then the third one would be those who are just told what to do."

It's clear where Badu feels she belongs. "I feel what I've been feeling since I was a little kid," she says. "I was not the best dancer in my dance class, or the best vocalist in my vocal class, or any of that kind of that stuff, but the teachers in dance would put me up front because of the feeling. Pigeon-toed and wrong, it was the feeling that they wanted, to get the passion. Wrong and all . . . see how she feels it!"

You didn't care that you were "wrong"?

"Nope. Artists are crazy. We don't know if we're good or not, we just feel it."

You must drive your record company nuts.

"I don't know if it's nuts. But they've been driven, and I'm driving."

Her label was asking for a new album last year, a follow-up to her acclaimed 2000 release, "Mama's Gun," but Badu wasn't ready to pull the trigger. She spoke openly on a 2003 tour about writer's block, and turned her shows into lab experiments, improvising songs on stage and in the mobile recording studio on her tour bus. Then she released the results as "World Wide Underground" (Motown), which she and her label describe as an "EP," even though it contains more than 50 minutes of music. It's her slightest work so far, heavier on grooves and textures than actual songs, but it contains several moments that rank with her best work, including "Danger." The song's a sequel to "Other Side of the Game," which appeared on her 1997 debut, "Baduizm." Both songs deal with the tragic life of a drug dealer, as told from the perspective of his girlfriend.

Chicago Tribune February 27, 2004 Friday

"It's a wicked cycle, and there will be several more parts to this story," Badu says. "The reason I am here and not on drugs, and not selling drugs ... at least not anymore ... and not a victim, is that I'm one of the statistics God chose to do something else. In many ways, I am still part of the 'hood; I have just as many addictions, and I'm sad just as many days. But I don't take it for granted, and I know that to whom much is given, much is required."

It's why Badu's music has helped define the so-called neo-soul movement, a genre tag that the singer despises ("Neo-soul is dead," she proclaims on the cover of "World Wide Underground"). But she acknowledges that she feels part of a bigger movement of artists--D'Angelo, the Roots, Common, Jill Scott, Angie Stone--who are intent on not just moving units, but moving society.

"We are always going to bling-bling and booty shake, because that's part of who we are, but that's not all we are," Badu says. "I represent another part of who we are. What's really bad is radio programmers and media and product owners bastardize that part of who we are so much that it becomes interwoven into the fabric of a society that dictates how we live."

But music is powerful enough to reverse that tide, Badu believes, or at least bend it.

"I remember in 1989, I was in college and we had fat gold chains, but as soon as the wave frequency of music changed, we turned them in, and started wearing black leather medallions, just because Public Enemy said, 'Fight the power,'" she says. "It happened before in 1969, and it will happen again and again. It's the market of selling and buying that pushes along these negative images. So we have to change that from the inside out, and that's a task."

Erykah Badu

When: 7 p.m. Saturday

Where: Auditorium Theatre, 50 E. Congress Pkwy.

Price: \$45-\$57.50; 312-559-1212

Hear Greg Kot at 10 p.m. Tuesdays on "Sound Opinions" on WXRT-FM 93.1.

GRAPHIC: PHOTO: Singer-songwriter Erykah Badu holds to the legacy of traditional musicmaking, in which a live setting allows a performer to really shine.

PHOTO

LOAD-DATE: February 27, 2004

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Copyright 2003 The Dallas Morning News
The Dallas Morning News

December 21, 2003, Sunday SECOND EDITION

SECTION: OVERNIGHT; Pg. 10B

LENGTH: 457 words

HEADLINE: Tuneful crowd buoys Musiq

SOURCE: Staff Writer

BYLINE: CRAYTON HARRISON

BODY:

If you go to a free concert benefiting the less fortunate, good for you. Just don't expect much more than your money's worth. Silky soul singer Musiq had the best intentions at heart Friday at Far North Dallas nightspot Blackberry's. To get tickets, attendees were asked to donate coats, toys and canned goods to a charity for homeless children. But the sunglasses-clad Musiq evidently felt a charity event only required an appearance from him, not a full-length concert. Appearing onstage just after midnight, he kept threatening to leave, claiming with a grin that he was only supposed to perform three songs. The mostly female crowd of hundreds kept him from running off. Without their insistence, it's doubtful the singer would've stretched his performance to a half-hour. Musiq's music is normally described as "neo-soul," a mix of hip-hop's digital beats and 1970s soul's laid-back attitude. At its best, the singer's confident, earnest voice sounds great on top of those '70s xylophones and bass slaps. But the sound engineering Friday night made sounding great impossible. Musiq's wheezy wireless microphone occasionally blipped off. And the speakers bumping his backing DJ's beats produced ear-wrenching static. Musiq's voice, meanwhile, started off shaky and slightly off-key, though it mellowed more every second. He tried out a couple of cuts from his new album, Soulstar, but delved mostly into older material. The crowd was responsible for the show's peak, a rendition of the Grammy-nominated ballad "Halfcrazy." Once the DJ played the opening bars, a chorus of pretty female voices from the audience launched immediately into the song's opening "la la las." If Musiq ever wants to recruit a touring choir, he now knows where to start. By the time he got around to his biggest hit, the midtempo come-on "Just Friends (Sunny)," the singer had reined in his wayward voice, revealing its polish and sheen. But just when he appeared to be hitting a stride, Musiq announced with a giggle, "I ain't got no more material, y'all." After two more flirting half-songs, he was out. His performance was the second quickie of the week in Dallas by a top recording artist, just after Alicia Keys' five-song suite at KwanzaaFest on Dec. 13. In both cases, fans didn't seem to mind the short shrift, feeling satisfied after hearing the big hits they came for. The minishows give artists a chance to promote new material quickly without spending the time it takes to rehearse for a major tour. Free gigs work because audiences don't come away feeling ripped off. But the whole exercise does feel a little hollow. Why, one might ask, didn't Musiq want to spend a little more time entertaining his fans? E-mail charrison@dallasnews.com

GRAPHIC: PHOTO(S): (JASON JANIK/Special Contributor) Soul artist Musiq crooned, albeit briefly, during a benefit at Blackberry's.

LOAD-DATE: December 21, 2003

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The Independent

August 8, 2003

LENGTH: 1079 words

HEADLINE: ROCK & POP: STAMPED WITH SOUL

BYLINE: CHRIS MUGAN

BODY:

In a time when manufactured pop has become so pervasive and tweenies have usurped teens as the target market of choice, 35 is no age to release a debut album. Yet soul singer and native New Yorker Stephanie McKay has done just that. In doing so, she has made a stand against the Lycra-clad babes that dominate the increasingly worthless charts.

McKay's high voice gives her a naivety belied by an extensive CV. Over a decade, she has performed in a series of struggling funk bands and paid the bills as a jobbing musician. She has toured with Talib Kweli and even duetted with Alanis Morissette on Tricky's 2001 album *Blowback*. For McKay, her eponymous album is only the next step in a long career.

"I get this from everyone, Why did it take so long?," she says, "but I don't think in terms like that. I've just followed my creative path and this is the time it's happened. I don't question that, I'm just glad to have had the opportunity."

Despite finally getting the opportunity to put out a record, McKay still finds herself at odds with the music industry. "It really is obsessed with youth, so you get people that aren't interested in their own personality, just, How can I compete for the same market as everyone else and become as generic as I can be?"

On Monday, McKay releases the single "Take Me Over", the sort of paean to falling recklessly, head-over-heels in love that can only be written and sung by someone full of confidence and experience. To create this year's feel-good hit of the summer, her smooth vocal combines winningly with the jerky rhythm and wheezy organ of ska classic "Double Barrel" (a No 1 hit for Dave & Ansell Collins in 1970 - when the charts did matter).

Voice and sample were brought together by Geoff Barrow, the man who created Portishead's ominous sound and he has lent the same depth to McKay. Barrow was introduced to the singer through mutual contacts on New York's underground soul scene, a motley collection of singer/songwriters, conscious rappers and dance companies. A fellow artist passed on a McKay demo to Barrow, and the pair met in 2000 while she was in the UK playing guitar on tour for Kelis. When she found they had much in common, McKay jumped ship and they began writing songs.

"We were into the same music, like classic soul," she says. "I was putting together my songs back in New York, and Geoff wanted to do a soul project." Without any form of contract, they took a year and a half to make the album, then almost another year to tout the finished product around record labels and sign a deal.

McKay sees herself as part of a long line of classic soul stars, from Marvin Gaye through Chaka Khan to early Michael Jackson, though the artists that immediately come to mind when you hear her are those strong women that

The Independent August 8, 2003

could sing about heartache and social equality in the space of one record. There is James Brown's protegee Lyn "(You'd Better) Think" Collins and Ann "I'm Gonna Tear Your Playhouse Down" Peebles.

Indeed, McKay's album features onesong that pays homage to such women. Inspired by the civil rights movement, "Echo" is a searing yet tender call to arms. It was written in the Sixties by Bernice Johnson Reagon, later a founder of the all-female a cappella group, Sweet Honey in the Rock. McKay says, "Its message is still pertinent today - everyone is accountable for what happens to the next generation because they should learn from what happened to the generation before."

Although Barrow recommended the song to her, McKay used to sing with Reagon's daughter Toshi in New York soul outfits. They were part of an alternative urban music scene that has shaped her songwriting and beliefs.

"All the creative projects I've been involved with have had a social undertone. I've always worked with people that are aware of what's happening in the world and what their contribution might bring. It's about working as a collective, not an individual, so what you bring to the table has to help the situation."

In McKay's own songwriting, this is most apparent in "Rising Tide", which asks people to raise their self-awareness. Its lyrics include a dig at the shallowness of today's creative industries: "You're better than the players and the things they do." She explains, "You have to fight to get to know who you really are, rather than the images you are told to copy by the media, with all that bling bling they show."

In the current music scene, McKay strongly identifies with Jill Scott and Angie Stone, fellow vocalists that maintain a down-to-earth nature at odds with the attention-grabbing exploits of Beyonce and Jennifer Lopez. "Jill and Angie make records that are proud of their culture and have an integrity about them. They understand they are responsible for the music they put out - it's about love and not tearing down your man."

Don't make the mistake, though, of confusing McKay with the insipid output of the neo-soul crowd, those limp, earnest types best known in the UK through Alicia Keys. "That would really gross me out," she explains. "Neo-soul has a reputation for being so mellow and sappy. It's been kinda taken out of context when it really means various types of soul music, whether it's jazzy, alternative or on a hip-hop tip." McKay says of her own album, "It's just a soul record, but one that's influenced by blues and hip hop."

The hoped-for dancing career was ended by a knee injury, but by that time music was already an important part of McKay's life. "I found myself getting a lot of roles that required dancing and singing. Music had always been around: there was group harmonising at home and my aunts all played piano, so eventually I took the natural step."

Raised in the Bronx, McKay still lives in her hometown and is keen to remove any lingering preconceptions of where she grew up. "It was great, a real mix of Latino and Afro-Caribbean, you know, black American cultures. There were a lot of different nationalities, but a real neighbourhood vibe. It's not like on TV where you get mugged everywhere you go."

More of a struggle has been getting out her first record, after which McKay is keen to work again with Barrow. "Geoff is like a brother now. At first I didn't really trust him, but now it's great to have someone that knows my background. We've really grown together."

For McKay, then, the fight continues.

McKay' is out now on Go Beat; the single 'Take Me Over' is released on Monday

JOURNAL-CODE: FIND

LOAD-DATE: August 7, 2003

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Rochester Democrat and Chronicle

July 19, 2003 Saturday

SECTION: ROCHESTER LIVING; Pg. 1C

LENGTH: 309 words

HEADLINE: MUSICFEST 2003

BYLINE: Jeff Spevak, Staff

BODY:

Erykah Badu headlines music-trove

BY STAFF MUSIC CRITIC

JEFF SPEVAK

Neo-soul star Erykah Badu headlines today's Rochester MusicFest at Genesee Valley Park.

Badu hits the stage at 6:10 p.m. and wraps up the performances at 7:20 p.m. Before she's finished, the two stages will have been host to Musiq (5 p.m.), Floetry (3:55 p.m.), Blu Cantrell (3:15 p.m.), Black Jackson (2:20 p.m.), Local Connection (1:25 p.m.) and Therese Lott (12:30 p.m.).

Badu, a Dallas native, releases her third album, *Worldwide Underground*, on July 29. She defined neo-soul with her 1997 debut, *Baduizm*, on which her smoky voice drew comparisons to Billie Holiday.

With the release of his second album, last summer's excellent *Juslisen*, Musiq Soulchild dropped his faux-surname (the Philadelphia native's real name is Talib Johnson), but retained his classic '70s Philly soul sound.

Floetry, a duo born and raised in England, wrote songs for Michael Jackson, Jill Scott, Glenn Lewis and Bilal before releasing the debut album, *Floetic*, last year. Marsha Ambrosius is the singer and Natalie Stewart the spoken-word performer for this intriguing duo.

A native of Providence, R.I., Cantrell grew up following her jazz-singing mother around the East Coast club scene. Cantrell had a big hit with "Hit 'Em Up Style (Oops)" on her 2001 debut, *So Blu*, and 31*2 weeks ago released her follow-up, *Bittersweet*. Both releases showcase a flashy vocal style.

Local performers include R&B singer Black Jackson, the R&B group Local Connection and Lott, an R&B/jazz singer.

Tickets are \$28.25 for a single-day adult ticket. Children ages 7 to 12 are \$10.50 per day, with children 6 and younger admitted free. Tickets are available at the gate and through Ticketmaster outlets, (585) 232-1900 or www.ticketmaster.com.

E-mail address: jspevak@

DemocratandChronicle.com

GRAPHIC: CAPTION; Badu

LOAD-DATE: July 22, 2003

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Copyright 2003 Paddock Publications, Inc.
Chicago Daily Herald

March 11, 2003, Tuesday All

SECTION: NEWS; Pg. 8

LENGTH: 410 words

HEADLINE: Bobby 'Blue' Bland might define the 'neo soul' movement

BYLINE: Mark Guarino Daily Herald Music Critic

BODY: "Blues at Midnight"

Bobby Blue Bland

@* @* @* 1/2 out of four

"Neo soul" is a term invented to describe the current afro-topped crop of artists who've revived soul music's golden era of the late '60s and early '70s. Al Green, Aretha Franklin, Solomon Burke and - here in Chicago - Otis Clay and Mavis Staples have all benefited from the recognition. But an originator who rarely gets namechecked is Bobby "Blue" Bland.

Forget the conspiracy theories - Bland's timing was just off. He arrived during the blues heyday a decade earlier, coming up on the flourishing Beale Street circuit in Memphis, Tenn., with his contemporary, B.B. King.

But unlike King and the majority of blues singers, Bland didn't play guitar, which meant for expression, he just had his voice - a supple instrument that made him an early sex symbol. He became the most expressive singer of his era, the first to incorporate the gospel squall of church ministers into the 12-bar blues. His golden hits of the late '50s and early '60s ("Little Boy Blue," "I'll Take Care of You," "I Pity the Fool," "Turn On Your Love Light") for Houston-based Duke Records were early bridges to the soul revolution looming on the horizon.

Bland got his official due when he was inducted into the Rock and Roll Hall of Fame in 1992 and received a Lifetime Achievement Grammy in 1997. There's been sparks under his heels ever since.

In stores today, "Blues at Midnight" is his 12th album for the Southern soul label Malaco and is reported to be his 60th overall. For anyone desiring unblemished soul music from the source, this is it.

All eleven tracks are Bland in his element. They're mostly ballads, lushly woven with horns, organ, background vocals and backed by bassist David Hood and drummer Roger Hawkins of the famed Muscle Shoals rhythm section.

At age 73, Bland doesn't have the power to unleash the unearthly cries of his old days. Instead, when he's moved by triumph or indignation, he snorts. Otherwise, he sings in a tender falsetto, layering the songs with sadness.

Tailored for him by Malaco's songwriting team, the songs grapple with grief and hope at the twilight of one's life. His fluent touch make these songs genuine statements of tenderness ("The Only Thing Missing Is You"), confusion ("Where Do I Go From Here"), hope from worldly pain ("My Sunday's Comin' Soon) and yes, friskiness here on earth ("Baby, What's Wrong With You").

LOAD-DATE: March 20, 2003

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Ethnic NewsWatch
Los Angeles Sentinel

January 9, 2003 January 9, 2003

SECTION: Vol. LXVII; No. 32; Pg. 4

SLI-ACC-NO: 0303LSDR 024 000030

LENGTH: 427 words

HEADLINE: Music Watch: 'Global Soul' to be Released Jan. 21

BODY:

"Global Soul," a collection of contemporary soul and R&B from around the world, features a culturally diverse mix of artists who have been inspired by the sound and aesthetic of American R&B, neo-soul and hip hop.

In recent years, the soulful grooves of contemporary R&B and neo-soul have found followers as far away as Africa and Asia who sing in their native languages while adding elements of their own unique style and culture.

"Urban music," a blanket term that covers R&B, hip hop, and neo-soul also encompasses radio formats that cater largely to an African-American audience.

Artists that fall under this format include pop R&B acts like Destiny's Child, Babyface and Usher, as well as smooth, melodic hip hop artists like Nelly or Puff Daddy (P. Diddy) among others.

In the 1990s, the term neo-soul began being used to describe the sound of a young generation of artists that were inspired by the classic '70s soul and funk of Stevie Wonder, Curtis Mayfield, Isaac Hayes, and James Brown among others, as well as modern hip hop and R&B.

Some of the leading figures of the neo-soul movement include India.Arie, Erykah Badu, Alicia Keys, Lauryn Hill, Musiq and a host of other artists who have blended the groove, creativity and lyricism of classic '70s soul with the harder edges and slick production values of contemporary urban music.

The worldwide popularity of many of these artists has helped forge an international urban music movement. Japan and South Korea have strong contemporary R&B scenes, with countless singers who emulate their American inspirations and hold regular positions in the pop charts. A number of African artists have reclaimed the music that is so closely connected with their own cultural history and revealed to their African-American cousins that soul's roots are still firmly connected to motherland. In France, hip hop, soul and R&B are well-established local genres with hundreds of local performers.

For some, urban music helps them appreciate their African heritage, and it allows them to participate in a style that reflects aspects of their own

Los Angeles Sentinel January 9, 2003

identity that they are seeking to reclaim. For others, modern R&B and hip hop provide a style and culture for them to hang their hats on, one that they can participate in even if their everyday reality is a world away from New York, Chicago or Atlanta.

"Global Soul" (Putumayo World Music) will be released Jan. 21.
Article copyright Los Angeles Sentinel.

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Plain Dealer (Cleveland, Ohio)

June 15, 2002 Saturday, Final / All

SECTION: ARTS & LIFE; Pg. E1

LENGTH: 310 words

HEADLINE: Cleveland singer pours soul into steaming cut of 'Coffee'

BYLINE: John Soeder, Plain Dealer Pop Music Critic

BODY:

MUSIC

Conya Doss wants people to wake up and smell the "Coffee."

She's an up-and-coming R&B singer from Cleveland. And she has a buzz brewing on the strength of her debut single, "Coffee," a soul-flavored ballad.

"It's not necessarily about a relationship," Doss says. "It's about doing anything to excess. . . . We've all dealt with too much of a good thing."

Truth be told, she has been trying to curb her own java habit, limiting herself to one cup a day. "I love the taste, but it just makes me shaky," she admits.

You can hear "Coffee" on WENZ FM/107.9. The song also is racking up airplay at radio stations in Detroit, Pittsburgh, Milwaukee and other cities.

Doss promises "something for everybody" on her first album, "A Poem About Ms. Doss."

It will be released in August by Nu Mecca Records, a local label run by veteran songwriter and producer Edwin "Tony" Nicholas.

"I put my heart and soul into the album," says Doss, a special- education teacher at Clara E. Westropp Elementary School in Cleveland. She spent several years moonlighting as a studio vocalist, working with Nicholas on various projects for other acts, including 3LW.

"I liked to stay behind the scenes, doing background vocals or demos," Doss says. "Then I thought, 'I'm just as good as these other singers. Why not really give it a try?' "

She was raised on a steady diet of Stevie Wonder, Chaka Khan and Donny Hathaway. Doss isn't telling how old she is, but she will own up to being "a '70s baby."

Among her favorite contemporary artists are Lauryn Hill, Jill Scott and the rest of the neo-soul sisterhood - although Doss isn't particularly fond of the "neo-soul" tag.

"Neo' means new," she says. "We're not inventing anything new. We're just taking the music we grew up on to a different level."

Contact John Soeder at:

jsoeder@plained.com, 216-999-4562

LOAD-DATE: June 17, 2002

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Copyright 2002 Orange County Register
Orange County Register (California)

June 14, 2002, Friday

SECTION: Show

LENGTH: 894 words

HEADLINE: IT'S ALL SOUL TO HIM // R&B A neo-soul practitioner before the term existed, Raphael Saadiq looks to get the recognition he deserves with first solo album.

BYLINE: By BEN WENER , The Orange County Register

BODY:

You could call the music Raphael Saadiq makes neo-soul. He won't appreciate it, mind you. To hear him explain it, all great music -- all music with memorable melody and passionate conviction -- well, that has soul, and therefore is soul.

So what should it be called?

"I think it should just be like ... revolutionary soul! Something people need to hear, need to feel. It's isn't just what's traditionally called soul music. There's a sense of realness coming back now."

And it stretches far beyond genre barriers, he says. "Some group could come out today and be like the Carpenters or America -- a lot of those groups who had great songs out when I was a kid. I didn't know who they were at the time; my mom just had it on in the car. But they were singing real melodies and making very honest music.

"That hasn't happened for a while, but now it's returning -- all people trying to do real things, not just the neo-soul artists. I mean, look at Justin Timberlake. He's got a video on BET!"

This pan-soul notion excites him, but his resigned tone indicates that he knows it's just wishful thinking. He realizes that the neo-soul tag -- the one used to describe the revival of '60s and '70s R&B heard in artists ranging from D'Angelo to Macy Gray to Angie Stone, all of whom Saadiq has produced and written hits for -- well, it has stuck.

Which wouldn't be so bad, were Saadiq given credit for his contribution to it. Since the late '80s, when the well-regarded bassist launched the popular outfit Tony! Toni! Tone! with his brother Dwayne and cousin Timothy, Saadiq has remained one of the premier practitioners of soul, often keeping it alive while contempo raries dabbled in fads.

With the Tonys -- whose "Sons of Soul" and "House of Music" albums were neo-soul before anyone knew the name Erykah Badu -- he yanked R&B out of its confining new jack swing phase via throwback smashes like "If I Had No Loot" and "(Lay Your Head on My) Pillow." Once soul was on the rise again, he was everywhere but largely unseen, helping shape cornerstone songs while keeping his own music alive through a one-off supergroup named Lucy Pearl, also featuring En Vogue's Dawn Robinson and A Tribe Called Quest's Ali Shaheed Muhammad.

Now comes the release this week of his first solo album, the appropriately titled "Instant Vintage." Often lush like the finest Gamble & Huff creations and mercifully gimmick-free, it's one of the most mature works to emerge from the new soul boom.

Drenched in blissfully blunted grooves, the sort that carries the D'Angelo duet "Be Here" and the Family Stone feel of "Charlie Ray," it unfurls what Saadiq calls "gospeldelic soul." "It's funkier than gospel," he explained by phone from

his office at Whiskey Slew Productions, one of three L.A. operations he owns, along with Pookie Records and the Blakeslee Recording Co. studio.

"But like gospel it strives for truth, not games. ... The 'delic' part is everything else that gets mixed in, whether it's jazz or classical or something poppy or hip-hop. It's open to everything."

It could be just the sound to give Saadiq the recognition he long has deserved.

"Yeah, now people are remembering what I've done," he says, adding that despite his misgivings regarding neo-soul, he does hope to partly reclaim what his forebears set in motion from an industry that has commodified its beauty to the point of meaninglessness.

"I could take credit for my role, but I don't. Not as long as I can see the people who paved it for me -- Otis Redding; Jackie Wilson; Sam Cooke; Earth, Wind & Fire; people before them. I'm part of that family tree. I'm one of those branches, maybe one growing out of Larry Graham and Sly Stone."

But it isn't hard to sense some resentment that his life's work has gone largely unnoticed. "Two months ago, before I was doing interviews, they'd talk about neo-soul and wouldn't even bring up the Tonys. Now that I'm back, they drop our name like they respected us all along."

This, he says, is his lot in life. "Roberta Flack told me one time, 'Your role won't be easy.' She said that my role in this industry would be a lot harder than others', and she was right. It's been that way ever since." It goes the same way each time, he points out -- a new record, glowing reviews, "then a record company that doesn't know what to do with it. ... They don't even buy ads to tell people I'm coming to town."

But he refuses to let this routine become crippling. "You know what? I'm finding my space. 'Most underrated producer: Raphael Saadiq.' Maybe that's what it will always be.

"I'll get my due someday. I know that. But what I really want is to have an Al Green career. Just four or five great albums. That's something that takes on a life of its own."

Contact Wener at (714) 796-2248 or bwener@ocregister.com

SOUL

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Raphael Saadiq

SAADIQRaphael Saadiq was neo-soul before the term existed. Page 51

Please write a 2-line promo here. It takes a page number, which is 51. Then copy it and past it into the file FRIHEARPRO.0614. Please leave a copy here so the slot knows the promo has been written. SAADIQ: Behind the influential Tony! Toni! Tone!

GRAPHIC: Raphael Saadiq has remained one of the premier practitioners of soul.

LOAD-DATE: June 19, 2002

A Memoir: "Electronic Edition" David Ruffin - My Temptation by Genna Sapia Ruffin

"A story of personal/spiritual redemption and an epic tale of our society. It's the story of a woman who has emerged victorious after spending much of her life as a victim of abuse, poverty and neglect. Yet, it is also the story of young America and of 'the Sound of Young America'--first during the 60's when all seemed possible, and then how that dream turned into a nightmare in the 80's."--Bob Davis, owner, Soul Patrol 'A Memoir: David Ruffin--My Temptation' and click on the banner download the FREE Sample Chapter

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NEW SOUL LISTENING INDEX

• **LOUISE PERRYMAN: 'WHISPER MY NAME'**
Dubbed *'the white woman with the black voice'*, she is impossible to truly categorize. Some will classify her as 'Jazz', some 'R&B', some 'Neo Soul', some 'Pop'.

• **SONNY BOY: 'URBAN MISFIT'**
In the tradition of the musical artistry of Sly Stone, Jimi Hendrix, Prince, Billy Preston, poised to meet the challenge of the D'ANGELO GENERATION!

• **RIOSOUL: RHYTHMS OF THE SOUL**
Listen to the new CD Release from the LA Based Soul/Funk band. Think of a combination of Slave, Brand New Heavies, with a splash of New Birth

• **Soul Patrol: Members Only Pt 2: Sandra St Victor, N'Dambi, Ty Stephens, Rio**



• **SOUL-PATROL'S BEST NU SOUL CD OF 2003 - MARLON SAUNDERS: ENTER MY MIND**
Marlon Saunders, Warren Rosenstein and John Pondel form the core of the pioneering group known as Jazzhole. This solo effort from Marlon Saunders, entitled 'Enter My Mind' is something that I am certain that most Soul-Patrollers will like. It's a cool and crisp Jazz-Funk CD, with some STRONG vocals that will remind folks here of Donny Hathaway or perhaps Jon Lucien. (Although I am certain that the "mainstream" will refer to it as "neo soul").

There are several SLAMMIN songs on here, with a MEAN Jazz-Funk groove.
A great example of this is the song 'AFRO BLEW MY MIND' (which you are hearing right now), this is one of the best songs I heard in 2003. It's an ode to the 70's that gives props not only to Donny Hathaway, Stevie Wonder, Freddie "Boom Boom" Washington, Psychedelic Shack, Curtis Mayfield and more.

Click here and be taken to Marlon's website where you can sample even more of his music and also see him and his SLAMMIN band performing live on video!

You won't be sorry...

--Bob Davis

Drop me a quick email and let me know what cha think?
earthjuice@prodigy.net

Soul, Fats Gallon, JD Blair, Mystery Lady, Malia Franklin, Waldo Weathers

• Listen To Victor Wooten's 'Live In America' (via Soul-Patrol.Net Radio)

• Listen to a special WORLD PREMIERE BROADCAST of the Groove Doctors NEW CD called: HOUSE CALLS!

• CLICK HERE to listen to WATCH WHAT HAPPENS the new CD by Lisa Gay and Thrill.

• Soul Patrol: Members Only Pt 1 Chi-Lites, Dells, Billy Griffin/Miracles, Fathead, Michael Henderson, Special Blendz, Carl Gardner (Coasters), Freddie Stone, Candi Station, SonnyBoy, Mr. Lock, Gene Williams, Mandrill, Carlton Smith.

• STONE COLD SOLID FUNK with Soul-Patroller Carlton Smith

• The WORLD FAMOUS Nightrain Radio Program Featuring DA FUNK: Soul Element, Dawn Silva, Hardway Connection, Coalhouse Walker, Stanton Moore, tribute to Bro' Jack McDuff

• Last Updated: 4/6/2003



• **INTRODUCING: LOUISE PERRYMAN**

Dubbed "the white woman with the black voice", she is impossible to truly categorize. Some will classify her as "Jazz", some "R&B", some "Neo Soul", some "Pop".

However my feeling is that most of you won't care about the category and just dig on the music...This charismatic singer/songwriter with echoes of Laura Nyro, Minnie Riperton and Anita Baker, explodes the stereotype of conventional R&B with her vibrant stage presence and richly textured voice. Louise is of that rare breed of singer/songwriter who actually embraces her audience, inviting them to join her on a journey of the soul.

CLICK HERE TO LISTEN! Drop me a quick email and let me know what cha think?
earthjuice@prodigy.net

--Bob Davis



• **2003 RELEASES (MESSAGE SONGS):** Today's Messages (New Releases): Jimi Hendrix, Marlon Saunders, King Britt/Sylk 130, Digable Planets, Shelley Nichole's blakBushe', Robert Baldwin, Dells, Miracles, Persuaders, Unified Tribe, Sounddoctrine

I'd like to turn you on to some new releases from some older and younger artists that have a serious message component to their songs... A new Soul-Patrol.Net Radio show that revolves around a central theme of "messages" found in some new releases against a backdrop of the message of the Jimi Hendrix classic: 'POWER OF SOUL'

Most of the artists are Soul-Patrol members Please support em...At least take a listen and let us know what cha think? All of it NEW RELEASES, most of it is available online from the artists websites. Go there and make the purchase DIRECTLY from them if you like what you hear. In fact, why not make a...COMMITMENT TO BUY AT LEAST ONE OF THE CD'S FEATURED ON THE BROADCAST DIRECTLY FROM THE ARTIST WEBSITE?
CLICK HERE TO LISTEN!

NEW FROM JAZZHOLE: CIRCLE OF THE SUN

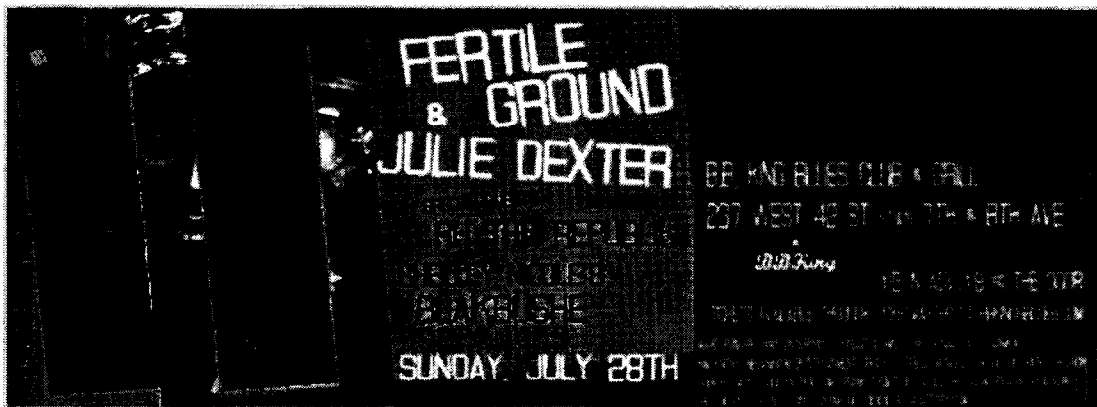
Click here to get the scoop on this great NEW CD



Back before funk had its renaissance, for a while new funk artists were all being called 'acid jazz' I mean, damn, even Maceo and the JB Horns and Bobby Byrd put out 'acid jazz' albums....
Anyways, back then, I used to do an acid-jazz/organic hip-hop radio show, and along with the Roots first record (Organix), and Tribe Called Quest, I used to bump The Jazzhole all the time . I loved Forward motion, thought The Beat is the Bomb was pretty cool, and dug the cover of Shining Star.

Peace Always - 'Fess

Click Here and Listen To An Example.....



This press release is something that I am REALLY proud to present to you. It's an announcement of an upcoming show in NYC on 7/28/2002.

I am also proud to announce that this show is going to be "co-hosted" on stage by

- Darrell McNeil - Black Rock Coalition
<http://www.blackrockcoalition.org/>
- Sarah Hill - SISTAfactory
<http://www.sistafactory.com>
- Bob Davis - Soul-Patrol
<http://www.soul-patrol.com/>

(all members of Soul-Patrol)

MELANIUM ENTERTAINMENT GROUP
Kim Knox - NYC
Press Release- 7/28/02

Bold, Breathtaking, and independent! Words to describe the event, the artists and the movement. On July 28, 2002 a show of immeasurable proportions will be staged e BB Kings Blues Club, turning New York's indie music scene on it's ear. The lineup reads as a cornucopia of talent and diversity with Fertile Ground, Julie Dexter, Rhythm Republik, and Shelley Nicole's BlakBushe.

This event is the New York stop on Fertile Ground's 30 date international tour- The group has been a soul/jazz phenomenon for the past five years, playing to Bold out audiences all across the U.S. and selling thousands Of CD's both home and overseas. The Baltimore based sextet combines a brilliant melange of soul, latin, jazz, and reggae influences to create a musical gumbo which not only feeds but satisfies.

Also set to take the stage on this electrifying evening is the multi-talented Julie Dexter. This UK native is a world renowned vocalist and classically trained musician, whose style is a blending of acid jazz, reggae, and hip-hop. Her range of influences span from traditional jazz artists such as Nancy Wilson and Billie Holiday to contemporary soul icons such as Omar and Sade. Her highly-anticipated album release "Dexterity" will undoubtedly cause many of the industry mainstream to sit up and take notice.

Opening for these powerhouses are two area heroes who are rapidly blazing the New York underground scene. Shelley Nicole is a classically trained jazz vocalist with a rock edge. Her poignant and powerful lyrics fused with complex vocal arrangements and hard driving rock riffs give her music textures and layer. that envelope an audience. Backed by her multi-talented and eclectic band; Blak3uashe; Shelley is continually evolving into a force to be reckoned with.

Rounding out this musical tour de force are NYC veteran-funk masters1 Rhythm Republik. Thig seasoned ensemble has created and produced shows at too many venues to mention. They've been an opening act for diverse performers like Spearheed, the Wallflowers, Steel Pulse, Teena Marie. and George Clinton (P-Funk All Stars) to name a few. They've performed at benefits for Haitian refugees, the homeless, and various political prisoners. Using their music to "bring a message from the grassroots to the powers that bel'1, the Republik has "remained a source for commentary on social and political ideas for cur culture-at-large".

All in all, a night too amazing to be missed. The event is being brought to you as a collaborative effort by some of the top promoters in the NY area. This amalgamation includes the Black Rock Coalition, Soul-Patrol.com, AugustFifth.com/IGroove Addiction, TeaParty.org and SISTAfactory.com. This team is being led by the efforts of Narc Powers/MN8 Enterprises(DC), Kregg Ajaau/Funkshunal Entertainment(WY), Shelley Nicole/Red Butterfly Music (NY) and Kim Knox/Melaninium Entertainsent Group (NY). non't miss this "Sleeper Show of the Summer"!!!

Sunday, July 28, 3002
BB King's Blues Club & Grill NYC
237 West 42nd Street (between 7th & 8th aye.) Doors open at 6pm
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Contact NYC:
Kregg Ajamo, kajamu@hotmail
917-531-1153
Kim Knox,
knox99@aol.com

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Folks, I realize that some of you don't think that there is ANY good music being produced today...

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**Help Promote This NEW MUSIC, by Spreading the Word in
Cyberspace:**


If you enjoy spending time on the 'Net, you can be part of Soul-Patrol's Cyberspace-Street Team. Soul-Patrol needs you to go to newsgroups, message boards, chat-rooms and any other on-line communities to help spread the word about her music.

Be sure to give folks the URL to this page so that they can check out some of this GREAT music for themselves!
Here are a few excellent sites where you can start spreading the word!

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**Help NEW, REAL SOUL MUSIC Music By Calling and Requesting
Soul Music at Various Radio Stations:**

If you want to strike a blow at the very heart of mediocrity in music there's no better way than calling radio stations and demanding quality music. Here are a few stations you can call to request SOUL music. If a radio representative tells you they don't have it, you can politely tell them they need to get it and direct

them to me  (Bob Davis) owner of the Soul-Patrol website, and I will put them directly in touch with the artist, so that they can get the music. Believe it or not, after enough calls and e-mails the radio stations will eventually realize that they do, in fact, need to get it--and they will!

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"I don't care what people think. People are stupid."

Charles Barkley

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INTERVIEW WITH THE 'SUPREME' MARY WILSON A Soul-Patrol.NET Radio exclusive interview. In a wide ranging and candid interview, Mary Wilson tells us about her career as a founding member of the SUPREMES, her views on the evils of culture banditry and fake groups, on the possibilities that the Internet gives artists and other related issues.



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Juste Lounge

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overview

A cozy lounge that features neo-soul, hip-hop and R&B music alongside a menu with more than 30 martinis.

[read full editorial review](#)

[average reader review](#) ★★☆☆

[read all reader reviews](#)

tip sheet

HOURS:

Tue 5-midnight Fri 5 pm-3 am Sat 8 pm-4 am

events

Neo-Soul Showcase

ongoing

Juste Lounge features local and regional neo-soul and R&B bands, martini specials and DJs every Tuesday.

Montego Bay Thursdays

ongoing

The Qleenkut Band performs reggae and Carribean music all night. Beer specials are offered until 8 p.m.

4Play Fridays

ongoing

Live music, \$3 martinis and DJs spinning hip-hop from happy hour to the wee hours.

Mingles Saturday

ongoing

Food and drink specials, live music and DJs until 4 a.m.

editorial review

Last December, Juste Lounge began hosting a weekly Neo-Soul Showcase, adding live performances by local groups to the bar's martini happy hour, which was already popular with African American professionals. "Neo-soul is hot, but it's a little bit mellow," explains owner Juste Pehoua. "And it's only Tuesday, so you want to relax."

That's a good way to describe the vibe at Juste Lounge on a recent Tuesday night. A local neo-soul group called

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Waterseed is set up in a corner, laying down a sensuous R&B groove. The high-ceilinged room is lit by flickering candles and soft yellow lights. Folks in business attire and dressy leather jackets are grouped around the bar, martinis in hand, laughing and talking. In a back room, couples recline on oversize couches, as candelabra glow on coffee tables. The music isn't too loud to preclude most conversation.

Neo-soul is popular in local music circles, with groups like Fertile Ground and W. Ellington Felton crafting songs reminiscent of the classic R&B and soul created by the likes of Aretha Franklin and Marvin Gaye. Juste Lounge is currently the only place in town to sample these sounds on a weekly basis. "They're all local bands that want to get some exposure, but they're also bands that we think have the skills," Pehoua says.

The evening flows nicely. People arrive before 7 for happy hour with discounted martinis and, occasionally, half-price appetizers. A neo-soul band grooves until 8:30. The atmosphere picks up a bit afterward, as a DJ spins Top 40 hip-hop and R&B and the crowd fills the small dance floor until it's time to close.

Pehoua opened the two-story club last summer, and Juste Lounge quickly gained a reputation for its martinis and Friday happy hour. "We've always had a huge martini list," he says with pride. "We started with 17, but after a while we put our bartenders together and came up with a lot more." The menu changes often -- the lounge added some with names like "Sexual Healing" and "Love Potion" for Valentine's Day -- but there are usually at least 30 martinis offered. Most are sweet, with flavored vodkas, liqueurs (Amaretto and Chambord seem to be favorites) and fruit juices.

"We want to create a name for ourselves," Pehoua says. "When you go to McDonald's, you get a burger. When you come to Juste Lounge, we want you to get a martini. . . . The Fuzzy Teddy Bear is my favorite."

His plan seems to be working, as the majority of people in the room are holding 10-ounce martini glasses.

On Friday and Saturday nights, Juste Lounge opens up its lower level, which features a medium-size dance floor, couches and a long bar. Friday, billed as "4Play Friday," is popular for its long happy hour and live music. "4Play is not a sexual name," Pehoua insists. "There are four aspects of Juste Lounge on Fridays. You can come here and socialize on a couch, you can have a drink, you can eat or you can go downstairs and party with a DJ."

The live music on Friday varies from week to week. A reggae band might follow a neo-soul group or a small jazz combo, and there are plans to bring a salsa band into the mix. "We want people to be open-minded," Pehoua says.

Saturday is international night, with Latin and African music, including Zaiko and Makosa on the lower level, and DJs playing hip-hop and R&B upstairs.

By early summer, Juste Lounge will have added an upstairs room with more lounging space and more couches, Pehoua says, and there are also plans to expand the kitchen. "Right now, it's small, and we don't have the capacity to be a real restaurant," he says. Juste's food is limited to a bar menu that is served mostly at happy hour, although you can get coconut shrimp and lemon barbecue chicken wings until midnight on Fridays.

(The lounge is clearly a work in progress -- in the back room, one wall is chipped and another has some peeling paint. However, that doesn't really disturb the warm atmosphere.)

A bigger worry is the club's location across from the new convention center. In late February, construction closed Seventh Street in front of the club, eliminating much of the foot traffic and removing a number of parking spaces. For now, the club has secured two parking lots for patrons: one on New York Avenue between Sixth and Seventh streets and one on L Street, again between Sixth and Seventh.

Pehoua is taking it in stride. "Last week, the street was shut down, but we had a full house," he says. "Our number one source of business is word-of-mouth."

As long as the soul is deep and the martinis are well made, he'll have nothing to worry about.

-- Fritz Hahn (March 2003)

reader reviews

Average reader rating: ★★★ (17 reviews)
Write a review | Read all reviews

★★★★

Great drinks

Posted by Martini lover on Oct 06, 2003

The staff at Juste are wonderful. They make the bets drinks and also with a even better attitude. I highly recommend Juste for that"well needed drink" after quittin' time.

request removal

★★★

Unprofessionally Managed

Posted by anonymous on Sep 28, 2003

Let me be succinct: the owner and doormen fall short in customer-relationship management. Despite the fact that my name was on a guestlist, I was forced to pay simply to enter. I told the owner who I was but was still refused entry.I also mentioned that I would be rating this place on the Wp.com and the owner's response was "who cares...". I think the problem here is systemic rather than individual. Several friends reported similar issues with sub-par service. I generally try to be fair with my assessment of a place (see my ratings under www.worldsbestbars.com/Stockholm). This place isn't likely to challenge Man Ray in Paris, Andalu's (Dupont Circle), The Lyndmar Bar (Stockholm), Bed Bar (London), etc., etc. NOTE TO OWNER: THE CUSTOMER IS ALWAYS RIGHT! sabidoeye@hotmail.com

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sosgemini



11/16/03 12:10pm
Joined 7/03

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Message

Whatever happened to the neo-soul movement?

By Renee Graham
BOSTON GLOBE

If the buzz of the mid-1990s was to be believed, neo-soul was supposed to change everything.

Stripping away the artifice of contemporary R&B, in which cookie-cutter production gimmicks masked mediocre talents, neo-soul was championed as a triumph of earthy musical substance over glossy style. If hip-hop beats had come to dominate R&B, then neo-soul, embodied by such artists as D'Angelo, Maxwell and Erykah Badu, would move toward the future by paying homage to the past. It was a modern musical movement, but steeped in the soulful influences of Marvin Gaye, Stevie Wonder, Aretha Franklin, Curtis Mayfield and Donny Hathaway.

Yet eight years since D'Angelo's debut, "Brown Sugar" -- trumpeted as the best soul record since the 1970s -- unofficially began the so-called neo-soul era, few from this new breed of R&B artists have continued to have a major impact. Though Badu's underrated "Worldwide Underground" had a strong No. 3 debut on the Billboard album chart, it long ago slipped out of the Top 20. Macy's Gray's last two albums, "The Id" in 2001 and "The Trouble With Being Myself," released in July, received generally good reviews but were ignored by consumers. Bilal and Donnie, both great singers, saw their incredible debuts, "1st Born Second" (2001) and "The Colored Section" (2002), respectively, disappear without a trace.

It's been years since D'Angelo, Maxwell or Jill Scott released new studio albums. Alicia Keys, the latest neo-soul heroine, is two years removed from her smash-hit debut, but has an album due in stores in December. And modern R&B is again dominated by slick confections such as Beyonce Knowles and Ashanti.

"The neo-soul movement is still there, but it's been underground, and it's trying to get the attention of the mainstream again," said John Constanza, a publicist for Glory Records, which recently issued "Neo Soul United," a compilation featuring new soul artists.

New standard-bearers

Among the new crop of singers is Anthony Hamilton, whose latest album, "Comin' From Where I'm From," was released to critical acclaim. With a voice as deep as chocolate and as smooth as caramel, the North Carolina native has been making music since the early 1990s. He sang backup for D'Angelo on the singer's 2000 "Voodoo" tour, and he may be best recognized for singing the hooky chorus of Nappy Roots' 2002 hit "Po' Folks."

Yet with all the allusions to classic '70s soul that Hamilton's voice evokes, he doesn't want his music called neo-soul. "I think people take neo-soul lightly," Hamilton said. "It's a trend that came in and went. What I'm doing has been around since the beginning of music. It's traditional; it's not a trend.

"Besides, 'neo' reminds me of neon, like it's gonna glow in the dark or something. My music don't glow in the dark. 'Neo' reminds me of lime green or bright yellow. My music isn't lime green; it's brown and warm and soothing."

Other modern soul singers echo Hamilton's ambivalence. "I find that term to be so tricky. To me, it's just soul," said Los Angeles-based singer Lizz Fields, who came out of the same Philadelphia music scene as the Roots, Bilal and Scott. Her debut CD, "Bydaybynight," was released in February.

"My music is just a continuation of what we've known in the past," Fields said in a telephone interview. "Unfortunately, we live in a world where it has to be defined differently."

For a minute there, what was called neo-soul seemed poised to become the mainstream. It was touted as not just an exciting shift in music, but a movement and a mind-set. It even spawned a neo-soul film, 1997's "Love Jones," which featured Larenz Tate and Nia Long as jazz-loving, poetry-reciting black bohemians and a soundtrack with Meshell Ndegeocello, Groove Theory and Dionne Farris.

If the music boasted a back-to-basics ethic, so too did videos by such artists as Maxwell, Scott, D'Angelo, Keys and India.Arie. They didn't feature dancers, fancy clothes or fanciful plot lines. India.Arie's breakthrough clip, "Video," showed the singer-songwriter riding her bike, an acoustic guitar slung across her back, as she sang proudly of not being a

supermodel or "your average girl in the video." Scott's "A Long Walk" showed the singer doing exactly that -- taking a walk in her Philadelphia neighborhood and encountering friends along the way.

Most memorably, D'Angelo's "Untitled (How Does It Feel)" revealed the incredibly buff singer performing directly to the camera, wearing nothing more than his cornrows.

What's in a name?

Despite its critical success, if neo-soul had an initial failing, it was the media-created label itself -- a term that the artists, whom it was meant to represent, generally rejected.

As a means of signifying that this music wasn't the music of your parents' dusty 45s, it was sold and packaged as a new trend, but inevitably trends aren't built to last. Just as Seattle musicians resented having their punk-derived music branded as grunge, the new generation of soul singers wanted nothing to do with being tagged "neo-soul."

Reveling in a music-first ethic, the neo-soul movement could seem a little sanctimonious. It was soul music for smart people, with a tangible elitism and self-importance that some may have found off-putting. But there's no denying the luscious musicality, both familiar and fresh. Many of the new soul artists are songwriters and musicians as well as singers, and it gives their art a deeper personal touch. Neo-soul doesn't sound manufactured or producer-tweaked to within an inch of its life.

That natural quality is what made -- and continues to make -- this music stand out, says Temika Moore, a classically trained singer from Philadelphia who released her soul-jazz debut, "Moment of Truth," in July 2002.

"Neo-soul is just a way that our generation, the newer generation, embraces the idea of merging different kinds of music," said Moore. "All music can be soulful. I think it just depends on the way it's communicated. I gravitated toward neo-soul because I like to fuse all the elements of gospel music, jazz and R&B."

Labor of love

Both Moore and Fields have songs on "Neo Soul United," an eclectic collection of relatively unknown soul artists from across the country. It was her own love of soul music that led Natalie Esposito to start her independent New York-based label, Glory Records, which was specifically created to release "Neo Soul United."

Through the Internet and recommendations from friends, Esposito sought out unknown artists whose music "captures the original spirit of soul music," she said.

"Neo-soul is soul. There's nothing new about it," she said. "It's a way to recognize new artists, but it's soul music. I don't know why people have this concept of time when they hear the word 'soul' that it's old. Maybe some people could never get around that."

Like other musical styles quickly consumed by the mainstream and then tossed aside, modern soul music has gone back to its roots -- live shows in clubs in Chicago, New York, Atlanta and Philadelphia before enthusiastic audiences. Philadelphia singer Musiq (formerly Musiq Soulchild) is finishing his third album, and Floetry, which deftly combines alternative soul and hip-hop, is enjoying a slow, steady climb with its 2002 debut, "Floetic."

If modern soul isn't dominating the pop and R&B charts, neither has it gone completely away. "New soul artists are still blooming from the cracks, and what's important isn't labels, but the music," Fields said. "When Maxwell did his music, when Jill did her music, when Erykah did her music, it was just honest music. The more people create honest music, music coming from a real place and not designed to fit into a specific genre, I think people will always gravitate toward it. That's my goal.

"Even if people say neo-soul is wack or old, it doesn't matter to me so long as the music I make comes from an honest place."

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TRON
11/16/03 12:21pm
Joined 0/

Good riddance.

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cynicalbastard

"With a voice as deep as chocolate and as smooth as caramel, the North Carolina native..."



11/16/03 12:36pm
Joined 7/03

Please kill all writers like this. Please kill all labels. Thank u. Now let's just hear some GOOD MUSIC.

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YODAHENDRIX

U know why? Cuz all those cats are lazy...can't say it any plainer!

Luminous beings are we...not this crude matter.
Is this 2morrow or just the END of time?
The Funk will always b with u



Stick with me baby 4 a thousand years...

11/16/03 12:38pm
Joined 1/03

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CinisterCee

YODAHENDRIX said:

U know why? Cuz all those cats are lazy



11/16/03 12:59pm
Joined 5/02

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IstenSzek

I think they all suffer from neo-writers block



When's the new Maxwell album due??

This post will self-incriminate in 10 seconds

11/16/03 1:10pm
Joined 4/02

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YODAHENDRIX

IstenSzek said:

I think they all suffer from neo-writers block

When's the new Maxwell album due??

perhaps in another 3 yrs, yawn.



11/16/03 1:22pm
Joined 1/03

Luminous beings are we...not this crude matter.

Is this 2morrow or just the END of time?

The Funk will always b with u

Stick with me baby 4 a thousand years...

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YODAHENDRIX

CinisterCee said:

YODAHENDRIX said:

U know why? Cuz all those cats are lazy



11/16/03 1:23pm
Joined 1/03

Yeah man.

Luminous beings are we...not this crude matter.

Is this 2morrow or just the END of time?

The Funk will always b with u

Stick with me baby 4 a thousand years..

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JANFAN4L

LOL. It's funny. The media just CREATED and KILLED its own concoction -- just like the crazy "East Coast vs. West Coast" rap beef they spawned back in the mid-90s.



11/16/03 1:32pm
Joined 8/02

I remember when the media in 1997 proclaimed, "Like, OMG! Electronica is the next big thing! Prodigy will surpass The Beatles!" It was corny. MTV tried to get on that and made a crapped after-hours show called "AMP."

"We black women possess a special indestructible strength, that allows us to not only get down, but to get up, to get through, and to get over." - *Janet Jackson*

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DavidEye

11/17/03 1:19am
Joined 2/02

The problem is, most of those neo-soul artists take forever to release new music. Maxwell, D'Angelo, Jill Scott are said to be "working" on new material, but how much longer are they gonna take?

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AaronUniversal

i didn't read any of that article, but i think the "neo-soul movement" was overhyped. it got a lot of attention, but did anyone actually buy it? i mean, how many of those albums went platinum?



11/17/03 4:33am
Joined 10/03

it's only when more mainstream-type performers co-opt the neo-soul vibe that it sells (i.e., Alicia Keyes).

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funkbabyandthe babysitters

11/17/03 4:57am
Joined 10/02

the writer says that it wasnt manufactured, but thats the reason it has died - because it became a cliché of itself so fast. the lyrics are often far too pretentious but the main problem is that half the artists cant write proper songs - theyre full of vibes and atmosphere but not much structure.

plus, its 2 best artists (badu and dangelo) can only make something every 3 years or so which is sad. its not much of a sound anymore, i wouldnt call it a movement cos it didnt have much ideals wider than the music really (or did it), half of it is just like R&B...

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funkbabyandthe babysitters

11/17/03 4:59am
Joined 10/02

by the way, the term wasnt made by the media, it was coined by kedar massenburg, current president of motown who was then dangelo's manager.

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NuPwrSoul

11/17/03 5:06am
Joined 2/02

I think people unnecessarily bag on the term.

Unfortunately, however, because of its initial marketability too many people put out so-so records under the title, hoping to reach the neo-soul market.

When done well however, neo-soul still trumps any of the plastic R&B that's playing these days.

Everything you want to know... from Z to A --> www.fromZtoA.com

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EllisDee



11/17/03 5:58am
Joined 2/02

NuPwrSoul said:

When done well however, neo-soul still trumps any of the plastic R&B that's playing these days.



i don't care what they call it or how damn overhyped it is, i'll take something organic like neo-soul, with some damn real ass musicians trying to make some real ass music, over those cut&paste beats and afterthought lyrics that get tossed out by r. kelly and a million other "plastic r&b" minions...



Mr. Ellis Dee-licious, the Official NPGigolo

we can wash all this blood from our hands and all this hatred from our souls...

- [E-mail](#) - [orgNote](#) - [Report post to moderator](#)

AaronUniversal



11/17/03 6:05am
Joined 10/03

EllisDee said:

NuPwrSoul said:

When done well however, neo-soul still trumps any of the plastic R&B that's playing these days.



i don't care what they call it or how damn overhyped it is, i'll take something organic like neo-soul, with some damn real ass musicians trying to make some real ass music, over those cut&paste beats and afterthought lyrics that get tossed out by r. kelly and a million other "plastic r&b" minions...



remember when alternative (or "grunge," if one must) broke out in the early 90's? the first several groups that the public discovered had the goods, but they were followed by lame pretenders and also-rans for the rest of the decade.

same thing for "neo-soul" (again, if one must), except trends, and especially in the music industry, are on a much faster

cycle these days, and the whole movement built up too quickly to establish credibility and to establish who was leading the way and who was jumping on the bandwagon. those who can do it will stick around for years, but in the meantime, the crap is mixed in with the good, as it always is, and it (the crap) will fade away. but hopefully quick enough to not taint the whole genre.

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sinisterpentatonic



11/17/03 6:50am
Joined 5/03

Remy Shand Killed it. 😊

Nah seriously, D'Angelo and Badu were the pioneers of that shit, and as Aaron pointed out everyone else biting their style were just pretenders. As with anything thats mass produced and imitated it loses it's appeal (least for me, and that goes for P too). Ok maybe a new genre in music was spawned, for those willing to accept that as an excuse for lack of originality. I will say as Ellis did that it's far superior to mainstream R'n'b, but there's only so much of it I can digest. Listening to much of that shit is like smoking bad weed just makes me sleepy.

Neo-Soul as a genre had/has so much potential but, I have yet to hear anyone doing it the way that it should be done.

I'm experiencing technical difficulties please standby

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sosgemini



11/17/03 7:08am
Joined 7/03

Moderator

Online

AaronUniversal said:

i didn't read any of that article...

foolio...read the article...it actually references some artist i had never heard about...im actually gone check out some of the discs..

-----> [girlbros. radio](#) <-----..broadcasting 24/7....now featuring: in honor of the release of musicology, "its a prince thang"...girlbros goes funky..just for today..

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AaronUniversal



11/17/03 7:09am
Joined 10/03

sosgemini said:

AaronUniversal said:

i didn't read any of that article...

foolio...read the article...it actually references some artist i had never heard about...im actually gone check out some of the discs..

go ahead, but i've been up a very very long time and i don't have the attention span for it.

then again, i AM trying to make myself sleepy... 😊



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funkbabyandthebabysitters

11/17/03 7:13am
Joined 10/02

EllisDee said:

NuPwrSoul said:

When done well however, neo-soul still trumps any of the plastic R&B that's playing these days.

👍 ...

i don't care what they call it or how damn overhyped it is, i'll take something organic like neo-soul, with some damn real ass musicians trying to make some real ass music, over those cut&paste beats and afterthought lyrics that get tossed out by r. kelly and a million other "plastic r&b" minions...

i dunno. half of it is really boring IMO these days. R&b and neo soul are pretty sucky overall.

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SweetKreme

First of all I always hated the term "Neo-Soul" there was nothing "NEW" about soul in the first place!



11/17/03 9:34am
Joined 9/03

Second, I do agree with Janfan4 the media creates these boxes to put people in and when people grow out the box they wanna completely make it something else besides what it is - growing!

Lastly, good music is good music period and I don't believe all the talent in the world is gone just because the industry chooses not to recognize them - I will continue to support the true artist with something to say and a funky melody from me to

grind too - keep bangin!, where ever you are!



100% femme

Fuck you! Pay me!

- E-mail - orgNote - Report post to moderator

Rhondab



11/17/03 9:49am
Joined 2/02

sinisterpentatonic said:

Remy Shand Killed it. 😊

Nah seriously, D'Angelo and Badu were the pioneers of that shit, and as Aaron pointed out everyone else biting their style were just pretenders. As with anything that's mass produced and imitated it loses its appeal (least for me, and that goes for P too). Ok maybe a new genre in music was spawned, for those willing to accept that as an excuse for lack of originality. I will say as Ellis did that it's far superior to mainstream R'n'b, but there's only so much of it I can digest. Listening to much of that shit is like smoking bad weed just makes me sleepy.

Neo-Soul as a genre had/has so much potential but, I have yet to hear anyone doing it the way that it should be done.

Actually groups like Tony, Toni, Tone and Loose Ends were the pioneers...there were people doing soul music but New Jack was the main vibe then.

1943charlotte2004

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sinisterpentatonic



11/17/03 9:32pm
Joined 5/03

Rhondab said:

sinisterpentatonic said:

Remy Shand Killed it. 😊

Nah seriously, D'Angelo and Badu were the pioneers of that shit, and as Aaron pointed out everyone else biting their style were just pretenders. As with anything that's mass produced and imitated it loses its appeal (least for me, and that goes for P too). Ok maybe a new genre in music was spawned, for those willing to accept that as an excuse for lack of originality. I will say as Ellis did that it's far superior to mainstream R'n'b, but there's only so much of it I can digest. Listening to much of that shit is like smoking bad weed just makes me sleepy.

Neo-Soul as a genre had/has so much potential but, I have yet to hear anyone doing it the way that it should be done.

Actually groups like Tony, Toni, Tone and Loose Ends were the pioneers...there were people doing soul music but New Jack was the main vibe then.

Actually you're right, but never heard that term until D'angelo, Maxwell and Badu hit the scene. Good catch!

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jessyMD32781

11/18/03 10:17am
Joined 0/

JANFAN4L said:

LOL. It's funny. The media just CREATED and KILLED its own concoction -- just like the crazy "East Coast vs. West Coast" rap beef they spawned back in the mid-90s.

I remember when the media in 1997 proclaimed, "Like, OMG! Electronica is the next big thing! Prodigy will surpass The Beatles!" It was corny. MTV tried to get on that and made a crapped after-hours show called "AMP."

I remember AMP. That show was so weird. I think that AMP even had its own series of soundtracks that you could get at the record store. You know, for when you wanted to listen to cracked out electronica music during the day.

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guitarslinger4

4
11/18/03 3:04pm
Joined 6/03

You all want neo soul??? Come to Atlanta!!! Goddamn it get DOWN here! There's more neo-soul than you can shake a 13 inch wang at!! Actually it's not a bad thing though. There are some really good artists down here that have their shit together. There's this guy named Anthony David who's really good. Check him out. That article mentioned that singer Donnie and actually he just played here recently but he's on all sorts of coke and pills I guess. He played out in CA recently and Prince was actually in the audience and someone told him this while he was onstage and he said (away from the mic but

close enough that it picked up) "I don't give a fuck if Prince is in the audience!" Evidently Prince wanted to help him but ended up walking out after that. He coulda been a contender!

www.soundclick.com/thevacanthalls -My Band

"I am a devout musician." -Sting

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NWF



11/18/03 3:57pm
Joined 10/02

You know what??? There is no "neo-soul". I don't think any of these artists aspire to be retro to begin with. You don't see any of them dressing up in shiny suits and processing their hair or having some kinda whompn', stompin' intensity in their sound. Most of that stuff is just laid back R&B for the upscale type of black folk. I think it should be called "Progressive Soul". What do you think?

"Don't drink, don't smoke, what do you do?"

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mochalox



Hey Ya!
11/19/03 8:12am
Joined 9/03



mochalox said:[quote]

guitarslinger44 said:

You all want neo soul??? Come to Atlanta!!! Goddamn it get DOWN here! There's more neo-soul than you can shake a 13 inch wang at!! Actually it's not a bad thing though. There are some really good artists down here that have their shit together. There's this guy named Anthony David who's really good. Check him out. That article mentioned that singer Donnie and actually he just played here recently but he's on all sorts of coke and pills I guess. He played out in CA recently and Prince was actually in the audience and someone told him this while he was onstage and he said (away from the mic but close enough that it picked up) "I don't give a fuck if Prince is in the audience!" Evidently Prince wanted to help him but ended up walking out after that. He coulda been a contender!

true. I'm in ATL and I think we're inundated in it. Don't forget Joi, a.k.a. "Star Kitty", Heston, Kem (a non-Atlantan), Heratio, Seek, fellow .org'er Chilton, Syt (pronounced 'sight', also a *shameless plug*: <http://www.syt2mind.com/>) and my boy DRES tha Beatnik (*another shameless plug*: <http://www.4kingsent.com/events.html>). My list could go on forever. ATL is sick with it!

From the desk of Ms. Mocha Lox, C.P.C.

Certified Professional Complainer

Prince says:

Goodie 4 U

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BlaqueKnight



11/20/03 8:26am
Joined 2/02

To throw another name in the hat, check out **Rhian Benson**. She has a sweet CD. She's on the Amel Larrioux meets Sade tip. It comes down to preference. Some people prefer Maxwell, some prefer Jaguar Wright, etc. Its nice to know that there are still some people interested in real singing, real music and real writing. If its "boring" to you, go listen to something else. I'll take neo soul over Radiohead, The White Stripes or any ten of the noisy, off-key singing fluffmongers clouding the airwaves these days. I think success is subjective. If people spread the word about these artists and they are moving a few units and moving peoples' hearts, they ARE successful. Just because they didn't sell 2 million units doesn't mean they aren't. The media is trying to kill the genre because they can't control it. They CAN'T kill it, either. WE support OUR music. Neo-soul, new soul or whatever you want to call it...LIVES. Who cares if the pop crowd pushes it to the top of the charts or not. Its R&B, its good and people like it REGARDLESS to what some silly hater with a keypad says. To quote Chuck D: "Soul on a roll but you treat it like soap on a rope". Still, it lives.

"I used to think Prince fans were well-versed, intelligent lovers of music; in reality, they are only intelligent, well-versed lovers of Prince's music."

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Harlepolis



11/20/03 8:58am
Joined 3/02

I said it b4 and I'ma say it again-FUCK THE TERM!

If I came out with a record based on nuthin' but upright bass and acoustic piano, you bet that I'm gonna be classified as a Neo-Soul artist. What else do u think would they call me? Jazz? Get a life then!

I enjoy some of those artists but I HATE how they label their craft as "Neo-Soul" whats so goddamn NEW about it? Ripping the 70's off? What? Their non-washing smelly selves? what is it?

Eryka Badu is cool, she woulda been cooler if she stopped riding Chaka's tits and stop calling herself a "wild child" too lol that is so pretentious.

D'Angelo is cool too but he's HYPE as a muthafucka. Get Prince, Marvin, George Clinton, Al Green & Jimi's musics and put them into a blender,,thats what you'll hear(same goes 4 Lamy Kravits).

Those ppl delievered nuthin' on the table, they talk about NUTHIN' NEW(spirituality, racial-pride, self-love and love)? Mind to check EW&F, Rufus & Chaka, Stevie Wonder, Donny Hothaway and the rest of those 70's cats and you'll see who's the BIG pretender.

Neo-soul is B-L-A-H 2 the 10th degree!

"Too bad that all the people who know how to run this country are busy driving taxis and cutting hair."-- George Burns

"I once wanted to become an atheist but I gave up. They have no holidays"-- Henny Youngman

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COMMITTEE OF EAST AFRICA

under the direction of

THE LATE FREDERICK JOHNSON

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B. J. RATCLIFFE,
Secretary, I.L.C.

TO
KRAPP, MADAN AND STEERE
WHOSE WORK FOR THE
SWAHILI LANGUAGE SHOULD NEVER
BE FORGOTTEN

Inform
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1956, 1958, 1960, 1963, 1965, 1969, 1971
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PROPULSION

428

propulsion, n. kusukuma, kupoleka
 mbele, msukumo. propulsive, a.
 -a. kupoleka (kusukuma) mbele.
 pro rata, adv. kwa kadiri (ya kuli-
 ngana).
 proregue, v.t. katiza (maneno ya
 baraza kuu), ahisha, veka. pro-
 rogation, n. kutatiza, kuweka &c.
 proscio, a. taz. *prosc.*
 proscribe, v.t. gombasa, kataza,
 harimisha. proscriptor, n. mka-
 tazo kuharimisha.
 proso, n. uemi wa kawaida (utio
 masharti wala utenzi); (*dull dis-
 course*) maneno baridi (yaiyokohana);
 (*tailoriness*) ubaridi, uchovu. pro-
 sose, prosoy, a. -a. baridi, -a. viwi
 hivi, -a. kuchohwa, -sikokoa. *It is
 prosy (dull), halkolei, haina kilingo.*
 prosecute, v.t. ahaki sheriani, dai,
 fululiza, fuliza, endaba, silka kazi
 ya, duma. prosecution, n. kundi,
 -daawa, mashaka; (*carrying on*)
 fululizo, fulizo, kumendata, kutumia.
 prosecutor, n. mahaki mdali; (*pro-
 secuting counsel*) wakili wa mahaka.
 proselyte, n. mwongofa wa dini.
 proselytism, n. kuongoa; kuongo-
 kuongoa.
 prosody, n. kaulani za kutunga
 masharti.
 prospect, n. kutazama mbele, ma-
 mbo ya mbele, mambo yaliyo, ma-
 tazamo, maeleko; (*view*) yaliyo
 mbele ya macho, sura ya ulimwengu,
 mandhari; (*ground of hope*) sababu
 ya kutumani; matumani; (*probable
 future*) mambo yanayoitika ku-
 wapo siku zijazo, hali inayoitika
 kuwa, maeleko. *There is a prospect
 of war, inakabili vita, inaeleka vita.*
 - o.t. peleleza, changua, tafuta.
 prospective, a. -a. mbele, -a. ba-
 prospectively, a. -a. kutazama
 mbele; (*looking forward*) -a. kutazama
 mbele. prospector, n. mchunguzi
 (ya dhahabu, makuta, ardhiini &c.).
 prospectus, n. mahasari, maelezo
 makupi (ya shauri, chuo, kumpuni
 &c.).

PROTEIN

protein, n. fanikisha, sitawisha;
 prosper, v.t. fanikisha, sitawisha;
 endesha, kuzi; - o.t. sitawi, fan-
 kisha, fama, endesha vizuri, nutaka,
 kijiweka, -wa na hari. *God prosper
 you, Allah hikiere, Mungu akub-
 rikiri, Mwenyezi Mungu akuiweke. My
 efforts have prospered, mambo yam-
 nifanikisha. prosperity, n. mali,
 unikawi, hari, nemea, baraka, kuta-
 nikawa, fanaka, utamisi, phanisa,
 jaha. prosperous, a. -a. nye *pros-
 perity*, fani.
 prostitute, n. kabaha, malaya,
 mbuya. - o.t. fanya ukabaha;
 (*abus*) ahaha, tuma vibaya (kwa
 alibu). prostitution, n. ukabaha,
 umalaya; (*abus*) matumizi mabaya
 (ya alibu).
 prostrate, a. kifufidihi chini, -hiala
 chini; (*overcome, exhausted*) -legevu
 chini; (*overcome*) roko. - o.t.
 angusha chini; (*exhaust*) shinda
 kabisa, legeza nguvu za. *Prostrate
 myself before, sujudi, sujukia, jin-
 nyeta mbele. prostration, n.
 kujujudi; (abjection) ulagevu
 wa nguvu, kuvunjika nguvu, unyo-
 vunde, uvunde.*
 proto, a. taz. *prot.*
 protoanalat, n. mkuu (katika mchizo
 wa *hearts*), mwongozi.
 protean, a. -a. magauri mengi, -geu-
 geu, -a. kugukageuka.
 protect, v.t. linda, hifadhi, tunza,
 hamu, ponya, funika; (*by charm*)
 fanga; (*crops from birds*) amia,
 ulinzi. protection, n. himaya, tunza,
 ulinzi; (*something that protects*) kimp-
 ngeo, kifuniko; (*charm*) fango, hirizi,
 kago. protectionist, n. ashikaye
 shauri la kuliza biashara ya nchi
 kwa kutaza ushuru bichaa zinazo-
 ingizwa. protective, a. -a. kuh-
 fadhi, -a. kuinga. protector, n.
 mshadhi, mlinda, baba. protec-
 torate, n. nchi iliyochini ya himaya
 ya nchi nyengine. protégé, n. mtu
 anayehifadhiwa na mwingine, mtoto,
 mtu (anayehifadhiwa).
 protein, n. chakula cha namna*

PROTEST

429

protest, v.t. gamba, gamba, gamba,
 kilihomoni katika nyama, ute wa ya
 na samaki; (hakimo katika maluta
 wala sukari). (*affirm* &c.) shuhudia,
 protest, v.t. uhabiri (e.g. kama, kubali,
 sema kwa utabiri (e.g. kama, kubali,
 kata &c.); - o.t. (*raise objection*)
 katasu, tokubali, dakuliza, teta, leta
 hadu (teta); *He protested, alisema
 udaku (teta); He protested, haku-
 hapendi (teta); He protested, haku-
 bali; aliteta teteni (udaku). - n.
 hali) aliteta teteni (udaku); (*objection*)
 ushuhuda, kushuhudia; (*objection*)
 makatazo, dakizo, udaku, teta,
 teteni. protestant, n. Mkristo
 asiyekubali baadhi ya mafundisho
 ya Kanisa la Kirusi. protestant-
 ism, n. hali (mafundisho, ma-
 dheshu) ya *protestant*. protesta-
 tion, n. maneno ya kushuhudia (ya
 thoti, n. maneno ya kuteta &c.).
 kukataza, kukubali ya kuteta &c.).
 protocol, n. hali ya mapatano (ya
 muda tu mpaka hali halisi iwe
 tayari).
 protonator, n. mawzi wa kwanza.
 protoplasm, n. kama vte ulio chanzo
 cha ubi wa miti na wanyama.
 protoype, n. chanzo, chao, kolieso,
 namna ya asili (ya swali).
 protect, v.t. gamba, wakati wa,
 fululiza, fuliza, zidisha, kawisha,
 tawilisha, tuliza; (*plot out*) andika
 ramani, protacted, a. -teta, tuli-
 -a. mude mrefu. protection, n.
 kukawilisha &c.; (*drawn*) ramani.
 kukawilisha &c.; (*drawn*) ramani.
 pambe (za maba &c.).
 protrude, v.t. and i, tokeza, toa nje,
 benua, nyanya; (*stick out*) tokeza,
 (nandu) protrusion, n. mbenuko,
 kutoa, kutoka &c.
 protuberance, n. kubanuka, kuto-
 keza, kimbabe, uvimbe, nundu,
 mngongo, mbenuko.
 proud, a. -a. kiburi, -a. kujisifu, -a. kuji-
 vuna, -a. maji, -a. kudana, -a. kutaka-
 bari; (*exulting in, taking a natural
 and worthy pride in*) -a. kuona fahari.
I am proud of my son (country) &c.
 naona fahari kwa sili ya mtoto
 wangu (nchi yangu &c.).
 provable, a. taz. *prov.**

PROVISION

provision, n. hifadhi, shuhudia,
 hainisha, hakikisha, hakiki; (*try*)
 jaribu, jariba, onja; - o.t. (*try
 out*) tokea, tekelea, onekana, bainika
 &c. provan, a. -a. kuweka kutibitika
 provender, n. chakula (cha ng'ombe
 au farasi &c. majani, nyasi, malisho).
 proverb, n. methali, manao wa ma-
 neno. proverbial, a. -a. *prov-
 erbally known*) -a. kujulika na
 wote, -a. kutumika kote.
 provide, v.t. toa, andaa, weka tayari,
 auni; - o.t. (*prepare for*) amuru
 mbele, tazama mbele, -wa tayari
 kwa, weka akiba, andaa; (*supply*)
 -wa riziki ya, -wa akiba ya, -wa mali
 ya. *Provide for (feed &c.)* lisha, -pa
 riziki, ruuku, kumu chukua. *pro-
 vided, conf. (that) kwa sharti ya,
 irapo, kama, ikiwa. providence, n.
 Mungu, maongozi ya Mungu, amri
 buara, mawazo ya mbele, kutazama
 mbele; (*thrift*) kuweka akiba, uwe-
 kevu, kukataza gharama. provident,
 a. -a. nye busara, -a. kutazama mbele,
 -a. kuweka akiba, -wekevu. pro-
 vidential, a. -a. *provident*, -a. bahad-
 njema, -a. kutaa. provision, n.
 madaraka, kutaya tayari; (*clause*)
 madaraka, sharti, msaikano. - o.t.
 weka chakula. provisionally, a. -a.
 wakati, kitambo, -a. mara moja, si
 -a. duma. provisionally, adv. kwa
 sharti. provisions, n. *plur.* vyakula,
 makuli, riziki; (*for journey* &c.)
 masarufu. proviso, n. sharti,
 msaikano.
 province, n. (*junction*) kazi, shughuli,
 echemu; (*territory*) nchi, wilaya,
 jimbo; (*class*) sehemu ya mambo,
 mba, -a. mji midogo; (*convinced*)
 -a. k'henzi, -a. mashamba, -gani;
 provincialism, n. ushenzi, ugeni;
 (*in speech*) uemi wa kimasamba.
 provisionally, adv. -a. *provisionally, a.,
 provisionally, a. taz. prov.**

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PLUS:

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FASHION

FRESH PICKS FROM HONEY FASHION DIRECTOR **MICHAELA ANGELA DAVIS**

MAD style HIGH TEE

Okay, y'all know me well enough to understand that there are a few very basic things my classic MAD look can't live without. My head needs some happy-nappy variation on an Afro, my feet more often than not require some crazy sneakers and in the middle there is usually a T-shirt of any and many sorts. There ain't nothing like a tee to tell your perfect story. Be it baby or tank, classic or vintage, political or funny, beaded or ribbed, there's a million places to go with this all-American staple. So, my hot honeys, this month I'm paying homage to a few of my personal favorite tees.



them girls

Leave it to two lifelong sister-friends from Detroit to come up with personality types for their tees. So if you're a "Brown Sugar," your T-shirt of choice this season is "Thick." The company makes tops for "who we are and who we'd

like to be." If you wanna be in one, check 'em out on them-girls.com — and for 20 bucks a hit, you ought to just buy all them girls.

Chiara Hardaway's Lula B.

So if I was exiled to an island and could only stake one CD, it would be my Stevie Wonder boxed set (okay, that's more than one). Wonder's niece, Chiara Hardaway, has designed great tees with his image (\$45). Her firm, Lula B., also makes funky tie-dyed lace and reconstructed joints. Find 'em this fall at Fred Segal L.A. and Henri Bendels NYC.



toto nyc

The soul sista behind toto nyc says she gets her "inspiration from being a soul baby of the '70s." Well, baby, I love ya, because you had the insight and the flavor to do an Afro'd

tee that says "Honey Child" on it! You know that one was just for me. But any honey in Brooklyn can get one (\$28) at Pieces Boutique, or anywhere else in the universe at totonyc1@aol.com.

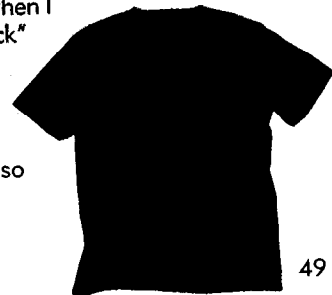
FAHARI

In Swahili, *fahari* means to have pride in oneself. And this MAD chick is more than proud to rock my Fahari T-shirt. Okay, I know, their logo kinda looks a lot like me. But the new "Chocolate Drop" and "Honey Dip" styles are gonna look hot on anyone. Find 'em and buy 'em online for \$24 thin ones at fahari.com.



Scotte Woodward

When Fashion-Man-About-Town Mr. Woodward premiered his culturally relevant, cleverly irreverent tees, I was like, "All right, these are cute and well-made," but when I checked this "crack is whack" (the infamous Whitney quote) number, I was completely undone. Scotte Woodward tees run about \$45 at Kitson, but also hit scottewoodward.com.

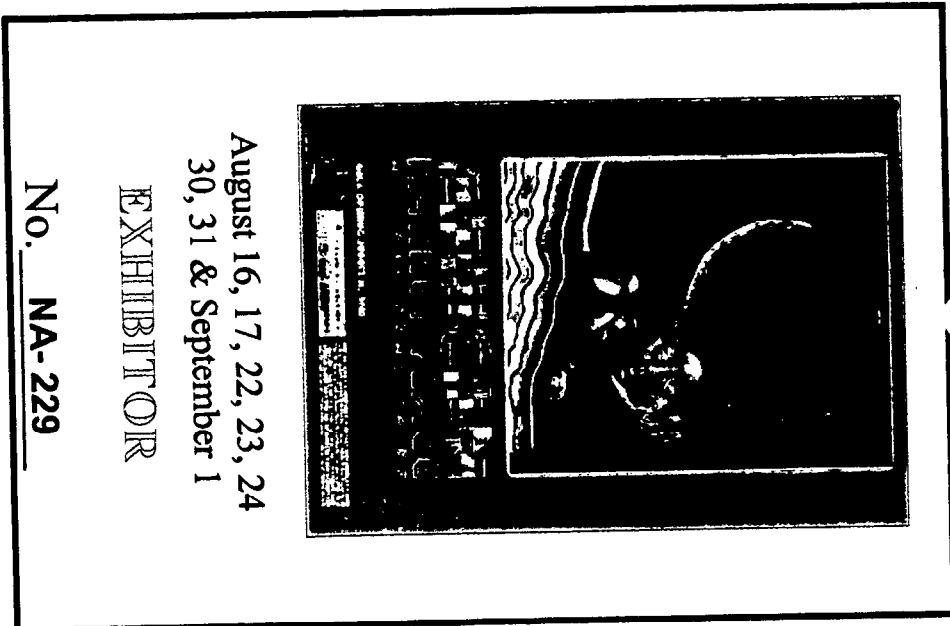


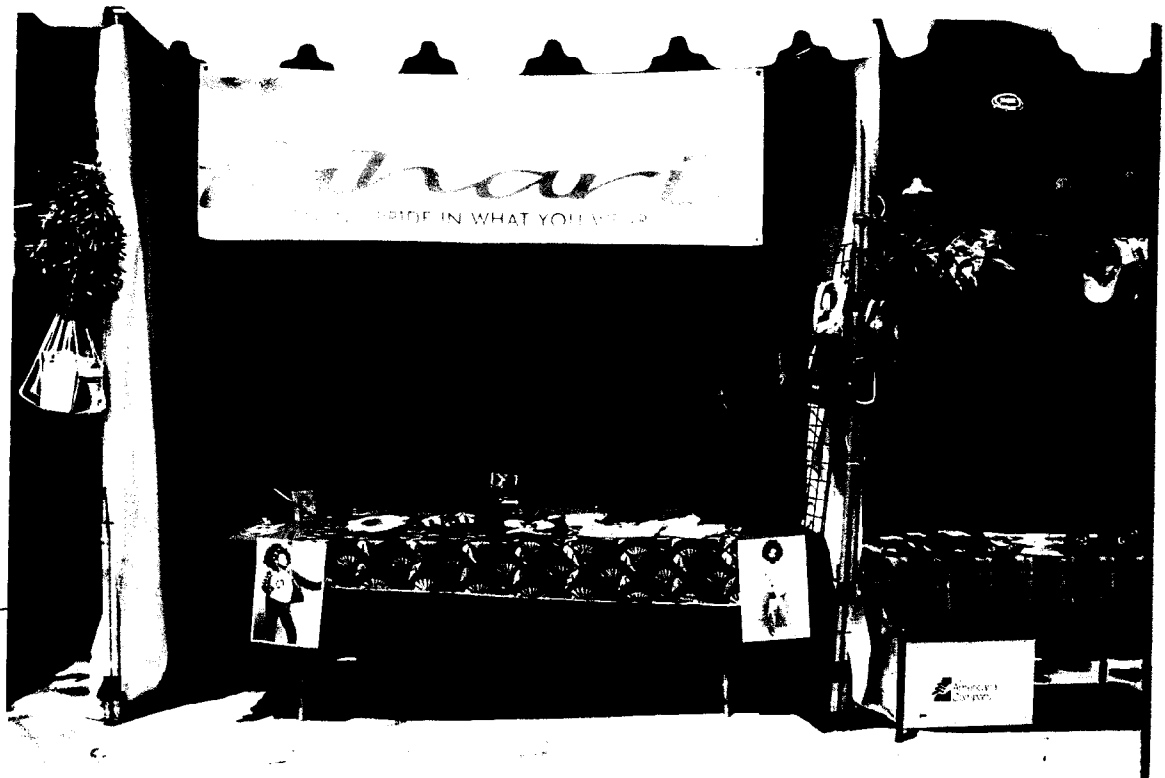


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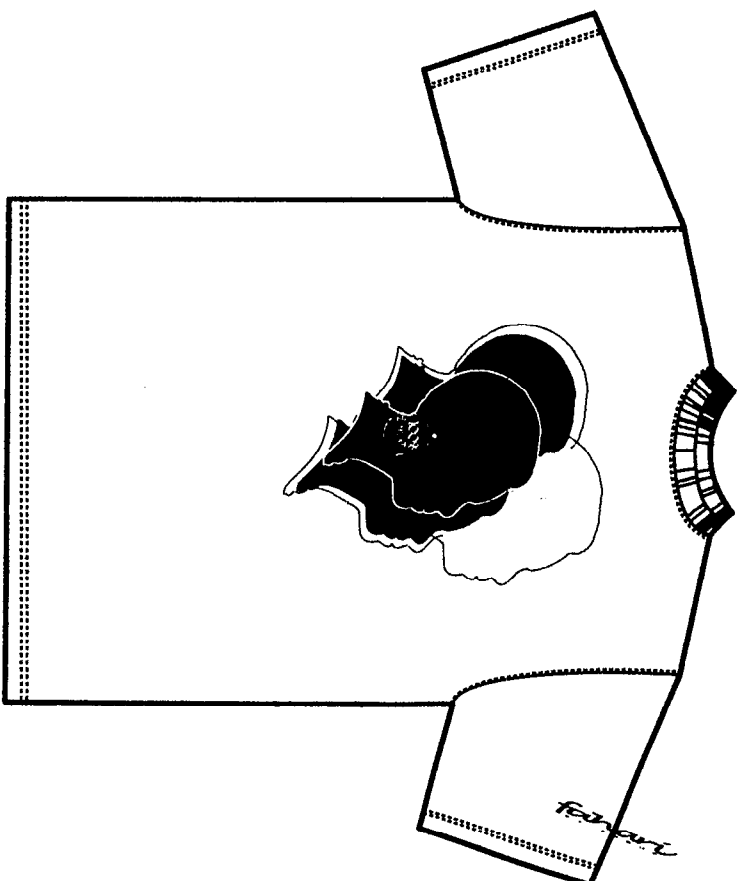
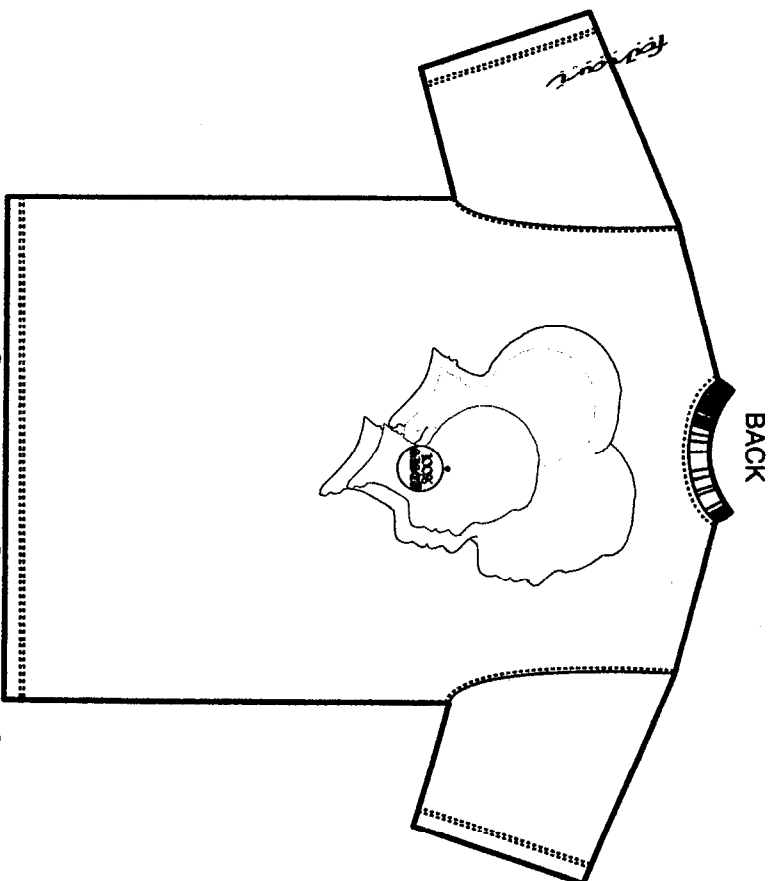
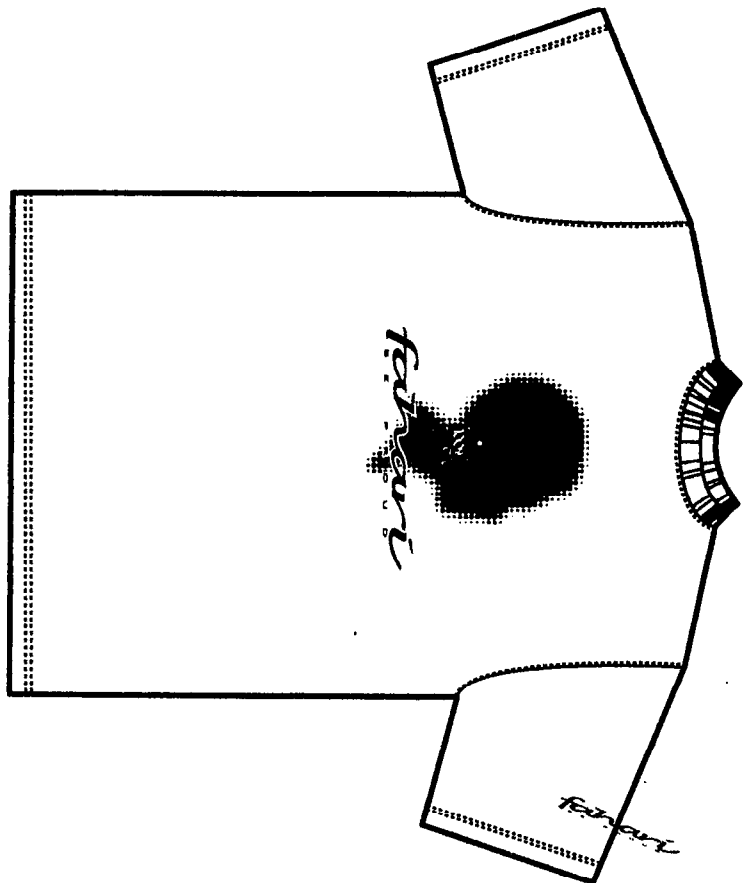
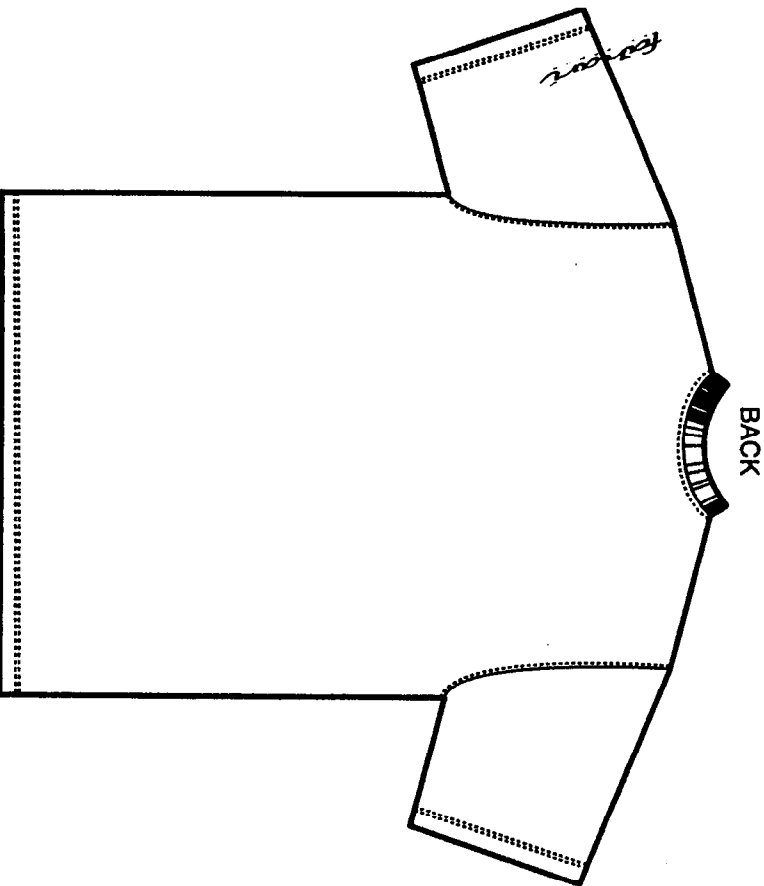
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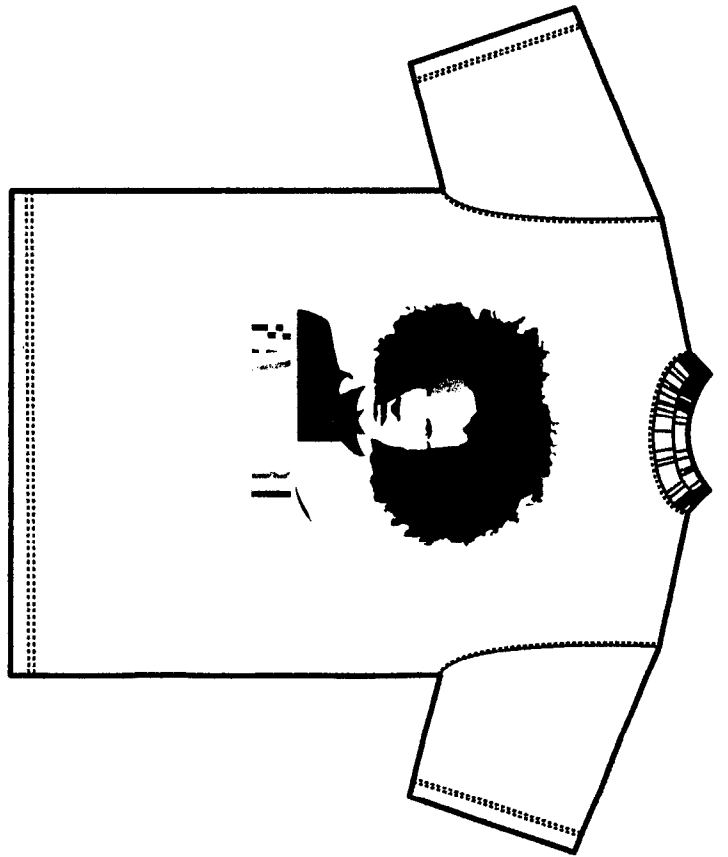
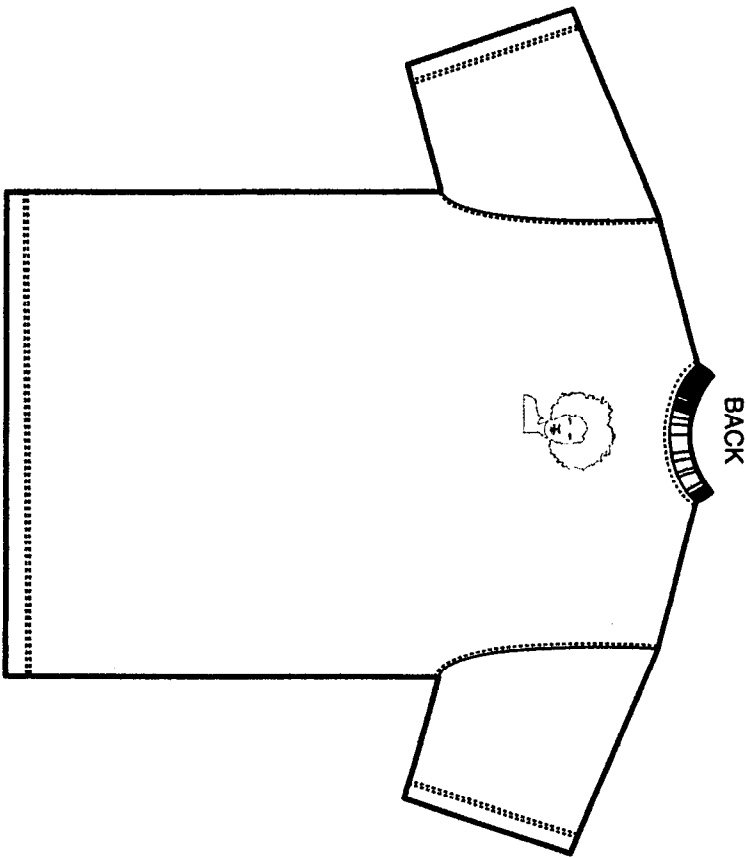
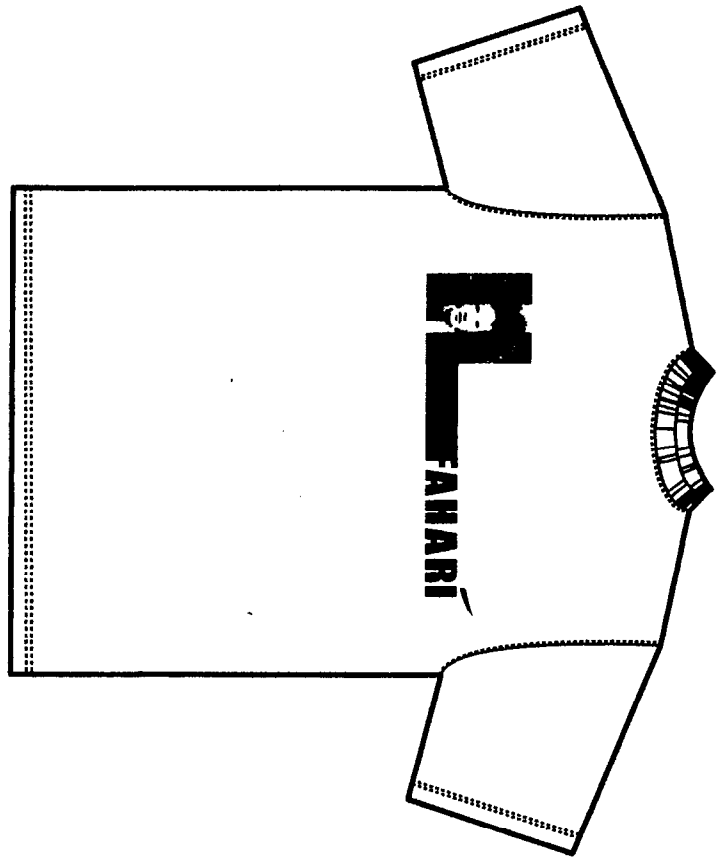
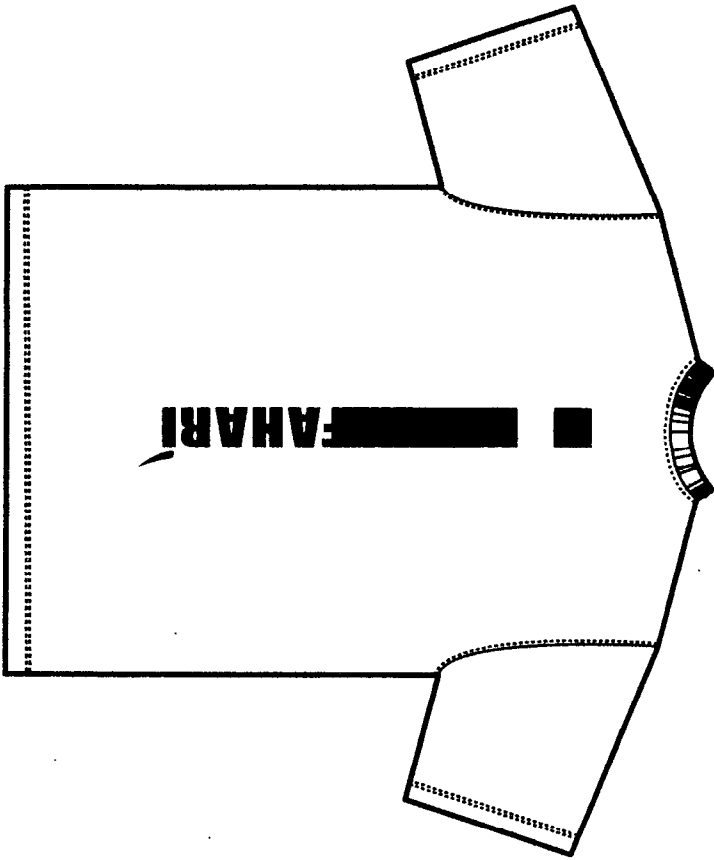
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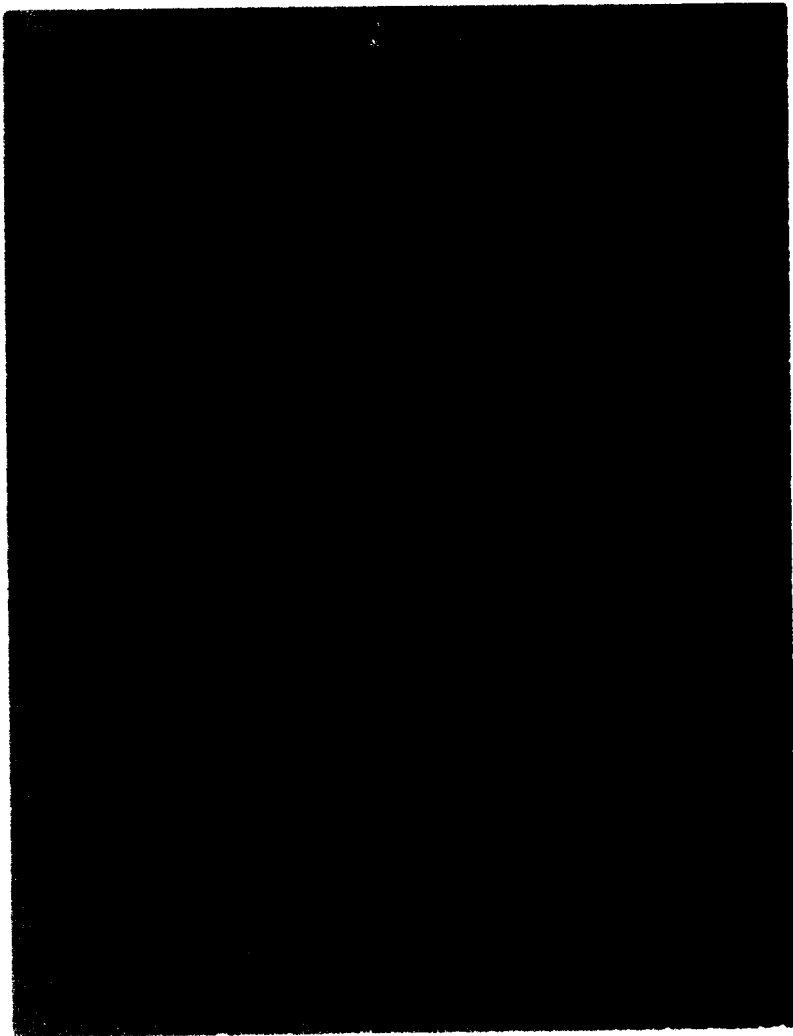


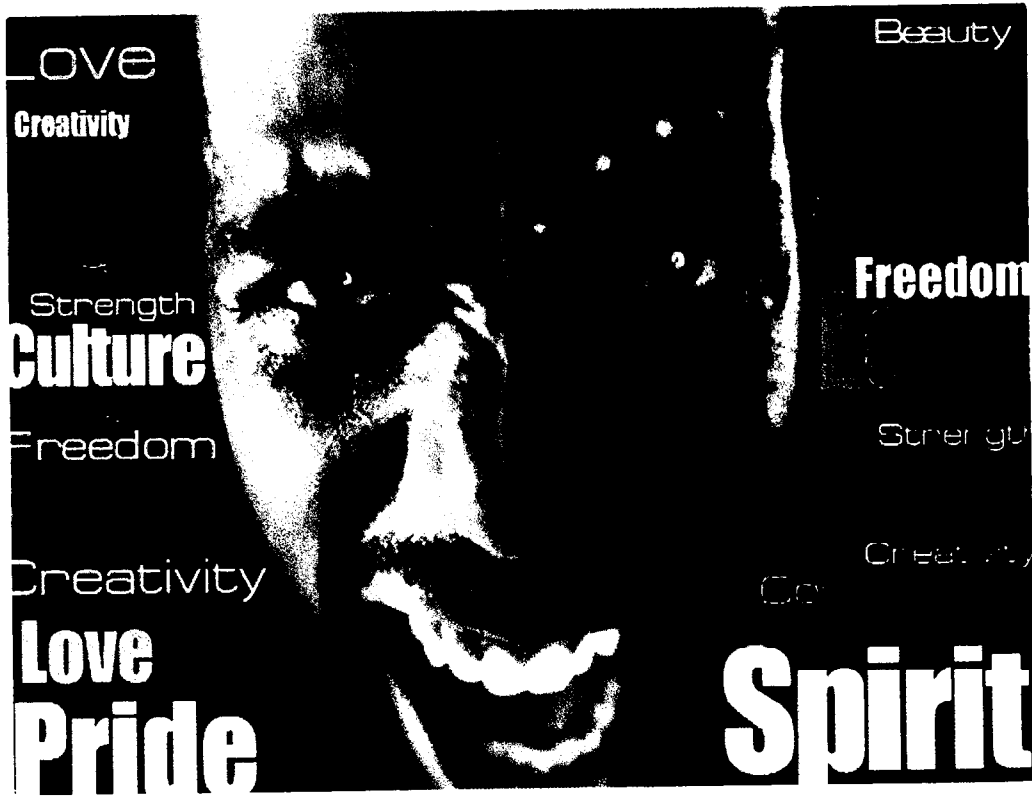
UCLA Jazz/Reggae Fest
Memorial Weekend 2002











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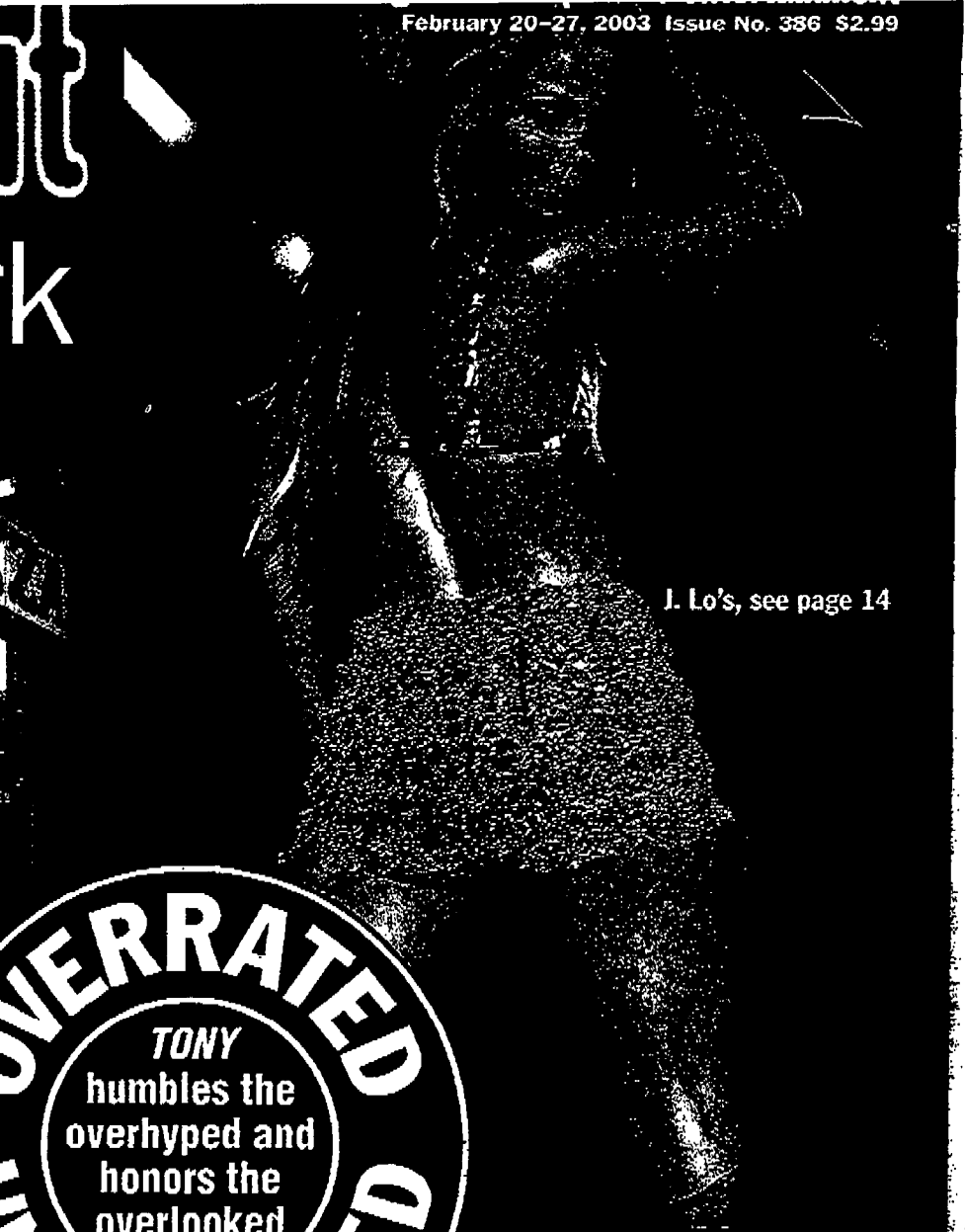


ra, see page 10



Ryan Adams, see page 12

OVERRATED
TONY
humbles the
overhyped and
honors the
overlooked
UNDERRATED



J. Lo's, see page 14







Lucinda Williams
Irving Plaza; Thu 27

Lucinda Williams seems more a fantasy creature from a 1950s French movie than a typical singing star. A wild child who grew up traveling the Australian outback with her gypsy-tyle musical family, she learned about life from the songs of Jimmie Rodgers, Hank Williams and Gram Parsons, which were taught to her by a C&W-ovin' daddy. At 12, she saw a Lucinda Williams concert in Sydney and was smitten; by 17, she had composed a spectacular batch of tuneful country-rock songs inspired by Williams's own work. Four years later, those tunes made up

Chambers's bewitching solo debut, *The Captain*, released here in 1999; among its highlights were the haunting title track, the mopey, melodic "Cry Like a Baby"; and the amusingly morbid sing-along "We're All Gonna Die Someday."

Live, Chambers's twangy vocals reverberate with passion, then catch with a kind of wistful restraint. Whether at an intimate listening room like Fez or a roomy schmooze palace like Roseland, her past New York performances have been formidable. One minute she had you teary-eyed with the intense sadness of her material, and the next she'd get you laughing by describing some goofy misadventure. In 2001, Chambers bravely opened shows on Williams's Gravel Road Tour by primarily previewing material from her then-unreleased second album.

That sophomore effort, *Barricades & Brickbats* (2002), was darker, painting a picture of a 25-year-old sweet thang whose heart has been dragged through the gutter a few times. From the obsessive lust of the title song to the vulnerability of "Not Pretty Enough," the album depicts the singer finding—and losing, then finding again—love in the big city.

Not long after *Barricades*' release, Chambers went off the road to have a baby, and this Irving Plaza gig will be her first NYC show since this latest transition in her life. The homey vibe at the venerable dance hall should be just right to welcome her back with open arms. Who knows how Chambers's recent experiences have affected her songcraft? One thing's for sure: She won't be afraid to let her audiences find out.
 —Holly George-Warren

The Hidden Cameras

Fez; Wed 26
Mercury Lounge; Thu 27

Things didn't look good for the Moldy Peaches, a Toronto rock journalist wrote last year, pitying the band's unenviable position of playing after local favorites the Hidden Cameras. The Cameras are said to have outquinted the Peaches that night, successfully upstaging one of New York's least upstageable bands. This week, we will get our first taste of the Canadian group's self-described gay-folk-church music, which translates as melodic, deliberately reverent-sounding songs about hot guys and homo sex, set to acoustic guitars, organs and tambourines.

The Hidden Cameras consist of about a dozen musicians, dancers and assorted fellow travelers performing the music of zinester and songwriter Joel Gibb. The music is often compared to Belle and Sebastian, perhaps due to Gibb's smooth, almost British vibrato. But on *The Smell of Our Own*, the band's debut album (due on Rough Trade in April), the overall sound is more like *Godspell* crossed with the Beach Boys' version of "Sloop John B." It's the band Stephen Merritt might have formed had he grown up taking antidepressants and attending a gay-friendly church youth group. The Cameras' concerts—which include overhead projections and two go-go dancers who gyrate clad only in underwear and ski masks—are nearing legendary status in their



normally staid hometown, inspiring profligate displays of inhibition-free enthusiasm such as sing-alongs and dance routines. The show is designed to break down the barriers that exist in the culture of bar shows," Gibb explains. "How can you stand cross-armed when there's 13 people playing music in front of you and a guy dancing in his underwear?"

If that isn't enough, the Fez show will also feature the clever electro-cabaret of the Plantains and visual projections by an impressive roster of gay artists including Toronto's smarty-porn titan Bruce LaBruce, local video impresario Stephen Kent Jusick and ex-New Yorker Scott Berry.—Sara Marcus

Goapele

S.O.B.'s; Wed 26

Bay Area singer-songwriter Goapele Mohlalane is one of urban soul music's best-kept secrets. In 2002, she released her debut CD, the widely overlooked *Even Closer*, on her own Skyblaze label. The disc is an imaginative mix of melodic soul accentuated by heavy hip-hop beats, West Coast electro-funk and jazzy orchestrations. But it's Goapele's tremendously rich and beautiful voice, which recalls Alicia Keys's commanding timbre, that truly distinguishes her from the throngs of neosoul sisters who've followed the trail blazed by Erykah Badu. She's also endowed with a gift for storytelling that rivals Jill Scott's earthy around-the-way-girl attitude and Mystic's street-smart perspective. Rather than portraying herself as a

grooves are ornamented by catchy hooks and bridges.

The daughter of a Jewish mother and an exiled South African political activist father, Goapele also promotes socially relevant themes in her music, which is infused with diverse sounds such as reggae rhythms, Middle Eastern flavor and dirty Delta blues. For instance, in "It Takes More," she laments how our society fails a generation of kids who are either dying young or spending most of their lives behind bars. Similarly, "Red, White and Blues" is a sobering elegy inspired by the September 11 attacks.

Already a favorite in her native San Francisco, Goapele is likely to win a devoted local following when she plays S.O.B.'s this week. She's a remarkable breath of fresh air in an increasingly crowded sound garden of unoriginal neosoul singers.—Margaux Watson

Also this week

Bee and Flower

(Tonic; Fri 21) Bee and Flower's *What's Mine Is Yours* (Neurot) may not surprise anyone who knows the band, but hopefully it'll help Dana Schechter & Co. get some recognition for their oddly skewed dark pop. It'd really scorch if Schechter cut loose a bit more onstage, but few bands in town have this kind of nocturnal nuance.

Rah Bras + Castro + Zombi

(Above the Right Bank; Fri 21) Rah Bras use gurgling synthesizers, but they aren't electro; they're weird, but they aren't arty; and they cover the Sugababes' mash-up hit "Freak Like Me." What's not to love? Excellent support comes from dinko pop group Castro as well as Zombi, which plays '70s-style horror-film music.

Archie Shepp and Roswell Rudd

(Alice Tully Hall at Lincoln Center; Fri 21) Archie Shepp (tenor sax) and Roswell Rudd (trombone) aren't mere survivors of some earlier incarnation of the jazz avant-garde; they've regrouped on several occasions since the '60s, with smashing results (check out 2001's *Live in New York*). Tonight, they have a fine rhythm section (Andrew Cyrille, Reggie Workman) and poet Amir Baraka on hand.

El Concierto Del Amor

featuring Gilbert's Santa Rosa + El Gran Combo de Puerto Rico + India + Tito Rojas + Los Hornos Rosalia + Don Chelina (Continental Airlines Arena, Sat 22) This star-studded evening of salsa is about as varied as you can get, but there's one unifying force: *LUUVU*. Romance will be at a premium, no matter who's onstage.

Satanicide

(Bowery Ballroom, Sat 22) When Satanicide began playing out, we described the Jersey band's piss-take on hair metal as entertaining, but not in the realm of arch-rock satirists Soinat Tap. No longer. Satanicide's longform video *Jer-Z Nights* is a gut-flayer and the band's new CD, *Heather* (Enabler), which is celebrated at tonight's show, is a solid good time, too. Dare we say it?

The Voodoo Organist

(Hank's Saloon, Tue 25) Because one nutty organgrinder, Quinton, just wasn't enough, here comes the Voodoo Organist. His latest, *Exotic Demonic Blues* (Witch Doctor), sounds like what would have happened if Screamin' Jay Hawkins had been a recurring character on Pee-wee's Playhouse.

MUSIC



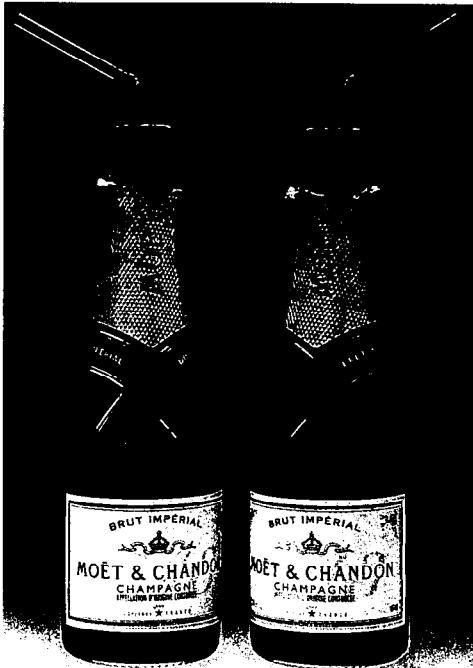
FASHION

FRESH PICKS FROM HONEY FASHION DIRECTOR MICHAELA ANGELA DAVIS

MAD Style

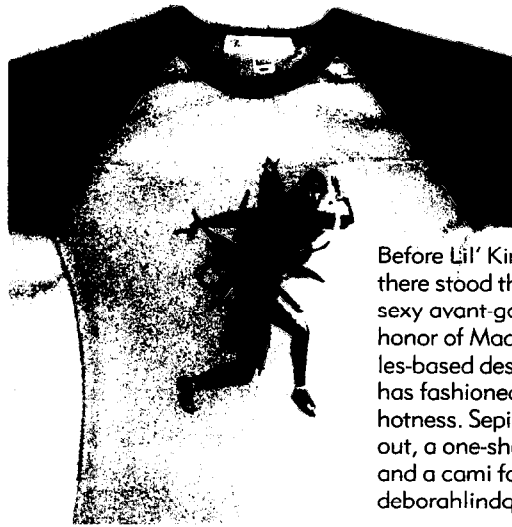
WATCH OUT!

Most of y'all won't remember back when the **digital watch** was the hot new thing. But in 1972, **Hamilton** came out with The Pulsar, a significant technological breakthrough and the most futuristic time-piece the twentieth century had ever seen. Back then it cost \$2,100 and was worn by the likes of former president Gerald Ford and Haile Selassie, emperor of Ethiopia. Now here we are 30 years later and Hamilton has reissued this old-school classic and I must say it's looking just as sleek and funky-fresh as ever. Now known as the **Digital MIB2** (from its "role" in Men in Black II), this stainless-steel revival retails for a modest \$195 and can be found at Macy's stores nationwide.



MOËT MINIS

I live for high-fashion social rituals. I love that at the close of each fashion show, all the beautiful people rush backstage to double-cheek kiss the designers. But my favorite part is the flow of champagne. This tradition began decades ago at the Paris shows, where I first saw supermodels sippin' the goddess juice through straws (in order not to smudge their lipstick) outta the superchic mini Moëts. At \$12 a pop or 40 bucks for a four-pack, these **bottles of bubbly** are a must-have accessory for any special occasion. Available at specialty liquor stores.

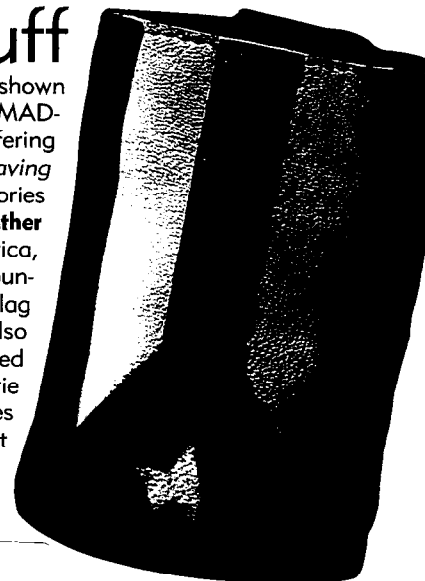


Brown Sugar

Before Lil' Kim, Grace Jones or LaBelle, there stood the originator of the super-sexy avant-garde: **Josephine Baker**. In honor of Madame Baker, the Los Angeles-based designer **Deborah Lindquist** has fashioned a few tops after her royal hotness. Sepia-toned and rhinestoned out, a one-shoulder style goes for \$44 and a cami for \$39. For more info, visit deborahlindquist.com

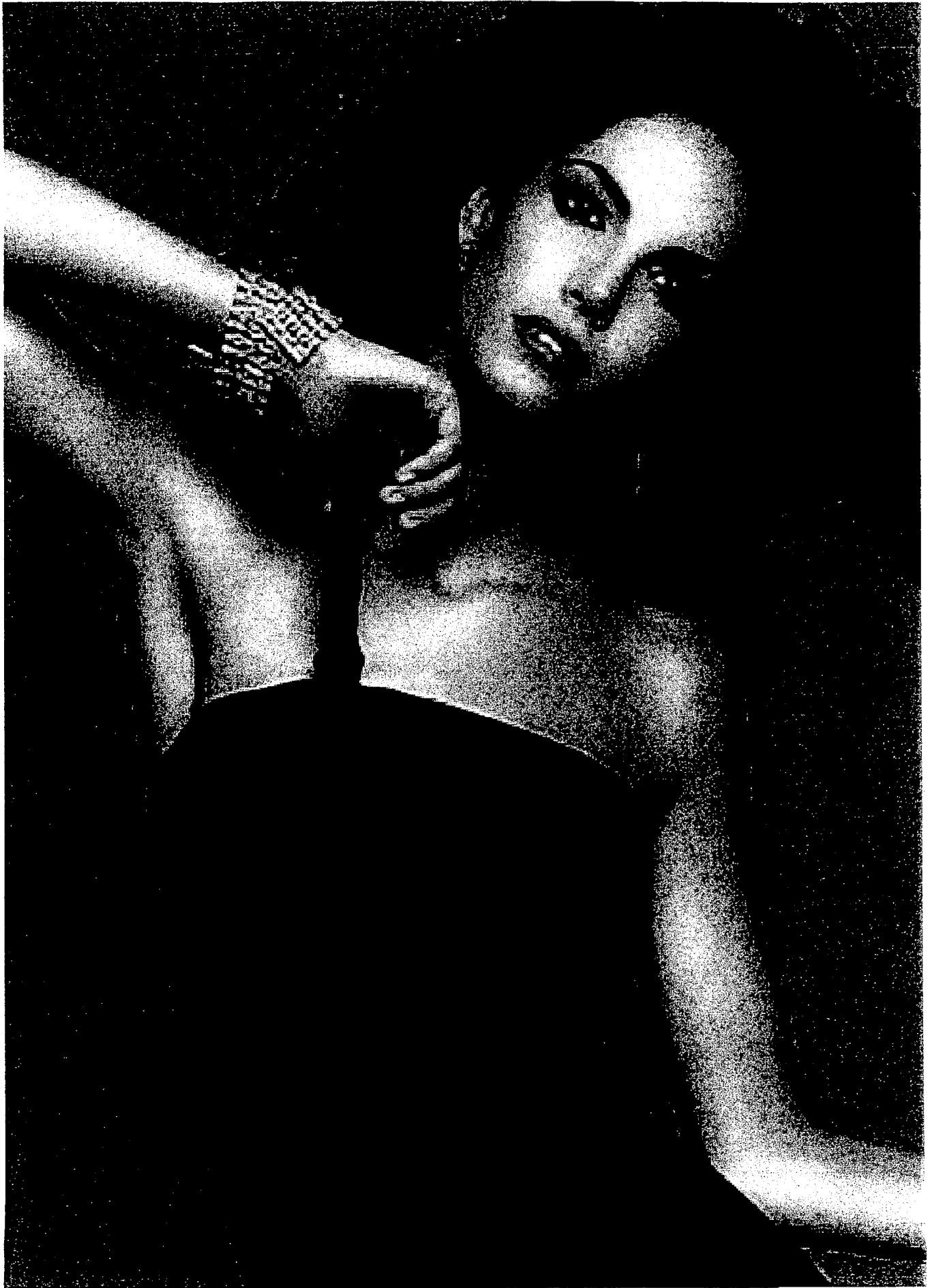
Off the Cuff

Yes, yes, y'all — just when you thought I've shown you the dopest cuffs on the planet, this MAD-woman has discovered yet another hot offering for your sweet wrists. **Fahari** (meaning *having pride in yourself* in Swahili) is an accessories line for the urban-global sister, their **leather cuffs** bear flag motifs inspired by America, Puerto Rico, Jamaica, Brazil and other countries (the red, black and green joint is my flag of choice). Designer Dominique Braud also makes some hot tees that have been spotted on conscious honeys like Jill Scott, India.Arie and Sanaa Lathan. These prideful treasures go for about 45 bills. To find out more about Fahari goods, check www.fahari.com.

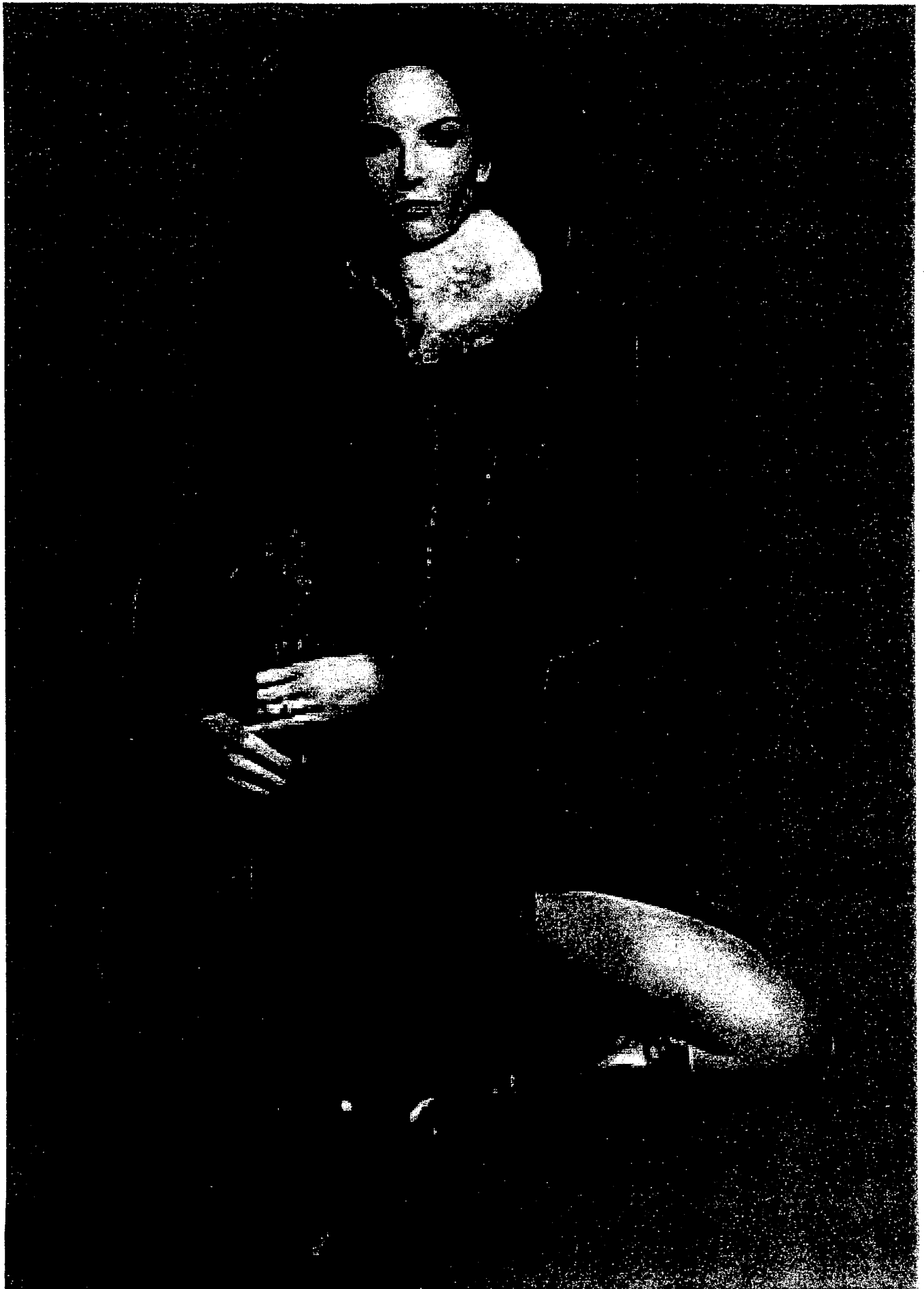


ELI TAHARI

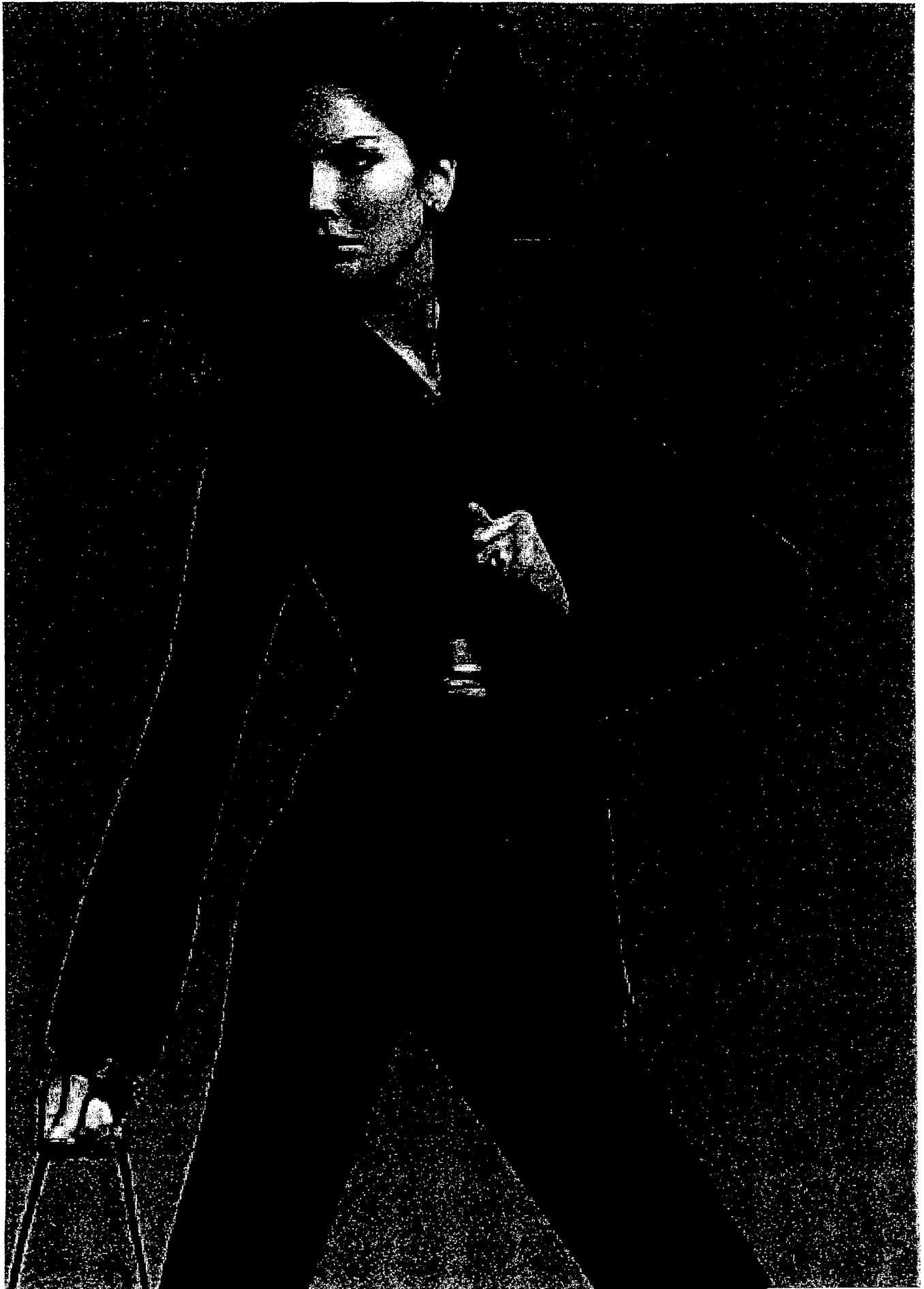
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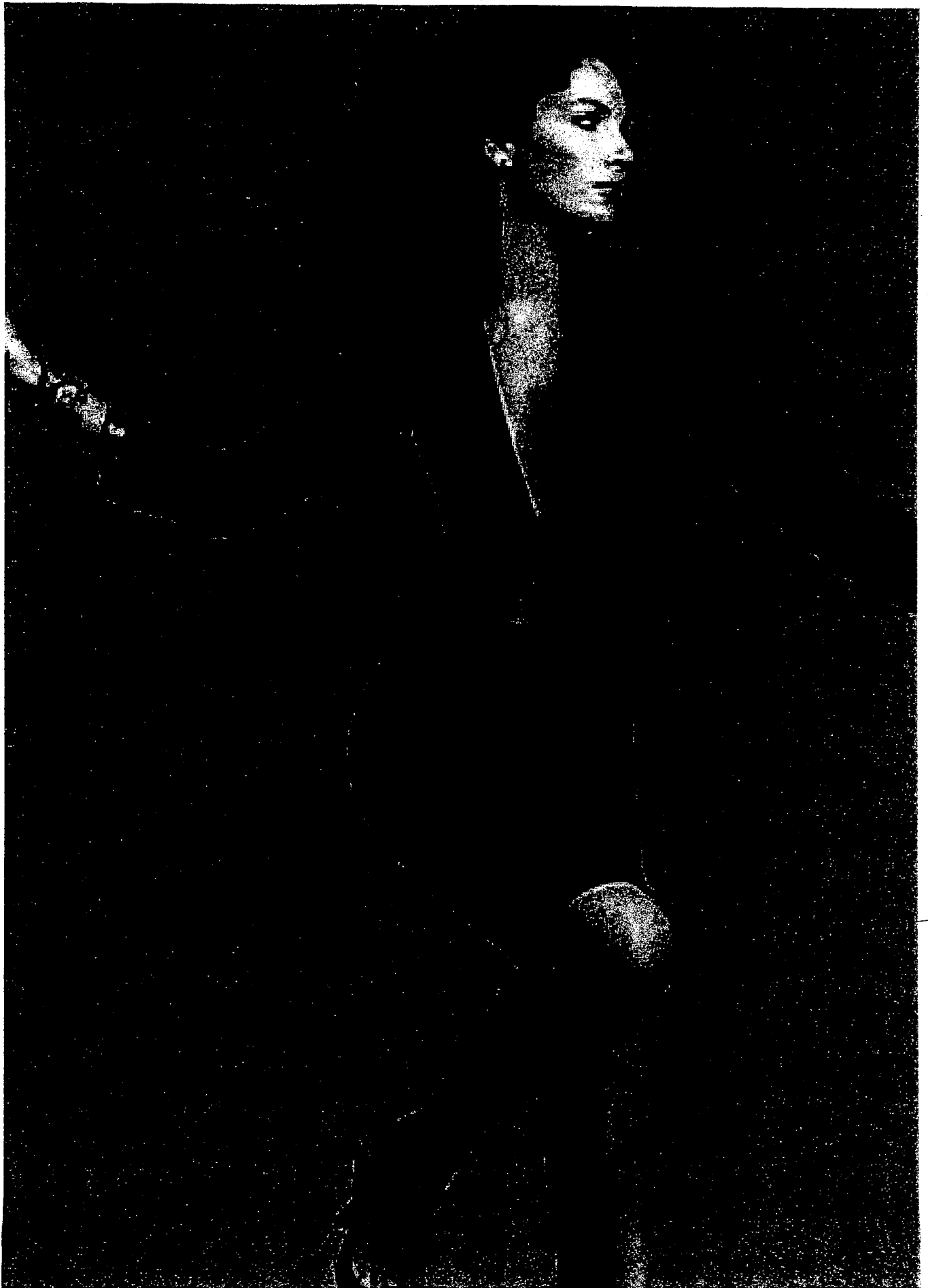


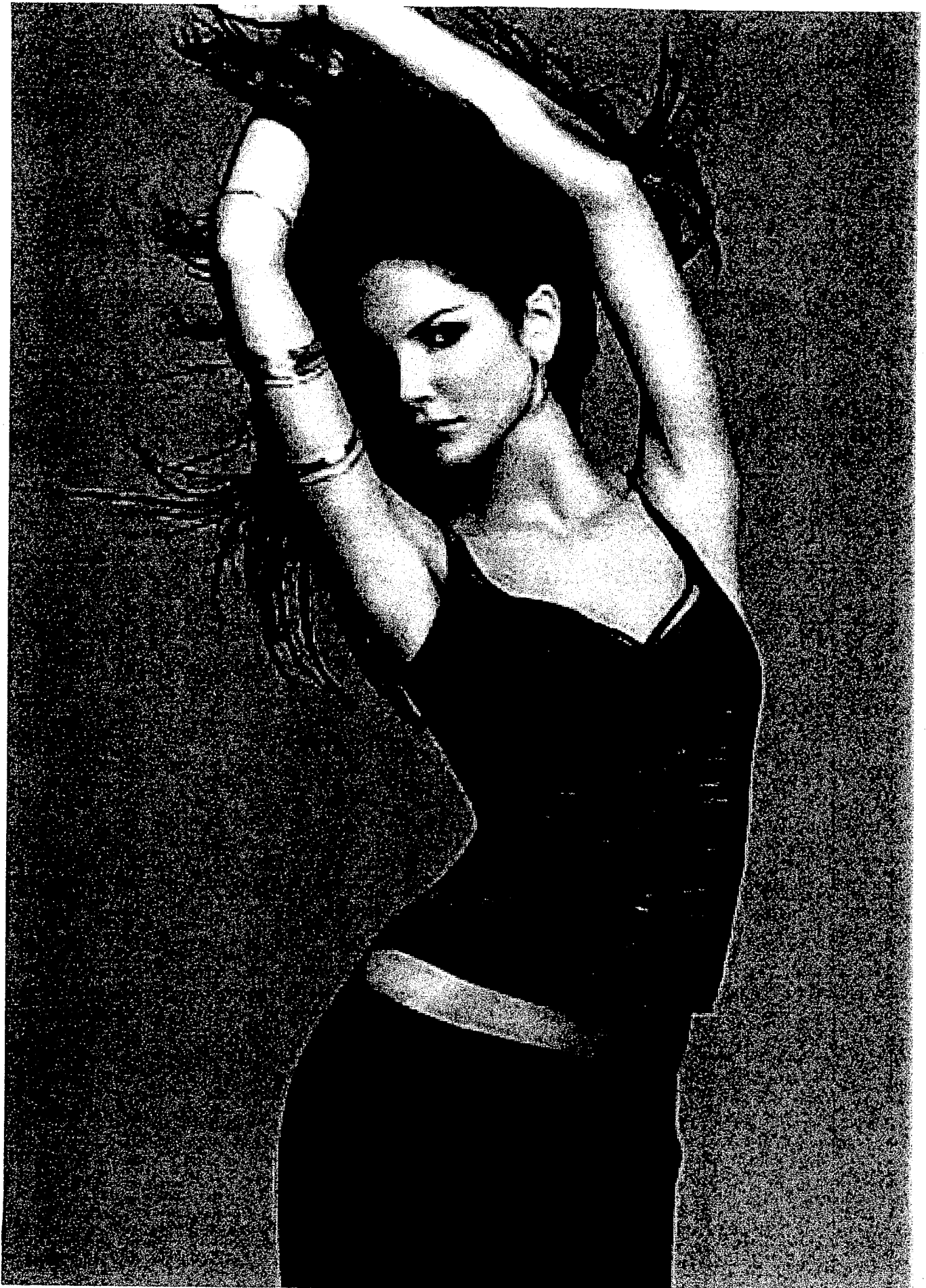
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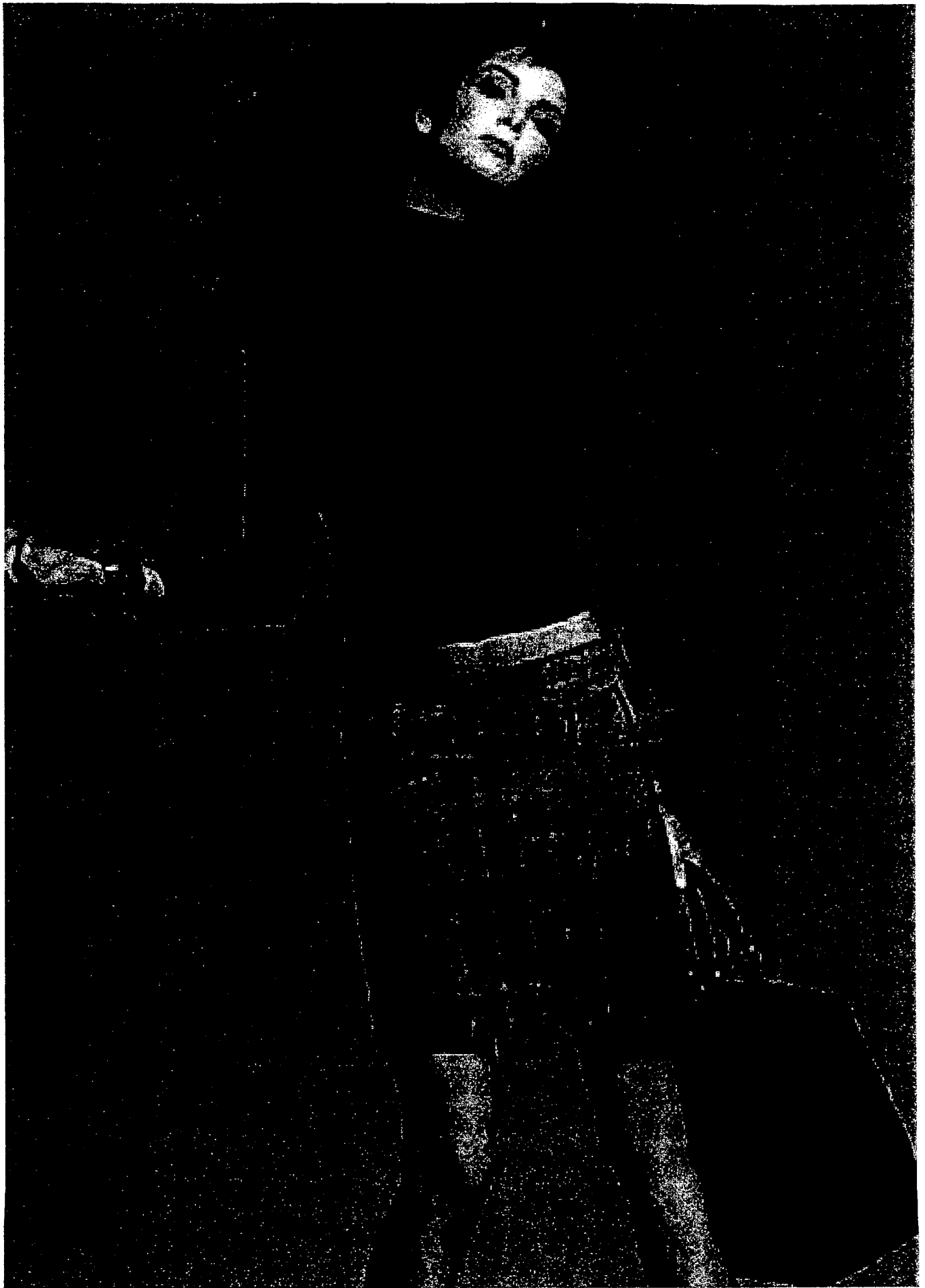






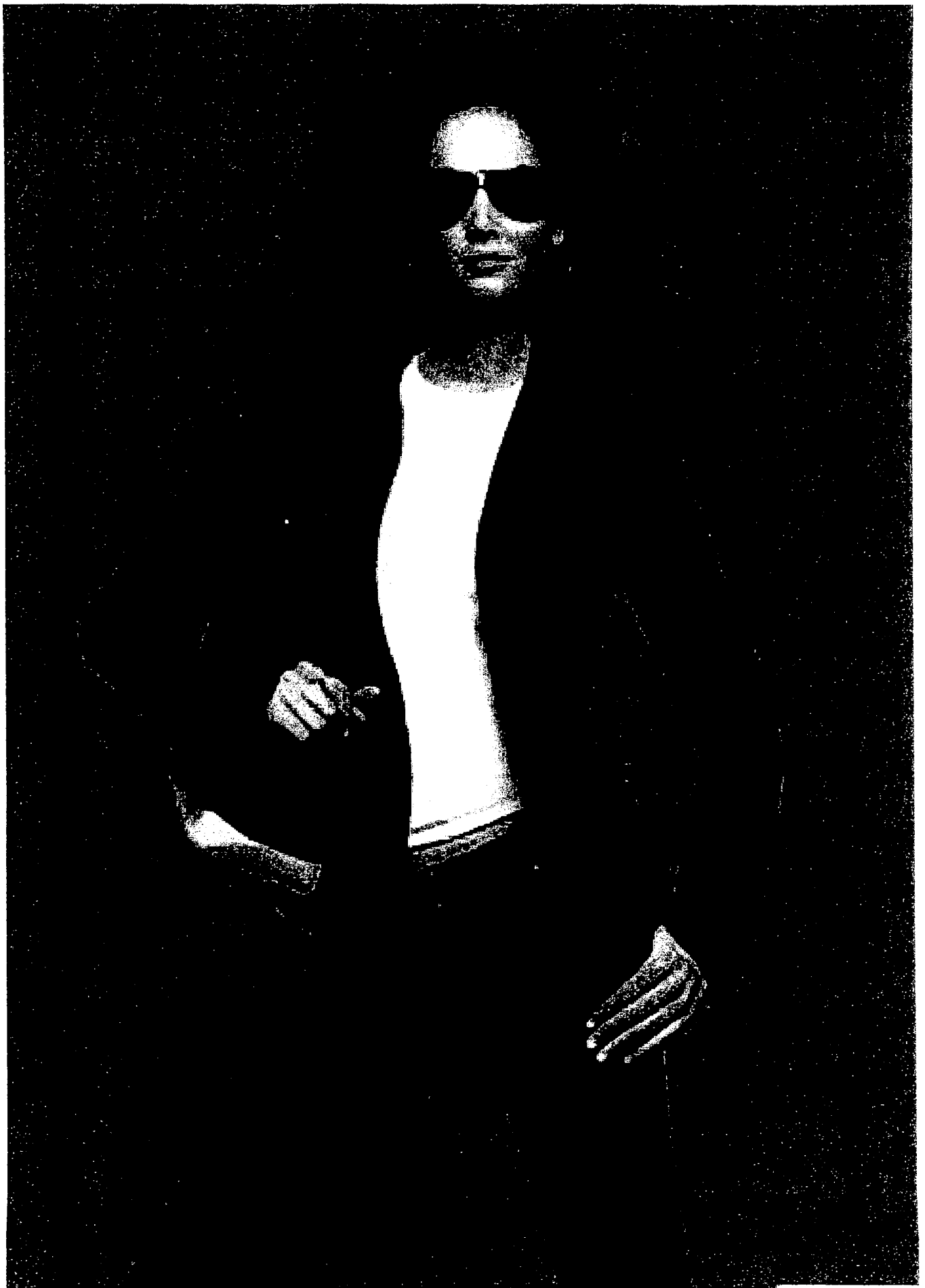






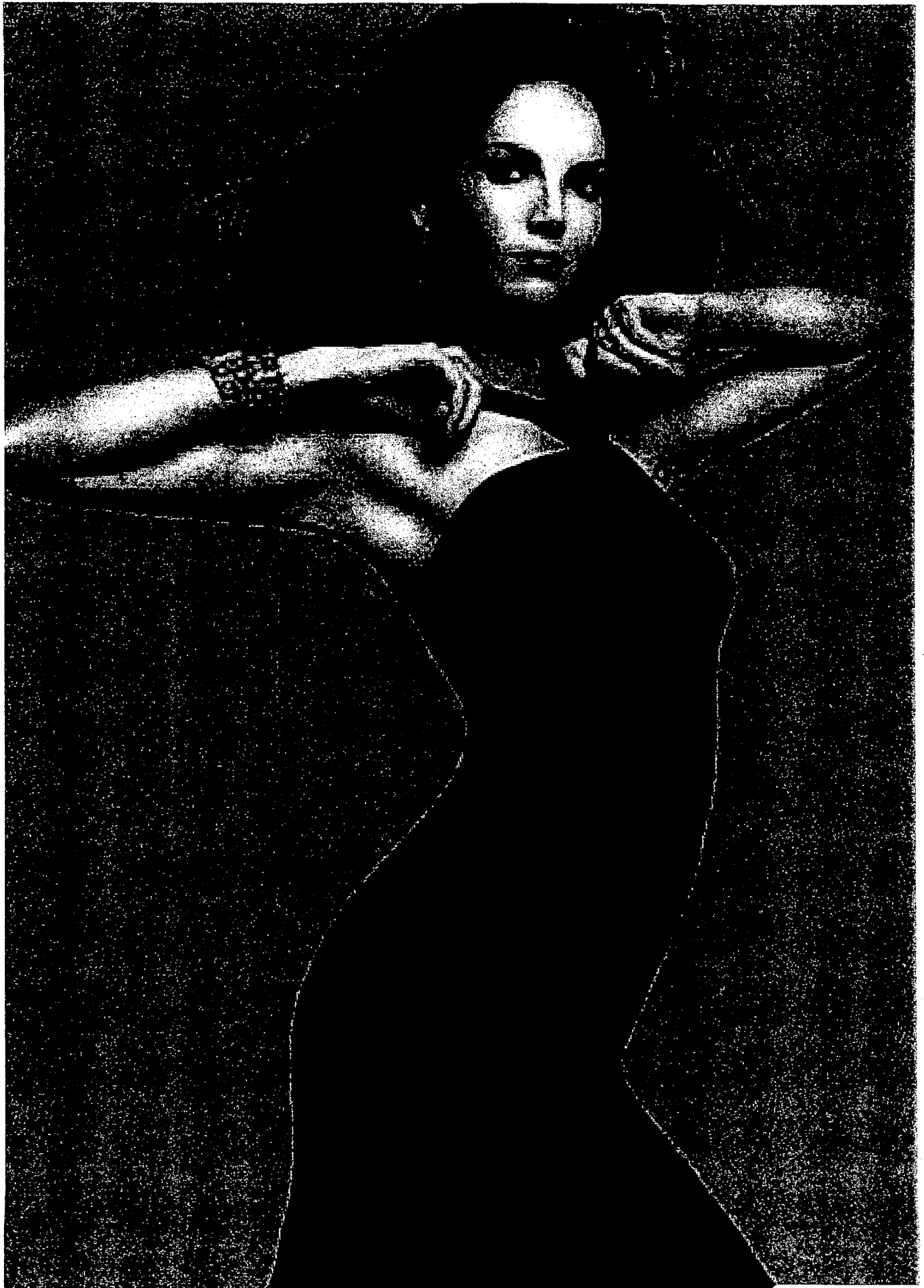
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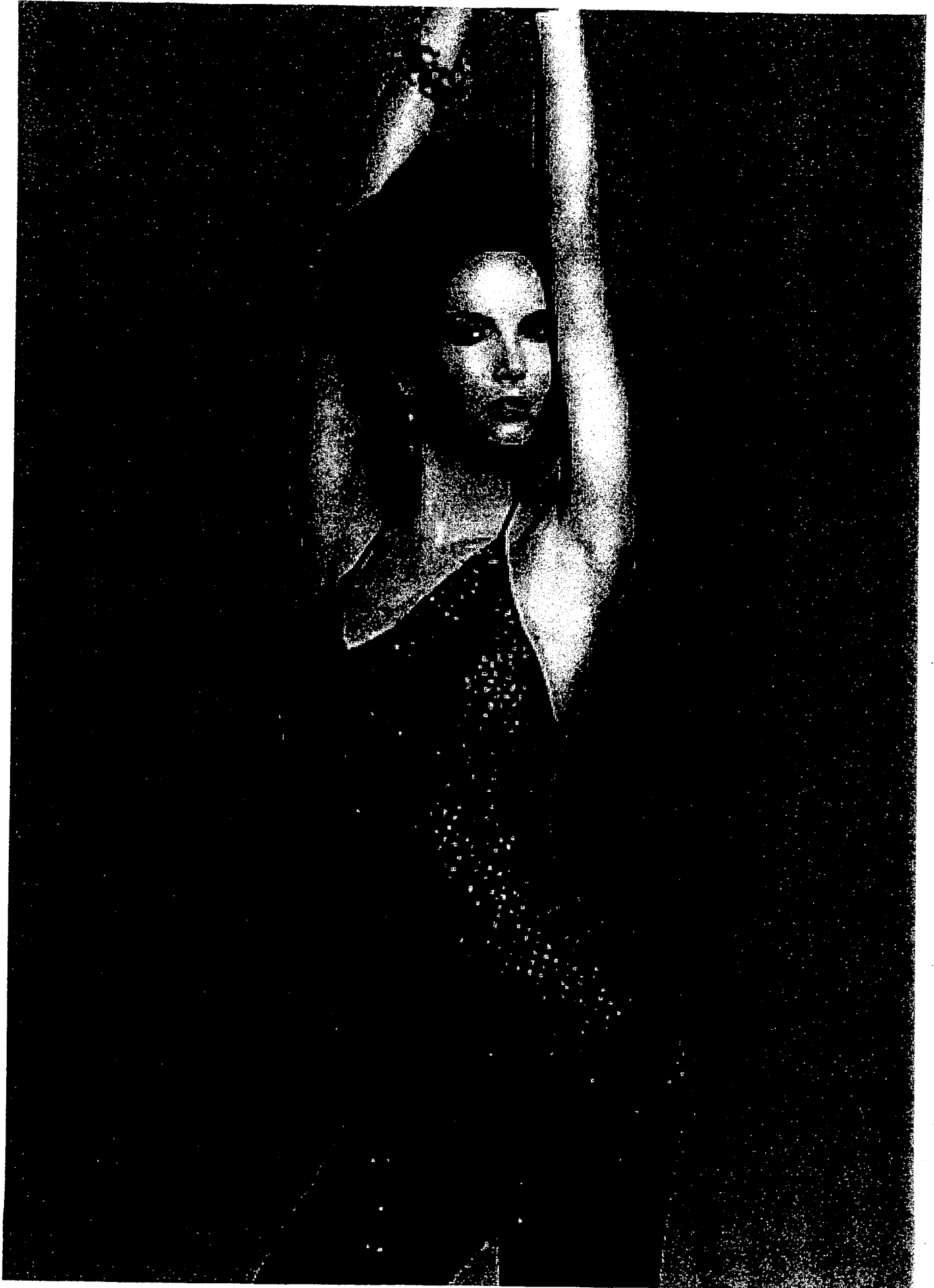




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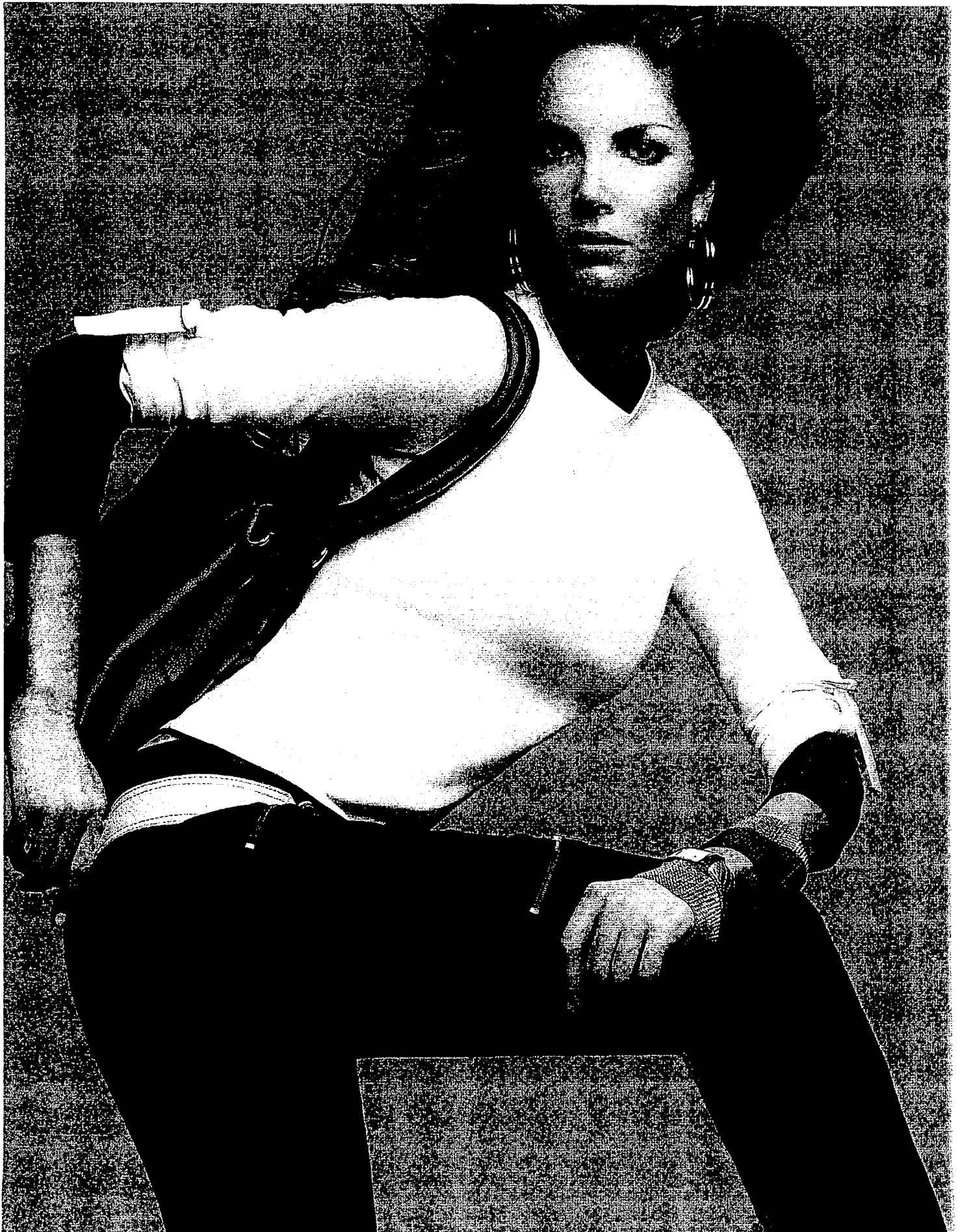




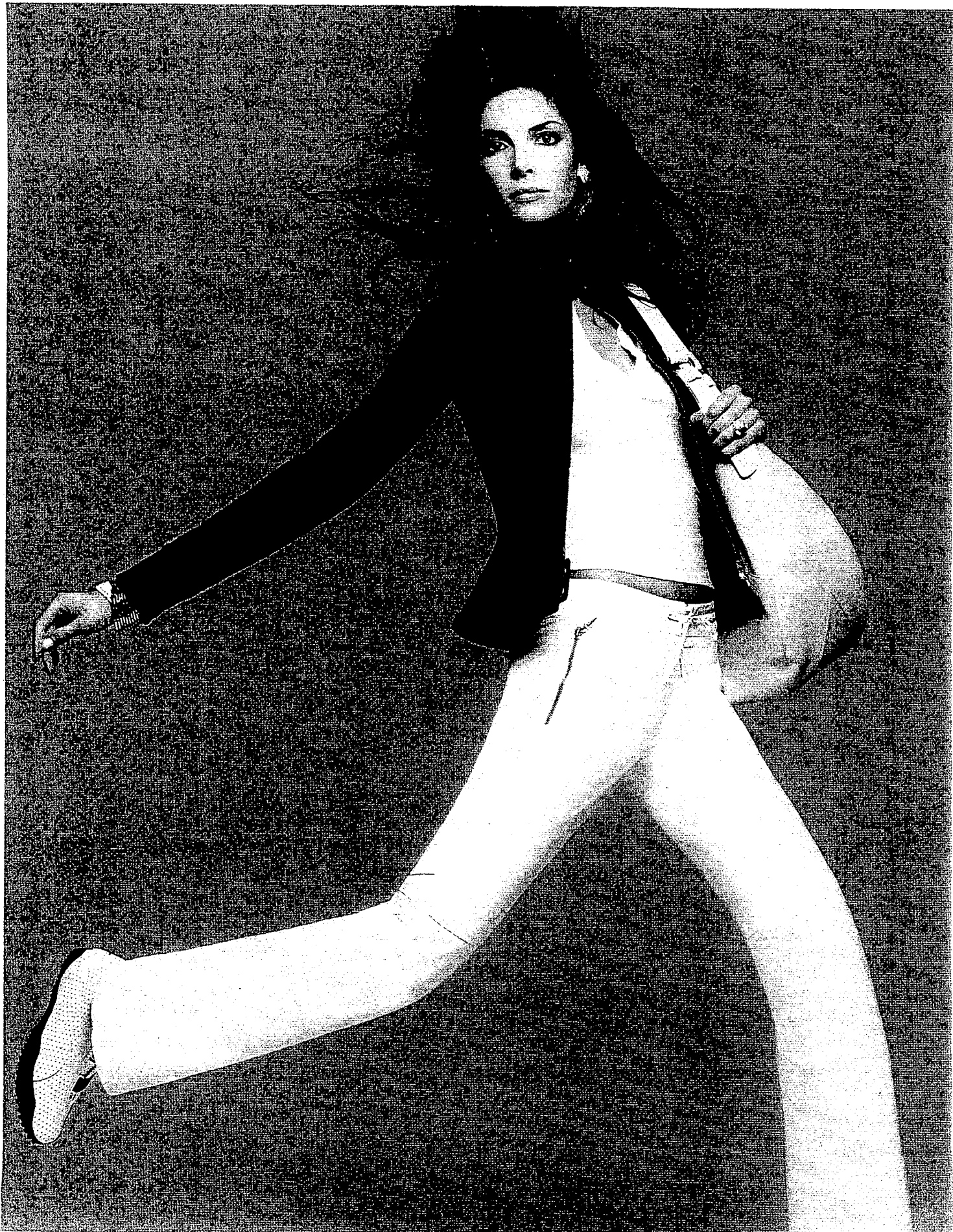




OPP 015



OPP 016





OPP 018



OPP 019



MADISON

100% Cotton
 100% Cotton
 100% Cotton

VERONA

100% Cotton
 100% Cotton
 100% Cotton

CHLOE

100% Cotton
 100% Cotton
 100% Cotton

SOPHIA

100% Cotton
 100% Cotton
 100% Cotton

ZOE

100% Cotton
 100% Cotton
 100% Cotton

CHLOE

100% Cotton
 100% Cotton
 100% Cotton

GENEVA

100% Cotton
 100% Cotton
 100% Cotton

PATTY

100% Cotton
 100% Cotton
 100% Cotton

CHLOE

100% Cotton
 100% Cotton
 100% Cotton

PRATO

100% Cotton
 100% Cotton
 100% Cotton

ISABELLA

100% Cotton
 100% Cotton
 100% Cotton

CHLOE

100% Cotton
 100% Cotton
 100% Cotton

FILIA

100% Cotton
 100% Cotton
 100% Cotton

MADLINE

100% Cotton
 100% Cotton
 100% Cotton

CHLOE

100% Cotton
 100% Cotton
 100% Cotton



OLIVIA *Black strapless dress*
 Length: 55 cm
 Bust: 86 cm
 Waist: 68 cm
 Hem: 100 cm
 Material: 100% silk
 Care: Dry clean

MILANO *Black dress with white stripes*
 Length: 60 cm
 Bust: 86 cm
 Waist: 68 cm
 Hem: 100 cm
 Material: 100% silk
 Care: Dry clean

ARIEL *Black dress with white stripes*
 Length: 60 cm
 Bust: 86 cm
 Waist: 68 cm
 Hem: 100 cm
 Material: 100% silk
 Care: Dry clean

GISELE *Black dress with white stripes*
 Length: 60 cm
 Bust: 86 cm
 Waist: 68 cm
 Hem: 100 cm
 Material: 100% silk
 Care: Dry clean

VERONA *Black dress with white stripes*
 Length: 60 cm
 Bust: 86 cm
 Waist: 68 cm
 Hem: 100 cm
 Material: 100% silk
 Care: Dry clean

ALMA *Black dress with white stripes*
 Length: 60 cm
 Bust: 86 cm
 Waist: 68 cm
 Hem: 100 cm
 Material: 100% silk
 Care: Dry clean

NATALIA *Black dress with white stripes*
 Length: 60 cm
 Bust: 86 cm
 Waist: 68 cm
 Hem: 100 cm
 Material: 100% silk
 Care: Dry clean

CHLOE *Black dress with white stripes*
 Length: 60 cm
 Bust: 86 cm
 Waist: 68 cm
 Hem: 100 cm
 Material: 100% silk
 Care: Dry clean



AEGAN - [Illegible text]
 [Illegible text]
 [Illegible text]

CAMILA - [Illegible text]
 [Illegible text]
 [Illegible text]

AYA - [Illegible text]
 [Illegible text]
 [Illegible text]

SOPHIE - [Illegible text]
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AMARANTA - [Illegible text]
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ALETHEA - [Illegible text]
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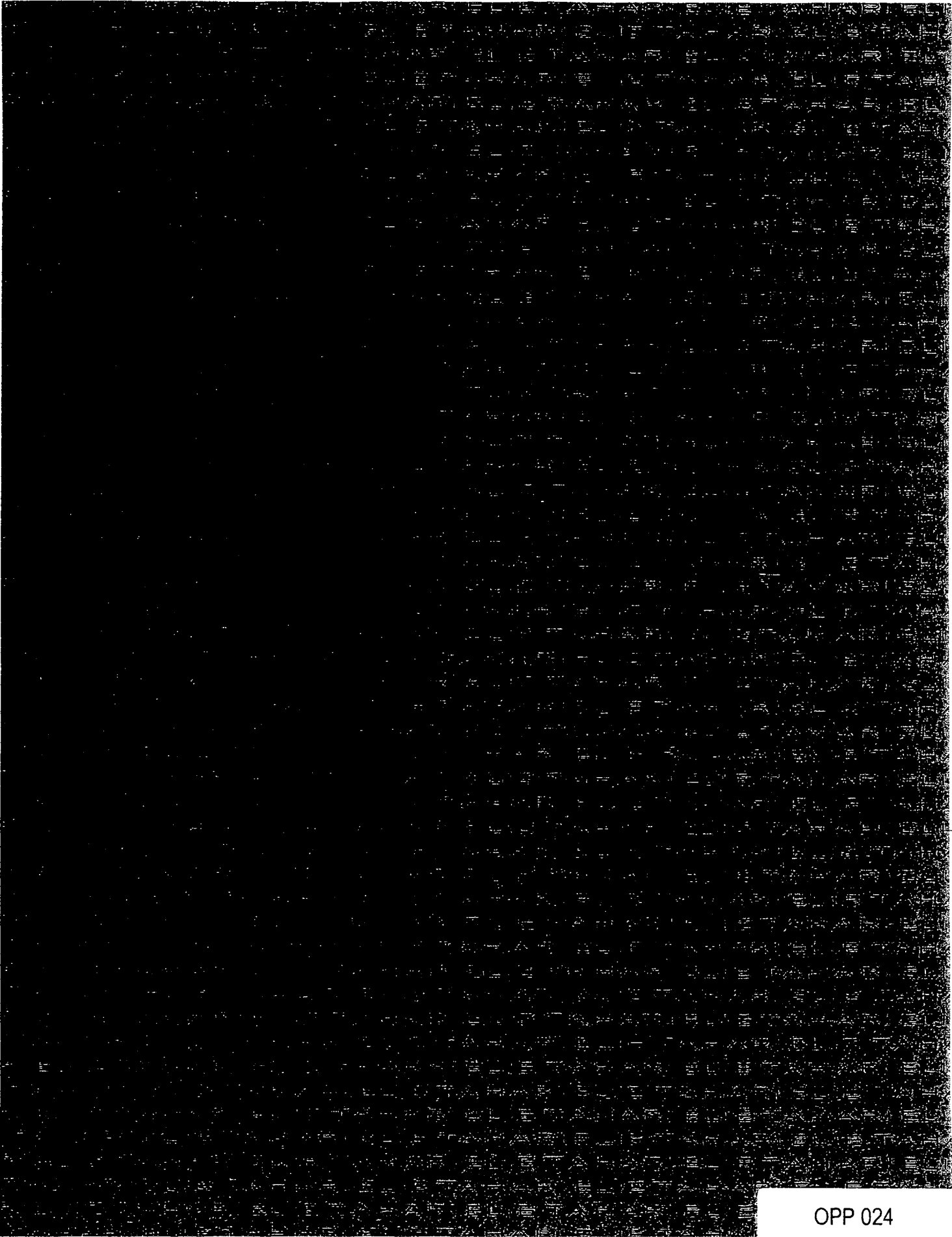
NEVADA - [Illegible text]
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CHARLOTTE - [Illegible text]
 [Illegible text]
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AMELIE - [Illegible text]
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AETINA - [Illegible text]
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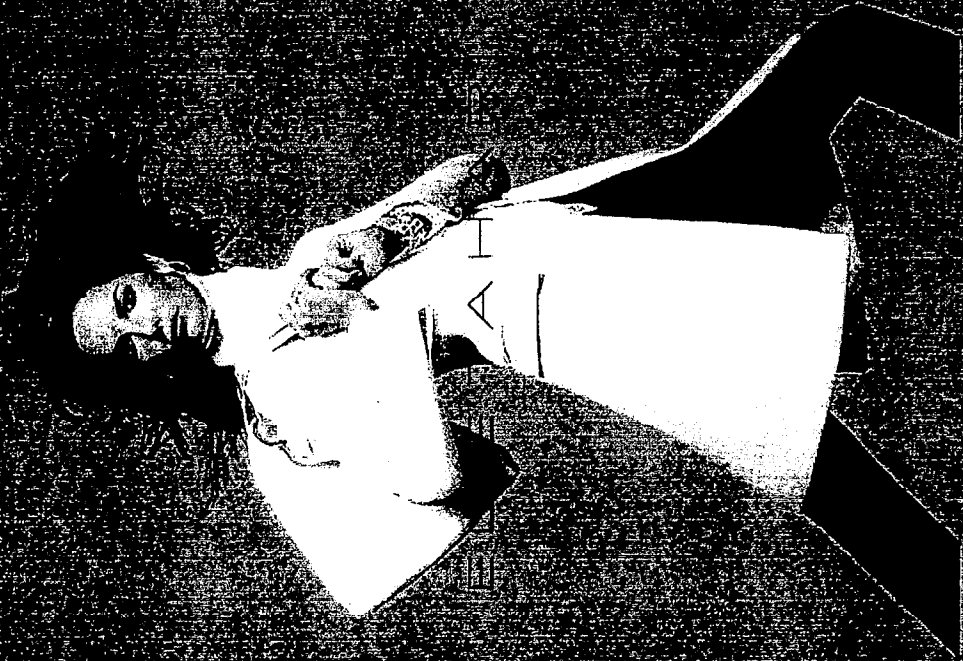
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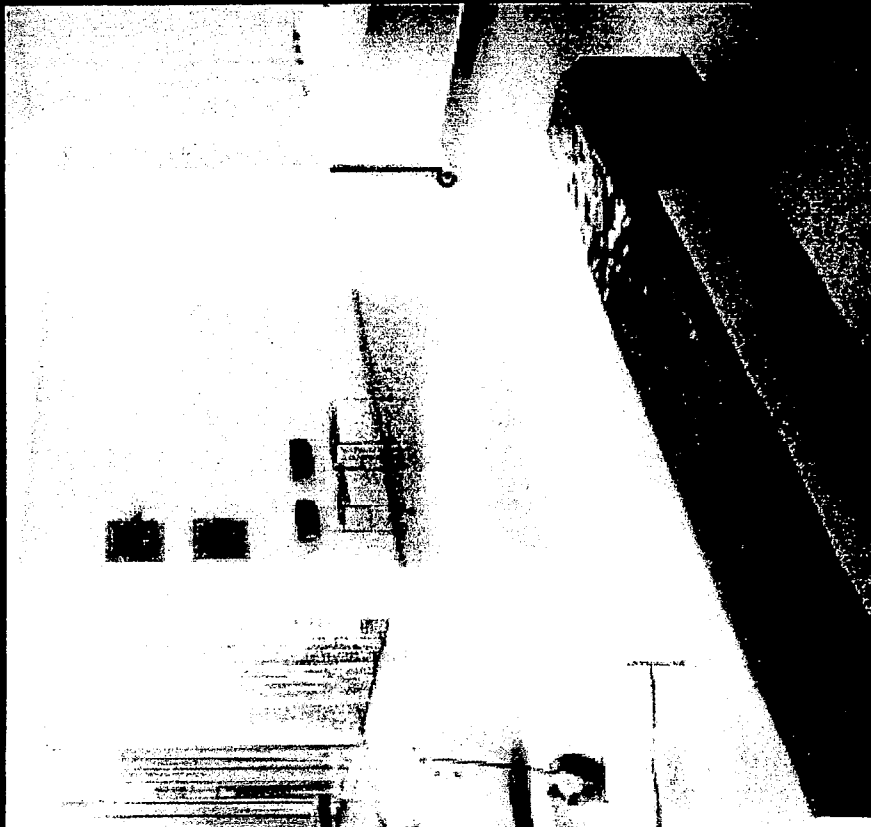


WWW.ELIETAHARI.COM

WWW.ELIETAHARI.COM

E-COMMERCE





ELIE TAHARI: THE COMPANY

From its debut in 1974, the Elie Tahari Collection has been a force to reckon with. A business sparked initially from the creation and fantastic success of the tube top, with a boutique that was located on Madison Avenue, it quickly became the popular destination for modern women looking for sexy, feminine pieces.

The philosophy of the company mirrors the personality of the man behind it. Mr. Tahari has successfully created companies based on his incredible instincts that enable him to predict what is going to happen in fashion before it actually does happen. This, coupled with an astute understanding of what women really want, have made the company a tightly focused enterprise that continuously shows clarity, vision and intelligence.

In the 1970's, ultra-pricey fashion designers and strictly casual inexpensive

THE COMPANY
 ABOUT THE COMPANY
 CAREERS
 EMAIL US

HE GYM. ... MEREDITH VIERA WAS SPOTTED WEARING THE MEGAN DRESS ON THE EMMY AWARD WINNING TALK SHOW THE VIEW. ... CHRISTINE TAYLOR



Olivia Blouse. Real style and elegance in an easy-to-wear blouse with versatile braided strap. 31010250. Black. \$178

- COLLECTIONS
- FALL 2003
- SPRING 2003
- FALL 2002
- SPRING 2002
- FALL 2001
- SPRING 2001



ELIE TAHARI 2003

FALL 2003 COLLECTION
+ START SLIDE SHOW

LOOKS 15-18»

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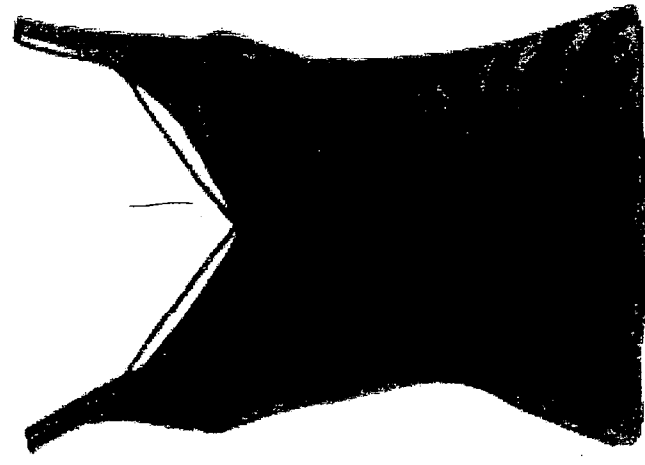


STYLISH PIECES FOR EVERY DRESS CODE... CHECK OUT FOX'S HIT TV SERIES THE OC, WHERE SEXY AND FEMINE ELIE TAHARI PIECES ARE SEEN

MY BASKET
CHECKOUT

WOMEN'S NEW
DRESSES
KETS
SITS
RTS
EATERS
BY
E

IG CHART
PLIMENTARY GIFT
PLIMENTARY SHIPPING



GENIEVA BLOUSE
Geneva braid trim top. Charmeuse. 100% silk.

Style: 31010252

Price: \$188

Color: Black

Size:

Quantity:

ADD TO BASKET

PAGES: 1, 2, 3, 4 << PREVIOUS | NEXT >>



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HAMPTON

LIFETIME MAGAZINE | VOLUME 25 | ISSUE 14 | AUGUST 29 - SEPTEMBER 21, 2003

TAHARI'S TRAJECTORY

Elie Tahari's career is the quintessential fashion fairy tale. Arriving in New York 30 years ago with just \$50 in his wallet, the ambitious Israeli, who grew up in an orphanage and had no training in fashion, spent his first night sleeping on a bench in Central Park.

But he wouldn't be sleeping on benches for long. In 1974, Tahari touched off his first New York fashion craze when he created the iconic tube top. "It was very provocative," says Tahari. "Back then, when you wore a tube top, the whole block turned around." Overnight, Tahari became a sensation. At Studio 54, women would hound him, asking him to design clothing for them.

Tahari's tube top was just a taste of what was to come. Today, the designer's eponymous collection grosses in the megamillions because of his innate ability to pinpoint what women will want tomorrow. Unlike many of his peers, Tahari truly gets into the psyche of style-conscious women, tapping their fashion fantasies and spinning out comfortable creations that are feminine, minimal, and sexy. "If the clothes aren't comfortable, women look stiff," says the designer.

While designing his first collection in 1979, Tahari made an audacious move, slashing prices beneath the designer price point. "I created the department called 'bridge,'" he says. And when he did, Tahari's clothes flew off the racks—and his popularity soared. "Whatever the consumer wants, you've got to be there for them," he explains. He answered their needs once again in 1997 with the birth of Theory, a younger sister to the Elie Tahari collection. Capitalizing on the latest in fashion tech, the line consists of fabrics containing the perfect amount of stretch, producing a hip, sleek silhouette.

Tahari met his wife, Rory Green, at his forty-sixth birthday party. They are perfect soul mates; a snug personal and professional fit as Green joined her husband as creative director. "We really are the perfect complement to each other,"



Elie and Rory Tahari at their very chic showroom on West 42nd Street.

Green says. "He has his strengths and I have mine." In addition to overseeing all marketing, advertising, branding, public relations, styling, and editing, Green launched a lucrative website for the Elie Tahari collection. "I have a saying," her husband says. "It goes: 'Happy wife, happy life.'"

With the company going gangbusters, Tahari plans on entering new territory, easing his way into menswear. Slated to debut in winter 2005, the collection promises to be hot, cool, and young. "It's not going to be just another men's line," the fashion visionary insists.

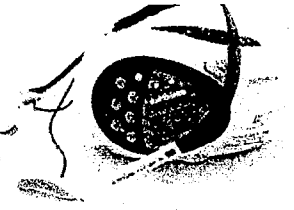
JESS GIBLAGA

photograph by Pascal Pevan

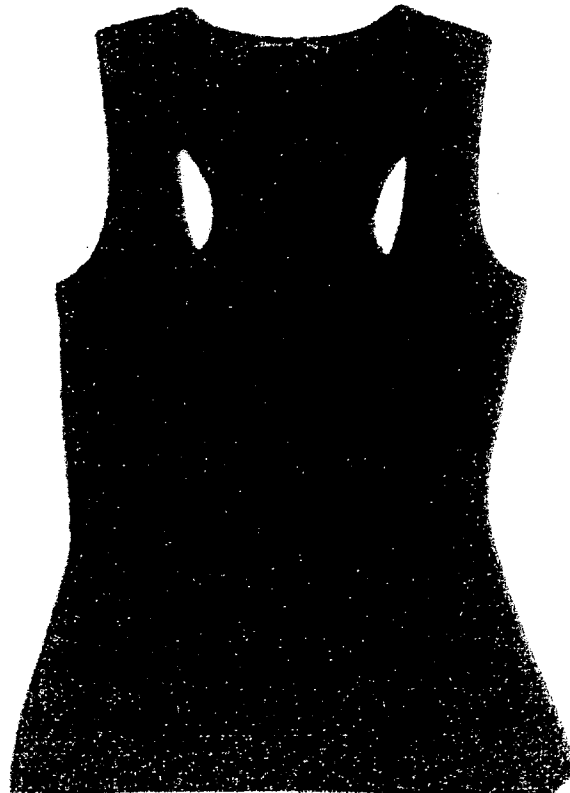
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Sports Authority



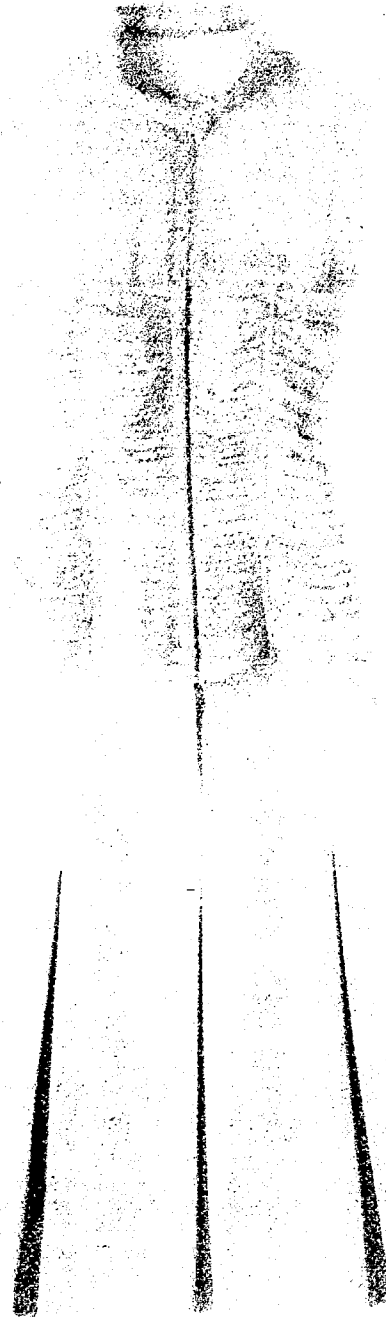
Get in gear, girl. The season's sporty motif will have you moving—in and out of the gym.



Elie Tahari's cotton tank

InStyle

CELEBRITY · LIFESTYLE · BEAUTY · FASHION

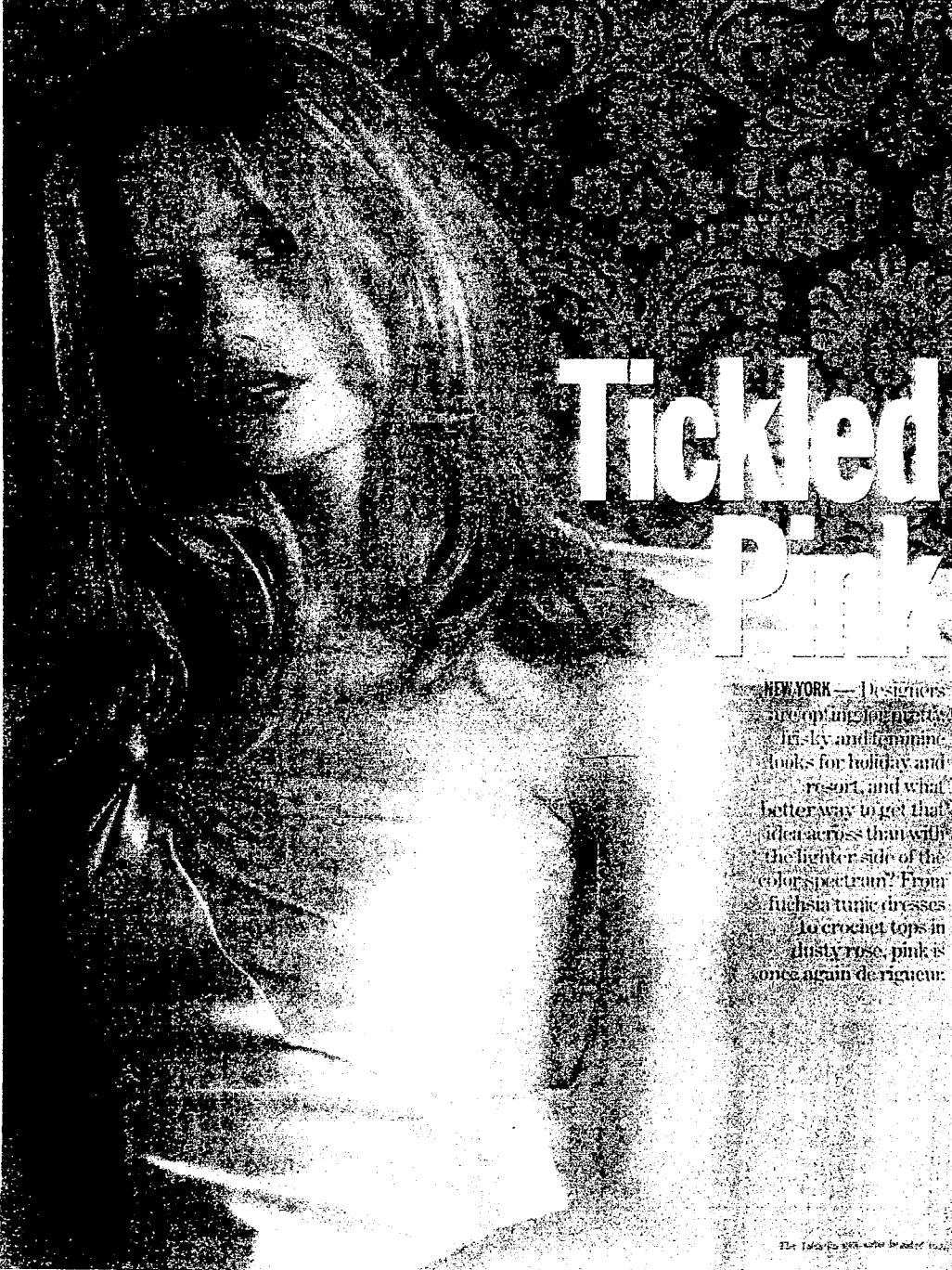


Silk-chiffon blouse, Elie Tahair, \$198; at select Saks Fifth Avenue stores.

WWD WEDNESDAY

Sportswear

ELIE TAHARI's
black silk and merino
wool sweater and black
polyester microfiber
stretch pants.



Tickled Pink

NEW YORK — Designers are opting for pretty, frilly and feminine looks for holiday and resort, and what better way to get that idea across than with the lighter side of the color spectrum? From fuchsia tunic dresses to crochet tops in dusty rose, pink is once again de rigueur.

The Tahari Co. photo by Peter Lindbergh



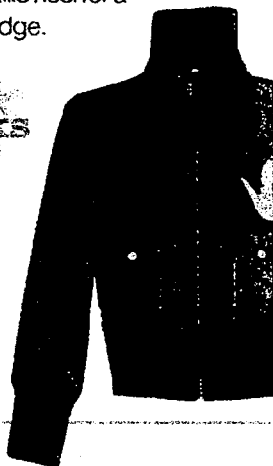
ELIE TAHARI

save
20%



little black dress

why we love it: darts make it especially flattering—as market editor Madeline Munev Passarelli shows off. Plus, it packs into any suitcase without wrinkling.
wear it with: a black pointy pump for a classic look or a metallic heel for a fun edge.



lucky
breaks
page 86

DOUBLE-FACE WOOL
"MAGAM" DRESS, \$348,
ELIETAHARI.COM



p.94

Order on
www.elie tahari.com and enter
"luckymag0903"
at checkout.

**DOUBLE-FACE WOOL
"MAGAM" DRESS
REGULARLY \$348 LUCKY
BREAKS PRICE: \$278**

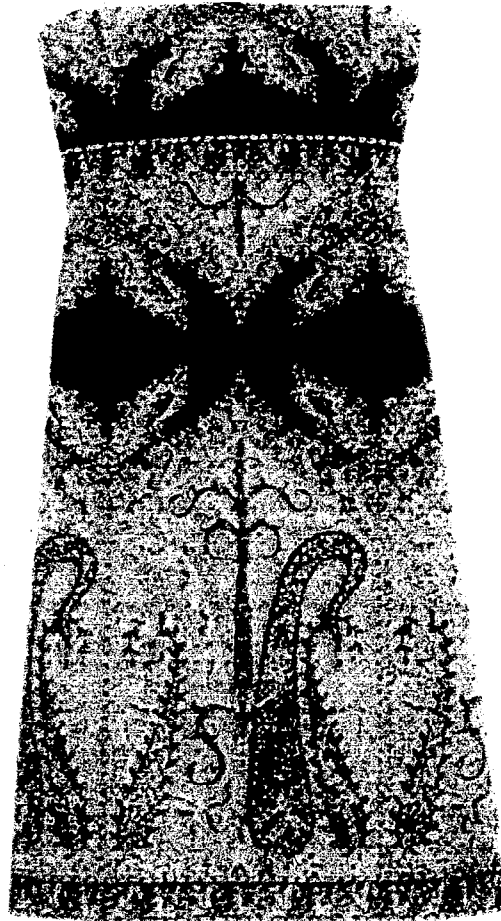
EXCLUSIVE 18 PAGES OF THE YEAR'S

HOTTEST PARTIES

InStyle

CELEBRITY • LIFESTYLE • BEAUTY • FASHION

the **best** sundresses



Cotton with Empire waist,
Elie Tahari, \$298; at
Elie Tahari, 631.329.8883

OPP 037

THE MAGAZINE ABOUT SHOPPING

www.elle.com



The retro collar
is a little
romantic. WOOL

JACKET \$365.11
TALARE 631 329 8823

Sweet but not
overly so. LEATHER
"PUMPKIN" BAG, \$294.
FELIX REY,
GIRLSHOP.COM

Supersparkly
and still
sophisticated.

CRYSTAL PIN \$65
B. J. GRAZIANO
212 662 1448

OPP 038

STARSTRUCK CELEBRITIES

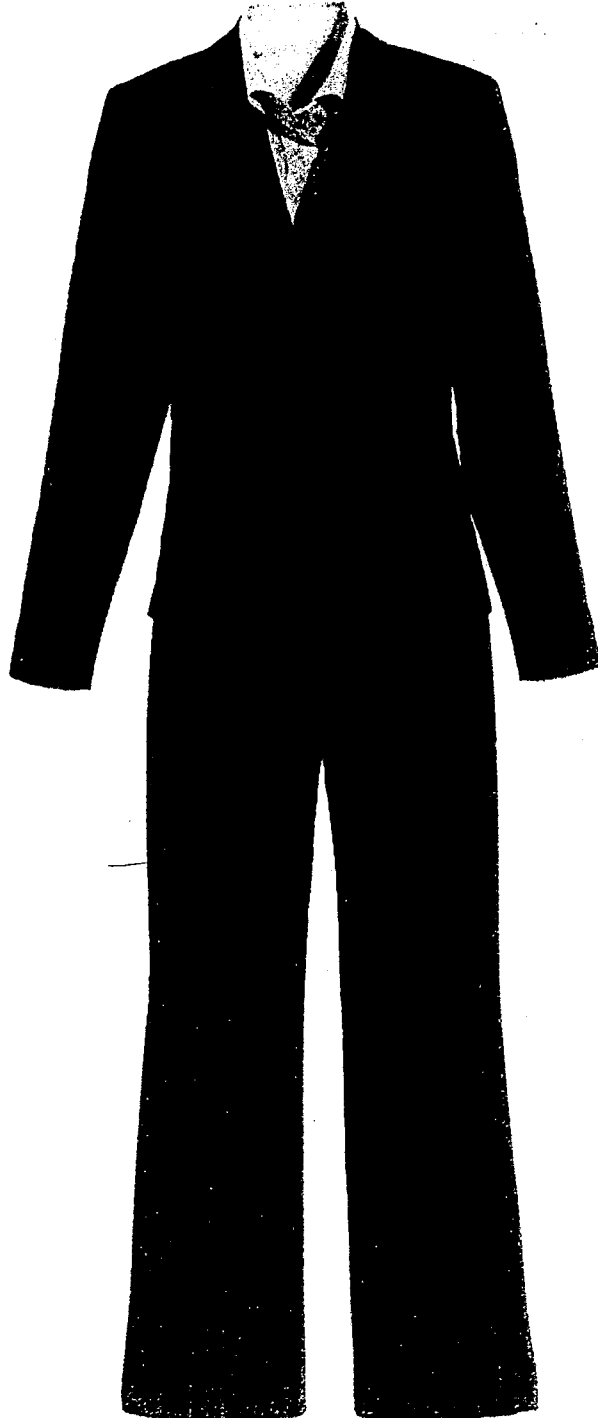
MEET THEIR IDOLS

InStyle

CELEBRITY+LIFESTYLE+BEAUTY+FASHION



Stretch-wool jacket, \$398;
and pants, \$198, Elie Tahari



OPP 039

W



WNews

The Month in Fashion

● At 50, Elie Tahari is going through a metamorphosis in both his business and his life. The suave designer, who has built Tahari into a \$100 million concern, is revamping the 20-year-old company. He's introducing a higher-priced line called Elie Tahari while simultaneously refashioning the original label to be a weekend-casual-sporty collection. Ultimately, the company plans to add lingerie, swimwear and even a denim line. What's with the burst of energy? Tahari credited his marriage last year to film producer Rory Green and the imminent arrival of their first child. "When I got married, my whole life changed," he said.

ELIETAHARI

Elie Tahari : The Company

From its debut in 1974, the Elie Tahari Collection has been a force to reckon with. A business sparked initially from the creation and fantastic success of the tube top, with a boutique located on Madison Avenue, it quickly became the popular destination for modern women looking for sexy, feminine pieces.

The philosophy of the Company mirrors the personality of the man behind it. Mr. Tahari has successfully created companies based on his incredible instincts that enable him to predict what is going to happen in fashion before it actually does happen. This, coupled with an astute understanding of what women really want, has made the company a tightly focused enterprise that continuously shows clarity, vision and intelligence.

In the 1970's, ultra-pricey fashion designers and strictly casual inexpensive clothes saturated the marketplace, with nothing in-between. The Elie Tahari Collection changed that, with styles that bridged the gap between the two wildly disparate groups. The Company realized the need to address more than two different lifestyles, and recognized the desire of women who wanted choices. A brilliant move, and the bridge market exists today because of the Company's acute observations of the changing world, resulting in spontaneous ideas that propel and affect change.

It was during this period that the shop-in-shop concept was born. The Elie Tahari Collection was the first choice of Bloomingdale's, Neiman Marcus and Saks Fifth Avenue, and this brainchild would ultimately revolutionize the way all retailers present designer collections. The retailers created a dedicated space within their stores to carry the Collection, and designed the space according to Mr. Tahari's specifications. This was not just any space, though; Mr. Tahari created a complete shopping environment for the customer that merchandised the line into 'looks' that were styled, instead of just random pieces for sale which was the norm at the time.

The 1980's gave way to changing attitudes and perceptions about women in the workplace. Women were entering the work force in record numbers with careers, instead of jobs, on their minds. Enter the Elie Tahari Collection, a category created from this niche and filled beautifully with tasteful, well-tailored suits, career dressing for women that remained feminine, and choices upon choices for a male-dominated business culture. Today, some 30 years later, Mr. Tahari is still remembered by those women who were embarking on a new course in their lives: the Company delivered what was needed before anyone else did, and offered fashions designed for smart, savvy women who didn't necessarily want to give up their identity as women first, businesswomen second.

The swift advances of technology in the 1990's were changing the world, and once again, the Company was at the head of the line. Stretch fabrics were just coming onto the radar, with no real focus on how they could be utilized --- designers really saw them as novelty fabrics to use once or twice a season. But for Mr. Tahari, this new technology signaled a re-birth of sorts, because he understood how they could really change the face of fashion.

Theory was launched in 1997 as a sportswear line integrating these innovative stretch fabrics for a slightly younger audience. The line capitalizes on sleek shapes and silhouettes, designed for a hip, lifestyle-driven sensibility. Translated, it means that Theory became, and remains, a cult favorite with a momentum that has no intention of slowing down. Another one of the many ideas that has paid off.

With the runaway success of Theory, Mr. Tahari turned his sharp sights on his namesake business. It was another timely stroke of his vision that in 1999, the business was re-fashioned, as it were, into a company that better speaks to a very loyal audience of women. These customers are given sophisticated designs that once again fills a niche in the market, and addresses more fully today's culture and lifestyle. The line is modern, clean, quietly sexy and feminine; maybe its success was assured given the Company's track record, but it has been viewed as nothing less than extraordinary in an increasingly crowded industry.

Elie Tahari : The Company

The popularity of the new line led the Company to reframe traditional thinking about positioning the brand. Wanting to reflect the attitude that has always been a trademark, an inspired plan was crafted to subtly but solidly launch the line to a wider audience. And, as a secondary but no less important goal, the Company wanted to change the shopping experience for its customer.

This fashion epiphany led plum retailer Bergdorf Goodman to the Elie Tahari Collection. The success of the Collection has been a story in itself, given that it's been achieved solely through word of mouth, without the benefit of any advertising or marketing campaigns.

A first freestanding boutique opened in East Hampton, New York in the summer of 2002. Feeling that this chic summer playground was prime territory for a retail concept other than the usual seasonal summer shops, the store has become a permanent destination year-round for the core customer and has introduced an entirely new audience to the brand.

The Elie Tahari Collection website revealed new opportunities for the business in 2002. One of the very few sites today that can honestly claim profitability, this nimble site offers a wide selection of key item pieces from the line, and has also become a venue for communication between the customer, the Company and the designer, further cementing an integrated approach of reaching an audience that is clamoring for more. And adding yet another reach factor to the mix is an incredible direct mail catalog, bringing the customer closer still to the brand's sensibility, and to the clothing that invokes such honest emotional connections for so many women.

The Company defies categorization. By cutting through the traditional channels of doing business and rethinking conventional notions of shopping, the Elie Tahari Collection rounds the corner first to re-invent the way an industry conducts business. The customer has always listened to Elie Tahari. Now the industry is taking notice. Other designers are modeling their own plans to more closely reflect the Company's lead, which is nothing new. Even after 30 years, Mr. Tahari, through the Collection, remains true to his instincts, the 'before timely' ideas that are just a little ahead of the times, but way out front when creating those magic moments of fashion.

.....

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212.763.2130
marissav@elietahari.com

ELIE TAHARI

Elie Tahari Focuses on Sexy Details for Fall 2003

FOR IMMEDIATE RELEASE

FOR MORE INFORMATION, CONTACT:
Marissa Vitagliano
212.763.2130

At a time when women crave stylish designs that are at once elegant and sporty, sensual and strong, no designer captures the late-in-2003 mindset more than Elie Tahari.

No wonder, then, that Elie Tahari has set his sights on global influences for Fall 2003. It is daring details combined with practicality that transform his acclaimed signature pieces (think the perfect fitted jacket, the important blouse, the sleek, sexy dress, the best leather toppers, the finest pants) into conversation pieces that are both sporty and chic.

Witness the Asian inspiration in a dazzling reversible shearling wrap-jacket; or the powerful Moroccan-inspired hand-embroidery that updates an unpretentious pair of stretch cords as well as the streamlined body of an exquisite form-fitting winter white coat. Like every Fall 2003 design, these pieces can be worn anywhere, anytime, with, *well*, anything you want to wear them with.

African-inspired braiding is the latest hallmark of Elie Tahari's important tops: a garne; silk-satin halter boasts a sleek braided strap that can be worn either halter-style or seductively over one shoulder; a featherweight jersey blouse blends the rusticity of braiding with the refinement of ruching. This juxtaposition of polish and unpretentiousness is an important key to Fall 2003.

Like most pieces in the Collection, sweaters are ultra-sexy this season. Sleeves, collars, shoulders and hemlines are airily hand-crocheted; tuxedo striping is updated, too. A reversible grey wool shift dress sports black piping; a pair of black wool trousers features tuxedo striping fashioned from braided leather. Bold hand-slitting and knit accents highlight everything from a relaxed corduroy jacket to a gorgeous shearling coat.

Or how about the simple surprise of a bright floral lining tucked inside a sleeveless tweed shift dress? As always, the contrast of sporty and sophisticated is what makes the designs effective—and versatile.

The au courant jackets are military-inspired and decorated with four-pockets, fringe and grosgrain for a sportier edge; in Parisian tweed and stretch corduroy, they look beautiful with everything from a pair of jeans and a stretch cotton crewneck to a slim pencil skirt with a zipper or side slit.

The new cargo is cropped, adjustable and laces up—in corduroy for day and in lustrous black satin for evening. The mix of casual and chic makes for the design interest, the wearability—and timelessness. All in all, Elie Tahari enters fall as refined, finished, smart, sexy for the modern woman of 2003.



ELI TAHARI

Neiman Marcus.com

LIE-TAHARI



TAHARI
FELIX REVEN
BLAHNIK

HOLT RENFREW

Sireli necklace with
oversize siren
pendant. \$75.
Exclusively at

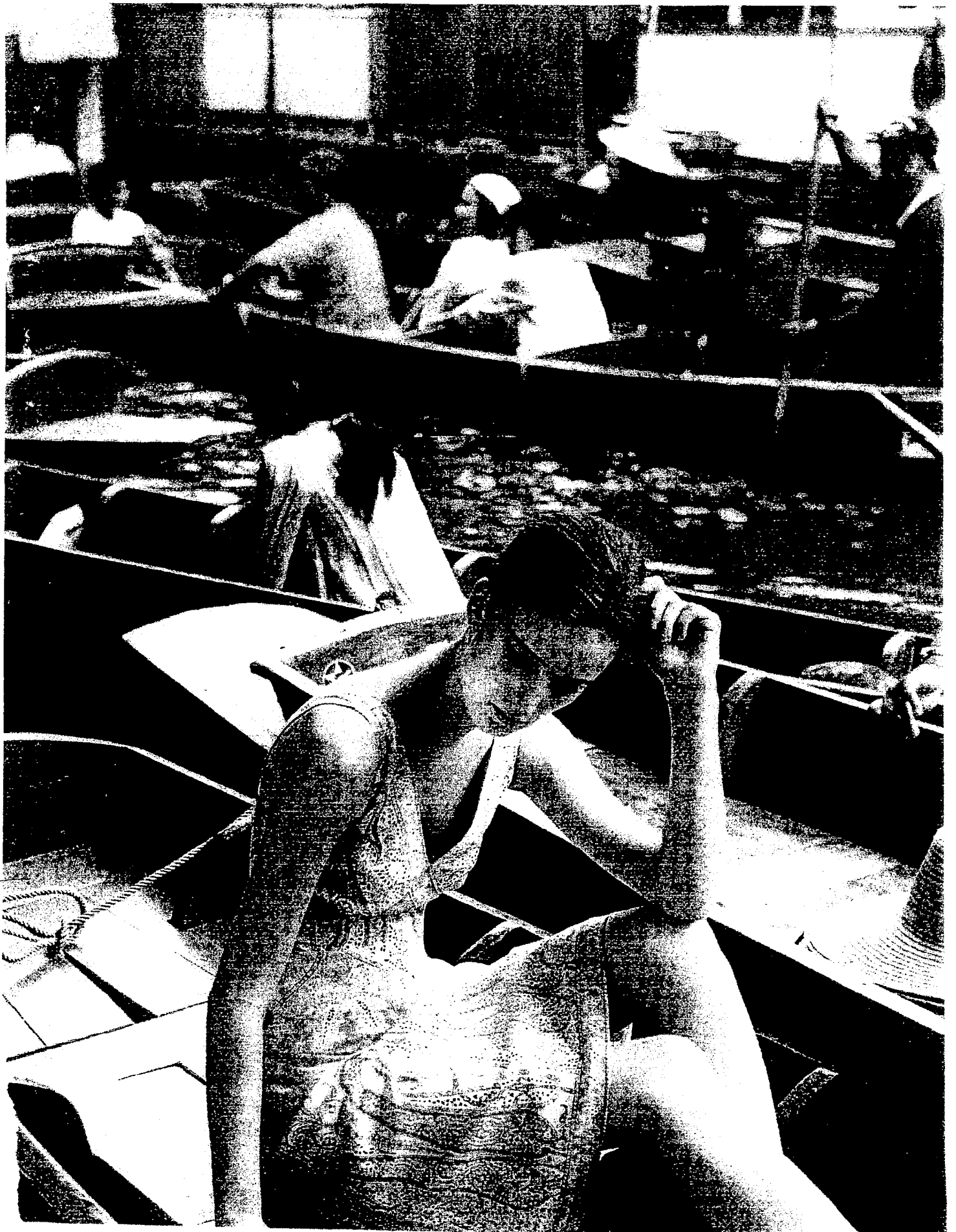


OPP 047



ELIE TAHARI

Elie Tahari suit
Sheila with lace
Dolce & Gabbana
Elie Tahari
Elie Tahari
Elie Tahari
Elie Tahari
Elie Tahari
Elie Tahari
Elie Tahari







OPP 051

Rory Tahari
Creative Director

In many ways, Rory Tahari has been preparing for her role as Creative Director of Elie Tahari her whole life ----- she just never knew it.

Rory comes by her talents quite naturally, and in fact, some might say that she learned about art, design, and fashion from the moment she drew her first breath --- her father was the head of one of the largest and most influential advertising agencies in the country. By osmosis, her aesthetic was defined by the exposure she received in this talented environment.

The path that Rory initially took was in television production. After receiving her BA at Boston University's School of Journalism, she worked for several years in capacities that ranged from business development to producing entertainment and news programs to generating concepts and story ideas for several fashion-oriented clients. She was constantly attracted to those clients with a fashion slant; she loved being able to draw on her own considerable style expertise and her particular aesthetic history to create and produce image pieces for national accounts.

Rory's vision for the Elie Tahari brand puts all of her talents to work simultaneously. She is responsible for all of the visual components of the company, from marketing, branding, corporate imaging and identity to advertising, public relations as well as styling and editing. In this role, she has soared. As the worlds of art, design and fashion are fusing more than ever, these segments of style are becoming more and more joined. This platform puts Rory Tahari ahead of the game because of the varied yet viable experience she brings to the table.

Rory spearheaded the introduction of the Elie Tahari Black Label Collection, and has been responsible for re-positioning the brand for the past three years. She has distilled and refined the image of the brand by focusing on clean imagery, uncluttered graphics and savvy marketing methods to reach the target audience. Her voice is truly the voice of the Elie Tahari customer, which is evidenced by the ways in which the newly refocused line has been presented and received.

Just one of the many things that Rory has accomplished has been to establish Elie Tahari as a key player in the e-commerce arena. True to the standard she has set for the brand, the website is clean, clear and concise in its design, and has been a major success story when there are so few in today's economy.

The partnership of Rory and Elie Tahari clearly works.
There is a symbiotic relationship that extends far beyond
the company's mission: they were married in 2000.

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Innovation Marks Fall 2003 Elie Tahari Collection

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At a time when women crave stylish designs that are at once elegant and sportif, sensual and strong, no designer captures the late-in-2003 mindset more than Elie Tahari.

No wonder, then, that Elie Tahari has set his sights on global influences for Fall 2003. It is daring details combined with practicality that transform his acclaimed signature pieces (think the perfect fitted jacket, the important blouse, the sleek, sexy dress, the best leather toppers, the finest pants) into conversation pieces that are both sporty and chic.

Witness the Asian inspiration in a dazzling reversible shearling wrap-jacket; or the powerful Moroccan-inspired hand-embroidery that updates an unpretentious pair of stretch cords as well as the streamlined body of an exquisite form-fitting winter white coat. Like every Fall 2003 design, these pieces can be worn anywhere, anytime, with, well, anything you want to wear them with.

African-inspired braiding is the latest hallmark of Elie Tahari's important tops: a garnet silk-satin halter boasts a sleek braided strap that can be worn either halter-style or seductively over one shoulder; a featherweight jersey blouse blends the rusticity of braiding with the refinement of ruching. This juxtaposition of polish and unpretentiousness is an important key to Fall 2003.

Like most pieces in the Collection, sweaters are ultra-sexy this season. Sleeves, collars, shoulders and hemlines are airily hand-crocheted; tuxedo striping is updated, too. A reversible grey wool shift dress sports black piping; a pair of black wool trousers features tuxedo striping fashioned from braided leather. Bold hand-stitching and knit accents highlight everything from a relaxed corduroy jacket to a gorgeous shearling coat.

Or how about the simple surprise of a bright floral lining tucked inside a sleeveless tweed shift dress? As always, the contrast of sporty and sophisticated is what makes the designs effective—and versatile.

The au courant jackets are military-inspired and decorated with four-pockets, fringe and grosgrain for a sportier edge; in Parisian tweed and stretch corduroy, they look beautiful with everything from a pair of jeans and a stretch cotton crewneck to a slim pencil skirt with a zipper or side slit.

The new cargo is cropped, adjustable and laces up—in corduroy for day and in lustrous black satin for evening. The mix of casual and chic makes for the design interest, the wearability—and timelessness. All in all, Elie Tahari enters fall as refined, finished, smart, sexy for the modern woman of 2003.

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Elie Tahari
Bio

For three decades, Elie Tahari has designed clothing that has consistently achieved a cult status following. His talents lay beyond the current trend; he has the innate ability to tap into the pulse of, and then develop fully, the 'what's next' concept of fashion. This is truly the definition of vision.

The professional success that Mr. Tahari now enjoys belies truly humble beginnings. Upon arriving in Israel from his native Iran via the cargo hold of an airliner, his family was so incredibly poor that his parents were forced to place him in an orphanage. He was really left to his own devices to not only survive, but to create his life. When he left the orphanage at age 16, he was called into the Israeli Army where he was trained as an electrical engineer. With a trade and a vast imagination, Mr. Tahari immigrated to the United States.

Mr. Tahari came to this country to be part of the American Dream, as many in similar circumstances hope to do. But he didn't really have an idea of what his particular American Dream was. Such was his determination, though, that it brought him to New York City, where he spent his first night on a Central Park bench.

He found a job of sorts in the fabled garment district. But it definitely wasn't his idea of a dream job: "I went from showroom to showroom changing light bulbs. It was a boring job, and the girls wouldn't talk to me." Out of necessity, Mr. Tahari worked a second job selling clothes in a Village boutique. From these two jobs, Mr. Tahari witnessed the inner workings of the fashion industry, and realized that "I can do that!"

This was the Seventies, and Mr. Tahari drew inspiration from the New York club scene. He created the tube top, a design which spoke not only of the changing times culturally, but also captured the mood and ultimately set the tone that Mr. Tahari adheres to today: sexy clothing for modern women. The tube top was wildly successful --- it not only made him an instant success, but the darling of the burgeoning fashion scene, even to the point where he would pull up outside the famed Studio 54, and women would ask him to design clothing for them.

He opened his first boutique in 1974 on Madison Avenue. The common feeling at the time was that Mr. Tahari was a little crazy to open a clothing boutique on a street that was really reserved for high-flying advertising agencies. However, he pioneered the concept of ultimate fashion on Madison, and today, it's the most expensive real estate in the world.

The success of the tube top and his private clients paid huge dividends in other ways: it allowed him free reign in New York City --- a city that still inspires him after all these years in

the business. His newfound success enabled him to discover all the venues that his customer enjoyed --- the theatre, clubs, restaurants, stores, architecture, interior design and traveling the globe --- and by extension, affect his view on the world of fashion.

Mr. Tahari discovered during this heady time that he had a real talent, a real gift, for knowing what a woman wants in fashion before even she knows what she wants. He created sexy clothes for a sophisticated audience, which is the philosophy that he still subscribes to, some 30 years later. And this from a man who had no formal design training. He understands the importance of the perfect fit and form, and insists that the Collection adhere to his high standards. This is just one of many components that separates, then elevates his designs from all the others.

His instincts fire quickly --- and often. This sixth sense ability of being there first resonates again and again, and with an impressive history that demonstrates this point: he created a huge following with his suit line in the 1980's; he has developed innovative fabrics and fabrications that are a wonder. His mastery extends to creating new businesses to marshal all of his creative energies into viable options for the marketplace, and he's launched Theory, the fashionista's favorite ---- the list goes on and on.

Yet something was missing. And that something was Rory Tahari, whose very presence revitalized the man and then the business. After their marriage in 2000, he discovered that what his business was missing was this forward-thinking woman. The pair have a truly collaborative relationship, and have that mysterious connection that is a partnership in its purest form. While he is dedicated to the design of the clothing, Ms. Tahari, as Creative Director, is responsible for all things that concern the brand image. Together, they have energized the business through the introduction of Elie Tahari Black Label Collection, and have crafted a new model of doing business that makes them the "ones to watch." And with their separate yet distinct talents, they have injected the Company with a new meaning, a new vigor, that acts as a springboard for future business venues.

Mr. Tahari's savvy business acumen extends beyond just fashion, though. He recently bought a landmark building at 510 Fifth Avenue as the headquarters for the Elie Tahari Collection. This building closely mirrors Mr. Tahari's aesthetic, with floor-to-ceiling windows, clean open spaces, and a mid-century tone that is at once modern and timely. As a salute to the heroic efforts after the tragedy of 9/11, he wrapped this building in the largest American flag ever manufactured *anywhere* as a tribute to his adopted country.

In the final analysis, though, Elie Tahari has a gift and a vision unlike others in the field of fashion. His step is one ahead in a very fast-paced and fickle industry. And the longevity of his business is proof positive of that particular vision. He just always seems to be right. It's this innate

Elie Tahari
The Company

From its debut in 1974, the Elie Tahari Collection has been a force to reckon with. A business created initially from the creation and fantastic success of the tube top, the boutique was located on Madison Avenue, and quickly became the popular destination for modern women looking for sexy, feminine pieces. Considering the fact that Madison Avenue in the '70's was a mecca for big-name advertising agencies, this pioneering spirit defined the business then, and it continues to do so now.

The philosophy of the company mirrors the personality of the man behind it. Mr. Tahari has successfully created companies based on his incredible instincts that enable him to predict what is going to happen in fashion before it actually does happen. This, coupled with an astute understanding of what women really want, have made the company a tightly focused enterprise that continuously shows clarity, vision and intelligence.

In the 1970's, ultra-pricey fashion designers and strictly casual inexpensive clothes riddled the marketplace, with nothing in-between. The Elie Tahari Collection changed that, with styles that bridged the gap between the two wildly disparate groups. The Company realized the real need to address more than two different lifestyles, and recognized the desire of women who wanted choices. A brilliant move, and the bridge market exists today because of the Company's acute observations of the changing world, resulting in spontaneous ideas that propel and affect change.

It was during this period that the shop-in-shop concept was born. The Elie Tahari Collection was the first choice of Bloomingdale's, Neiman Marcus and Saks Fifth Avenue, and this brainchild would ultimately revolutionize the way all retailers present designer collections. The retailers created a dedicated space within their stores to carry the Collection, and designed the space according to Mr. Tahari's specifications. This was not just any space, though; Mr. Tahari created a complete shopping environment for the customer that merchandised the line into 'looks' that were styled, instead of just random pieces for sale that was the norm at the time.

The 1970's gave way to changing attitudes and perceptions about women in the workplace. Throughout the 1980's, women were entering the work force in record numbers, with careers instead of jobs on their minds. Enter the Elie Tahari Collection, a category created from this niche and filled beautifully with tasteful, well-tailored suits, career dressing for women that remained feminine, and choices upon choices for a male-dominated business culture. Today, some 20 years later, Mr. Tahari is still remembered as the leader in this segment by those women who were embarking on a new course in their lives: the Company delivered what was needed before anyone else did, and offered fashions designed for smart, savvy women that didn't necessarily want to give-up their identity as women first, businesswomen second.

The swift advances of technology in the 1990's were changing the world, and once again, the Company was at the head of the line. Stretch fabrics were just coming onto the radar, with no real focus on how it could be utilized ---- designers really saw it as a novelty fabric to use once or twice a season. But for Mr. Tahari, this new technology signaled a re-birth of sorts, because he understood how it could really change the face of fashion.

Theory was launched in 1997 as a sportswear line integrating these innovative stretch fabrics for a slightly younger audience. The line capitalizes on sleek shapes and silhouettes, designed for a hip, lifestyle-driven sensibility. Translated, it means that Theory became, and remains, a cult favorite with a momentum that has no intention of slowing down. Another 'before-timely' idea that has paid off brilliantly.

With the runaway success of Theory, Mr. Tahari turned his sharp sights on his namesake business. It was another timely stroke of his vision that in 1999, the business was re-fashioned, as it were, into a company that better speaks to a very loyal audience of women. These customers are given sophisticated designs that once again fills a niche in the market, and addresses more fully today's culture and lifestyle. The line is modern, clean, quietly sexy and feminine; maybe its success was assured given the Company's track record, but it has been viewed as nothing less than extraordinary in an increasingly crowded industry.

This fashion epiphany led plum retailer Bergdorf Goodman to the Elie Tahari Collection, joining Neiman Marcus, Saks Fifth Avenue and Bloomingdale's. The success of the Collection has been a story in itself, given that it's been achieved solely through word of mouth, without the benefit of a massive advertising or marketing campaign.

The popularity of the new line led the Company to reframe traditional thinking about positioning the brand. Wanting to reflect the attitude that has always been a trademark, an inspired plan was crafted to subtly but solidly launch the line to a wider audience. And, as a secondary but no less important goal, the Company wanted to change the shopping experience for its customer.

The first freestanding boutique opened in East Hampton, New York in 2001. Feeling that this chic summer playground was prime territory for a retail concept other than the usual seasonal summer shops, the store has become a permanent destination year-round for the core customer and has introduced an entirely new audience to the brand.

The Elie Tahari Collection website revealed yet new opportunities for the business in 2002. One of the very few sites today that can honestly claim profitability, this nimble site offers a wide selection of key item pieces from the line, and has also become a venue for communication between the customer, the Company and the designer, further cementing an integrated approach of reaching an audience that is clamoring for more. And adding yet another reach factor to the mix is an incredible direct mail catalog, bringing the customer closer still to the brand's sensibility, and to the clothing that invokes such honest emotional connections for so many women.

The Company defies categorization. By cutting through the traditional channels of doing business and rethinking conventional notions of shopping, the Elie Tahari Collection rounds the corner first to reinvent the way an industry conducts business. The customer has always listened to Elie Tahari. Now the industry is taking notice. Other designers are modeling their own plans to more closely reflect the Company's lead, which is nothing new. Even after 30 years, Mr. Tahari, through the Collection, remains true to his instincts, the 'before timely' ideas that are just a little ahead of the times, but way out front when creating those magic moments of fashion.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

ELIE TAHARI,	)	DECLARATION OF J. ALISON
	)	GRABELL IN SUPPORT OF FAHARI,
	)	INC.'S MOTION FOR SUMMARY
Opposer,	)	JUDGMENT
)	
v.	)	Opposition No. 156,740
)	
FAHARI, INC.)	
)	
Applicant.)	

I, J. Alison Grabell, hereby declare:

1. I am a member of the State Bar of California and as associate attorney in the firm of Birch, Stewart, Kolasch & Birch, LLP, counsel for applicant Fahari, Inc. ("Fahari") Body in this proceeding.

2. I make this declaration on the basis of my own personal knowledge and if I were called as a witness in this proceeding, I could and would testify competently to the following facts.

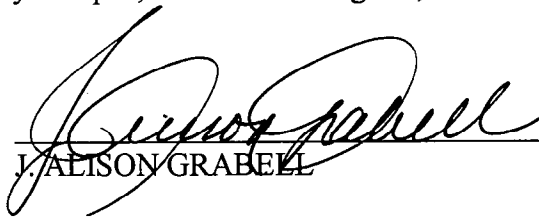
3. Attached hereto as Exhibit 1 is a true and correct copy of a relevant page that I downloaded from the web site located at the URL www.bergdorfgoodman.com.

4. Attached hereto as Exhibit 2 is the record for the mark HARARI and Design, Registration No. 1,606,491 that I downloaded from the TARR System of the USPTO web site, located at the URL www.uspto.gov.

5. Attached hereto as Exhibit 3 are printouts that I downloaded from the web sites located at the URLs www.la.com, www.searchinla.com and www.stylemaven.com regarding Harari locations in the Los Angeles area.

6. Attached hereto as Exhibit 4 are representative pages that I downloaded from the web site located at the URL www.tahari.com.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct and that this declaration has been executed this 30th day of April, 2004 at Los Angeles, California.



J. ALISON GRABEEL