
To: Expo Communications, Inc. (tmdocketny@kenyon.com)
Subject: TRADEMARK APPLICATION NO. 78654480 - VIDEOPINIONS - 13114/29
Sent: 3/15/07 12:40:46 PM
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Attachment - 38**[Important Email Information]**
UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/654480

APPLICANT: Expo Communications, Inc.

CORRESPONDENT ADDRESS:
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Alexandria, VA 22313-1451If no fees are enclosed, the address should
include the words "Box Responses - No Fee."

MARK: VIDEOPINIONS

CORRESPONDENT'S REFERENCE/DOCKET NO: 13114/29

CORRESPONDENT EMAIL ADDRESS:
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Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address..

Serial Number 78/654480

The trademark examining attorney has carefully reviewed the request for reconsideration and is not persuaded by applicant's arguments. No new issue has been raised and no new compelling evidence has been presented with regard to the point at issue in the final action. TMEP §715.03(a). Accordingly, applicant's request for reconsideration is denied and the refusal to register under Section 2(e)(1) of the Trademark Act is continued. 37 C.F.R. §2.64(b); TMEP §715.04.

The application file will be returned to the Trademark Trial and Appeal Board for resumption of the appeal.

Initially, it is pointed out that the parent application has been successfully divided so that applicant's services in class 35 fall in application 78-654480, while the services in class 38 fall in application 78-978112 and the services in class 41 fall in application 78-978113. All of the services will be addressed in this Office action, which will be replicated so that it appears in all three files.

Applicant seeks registration for VIDEOPINIONS for: providing information on consumer products and services by way of a global computer network (class 35); television broadcasting, cable television broadcasting, satellite television broadcasting, and interactive video-on-demand transmission services, all in the field of information on consumer products and services (class 38); and entertainment services in the nature of on-going television programs in the field of information about consumer products and services (class 41).

Applicant argues that the terms "video" and "opinion" have multiple meanings. However, this fact is not controlling. The determination of whether a mark is merely descriptive is considered in relation to the identified goods and/or services, not in the abstract. *In re Abcor Dev. Corp.*, 588 F.2d 811, 814, 200 USPQ 215, 218 (CCPA 1978); *see, e.g., In re Polo Int'l Inc.*, 51 USPQ2d 1061 (TTAB 1999) (DOC in DOC-CONTROL would be understood to refer to the "documents" managed by applicant's software, not "doctor" as shown in dictionary definition); *In re Digital Research Inc.*, 4 USPQ2d 1242 (TTAB 1987) (CONCURRENT PC-DOS found merely descriptive of "computer programs recorded on disk" where relevant trade uses the denomination "concurrent" as a descriptor of this particular type of operating system); *see* TMEP §1209.01(b). The question is thus not whether "videopinions" would have meaning in the abstract, but rather what meaning it would have when used in connection with applicant's particular services. Further, the fact that the compound word is not found in the dictionary is not controlling on the question of registrability. *In re Gould Paper Corp.*, 834 F.2d 1017, 5 USPQ2d 1110 (Fed. Cir. 1987); *In re Orleans Wines, Ltd.*, 196 USPQ 516 (TTAB 1977); TMEP §1209.03(b).

Interestingly, applicant claims that its mark is "not needed by competitors to identify their own services", while at the same time admitting that its business is novel. In fact, in its first response, applicant stated that it was not aware of any third party offering services of the same type. The fact that an applicant may be the first and sole user of a merely descriptive or generic designation does not justify registration where the evidence shows that the term is merely descriptive of the identified goods and/or services. *In re Acuson*, 225 USPQ 790 (TTAB 1985) (COMPUTED SONOGRAPHY descriptive of ultrasonic imaging instruments); *In re National Shooting Sports Foundation, Inc.*, 219 USPQ 1018 (TTAB 1983) (SHOOTING, HUNTING, OUTDOOR TRADE SHOW AND CONFERENCE held apt descriptive name for conducting and arranging trade shows in the hunting, shooting and outdoor sports products field); TMEP §1209.03(c). Further, a new product that differs from an established product in some significant, functional feature or characteristic may actually become its own genus for purposes of determining registrability. *A.J. Canfield Co. v. Honickman*, 808 F.2d 291, 1 USPQ2d 1364 (3rd Cir. 1986); *In re Reckitt & Colman*, 230 USPQ 369 (TTAB 1986). Applicant's admission that its services are novel may well explain why the Office cannot supply a large quantity of evidence of descriptive usage of the phrase "video opinions" by others. However, this does not preclude a finding of descriptiveness when applicant's telescoped word, when viewed in the context of the services, is being used for the ordinary descriptive meanings of its component parts.

Applicant relies upon the fact that its recitation of services never mentions opinions or videotape. It then argues that the Office is incorrect when it states that the feature of the services described by the mark need not appear in the recitation of services itself in order for the mark to be merely descriptive. However, there are abundant decisions holding marks descriptive of features of goods or services not reflected in the identifications of goods or services themselves. *See In re Gyulay*, 820 F.2d 1216, 3 USPQ2d 1009 (Fed. Cir. 1987) (APPLE PIE held merely descriptive of goods identified as "potpourri"); *In re Tower Tech, Inc.*, 64 USPQ2d 1314 (TTAB 2002) (SMARTTOWER merely descriptive of "commercial and industrial cooling towers and accessories therefor, sold as a unit"); *In re Sun Microsystems Inc.*, 59 USPQ2d 1084 (TTAB 2001) (AGENTBEANS held merely descriptive of "computer software for use in the development and deployment of application programs on a global computer network"); *In re Shiva Corp.*, 48 USPQ2d 1957 (TTAB 1998) (TARIFF MANAGEMENT held merely descriptive for "computer hardware and computer programs to control, reduce and render more efficient wide area network (WAN) usage and printed user manuals sold therewith"); *In re Putnam Publishing Co.*, 39 USPQ2d 2021 (TTAB 1996) (FOOD & BEVERAGE ON-LINE merely descriptive of "a news and information service updated daily for the food processing industry, contained in a database"); *In re Digital Research Inc.*, 4 USPQ2d 1242 (TTAB 1987) (CONCURRENT DOS and CONCURRENT PC-DOS held merely descriptive of "computer programs recorded on disk"). The context of use and reaction of purchasers to how the mark is used in connection with the goods or

services allow for tribunals to hold marks descriptive even where the features described by the mark do not appear in the identification of goods or services clause. The term "NURSING MAGAZINE" is no less descriptive of goods identified as "medical magazines" than it is of goods identified as "magazines about nursing," if the record shows that the medical magazines feature articles about nursing. To hold otherwise would be to insert a new issue into every application where the Office made a refusal based upon descriptiveness; for every refusal under Section 2(e)(1) of the Trademark Act, the examiner would make a corresponding requirement that the applicant insert into the identification of goods or services clause the feature of the goods or services described by the mark.

As applicant was advised previously, for the purpose of a Section 2(e)(1) analysis, a term need not describe all of the purposes, functions, characteristics or features of the goods and/or services to be merely descriptive. *In re Dial-a-Mattress Operating Corp.*, 240 F.3d 1341, 1346, 57 U.S.P.Q.2d 1807 (Fed. Cir. 2001). It is enough if the term describes only one significant function, attribute or property. *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1173, 71 USPQ2d 1370, 1371 (Fed. Cir. 2004) ("[A] mark may be merely descriptive even if it does not describe the 'full scope and extent' of the applicant's goods or services.") (quoting *In re Dial-A-Mattress Operating Corp.*, 240 F.3d 1341, 1346, 57 USPQ2d 1807, 1812 (Fed. Cir. 2001)). Many goods and services have multiple features that could be described by different terms. Even the applicant's services fall into this realm. Some of the means by which the services are to be offered have been included in the recitations, but not the subject of each service, opinions on video. However, the fact that the feature described by the mark is not evident in the recitation itself does not mean that it does not exist, or wouldn't be recognized by purchasers. Phrases like "made of leather" and "six feet long" may be descriptive of goods identified merely as "couches", if the record shows that the couches are made of leather and are six feet long. This would be so even though neither phrase alone describes *all* of the couch's features.

Turning to the record, applicant admits the following about its services:

.... the Applicant solicits, collects, organizes, and shares objective third party demonstrations, commentary, and reviews of consumer products and services of others with others.

...The demonstrations of and information on consumer products and services is shared amongst consumers in the form of homemade digital audiovisual works, i.e., videos with an audio component.

....The Applicant's services include soliciting, collecting, and sharing audiovisual demonstrations and information about consumer products and services. Such audiovisual works may or may not include or involve a consumer's opinion about a particular product or service, and may instead involve the demonstration of a particular product or service and useful information on it.

Applicant admits that the services may include or involve a consumer's opinion on audiovisual works, and that the services involve the sharing of the information. This also includes the sharing of "commentary and reviews" on video. These are the contexts in which applicant's mark will be viewed, whether the videotaped opinions are provided via computer (class 35), via broadcasting or video-on-demand (class 38), or on a television program (class 41). Marks describing the subject matter of such activities have been held merely descriptive. *See e.g., In re Conus Communications Co.*, 23 USPQ2d 1717 (TTAB 1992) (ALL NEWS CHANNEL generic for a television channel broadcasting all news); *In re Weather Channel, Inc.*, 229 USPQ 854 (TTAB 1986) (WEATHER CHANNEL merely descriptive). Note how the latter case appears to disagree with the unpublished case quoted by applicant herein, stating that WEATHER CHANNEL was merely descriptive of the intended users of the applicant's programming services, which were directed to the broadcasters or channels.

Applicant states that it cannot fully understand the attachments to the Office action of August 17, 2007,

believing that it did not receive all of the attachments. However, it appears that applicant did receive all of the attachments. The Office designates as separate attachments each page sent. Thus multiple page listings appear as separate attachments.

Applicant also wanted full copies of the *Nexis* stories previously provided. The Office obliges by submitting the stories below.

Also added, however, are additional stories from a search of the *Nexis* research database, also submitted in full. Story number 4 shows descriptive use of the phrase "video opinions" in an apparent reference to the applicant's services. Story number 5 refers to another offering a video opinion, and story number 6 shows use of "videopinion" by another writer. Also attached is a web page from the applicant, referring to the subject matter of its "videopinions" as being "short, unbiased video product reviews."

Further still, additional web pages are attached, showing how "video opinions" has become a highly descriptive phrase for opinions expressed on video.

Applicant's mark is a telescoped version of the words "video opinions", with VIDEOPINIONS having the shared "o". Although the resulting term has one less syllable than "video opinions", this does not appear to be controlling. The Trademark Trial and Appeal Board has affirmed a refusal to register in a similar situation, holding DATALERTS, a telescoped version of DATA ALERTS, to be a descriptive term. See attached copy of opinion in *In re Visual Analytics, Incorporated*, SN 76-465520 (Decided July 27, 2005).

The file will now be returned to the Trademark Trial and Appeal Board for resumption of applicant's appeal.

/Steven Foster/
Steven Foster, Trademark Attorney
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108B8C

Time of Request: Thursday, March 15, 2007 10:37:27 EST

Client ID/Project Name:

Number of Lines: 358

Job Number: 1862:17522101

Research Information

Service: Terms and Connectors Search

Print Request: Selected Document(s): 4-7,20,26

Source: US Newspapers

Search Terms: videopinion or video opinion

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Advertising Age

October 23, 2006

SECTION: DIGITAL; Pg. 35**LENGTH:** 313 words**HEADLINE:** Media Morph: **Videopinions****BYLINE:** Abbey Klaassen**BODY:**

What it is: Text is so yesterday. While written user reviews have become a powerful tool for consumers looking to buy, a few firms are betting **video opinions** will be the next driver. ExpoTV has built a business on aggregating videos of its users reviewing products-so far they have more than 13,000 on the website. The beauty of it, said CEO Daphne Kwon, is that the reviews aren't anonymous: "If you find someone who's maybe like yourself or very credible, it's very effective." Wiki-style buying guide ShopWiki also offers user-generated video reviews, but so far the volume of them appears more limited.

Where you'll find it: ExpoTV syndicates its reviews to places such as GoogleVideo and AOL Video and on VOD with cable operators such as Comcast, Time Warner and Charter. A greater number of categories and videos are available online, only because the VOD platform is limited in the type of searching it can do. But the big growth opportunity for video reviews lies in the search engines integrating video and text-something largely considered inevitable.

Why people upload: There are monetary incentives. ShopWiki is offering \$50 each for the first 500 videos it accepts. ExpoTV will run similar promotions, paying \$10 for a video, and has had a refer-a-friend bonus. Its sustainable payment model, however, is a play-for-pay one-1[#x203a] every time a video is played.

The ad angle: **Video opinion** sites will be mostly ad-supported on a cost-per-click basis. Right now ExpoTV boasts some direct marketers who are making videos, all of which the company marks as advertisements. "We're inviting advertisers to join the word-of-mouth conversation," said Ms. Kwon. "We believe that if a user is coming and looking for a Dell laptop that if Dell has something in a longer format video the user might value that." Soon, she hopes the advertising will evolve into a click-to-buy model.

LOAD-DATE: October 25, 2006

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Copyright 2006 Paddock Publications, Inc.
Chicago Daily Herald

October 15, 2006 Sunday
Lake Edition

SECTION: NEIGHBOR; Pg. 1

LENGTH: 282 words

HEADLINE: Justin Gorson's got a gift for gab about PC gaming

BYLINE: Georgia Evdoxiadis, Daily Herald Staff Writer

BODY:

Your mom may have told you that playing video games was a waste of time.

But for Justin Gorson, it was his affection for PC gaming that helped win him a high-definition, flat-screen Sony TV and surround- sound speaker system.

Gorson, a 23-year-old Hawthorn Woods resident, recently entered an online contest to post a video opinion and found himself one of the grand-prize winners.

"I thought I'd try my hand at reviewing," said Gorson of his decision to enter the ExpoTV contest with his thoughts on "Prey", a personal computer game.

As a result of Gorson's win, his video opinion also will be featured on the Comcast On Demand network.

"Justin is a perfect example of someone who is really able to convey what he liked or didn't like," said Daphne Kwon, ExpoTV's chief executive officer, about why Gorson's opinion stood out. "He's a great guy and we were really pleased."

Gorson, who attends Illinois Wesleyan University in Bloomington, says he will eventually bring the TV-speaker combo home. But first, he plans to set it up for some serious gaming with his brother and college friends.

"I'm gonna have to bring it to school for a while," he said with a laugh.

Gorson named "Final Fantasy 7" as his all-time favorite video game.

"My brother and I have spent many hours playing that game," he said. Gorson said his grandmother first started his fascination with video games when she bought Super Mario Bros. 3 for him and his brother.

At school, Gorson majors in business management and says he's considering a future in intellectual property law, where he can put his interests to use.

"If there's an opportunity into the gaming field, I'd love to (get involved)," he said.

gevdoxiadis@dailyherald.com

LOAD-DATE: October 20, 2006

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Copyright 2006 The Deseret News Publishing Co.
Deseret Morning News (Salt Lake City)

September 30, 2006 Saturday

LENGTH: 514 words

HEADLINE: Gaming leads to big prize

BYLINE: Jeremy Twitchell Deseret Morning News

BODY:

PROVO -- Remember wishing as a kid that someday you could get paid to play video games?

Provo resident Dan Chan may not yet have figured out how to draw a paycheck for pursuing his electronic hobby, but the home theater system he recently won for doing so will probably do for now.

Chan, an electrical engineering/pre-med major at Brigham Young University, was one of five grand prize winners in a contest sponsored by Gamepro.com, an online video-game review site, and ExpoTV.com, an online consumer review site, to create a review of his favorite video game.

In exchange for his 3-minute review of "Battlefield 2: Armored Fury," Chan won a Sony high-definition, flat-screen television and a surround sound system.

"I was shocked," Chan said. "It was the first time I've won something significant, so I was excited."

Chan, who has been creating video reviews -- or "videopinions" -- since last November, couldn't pass up the opportunity when he heard about the contest.

"I decided to whip one up since I'm a college student and I do a little computer gaming," Chan said.

In his review, Chan used a "green screen" that allowed him to edit in game footage behind him as he spoke about the game, a trick no other entrant used.

Where did he get the high-tech green screen? His linen closet -- it was simply a green bed sheet. Fortunately for Chan, Carolyn, his wife and partner in making the videopinions, is a film major at BYU.

Representatives from ExpoTV.com said the use of the green screen was one of the main reasons Chan's entry was selected for a grand prize.

They said they weren't surprised when they saw Chan's entry because they had a lot of confidence in him to begin with. So much so, in fact, that when they announced the contest, they asked Chan to make a how-to video for other contestants to check out.

"We love Dan and we feel like we know who he is, because we know what he looks like, we know what kind of clothes he wears," ExpoTV.com CEO Daphne Kwon said. "He's been really supportive of what we're trying to do ... he's the perfect example of the consumer voice and he's one of the best we have out there."

Kwon said the idea behind the 2-year-old company is to give consumers a chance to voice their opinions and give others a chance to get informed, independent opinions when shopping for an item.

The company's Web site, www.ExpoTV.com, lists consumer reviews of everything from arts and crafts to travel. Chan's winning entry, as well as the other four grand prize winners, are available for viewing at the site.

"(The videopinions) are all real quality, thoughtful and authentic," Kwon said. "And they're really sincere, because you have to put your face on it."

And Chan, who has done more than 30 videopinions in the past year, plans to be putting his face on more.

"The cool thing about it is they're online and easy to see," Chan said. "When you're looking at a product, it's nice to get a third-party opinion from someone who isn't influenced by the company ... it's an interesting, novel approach, and it's really taking off," he said. E-mail: jtwitchell@desnews.com

LOAD-DATE: September 30, 2006

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Copyright 2006 Boston Herald Inc.
The Boston Herald

September 8, 2006 Friday
ALL EDITIONS

SECTION: NEWS; Pg. 003

LENGTH: 329 words

HEADLINE: 'Survivor' star defends battle of the races

BYLINE: By SEAN L. McCARTHY

BODY:

Can a TV show celebrate ethnic pride by promoting racial divisions?

Host Jeff Probst defended the controversial premise of the upcoming "Survivor: Cook Islands" (premiering Thursday at 8 p.m. on WBZ, Ch. 4) that calls for the separation of 20 contestants into four groups: white, black, Hispanic and Asian.

"I think when most people hear the idea, the first reaction is to flinch a little bit. It's a sensitive subject," Probst said in a conference call yesterday with reporters.

In previous seasons, producers have separated tribes by age and gender.

But dividing by race and ethnicity has prompted everything from outcries by advocacy groups to

cheers from white supremacists.

Viewers should give the show a chance, Probst said. "You have to recognize you're condemning our show before you've seen it," he said.

The show has played up its racial politics both through TV ads and online, asking fans on the "Survivor" Web site to submit video opinions on the upcoming season.

Probst said he and producer Mark Burnett knew "Survivor" would need a trick to stay competitive in its Thursday night time slot. At first, they intended to answer critics of the show's lack of diversity by merely casting 20 people of different ethnicities.

"We actually felt dividing them ethnically was a positive idea, because it came from our discussions with them in casting," Probst said.

They also thought increasing the number of minorities might attract new viewers. Probst acknowledged that "Survivor" is mostly a white show watched by white people, with whites submitting more than 80 percent of the applications each year.

In the second episode, one tribe argues about whether they're perpetuating racial stereotypes, said Probst, declining to talk further about how race plays into the results.

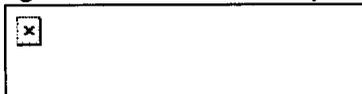
"It wouldn't surprise me if people are rooting initially based on ethnicity," he said. "At the end of the day, I think you'll be rooting for people you like."

- slmccarthy@bostonherald.com

LOAD-DATE: September 8, 2006

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Copyright 1996 The Kansas City Star Co.



Kansas City Star (Kansas & Missouri)

June 19, 1996 Wednesday JOHNSON COUNTY EDITION

SECTION: ZONE/SHAWNEE MISSION; Pg. 3

LENGTH: 369 words

HEADLINE: Students view life from both sides of camera

BYLINE: ROBERTA JOHNSON, Staff Writer

BODY:

Mike Derting belted out the directions to his crew:

"Look behind you. Still look behind you OK. You're

caught," he said, motioning to the others. "Act like you're putting him on the ground."

Derting laid on the floor and zoomed the camera into the captured student's face.

"It's a wrap," the recent Shawnee Mission South graduate said, getting off the floor.

Derting, who was filming the opening scene to the students' news magazine show, works as a teaching assistant in the Broadcast Explorers class through the summer enrichment program at South, 5800 W. 107th St.

The class has been offered several years and is popular enough that an advanced course will be introduced later this summer.

Broadcast Explorers, which is open to students in the fifth through eighth grades, is taught by South's broadcast and forensics teacher, Cathy McNamara.

During the week, the students will design, tape and edit their own TV show. They'll interview staff and students in the summer enrichment classes for K-SEN, the Summer Enrichment Network. Although they won't get to show off their work for all the enrichment classes, a videotape of the news programs will be in the lobby of the school, McNamara said.

"I like to be on TV," said news anchor Amanda Hays, a seventh-grader at Westridge Middle School. "We got to tape (yesterday) and today, and I get to do the video opinion poll."

Many students were excited about the idea of being on camera.

"It's fun to use our imagination and interview people," said anchor Rachel Paradise, a sixth-grader at Sunflower Elementary.

But a few said they like the work behind the scenes better and were interested in taking the advanced class next month.

"I'm really interested in how to take good videos of things," said reporter Adam Fichman, a sixth-grader at Leawood Middle School, who liked to work with the video equipment. "Whenever people come over with their tapes, they have all this stuff in between the things they want to shoot.

"I think the class could teach me more and help me learn more. I like editing and stuff."

GRAPHIC: Photo (color), Eleven-year-olds Rachael Berlau and Rachel Paradise have fun pretending they're real life news anchors for KSEN or the Kansas Summer Enrichment News, during their broadcasting class at Shawnee Mission South High School. The class is one of many offered in the Shawnee Mission District's summer enrichment program.; DAWN VILLELLA/The Star

LOAD-DATE: June 19, 1996

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Los Angeles Times

July 25, 1991, Thursday, Home Edition

SECTION: View; Part E; Page 1; Column 2; View Desk

LENGTH: 1975 words

HEADLINE: PRIVATE EYES;
MAKING A HOME VIDEO HAS BECOME SO EASY THAT NOTHING IS TOO MUNDANE OR
TOO WEIRD FOR TAPE.

BYLINE: By GERALDINE BAUM, TIMES STAFF WRITER

DATELINE: NEW YORK

BODY:

For a moment, put aside the grainy scene of Los Angeles policemen bloodying a lone black man while a bystander records every tragic blow with his new video camera.

Forget the chaos in Detroit on the Fourth of July when a man at a fireworks display randomly videotaped a girls' gang beating up two bystanders.

And briefly put aside Newsweek, which coined "video vigilantes" last week to describe common folk with camcorders who capture the spectacular and send it overnight to CNN.

In other words, forget the important, insistent or socially unjust and for just a second think about yearbooks, doorbells, treasure hunts, camp counselors, grandma's strudel, diaries, funerals, stag parties, employee training.

And Boy Scouts. It is now possible for scouts to earn a merit badge for video production just the way they can for rubbing two sticks together to start a fire. It is also now a snap for Mina Johnson, a fledgling Los Angeles screenwriter, to depict her life on video the way Jane Austen might have portrayed a young woman unraveling her thoughts by writing in a diary.

For each of the last seven years, Johnson, 27, has made a one-hour video of herself comfortably sunk in a chair and rambling about her life. She never watches these 1/2-inch video diaries; rather, she says, she'll wait 30 years to take a look.

"I think of this as a tool to show my kids when they're older, the stages their mother went through," says Johnson, who has no children yet. "I want it to kind of explode in my brain when I see who I was."

In the last few years, the ability to make a home video has become so easy that it seems nothing is too mundane, too routine, too personal, too complicated or too weird to be scrutinized by a camcorder -- the camera that sees and hears all, no matter how dark the scene, how quiet the sound.

With each generation, the camcorder gets smaller, lighter, easier to operate and more affordable. With an \$800 camera, a hobbyist can now produce quality video similar to what professionals produce with \$50,000 worth of equipment. The same goofy family scenes that cost \$7 for a minute of film (Remember the stuff that had to be threaded through the projector while someone put up the screen and turned off the lights?) now cost \$2 for hours of instant record-and-review video tape.

Nearly one in six American families owns a camcorder, compared to the Stone Age -- 1985 -- when one in 30 had one. That year, a mere half-million camcorders were sold; this year, the consumer electronics trade group predicts sales of 3.3 million.

Tom Weinberg, executive producer of "The 90s" -- a critically acclaimed show on PBS that airs collages of home videos made by amateur producers around the country -- says we are again outwitting ourselves with technology that is changing our perspective on the world.

"Now that camcorders are so available, television has a different credibility factor because very little of what we see on TV now doesn't pass the test of 'I could have done that myself,' " says Weinberg.

A self-described "grizzled video veteran," Weinberg was among a small group of 1970s documentary makers who called themselves "video freaks" and used 30 pounds of equipment to produce shows about the national political conventions.

"Now, everywhere, people use video to express an opinion, and shows like mine and 'America's Funniest Home Videos' are growing in popularity because the viewer looks at the tape and says, 'I believe what I see because it's not filtered through some TV programmer. I believe *this* is reality.' "

Ubiquitous and persistent, the videomakers, camcorder operators, video artists -- whatever you want to call them -- constantly find new reasons to transfer life's realities onto High 8. (That's videospeak for high-resolution 8-millimeter videotape.)

People use these hand-held or shoulder-schlepped devices to get rich, get famous or just embarrass each other. There's the camp counselor who has become an entrepreneur by recording his campers and selling tapes to parents at summer's end. And there's the young woman who could never get her grandmother to write down her strudel recipe. She made a video with close-ups of grandma's knobby hands and her accented instructions to "use a pinch of this and a handful of that."

There are also the mean-spirited, those who play dirty tricks on animals and make a whole show of them. And there are the good citizens: A man in Southern California wanted a stop sign on a wickedly dangerous corner, so he spent days video taping near-accidents. After he turned his tapes over to his city council, a stop sign was erected.

Birth to death, the action is on video.

Actors Demi Moore and Bruce Willis had three video cameras rolling during the delivery of their first child -- with Moore pushing, Willis catching and a few friends watching.

The last moments of a person's life are also available on tape. A woman called the editor of Videomaker magazine and asked what would be the best equipment to capture her dying daughter's last days. Funeral directors in some cities offer to tape ceremonies following the coffin all the way to graveside.

And what about sex?

Yes, America has long been going at it in front of a camcorder atop a tripod, reviewing the tapes, showing them to friends, playing them back as another avenue to find variation and contrast. Some label this homemade erotica as pornography; others say it's as wholesome as buying sexy lingerie for the wife. In a mall.

In fact, people are so used to the *cinema verite* look produced by home videos -- the grainy scenes

shot at funny angles -- that professionals borrow it to make advertisements and movies.

A whole generation is so used to seeing itself on television that for some young people, there is a blurring of the lines of where the signal comes from, according to Leo Braudy, author of several books on popular culture and the Leo S. Bing professor of English at USC.

Braudy says his oft-videoed 3-year-old grandson, a rock 'n roll aficionado, spontaneously jumped on stage to perform with a mariachi band while vacationing in Mexico. Says Braudy: "The video camera is so often there, it creates a self-consciousness, the sense that we're always being looked at. It's a way to create a more perfect self."

Videography has gone so far beyond Jane Fonda's relentless smile and taut diaphragm that there is even a man out there making money selling videos that demonstrate how to lay asphalt on the front walk.

A Nashville, Tenn., firm is one of several that produces video yearbooks to give a graduate 30 minutes of memories for \$40. A Cincinnati firm has pioneered one of the dozens of ways video cameras are used for surveillance: The Ohio company sells "video doorbells" so visitors can be spied on before they're invited beyond the front door.

There are contests, festivals and support groups for camcorder operators as far and wide as Atlanta, Los Angeles and Carbondale, Ill. Scott Blumberg, a New York videographer, travels around the country organizing "treasure hunts" for amateurs to teach them how to better use video equipment often complicated by attachments. He creates teams of 10 people, gives them lists of things to record -- for example, "someone laughing all the way to the bank" -- and judges the results.

"There's a lot of frustrated producers and directors out there who are just sick of recording the kid's birthday party," says Blumberg.

Yet, studies show most camcorders are used for such nostalgic moments as a first haircut, first spin on a two wheeler, baptism or bris. There are also mountains of tapes of inanimate moments: the Eiffel Tower at sunrise, Maui at sunset.

During the Persian Gulf crisis, camcorders also went to war. For the first time, broadcast journalists used the lightweight, discreet equipment in the field; the networks also handed out camcorders on the Kuwaiti border to people sneaking back during the Iraqi occupation.

As well, 450 camcorders, 350 televisions, 370 VCRs and 250,000 blank videocassettes were sent free to soldiers in Saudia Arabia as part of the "Better Than a Letter" program. The soldiers were encouraged to "write" five-minute programs and send them home. Montgomery Ward also loaned VCRs to families who didn't have them and wanted to "read" their video mail.

Manufacturers constantly look for new niches in the home video market. News accounts say Sony first shrunk the shoulder-carried camcorders to palm-sized in the early 1980s primarily to attract a new consumer group.

In addition to new parents -- who seem to think camcorders are as critical as cribs -- Sony wanted to entice younger consumers to take the smaller 1.5-pound camera on vacation. And so goes the Handycam advertisement: "Something happens between the milestones. Between the weddings and the birthday parties. It's called the rest of your life."

Critics like Neil Postman, a professor of media ecology at New York University, believe we are numbing ourselves by recording our lives instead of actually living them: "If it wasn't videoed, it didn't happen? Isn't that the way it goes?"

"It's almost as if reality itself is not satisfactory if it's not recorded," he says, launching into a favorite fable about two little old ladies pushing baby carriages in the park. One looks at the other's grandchild and says, "Oooohh, he's such a cute baby." The other responds: "I have even cuter pictures at home."

Postman calls the video invasion downright evil.

"You take a picture of a baby to remember what he or she looks like -- that enriches life," he says. "But do you lug around a camcorder wherever you go to confirm that you actually went some place, taking endless pictures and then never looking at them again? . . . It's frightening. All this snooping, all of us looking at each other and ourselves. It makes you feel remote."

But Matt York sees a different reality.

"Empowerment," the 34-year-old publisher of Videomaker magazine says, almost dreamily. "Camcorders today are more like what paper and ink were 10 years ago, when anybody who was literate could express their spiritual or political feelings on paper. Now, people use videos to get on television. There are more and more outlets that provide more power to the individual."

After failing to make a career in New York City as a video producer, York started publishing Videomaker in 1986 in Chico, Calif. He has 75,000 readers, he says, mostly people who own camcorders for more than a weekend hobby. The magazine focuses on the equipment and how to use it. But the most frequent features are on people who use video to help society -- to teach children, illuminate the public about social ills, create art.

A recent article recounted how a consortium of peace groups became frustrated with network news coverage of the Gulf War. They solicited **video opinions** from groups nationwide, received 100 responses and then culled them, broadcasting four short programs on cable and PBS stations.

"Increasingly, you'll see raw footage by an individual getting into homes of America," says York.

Which comes back to hordes of so-called video vigilantes using their cameras as tools of communication and democracy. Or to spy on their neighbors.

At least one Tampa man thinks it's undemocratic. He and his girlfriend were arrested last week on charges of lewd and lascivious behavior around children after a neighbor videotaped them having sex in their hot tub.

"It seems almost communistic, being arrested at your own house for having sex," said Alfred Stephens, the man caught *au natural*. "It amazes me that someone had the audacity to actually videotape this."

So what would "1984" author George Orwell think of all this now?

Big Brother is watching us and we are watching him.

But mostly we are watching each other.

GRAPHIC: Photo, Screenwriter Mina Johnson uses her camcorder as a diary: "I think of this as a tool to show my kids when they're older, the stages their mother went through." ELLEN JASKOL / Los Angeles Times; Photo, COLOR, (Orange County Edition) Screenwriter Mina Johnson uses her camcorder as a diary: "I think of this as a tool to show my kids when they're older, the stages their mother went through." ELLEN JASKOL / Los Angeles Times

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In re Visual Analytics, Incorporated

Serial No. 76465520

Trademark Trial and Appeal Board

2005 TTAB LEXIS 318

July 27, 2005, Mailed

[*1]

Before Quinn, Walters and Bucher, Administrative Trademark Judges.

COUNSEL:

Peter J. Willsey and Adam L. Barea of Cooley Godward for Visual Analytics, Incorporated.

Anne Madden, Trademark Examining Attorney, Law Office 103 (Michael Hamilton, Managing Attorney).

OPINIONBY: WALTERS

OPINION:

THIS DISPOSITION IS NOT CITABLE AS PRECEDENT OF THE TTAB

Opinion by Walters, Administrative Trademark Judge:

Visual Analytics, Incorporated has filed an application to register on the Principal Register the mark **DATALERTS** for "computer software that monitors changes and additions to information in databases and provides automatic notification to users of changes and additions to information in databases," in International Class 9. n1

n1 Serial No. 76465520, filed October 30, 2002, based on an allegation of a bona fide intention to use the mark in commerce.

The examining attorney has issued a final refusal to register, under Section 2(e)(1) of the Trademark Act, 15 U.S.C. 1052(e)(1), on the ground that applicant's mark is merely descriptive in connection with its goods.

Applicant has appealed. Both applicant and the examining attorney have filed briefs, but an oral hearing was [*2] not requested. We affirm the refusal to register.

Preliminarily, we note the examining attorney's objection to Exhibits A and D submitted by applicant with its brief on the ground that this matter is untimely. Applicant did not file a reply brief and, so, did not respond to this objection. The examining attorney does not object to Exhibits B and C to the brief because they are copies of the previously submitted dictionary definitions of "data" and "alert." Exhibit A is a printout from applicant's website that is different from the printout submitted during prosecution of the application. As such, it is untimely and has not been considered. Exhibit D consists of

copies from the USPTO database of four third-party registrations. Three of the third-party registrations were listed in applicant's response of October 20, 2003, and, as such, we find that the submission of the actual copies of these registrations is acceptable. Not only did the examining attorney have notice of these registrations, but she did not object to the mere listing of the registrations by applicant in the October response. However, we have given no consideration to the copy of Registration No. 2192630, which was not [*3] previously listed by applicant in its response and, thus, is untimely.

Turning to the substantive refusal in this case, the examining attorney contends that the mark is a telescoping of the two words DATA and ALERT; that the telescoped mark merely describes a significant feature of the identified goods, namely, that applicant's software "processes data and information [and] send[s] notifications or alerts to defined users when a particular event occurs to change data in a database" (brief, p.4); that purchasers will understand that this "is a positive feature and the primary function of the software" (brief, p. 5); and that the combination of the two descriptive terms DATA and ALERT into DATALERT creates no incongruity and the mark remains merely descriptive.

Applicant contends that the mark as a whole creates a unique commercial impression different from the individual terms; that the term is not commonly used in this field nor does it possess a common meaning in any field; that competitors have no need to use applicant's mark descriptively; that the mark is, at most, suggestive; and that any doubt should be resolved in favor of publication of the mark.

Both the examining attorney [*4] and applicant have submitted definitions of the individual terms "data" and "alert." We note, of most relevance, the definition from *The American Heritage Dictionary of the English Language* (4th ed. 2000) n2 of "data" as "1. factual information, especially information organized for analysis or used to reason or make decisions [and] 2. *computer science* numerical or other information represented in a form suitable for processing by computer" and of "alert" as "*adjective* -- vigilantly attentive; watchful [and] *noun* -- a signal that warns of attack or danger"; and from *TechEncyclopedia*, an online dictionary, a definition of "alert" as a "sound or visual signal that indicates that some predefined event has occurred or some error condition has occurred[;] the terms alert and alarm are often used synonymously."

n2 As downloaded from Internet website bartleby.com on July 23, 2003.

Also in the record are excerpts submitted by applicant from its website wherein applicant makes the following statements (*emphasis added*):

DATALerts! (Rules and Alerts) is a monitoring and notification system that automatically notifies defined users when a particular event occurs. [*5] **DATALerts!** is fully configurable allowing users to define the events that trigger notification. **DATALerts!** sends notices, through push technology, to **alert** individuals of **data** changes.

The **DATALerts!** Rules and Alerts can be set up to notify specific users whenever new information is entered into a database, a specific type of data is modified, or a scheduled service returns results.

The examining attorney submitted excerpts from a representative sample of articles retrieved from the Lexis/Nexis database. The following are several examples:

The Searchspace system combines both human and data-mining rules to generate risk **alerts** at the individual, national, relationship or organizational level. [*Software Development*, May 4, 2004.]

The SEM server then aggregates and correlates the **data** to provide a meaningful look at

events within the environment. It can also archive the data, send out **alerts** and report on events, trends and usage. [*ComputerWorld*, April 5, 2004.]

Headline: "An inside look at how one of Symantec's security operations centers protects clients from cyber attacks."

Hillyard stares at a row of computer screens, all of which display [*6] a software application known as the Analyst Response Console (ARC). The color-coded user interface provides **alerts and data** to help analysts focus on the most critical events at any given moment. [*ComputerWorld*, March 29, 2004.]

The examining attorney submitted copies of eight third-party registrations for software products. Four of the registered marks include the disclaimed word "data" and the other four registered marks include the disclaimed word "alert." Applicant submitted copies of three third-party registrations for software or related products. Each is a telescoped mark, PDALERT, DERMALERT and AQUALERT, and none include disclaimers of the word "alert." Prior registrations do not control our determination in this application. *In re Nett Designs, Inc.*, 236 F.3d 1339, 57 USPQ2d 1564, 1566 (Fed. Cir. 2001). We must consider each application on its own merits based on the record in that application and *current* circumstances. *In re Sun Microsystems Inc.*, 59 USPQ2d 1084, 1088 (TTAB 2001). Furthermore, examining attorneys have wide discretion in requiring disclaimers. TMEP § 1213.01(a). In [*7] many instances USPTO policy directs examining attorneys not to require a disclaimer of a particular descriptive term, such as, when the descriptive term is part of a unitary mark. See, e.g., TMEP § 1213.05. Therefore, the presence or absence of a disclaimer in a particular registration does not necessarily indicate whether or not the USPTO considered a term merely descriptive, even at the time the particular application was examined. We find the third-party registrations submitted by the examining attorney and applicant are of little, if any, probative value.

The test for determining whether a mark is merely descriptive is whether it immediately conveys information concerning a quality, characteristic, function, ingredient, attribute or feature of the product or service in connection with which it is used, or intended to be used. *In re Engineering Systems Corp.*, 2 USPQ2d 1075 (TTAB 1986); *In re Bright-Crest, Ltd.*, 204 USPQ 591 (TTAB 1979). It is not necessary, in order to find that a mark is merely descriptive, that the mark describe each feature of the goods or services, only that it describe a single, significant [*8] quality, feature, etc. *In re Venture Lending Associates*, 226 USPQ 285 (TTAB 1985). The examining attorney bears the burden of showing that a mark is merely descriptive of the identified goods or services. See *In re Merrill, Lynch, Pierce, Fenner, and Smith Inc.*, 828 F.2d 21567, 4 USPQ2d 1141, 1143 (Fed. Cir. 1987).

We agree with applicant that we must consider whether the mark as a whole is merely descriptive and not just the individual elements, *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 71 USPQ2d 1370, 1372 (Fed. Cir. 2004). However, it is reasonable to look, first, at the individual terms, "data" and "alert." Regarding the term "data," applicant expressly states that it "does not dispute that data' would be understood by a consumer to relate to computer information" (brief, p. 9). Regarding the term "alert," applicant relies on the definition of "alert" as "a signal that warns of attack or danger" to argue that this is a vague term in connection with software. However, we find the evidence of record, including the examining attorney's dictionary definition [*9] of "alert," applicant's own website and the excerpted articles, clearly establishes that "alert" in the context of applicant's goods would be understood as a synonym for "notify." Further, the evidence clearly establishes that the term "data alert" would be merely descriptive of a significant feature of applicant's software, namely, that it is designed specifically to "alert" users to changes that have occurred to information, or "data," in the user's database.

Applicant's argument that consumers would think that the software is a form of data protection against cyber attacks is not well taken. The identification of goods specifies the exact nature of the software and the question we must consider is whether someone who knows what the goods are will

understand the mark to convey information about those goods. *In re Tower Tech Inc.*, 64 USPQ2d 1314, 1316-17 (TTAB 2002); see also *In re Patent & Trademark Services Inc.*, 49 USPQ2d 1537 (TTAB 1998); *In re Home Builders Association of Greenville*, 18 USPQ2d 1313 (TTAB 1990); and *In re American Greetings Corporation*, 226 USPQ 365 (TTAB 1985). [*10]

We find that the individual terms "data" and "alert" as well as the composite term "data alert" are merely descriptive in connection with the identified goods because the terms describe the above-mentioned feature whereby the software alerts users to changes in data contained in their databases.

However, we must go one step further and consider whether the telescoped term **DATALERT** is merely descriptive. This turns on the question of whether the telescoping of "data" and "alert" evokes a new and unique commercial impression.

Applicant makes the following statement in support of its position that the telescoped mark creates a unique impression (brief, p. 9):

... Upon encountering applicant's mark, a consumer would first have to recognize that applicant's three-syllable **DATALERTS** is suggestive of the four-syllable, different-sounding phrase "data alerts." **DATALERTS** is not simply the mere juxtaposition of the terms "data" and "alerts." Rather, **DATALERTS** is a unique combination of these two terms, whereby the second "A" in "data" and the "A" in "alerts" are shared, creating a suggestive mark possessing one less syllable than the compound term "data alerts."

It is true that a [*11] prospective purchaser may pronounce **DATALERTS** as a three-syllable word. However, the two words comprising the mark, "data" and "alerts," are obviously apparent when viewing the mark in connection with the identified goods, regardless of the telescoping of the two words, and it is equally likely the viewer may automatically supply the missing "A" and pronounce the term as "data alerts." The telescoping creates no double entendre or unique characteristic that results in the telescoped mark **DATALERTS** being somehow more than a merely descriptive combination of the two individual words "data" and "alerts." This is not a situation where the goods are encountered under a mark wherein a multistage reasoning process, or resort to imagination, is required in order to determine the attributes or characteristics of the product or services, which would render the mark suggestive. See *In re Abcor Development Corp.*, 588 F.2d 811, 200 USPQ 215 (CCPA 1978); and *In re Atavio*, 25 USPQ2d 1361, 1362 (TTAB 1992). Nor do we have any doubt that this mark is merely descriptive in connection with the identified goods. *In re Atavio, supra* at 1363. [*12]

In conclusion, when applied to applicant's goods, the term **DATALERTS** immediately describes, without conjecture or speculation, a significant feature or function of applicant's goods, as described above. Nothing requires the exercise of imagination, cogitation, mental processing or gathering of further information in order for purchasers of and prospective customers for applicant's goods to readily perceive the merely descriptive significance of the term **DATALERTS** as it pertains to applicant's goods.

Legal Topics:

For related research and practice materials, see the following legal topics:
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 Conveyances
 General Overview
 Trademark Law
 Protection of Rights
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Decision: The refusal under Section 2(e)(1) of the Act is affirmed.

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5. vop9-3
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2. vop14
3. vop15-1
4. vop15-2
5. vop15-3
6. vop15-4
7. vop15-5
8. vop15-6
9. vop15-7
10. vop15-8
11. vop15
12. vop16-1

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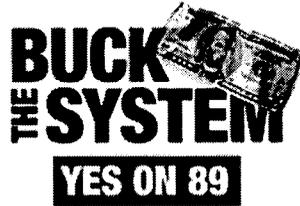
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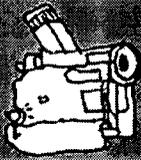
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◀ WATM Challenge: Make A Video For International Peace Day by Sept 30. Help Maria Make Amazing Video Series: 5 days left! ▶

Make a "free speech" opinion video for Katie Couric

Published by Jonny Goldstein on 30 Sep 2006 at 8:37 am. 2 Comments.

Filed under Vlog News.



(Note. I just swapped out the video I had up earlier due to its atrocious audio quality. This one's basically the same, but with better audio).

Katie Couric just instituted a segment on the CBS news called "Free Speech." It is a good idea but doesn't go nearly far enough. Basically, she gets big-name people to sound off about something they feel strongly about. She should involve us regular folks in the conversation by creating a website where we can upload our own video opinions, we can vote and comment on each others' opinions, and CBS can use selected opinions from the website in their free speech segment. If you want Katie to open up the conversation, upload a video expressing your opinion about any issue, and tag it "sayittokatie". And check out sayittokatie.com for more info. Special shout out to Jeff Jarvis? for the idea, and Steve Garfield for spreading the word.

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2 Comments to 'Make a "free speech" opinion video for Katie Couric':

Beth
on 5 Oct 2006 at 8:16 pm: **1**

Hey, it's fun hearing comments from someone in my home town. Check out my blog post on a "Free Speech" segment at <http://yikes101.blogspot.com>.

neo
on 9 Oct 2006 at 5:27 pm: **2**

Audio is way too loud man.

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Industry News



Sports Video Sharing Site Launches with NCAA Tournament

FreeTheFan.com gives sports fans interactive competition.

JERSEY CITY, N.J., March 6 /PRNewswire/ -- In a matter of days, millions of people will fill out their March Madness brackets in hopes of defeating their co-workers and family members. But this year's tournament will have a new community of fans online. FreeTheFan.com launches in beta version today and provides a bracket competition and video-sharing platform. Users can discuss their final four picks, argue about which Cinderella team will pull out the upset and interact every step of the way. Fans can upload **video opinions** or record webcam comments directly to the site.

FreeTheFan.com is a social network centered on sports talk. Now the average sports fan can make predictions and analyze the upcoming game just like a professional sportscaster. Fans can communicate by uploading videos, making text comments and creating groups around their favorite teams.

Signup for the NCAA Bracket is free and prizes include a 50" Plasma TV and a "Webcam-A-Day Giveaway" from Overstock.com. Webcams are an easy way for users to post their opinions and create video blogs.

FreeTheFan.com harnesses the power of the video sharing community and the dedication of the sports enthusiast. Fans from across the nation can compete in weekly contests by debating the sports headlines making news.

About FreeTheFan.com

FreeTheFan.com is the first online video sports debate. We celebrate the passionate and opinionated fan by offering contests that reward users for their talent. We strive to provide sports enthusiasts with a unique place to participate. FreeTheFan.com can be accessed at <http://www.freethefan.com>.

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TODAY'S COMMENTARY Friday, March 2nd 2007

Is *30 Rock* a Glorified Infomercial for GE?

By Jack Myers

Jack Myers Weekend Think Tank

Is the future of television the infomercial? Is NBC's *30 Rock*, the most sophisticated infomercial in television history, an amazingly effective and often blatant commercial message for GE? What's the line between programming and advertising, and how clearly defined should that line be? Although *30 Rock* is an expensive, well-written and brilliantly acted primetime series, how different is it in context from the *Auto Finance Network*, a local market late-night thirty-minute infomercial that presents itself as a TV program, introducing individuals with low credit ratings to *Crazy88*, a service where they can buy a new car for \$88 down and \$88 a month, no matter how bad their credit rating. It's amazing how they can extend that singular message for thirty minutes, but it's also amazing how *30 Rock* can keep GE references fresh and clever for 22 weeks (at least fans hope the series will last that long). It's likely that GE is

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 SEARCH

Broadcast your ideas on Bristol

Source: Bristol City Council

Published Monday, 19 February, 2007 - 09:38

Bristol City Council has launched Viewfinder, the country's first local authority self-broadcast website and is keen for the young people of Bristol to get broadcasting their views on city issues.

At www.askbristol.com/viewfinder you can air your own videos on issues affecting the city and respond to the opinions of others. As well as broadcasting your videos, you can also upload MP3 files, images and text messages to the site. No expensive equipment is needed to use the site - once you have registered on the website, you can upload short videos and images taken from mobile camera phones, digital cameras, PC webcams or camcorders.

The website was developed with funding from the Department for Constitutional Affairs e-innovations programme with the aim of reviewing how video can encourage more younger people to take part in local democracy by giving their views using technology that they feel comfortable with.

"This is a really exciting development in public consultation and e-communications," explains Executive Member for Health Promotion, Young People and Leisure, Simon Cook.

"We want people to log on, be inspired by the views of others, and then broadcast their own ideas and have their say."

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and have their say."

"Viewfinder provides a fantastic opportunity to get Bristol people talking and for our pilot phase we particularly want the views of our young people. They might have opinions on traffic, night safety in the city, recycling and can help us with plans for the South Bristol Pool. We want to hear from them."

Users of Viewfinder will be able to easily see which topics get the highest number of comments as these 'hot topics' gain more visible prominence on the site.
Win £250 worth of prizes

As part of the launch of Viewfinder there is a competition for five people to win £50 worth of photographic equipment from Jessops.com for the best video opinions submitted. Entrants must be 26 years old and under, and living in the Bristol area. Register online at www.askbristol.com/viewfinder and make a short video/documentary lasting up to 3 minutes to give the city's councillors a unique insight into the issues facing young Bristol.

The competition will be judged by young people, independent of the council, and the winner will be announced in mid-March on the Viewfinder website.

Background Information

Any videos submitted to Viewfinder will need to be within the rules of the site. Full details available at www.askbristol.com/viewfinder

This project has been developed with support from the Department for Constitutional Affairs' Innovations Fund. The objective of the Innovations Fund is to provide seed funding to support the building, testing and evaluation of new tools that will facilitate democratic engagement between government and the public, or between members of the public.

For all media enquiries relating to this press release, please contact Corporate Communications on 0117 922 2650.

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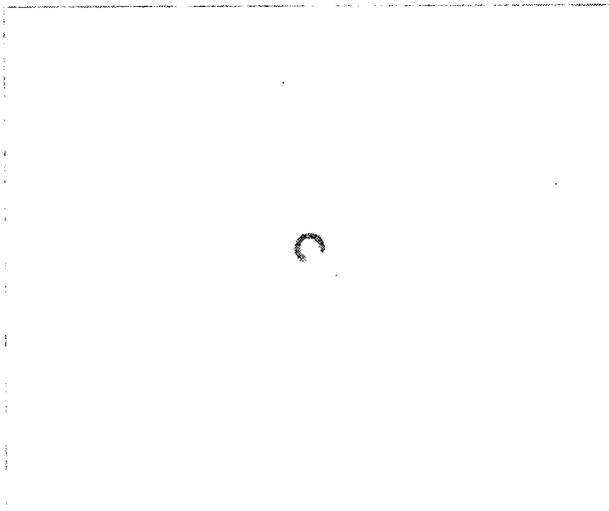
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Shilpa Shetty - Outrage in India



From: remathing
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Description
Ordinary citizens in Shilpa Shetty's native India are outraged at the racist bullying she has been subjected to on Celebrity Big Brother in the UK. Upload your video opinions here and they will be broadcast on Sumo.TV UK, on Sky Channel 146! Tell Britain how you feel!

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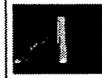
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bigmo

i'm not a racist an indian myself!
Posted on February 01, 2007

bigmo

it wasn't racism, everyone knows that jade is f**king stupid! the whole thing is over dramatized! i think her winning was kind of a fix...
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Newsires

Sports Video Sharing Site Launches with NCAA Tournament

In a matter of days, millions of people will fill out their March Madness brackets in hopes of defeating their co-workers and family members. But this year's tournament will have a new community of fans online. FreeTheFan.com launches in beta version today and provides a bracket competition and video-sharing platform. Users can discuss their final four picks, argue about which Cinderella team will pull out the upset and interact every step of the way. Fans can upload [video opinions](#) or record webcam comments directly to the site.

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Oxford Health Alliance Launches 'open Space For Health'

Main Category: IT / Internet / E-mail News
Article Date: 01 Jan 2007 - 4:00 PDT
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A new way to communicate health, www.3four50.com, has been launched by the Oxford Health Alliance, a group committed to encouraging healthy lifestyles in order to tackle the growing epidemic of chronic disease. This new 'open space for health' will harness the social networking power of the internet to promote chronic disease prevention by focusing on risk factors, such as diet, physical activity and tobacco use. Not only will 3four50 aim to build an online global health community, but it will also communicate health messages in an innovative and compelling way.

All of the content on this open space will be user-generated, and currently falls under a number of categories, although these are merely a starting point and will evolve with the content of the site.

- Stories - different perspectives on health to reflect people's individual culture
- 'A picture of health' - photos depicting healthy or unhealthy behaviour
- Youth lifestyle league - a survey of what young people consider to be the best ways to stay healthy
- The interview - high profile guest interviews on the subject of health (includes an interview from Jeffrey Sachs)

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Clinical Trials

interview from Jeffrey Sachs)

- Blogs and v-blogs - text and **video opinions** from anyone wanting to share their views via text or video

Tommy Hutchinson, co-creator of 3four50.com, says, "What we are seeking to do is to apply what has been working so successfully in the entertainment arena to an important social field, like health. But the real beauty of 3four50 is that we can obtain the unique cultural perspectives from people around the world to create stimulating content which we hope will help improve personal behaviour."

Eddie McCaffrey, another co-creator, adds, "With this initiative, we will be able to cut through physical and organisational boundaries and allow for ideas and experiences to be shared between audiences who rarely have the chance to communicate with each other about health-related issues."

###

Note:

The 3four50 name derives from the Oxford Health Alliance's key message - three risk factors contribute to four preventable chronic diseases (heart disease, diabetes, lung disease and some cancers) which lead to more than 50% of all deaths in the world.

Founded in 2002, the Oxford Health Alliance encourages research into the risk factors (smoking, unhealthy diet, lack of exercise) leading to type 2 diabetes, cardiovascular disease, pulmonary diseases and certain types of cancer, and advocates and facilitates action and collaboration to prevent these chronic diseases at a local, national and international level.

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For further information please go to:
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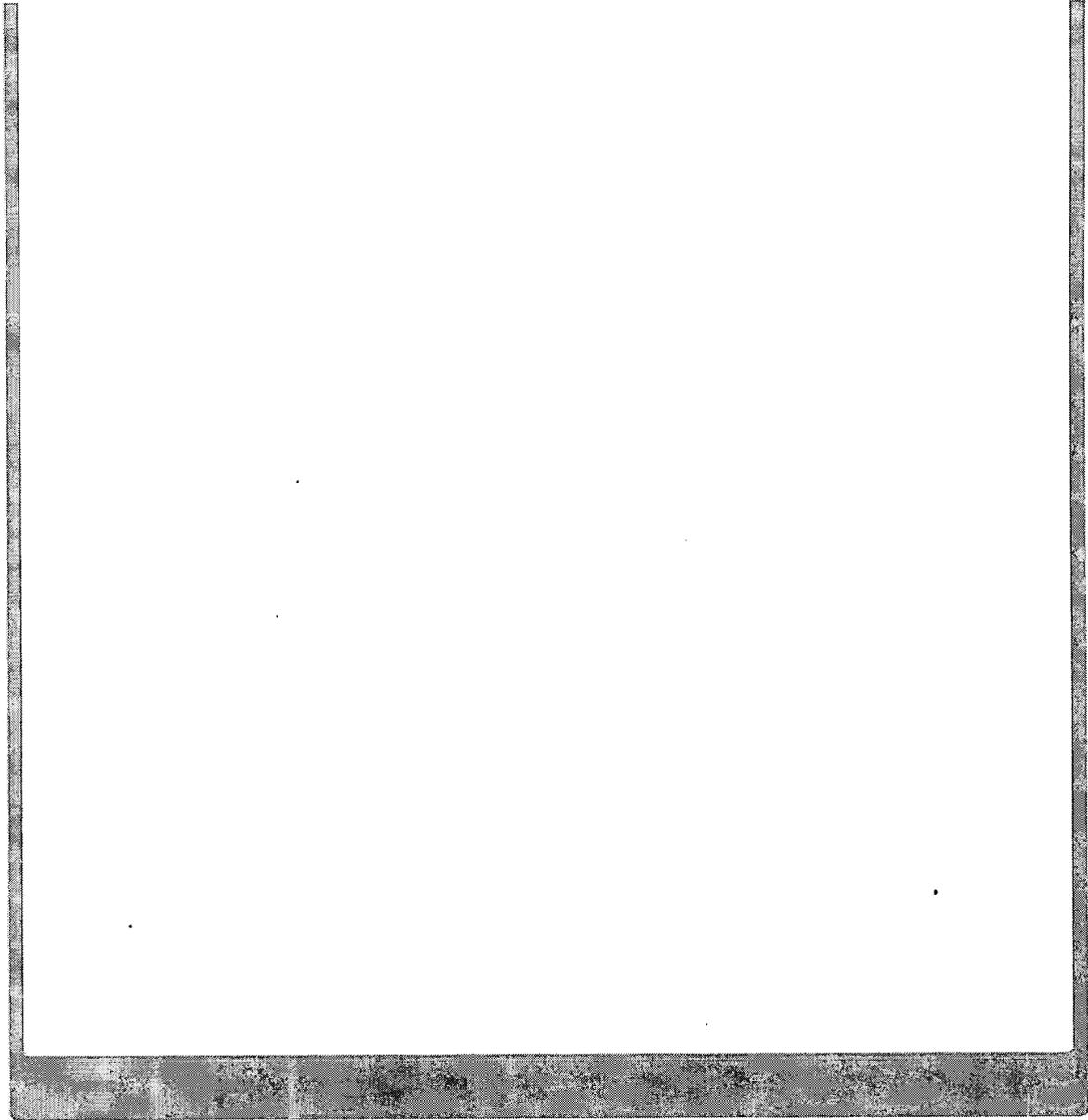
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Coming Very Soon





One of America's greatest contributions to Western political philosophy and practice has been the Constitutional Convention where new forms of government are invented or transformed.

Although there has been only 1 such event at the national level in American history (1787), there have been many at the state level.

SIMCONCON is an experimental state constitutional convention using the ICTs (Information and Communications Technologies) of the 21st century to better inform the designers of state constitutions and the citizens who must call them and ratify their product.

You are invited to participate in this experiment in 21st century democracy, *at Auburn University, in the state of Alabama, USA, being held in the Spring of 2002*—either as a political scientist, political leader or official, political activist or concerned citizen.



So, what can you do?

First, nearly 30 Auburn University students—from undergrads to doctoral—from liberal arts, business and engineering—are now "delegates" to the Simulated Constitutional Convention" (SimConCon) being held at

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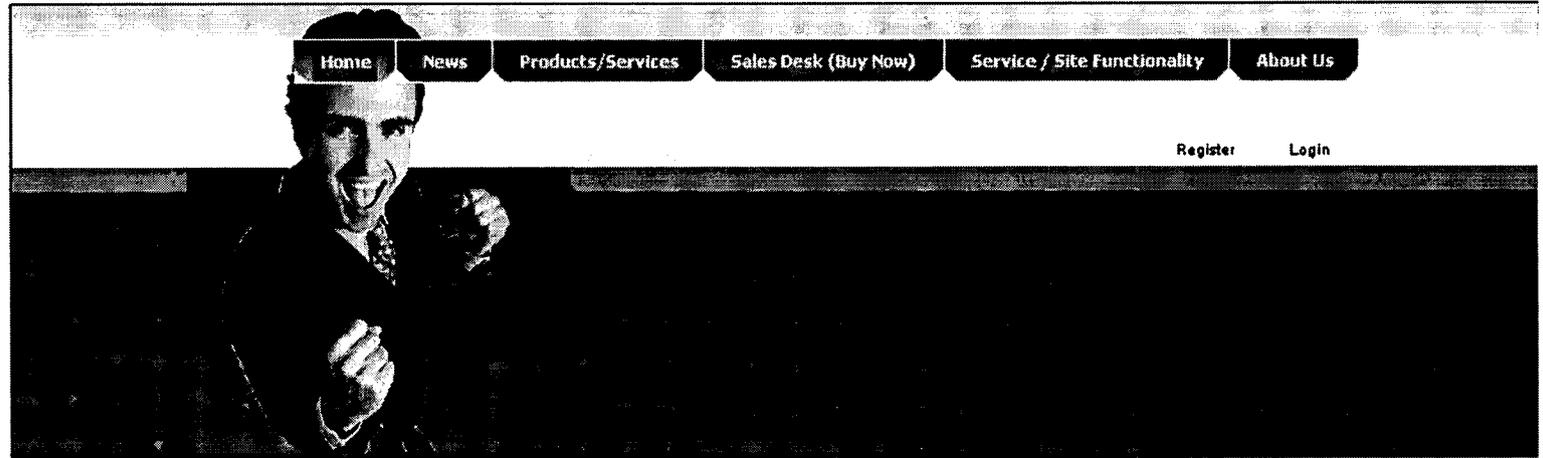
Constitutional Convention" (SimConCon) being held at the business school. The room is smallish and almost full as it is.

For this "course," they will be doing research, organizing and holding hearings, debating, discussing and negotiating. Then, at the end of this 16 week process, they will propose some major reforms for the Alabama Constitution (or any constitution that seeks to provide its citizens with good government). (They are also paying full tuition, writing papers and getting college credit).

All of their work product, and the work of many highly qualified experts, will be posted on this website for one and all to see. Every citizen interested in potential constitutional reform for their state--country--or even the EU--can benefit from the information and opinions that will be displayed here. (Plus, there is information on the course itself.)

If however, you'd like to INTERACT with the SimConCon from your computer--in other words PARTICIPATE in this with us--YOU CAN DO SO!

Join us in The ConCon Game. Go click on "The ConCon Game" in the right hand menu to see how it works. We're charging \$25 for admission. This is a cyber-experiment in a new form of democracy, and we'd like to keep the number of participants at a level we can manage well despite limited resources.



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Play The Voting GAME - Use Voting (Not Guns) And Swing The Sword Your Way With A Vote !!!

Too many of our leaders think they know it all and using GUNS is their idea of democracy! Or they are not willing to let those who pay them each day "teach them how to be better people" and instead they act like dictators and never ask their customers (or taxpayers) how would they vote.

We disagree with those types of behaviors. Instead, we believe voting and making daily improvements based upon the majorities vote is a much better way to live peacefully. Voting is productive and guns and dictator mindsets lead to nothing but destruction and war.

So here is our voting game we play every day online here at this website:

Step 1 - We copyright certain specific words that have "value in our world", define them, and **file lawsuits in court for copyright infringement** on anyone who uses those words of value and does not conform to what the majority people have voted in as the definition of those words and is also a paid member of this voting site. That way we establish a consistent BRAND / MARK based upon a majority vote of paid monthly members at <http://www.TrustworthyVoting.com>. Voting to decide word definitions is our MARK / BRAND. We promote servant leadership, and LARGE GROUP cooperation, not dictatorships that do not listen to the opinions of ordinary people.

Step 2 - Each day we solicit feedback at <http://www.ServiceAndHelp.com> to ensure we are pleasing our paid customers. If you like the word definitions then you compliment us and vote to keep the definitions the same. If you don't like the word definitions then you submit ideas on how you want us to re-word, or tweak, the existing definitions to be more pleasing to you.

Step 3 - We encourage UNCENSORED **aiden opinions** and debates on various topics at <http://www.youtube.com/group/WeThePeopleVideos> to allow yourself to tell people about your own identity or persuade them to VOTE the way you want them to in some upcoming online vote.

Step 4 - We vote at this website frequently to keep the word definitions the same, or change them to allow ourselves to "continually improve" by listening to the majority vote of those we serve.

That way we convince you **YOUR VOTE COUNTS**. You literally define certain **copyrighted words and word phrases that are used to set the mark of success** in our large group community. **YOU are in control and you control our copyrighted words** and service to you BY VOTING frequently to tell us how to serve you better in life. People in government and private business then listen to our influence on word definitions because RISKING a copyright infringement battle (either criminal or civil) is not worth it when they were notified in writing of their violation of copyright laws and given a chance to alter their behavior.

To say it bluntly:

If you are a monthly PAID voting member at this site:

>>> You have influence on the copyrighted definition of words of value using your online vote

>>> You have influence on the copyrighted definition of words of value using your online vote.
Else if you are not a monthly PAID voting member at this site:
>>> You don't control the word definitions because you are not even playing the VOTING game.

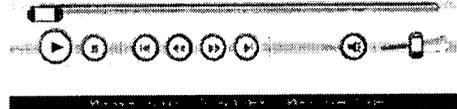
We have devised a world wide **vote game that puts YOU in total control of WORDS OF VALUE** and that means governments, corporations, and all types of organizations respect and listen to you (i.e. VOTERS / TAXPAYERS / CUSTOMERS) and gives you the best possible chance that **your will should be done** in order to avoid needless copyright infringement lawsuits on a small quantity of words you define as a LARGE GROUP working together to seek agreement on a common definition using our online tools.

Best wishes for a good word and voting game.

Kevin Donahoe
<http://www.NewTechnologyAdvantage.com>
CEO, Software Architect, and .Net Developer



WORK IT ! - Make VOTING A Daily Part Of Your Life By Defining COPYRIGHTED Words Of Value !!!



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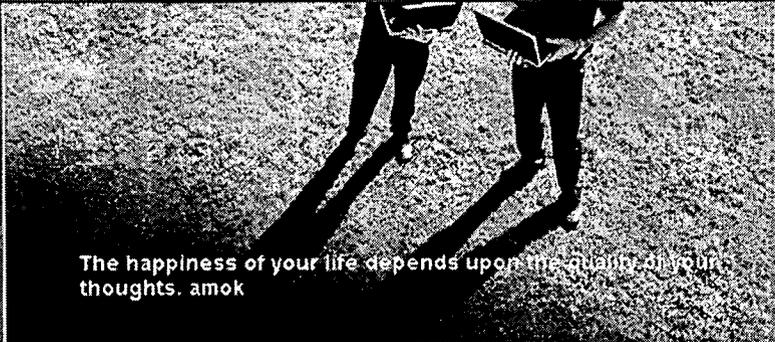
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The happiness of your life depends upon the quality of your thoughts. amok

Wednesday, November 29, 2006

Do you like to build games?

Game Editor is an interactive multimedia tool for game development, with a simple interface and a rich set of features. The software allows anyone to develop 2D games for personal computers and mobile devices! The tool is designed to be portable across many different platforms, including Windows (9x, Me, NT, 2000, 2003, XP), Pocket PC, Handheld PC, GP2X, Windows Mobile-based Smartphones and Linux.

Version 1.3.6 adds 'avoid' option in the Move To action to allow moving the actor through complex maps.
amok

Labels: [software](#)

Posted by amok at 5:40 PM | [Permalink](#) | [Comments \(0\)](#)

It doesn't matter if you don't understand Russian...

What matters it's how much and aloud you speak



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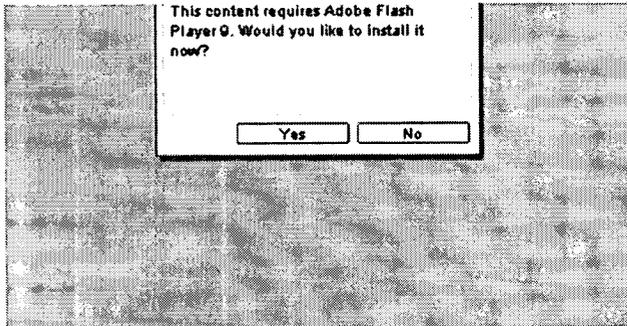
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Video: [Living in an Open space](#)

Posted by amok at 11:27 AM | [Permalink](#) | [Comments \(0\)](#)

Monday, November 27, 2006

It's not just air !



[Pub Malabar](#)
Uploaded by [MrKaplan](#)

Posted by amok at 3:57 PM | [Permalink](#) | [Comments \(0\)](#)

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Sunday, November 26, 2006

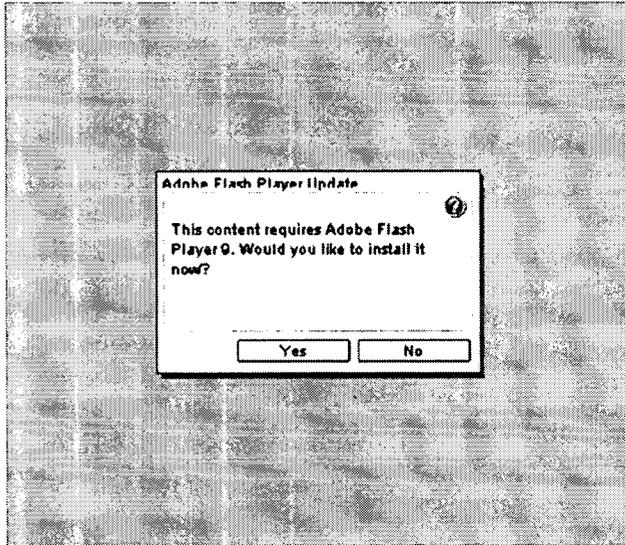
VideOpinions

On this [site](#) you can find a lot of [video opinions](#) made by real consumers. Some of the review are kind of spooky or a high amatorial. But they're somewhat useful and most important you can get a clue of the product that you're considering to buy. Happy post-post Thanksgiving to everyone!

Posted by amok at 4:49 PM | [Permalink](#) | [Comments \(0\)](#)

Wednesday, November 22, 2006

Wow, that is luck !



[Video: Lucky...really lucky...](#)

Posted by amok at 3:30 PM | [Permalink](#) | [Comments \(0\)](#)

Monday, November 20, 2006

Christmas cookies

Christmas is coming and if you want to celebrate with an Italian christmas-cookie, typical for this time of the year, in south Italy. Here is a [good](#) jump start. Other thoughts in English and Italian are [here](#).

[Paperino](#) sometimes publishes some good stuff as well. (ita only)

amok

Posted by amok at 3:37 PM | [Permalink](#) | [Comments \(0\)](#)

Thursday, November 16, 2006

Developer Tools

A while ago [Paperino](#) (ita only) published a post about some [free toys](#) for developers and smart XP users. Add [those](#) at his list.

Posted by amok at 11:53 AM | [Permalink](#) | [Comments \(0\)](#)

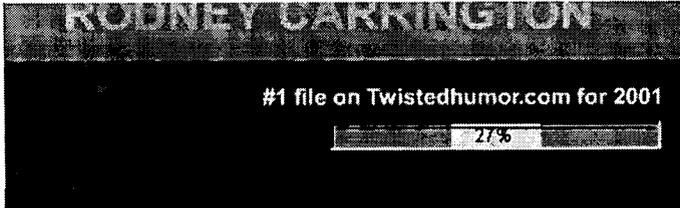
Wednesday, November 15, 2006

Dear...dear little man...

When your time comes, and you have to park the little thing that you carry on, try to sing at "him". You may find a natural Viagra and a best friend as well. I'm still laughing at that song, my friend Joanna (she gave to me the link) said that her brother sing at it on regular basis under the shower from the age of 16teen. Apparently her brother's wife isn't concerned at all about their future. :)

MEDIAPICKLE.COM presents...

"Dear Penis"
cartooned by: **CHRIS DILL**
Written and performed by
BODNEY CARRINGTON



and just because we're on topic, I'm pretty sure you have listen or at least heard about the Varina Monologue by F. Enslar -- on the same line, that kind of attitude can be used in the political business.
amok

Labels: [funny](#)

Posted by amok at 5:54 PM | [Permalink](#) | [Comments \(0\)](#)

Sunday, November 12, 2006

Learning Italian through gossips

I had a friend asking "hey, do you have something like Ophra in Italy?"

ehehe we're way ahead my dear friend, I answered. Check this video out as an example of what they send on the air. If you can read/understand Italian here you can find a lot of gossips and TV-news. If that isn't enough, check this out

There is no place like heaven, but TV can be a different version of the Hell, in every corner of the world.

amok

Posted by amok at 4:36 PM | [Permalink](#) | [Comments \(0\)](#)

Saturday, November 11, 2006

These game consoles are too expensive, but...

It may suck that the prices for consoles and the games themselves are going up, but it's really nothing new. Even the cheapest version of the NES was \$200 at its launch in 1985. You know what that would be, adjusted for inflation? \$377.14. That's about what you paid for your Xbox 360, n'est-ce pas?

I'm not really a gamer, but I do enjoy a couple of new games and my heart is glued to MAME. I'm so not sophisticated when it comes to video games that I can't see the deal of spend 400 GW for 3D effect that makes me sick when I can have a parallax scroll in a 80's game for free.

Naturally there are people who strongly disagree with me, but be a moron it's matter of time not matter of choice. Today's wrongdoing is tomorrows' trend.

amok

Posted by amok at 7:23 PM | [Permalink](#) | [Comments \(0\)](#)

Friday, November 10, 2006

Let others know

It's good to let others know that you care about them. Take a minute of your time and send them a little thought. Humor and fun make life healthy and worth to be lived.

Here is a [start](#).

amok

Posted by amok at 11:33 AM | [Permalink](#) | [Comments \(0\)](#)

Tuesday, November 07, 2006

Don't touch the WI-FI frequencies !

Yay! First good news out of the FCC in a long time...

Strange how local governments end up on both sides of these issues. In this case, Massport looks overzealous & greedy (hello, it's called *unlicensed* spectrum for a reason).

Meanwhile, in other parts of the country, municipalities that want to offer cut-rate wifi to their citizens find themselves blocked by state laws.

<http://arstechnica.com/news/ars/post/20040324-3563.html>

I found out about this news while I was debugging. My IDE crashed because something weird happened. I was looking up about my problem online, because I remember the crash was similar to something explained in this [book](#). One of the tons of search links brought me to read the above news.

The ways that bring a man to heaven are certainly unlimited and mostly *unmanaged*.

amok

Posted by amok at 12:56 PM | [Permalink](#) | [Comments \(1\)](#)

Sunday, November 05, 2006

What I wish under the tree?

I always loved robotic technologies. I'm not thinking to the big stuff, I love micro-robotic technologies. I get particularly thrilled when hardware and software meet at half way showing off all their power. I'm exploring the great progress Microsoft made with [Robotics Studio](#) and I wish [Santa](#) this year will bring me one of those high [tech toys](#), so that I can wirelessly play and express my creativity, if there is really such need. After all I'm a geek :)

I'm doing a lot of gym recently, I got sucked by the fact that I'm finally getting results though my (painful) efforts. So this nice&simple [Polar watch](#) for my training would be cool as well.

And finally I have one more wish, [V for Vendetta](#), the [Wachowski](#) brothers have done it again, a great success and a great *screen-hacker* story.

Feel free to be my Santa this year and feel free to let me know that you're looking for a Santa as well. If you can't make it, consider, always, your alternative. [Make poverty history](#) !!

peace, freedom and a lots of sex.

amok

(post-addition)

Veronic asked why sex? Because, if you're busy in doing sex, you're not seeking for a war. After sex, people are sleepy, which means that in one way or another, you enjoy your time and you won't make damages to other kinds of your specie.

Posted by amok at 12:48 AM | [Permalink](#) | [Comments \(1\)](#)

Saturday, November 04, 2006

Useless is when you don't understand it.

[thought in progress]

What's the point of having cars look so cool? Why have side mirrors that auto retract? Or have buttons in there that do all kinds of things that

auto retract? Or have buttons in there that do all kinds of things that probably can be done manually just as fine? I just need a car that can take me from point A to point B safely. Why 200+ horse power? Etc...

Some of this stuff is Eye Candy, I personally love that stuff...makes my experience with the PC a fun one. But it's not ALL eye candy... a lot of the effects you see in say Mac OSX are there for usability reasons. They are visual cues that help new people specially to understand what was the result of their actions, or that the PC understood what they wanted to do.

All I am saying is that while there are people that see this stuff as a waste of time, it actually does have it's audience that find it very fun and cool. It also has a lot of usability merits to it.

get it now?
amok

Posted by amok at 11:20 AM | [Permalink](#) | [Comments \(0\)](#)

Friday, November 03, 2006

Sexy devil girls



A lot of sexy girls in crazy cartoon ealsa. If you like the genre you'll find some good stuff over there.

IE7 has broken my CSS. Here is the [direct link](#) to the site. (thanks goes to [Papering](#) for noticing it, twice!)

Posted by amok at 1:34 PM | [Permalink](#) | [Comments \(0\)](#)



REAPER MADNESS

SUNDAY, DECEMBER 17, 2006

Death Awaits Your Presence...

Try Reaper Madness blog on MySpace to read my personal blog on MySpace, or for my written opinion and **video opinions** on all things movies, try MovieCrypt.com.

The Undead are Watching...

POSTED BY GRIM D REAPER AT 9:08 AM

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GRIM D REAPER

You are NOT what you do! Just because I collect souls for a living

doesn't mean that's all I am. For example, I watch, collect, and review movies, not to mention that I'm an international celebrity with hundreds of films using my likeness. I also enjoy walking down the beach at sunset with my scythe over my shoulder and let the sand squish through my the phalanges of my toes, but that's another story.

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