

ESTTA Tracking number: **ESTTA357500**

Filing date: **07/12/2010**

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

Proceeding	91167207
Party	Plaintiff Ms. Anita Dhaliwal
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Date	07/12/2010
Attachments	FilingpapettiDepotranscriptonly.pdf ( 113 pages )(2230722 bytes ) ExhstoPappetidepo (REDUCED).pdf ( 64 pages )(3413290 bytes )

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

ANITA DHALIWAL, an Individual	)	Opposition No. 91167207
	)	Re: DVD WORLD
Opposer,	)	Serial No.: 78495856
	)	
v.	)	<b>TESTIMONY DEPOSITION OF</b>
	)	<b>EDWIN PAPETTI AND EXHIBITS</b>
DVD WORLD PICTURES CORP.	)	<b>THERE TO</b>
	)	
Applicant.	)	
	)	
	)	
	)	
	)	

Pursuant to Trademark Rules 2.123(h) and 2.125, Opposer ANITA DHALIWAL, by its undersigned attorney, hereby submits for filing the attached certified transcript of the testimony deposition of **Edwin Papetti**, taken October 14, 2009, and the accompanying exhibits thereto.

Respectfully Submitted,

TROJAN LAW OFFICES  
By

July 12, 2010

/R. Joseph Trojan/  
R. Joseph Trojan  
Attorney for Opposer,  
ANITA DHALIWAL

CERTIFICATE OF SERVICE

This is to certify that copies of the following documents in connection with the Opposition No. 91167207 re DVD WORLD, Serial No. 78495856, were served by mailing a copy thereof by first class mail, postage prepaid, to the following persons:

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703-997-5349 fax

Documents served:

**TESTIMONY DEPOSITION OF EDWIN PAPETTI AND EXHIBITS THERETO**  
Faxed and mailed this 9<sup>12h</sup> of July, 2010

Respectfully Submitted,

TROJAN LAW OFFICES  
By

Date: July 12, 2010

/R. Joseph Trojan/\_\_\_\_\_   
R. Joseph Trojan  
Attorney for Opposer,  
ANITA DHALIWAL

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

DVD WORLD PICTURES CORP.	)	
	)	
	)	Applicant,
	)	vs.
	)	Opposition No.
	)	91167207
ANITA DHALIWAL,	)	
	)	
	)	Opposer.
	)	

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VIDEOCONFERENCED TESTIMONY OF EDWIN PAPETTI  
BEVERLY HILLS, CALIFORNIA  
WEDNESDAY, OCTOBER 14, 2009

REPORTED BY:  
SYLVIA POLLICK  
CSR No. 1826, RMR, CRR  
JOB No. 091014SP

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

DVD WORLD PICTURES CORP.	)	
	)	
	)	Applicant,
vs.	)	
	)	Opposition No.
	)	91167207
ANITA DHALIWAL,	)	
	)	
	)	Opposer.
	)	

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VIDEOCONFERENCED TESTIMONY OF EDWIN PAPETTI,  
taken on behalf of Opposer, at Gradillas Court  
Reporters, 345 North Maple Drive, Suite 185,  
Beverly Hills, California, commencing at  
10:07 a.m., Wednesday, October 14, 2009,  
before Sylvia Pollick, a Certified Shorthand  
Reporter in the State of California, License  
No. 1826.

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APPEARANCES OF COUNSEL:

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INFORMATION REQUESTED:

(None)

UNANSWERED QUESTIONS:

(None)

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BEVERLY HILLS, CALIFORNIA  
WEDNESDAY, OCTOBER 14, 2009  
10:14 A.M.

\* \* \*

THE REPORTER: Would you raise your right hand, please.

Do you solemnly state that the testimony you are about to give in this deposition shall be the truth, the whole truth, and nothing but the truth?

THE WITNESS: Yes.

THE REPORTER: Thank you.

\* \* \*

EDWIN PAPETTI,  
having been duly administered an oath in accordance with CCP 2094, was examined and testified as follows:

\* \* \*

EXAMINATION

BY MR. TROJAN:

Q Good afternoon, Mr. Papetti. Am I pronouncing your name correctly?

A Yes.

Q Could you please state and spell your name for the record.

1           A     Edwin, E-d-w-i-n, Papetti, P-a-p-e-t-t-e  
2 (sic) -- "i, not "e." Sorry

3           Q     Could you repeat it.

4           A     P-a-p-e-t-t-i.

5           Q     And is there a person made Edward Papetti?

6           A     No.

7           Q     Are you connected to DVD World Pictures  
8 Corporation?

9           A     Yes.

10          Q     In what role are you connected to that  
11 company?

12          A     I own it.

13          Q     Have you ever had your deposition taken  
14 before?

15          A     No.

16          Q     I'm sorry. This isn't a deposition.  
17 Have you ever had your testimony taken  
18 before?

19          A     No.

20          Q     And you have never had your deposition  
21 taken either?

22          A     No.

23          Q     Have you ever been involved in a trademark  
24 opposition proceeding before?

25          A     No.

1 Q Have you ever been involved in a trademark  
2 cancellation proceeding?

3 A No.

4 Q Have you ever been involved in any kind of  
5 lawsuit involving a trademark?

6 A No.

7 Q What is your role at DVD World Pictures  
8 Corporation?

9 A I'm the owner, C.E.O.

10 Q How many employees does DVD World Pictures  
11 Corporation have?

12 A On the books?

13 Q Okay. We can start --

14 A Just myself.

15 Q And what do you mean by "on the books?"

16 A Employment is done on an as-needed basis.  
17 So we don't keep a lot of people on for very long.

18 Q Are there certain periods when you need  
19 more employees?

20 A Yes.

21 Q What periods would those be?

22 A The holidays.

23 Q And is that from Thanksgiving to Christmas?

24 A That's one of the holidays.

25 Q What are the other holidays?

1           A     Easter.

2           Q     Any others where you hire additional  
3 employees?

4           A     Sometimes the summer.

5           Q     So what's the maximum number of employees  
6 that you have had?

7           A     I would say ten.

8           Q     And what do those employees do?

9           A     Their job would be to maintain and update  
10 the site, Customer Service.

11          Q     What does Customer Service include?

12          A     Taking care of customer issues.

13          Q     Does that include shipping product?

14          A     No.

15          Q     What is the business of DVD World Pictures  
16 Corporation?

17          A     Our main business is movie and video game  
18 retail, as well as live event recording and DVD  
19 creation.

20          Q     Does DVD World Pictures Corporation  
21 maintain an inventory of movies and video games?

22          A     Yes.

23          Q     Do you know how large your inventory is?

24          A     At this moment, I don't have the exact  
25 number.

1 Q Do you have an approximation?

2 A It's a couple thousand SKU's.

3 Q Is the inventory maintained at a facility  
4 owned or rented by DVD World?

5 A Some of it.

6 Q What portion --

7 A Others are held at Warehouse Partners.

8 Q What is Warehouse Partners?

9 A Distributors that we rent warehouse space  
10 from.

11 Q From whom do you purchase your DVD's?

12 MR. PELTON: I think that it's  
13 confidential. We have no problem answering the  
14 question, but we would like the opportunity to  
15 perhaps review it afterwards and mark portions  
16 "Confidential."

17 MR. TROJAN: That's fine. We will not  
18 disclose the transcript to our client for 30 days  
19 after you receive a copy in order for you to  
20 designate any portion of it as "Confidential,"  
21 "Attorneys' Eyes Only." How does that sound?

22 MR. PELTON: Okay. That's reasonable.

23 Can you restate the question?

24 BY MR. TROJAN:

25 Q From whom do you purchase your inventory of

1 DVD's?

2 MR. PELTON: I'm just going to note an  
3 objection to the relevance of the question.

4 You can go ahead and answer.

5 THE WITNESS: We purchase them from DPD,  
6 AEC One Stop, and the studios that produce them.

7 BY MR. TROJAN:

8 Q Do you ever receive orders from customers  
9 and then another entity fulfills the order?

10 MR. PELTON: I'm going to again object  
11 to the relevance of the line of questioning to  
12 the claims in the Opposition.

13 But you can answer it.

14 THE WITNESS: No.

15 BY MR. TROJAN:

16 Q So all DVD's that you sell, you own  
17 those DVD's at the time that they're sold; is that  
18 correct?

19 A Yes.

20 Q And you had said that the Customer Service  
21 employees do not actually ship the DVD's; is that  
22 correct?

23 A That is correct.

24 Q Who does the shipping?

25 A People that are in the Shipping Department.

1 Q How many people are employed by DVD World  
2 Pictures Corporation in the Shipping Department?

3 A Six people.

4 Q And those are employees of DVD World  
5 Pictures?

6 A Yes.

7 Q So does that mean that there are -- you  
8 had said that during the holiday season the maximum  
9 number of employees you might have are ten; is that  
10 correct?

11 A I might have misunderstood by what you  
12 meant as "employees."

13 Q Well, what is your understanding of the  
14 word "employee"?

15 A Well, there are people that handle the  
16 website. You also mentioned DVD World Pictures  
17 Corp. You're asking questions -- DVD World Pictures  
18 Corp. is the motion picture division of the company,  
19 the company that handles live event recording.

20 You're asking questions about HD DVD World,  
21 our retail division. It seems like you're combining  
22 the two.

23 Q All right. Well, I don't want to do that.

24 Is the HD DVD World -- is that a separate  
25 corporation?

1           A     No.  It's not a corporation.  The only  
2 corporation is DVD World Pictures Corp.

3           Q     All right.  And so within DVD World  
4 Pictures Corporation, there are how many divisions?

5           A     There would be three divisions.

6           Q     Can you tell me what the three divisions  
7 are.

8           A     Sure.  You have DVD World Pictures, DVD  
9 World Home Video.

10          Q     And there's a third?

11          A     That's three.

12          Q     I think there was maybe a break in the  
13 link, because you kind of -- the screen skipped.

14                 All I got was DVD World Pictures and DVD  
15 World Home Video.

16          A     And DVD World Distribution.

17          Q     And DVD World Pictures is just involved in  
18 live event recording and DVD creation?

19          A     And distribution of that product.

20          Q     What kind of live events are recorded?

21          A     Concerts, weddings, plays.  Anything  
22 someone wants recorded.

23          Q     But those recordings are not sold on your  
24 DVD World website?

25          A     They're sold on DVD World Home Videos'

1 website and at the event.

2 Q All right. So what does DVD World Home  
3 Video do?

4 A That's the live event recording division of  
5 DVD World Pictures.

6 Q And then DVD World Distribution, what does  
7 that do?

8 A That distributes the DVD's of the events we  
9 have recorded.

10 Q Is there a division that sells commercial  
11 movies and video games?

12 A That's part of the DVD World Company, which  
13 DVD World Pictures is also a part of, and that's  
14 HD DVD World.

15 Q So HD DVD World is a part of DVD World  
16 Pictures, which is a part of DVD --

17 A No. It's --

18 Q Go ahead.

19 A It's part of the DVD World Company.

20 Q Is that another division, HD DVD World?

21 A That is a division of the DVD World  
22 Company.

23 Q And when you say, "the DVD World Company,"  
24 you're referring to DVD World Pictures Corporation;  
25 is that correct?

1 A No.

2 Q Okay. So what is the difference between  
3 DVD World Pictures Corporation and DVD World  
4 Company?

5 A The DVD World Company is a sole  
6 proprietorship. DVD World Pictures Corp. is a  
7 corporation.

8 Q So who owns DVD World Company?

9 A That's also mine.

10 Q Does anyone else own DVD World Company  
11 besides yourself?

12 A No. I'm sole owner.

13 Q And you're also sole owner of DVD World  
14 Pictures Corporation?

15 A Yes.

16 Q So why don't you tell me what DVD World  
17 Company does.

18 A That's the parent company of all the DVD  
19 World divisions, much like the Walt Disney is the  
20 parent company of all of their divisions.

21 Q So are you saying that DVD World Company  
22 owns DVD World Pictures Corporation?

23 A Yes.

24 Q And do you know legally how DVD World  
25 Company is organized?

1 A It's a sole proprietorship.

2 Q So you've filed a dba for DVD World  
3 Company; is that correct?

4 A No. There's a general retail license  
5 for DVD World as a sole proprietor. That is the  
6 original business registration.

7 Q And DVD World Pictures Corporation, under  
8 what state laws is that corporation organized?

9 A New York State.

10 Q Do you know if the shares of DVD World  
11 Pictures Corporation are recorded in the name of DVD  
12 World Company?

13 A I don't remember who they're -- it's either  
14 me or DVD World that they're named to.

15 Q Does DVD World Company own any other  
16 companies relating to DVD's other than DVD World  
17 Pictures Corporation?

18 A Yes.

19 Q What other companies does DVD World Company  
20 own?

21 A DVD Destination.

22 Q Is DVD Destination a corporation?

23 A No.

24 Q It's a sole proprietorship?

25 A Yes.

1 Q And you're the sole owner?

2 A Yes.

3 Q And what does DVD Destination do?

4 A They were a DVD retail site.

5 Q What are they now?

6 A Right now, the site no longer exists. It's  
7 been folded into HD DVD World.

8 Q Are there any other companies other than  
9 DVD Destination and DVD World Pictures Corporation  
10 that DVD World Company owns?

11 A There's several.

12 Q Are any of them currently operating?

13 A Yes.

14 Q Are any of those that are operating -- do  
15 they relate to the sale of DVD's?

16 A No.

17 Q When did you form DVD World Pictures  
18 Corporation?

19 A That was formed in 2002.

20 Q And why did you form it?

21 A It was formed to finance major motion  
22 pictures.

23 Q Has it done that?

24 A It's in the process.

25 Q Did it ever become a purpose of DVD World

1 Pictures Corporation to sell DVD's?

2 A Under the DVD World Home Video name, yes.

3 Q And those are DVD's that DVD World Pictures  
4 Corporation actually makes; correct?

5 A Yes.

6 Q Was it ever a purpose of DVD World Pictures  
7 Corporation to sell commercially available movies?

8 A No, because that's handled by HD DVD World.

9 Q And it was my understanding that HD DVD  
10 World is part of DVD World Pictures; is that not  
11 true?

12 A No. It's part of the DVD World Company,  
13 which DVD World Pictures is a part of as well.

14 Q Okay. So HD DVD World is not owned by DVD  
15 World Pictures Corporation; correct?

16 A Correct. The DVD World Company was  
17 founded as a sole proprietorship in 1998. DVD World  
18 Pictures Corp. did not get founded or recognized by  
19 New York State as a corporation until 2002. So  
20 there's no way that the retail division could be a  
21 division of DVD World Pictures Corp. It existed  
22 before DVD World Pictures Corp. existed.

23 Q Do you know if DVD World Pictures  
24 Corporation purchased any assets from DVD World  
25 Company?

1           A       The DVD World Company owns DVD World  
2 Pictures Corp. so they wouldn't purchase any assets  
3 from the DVD World Company. I own both DVD World  
4 and DVD World Pictures Company. There's no reason  
5 to trade assets.

6           Q       Can we agree that DVD World Pictures  
7 Corporation and DVD World Company are separate legal  
8 entities?

9           MR. PELTON: I'm going to object to the  
10 nature of the question. It's a legal question.  
11 It's not a matter my client is qualified to answer.

12 BY MR. TROJAN:

13          Q       Was it your understanding when you created  
14 DVD World Pictures Corporation that you were setting  
15 up a separate legal entity from DVD World Company?

16          A       I knew that I was setting up a separate  
17 division of the company.

18          Q       And what's your definition of "division"?

19          A       Part of a bigger company.

20          Q       Do you know if DVD World Company ever  
21 assigned any trademark rights to DVD World Pictures  
22 Corporation?

23          A       DVD World Pictures Corp. is the trademark  
24 holder of the DVD World mark. So that legally, as  
25 a corporation, the mark will stay alive should

1 anything happen to me as sole owner of the DVD World  
2 Company and DVD World Pictures Corp.

3 So, in that regard, the ownership mark was  
4 transferred to DVD World Pictures Corp. to protect  
5 it.

6 Q When there was this transfer of the mark,  
7 was there any legal document that set out the terms  
8 of the transfer?

9 A Since I own the companies fully, there was  
10 not.

11 Q Through what website does HD DVD World sell  
12 DVD's?

13 A You're looking for the domain name?

14 Q Yes.

15 A We have over 107 domain names with the "DVD  
16 World" name in them that go to the HD DVD World  
17 site. The most prominent are DVD World Online,  
18 HDDVDWorld.Com, and the other 105 remaining domain  
19 names that contain the DVD World mark in them.

20 Q Are you able to track at all which domain  
21 names are primarily used by customers?

22 A Very basically.

23 Q And how do you do that?

24 A Google, Analytics.

25 Q And is there any particular domain name

1 that the majority of customers go through?

2 A The two most popular are DVDWorldOnline.Com  
3 and HDDVDWorld.Com.

4 Q Do you have any estimate of what percentage  
5 of your customers go through these two domain names?

6 A I don't have that information available,  
7 no.

8 Q But do you have an estimate? Is it more  
9 than 50 percent?

10 MR. PELTON: I'm going to object to the  
11 relevance of the question regarding the issues in  
12 the Opposition.

13 You can answer if you know.

14 BY MR. TROJAN:

15 Q You can still answer, though.

16 A I don't know.

17 Q Was there a time when you changed the name  
18 of your website from DVD World to DVD World Online?

19 A No. The mark always stayed "DVD World" on  
20 the site.

21 Q So if I go to your website now, it's called  
22 "DVD World"?

23 A No. It's "HD DVD World," and then it has  
24 the DVD World mark. The DVD World mark has always  
25 been present on all of our Websites.

1 Q Mr. Papetti, every time you lean forward,  
2 it distorts the sound on our side. It's a really  
3 good mic, so you don't need to lean forward.

4 A Okay.

5 Q Yes. It's great sound quality.

6 MR. PELTON: Okay. Sorry. He said it was  
7 the DVD World mark that's featured on all the  
8 websites.

9 MR. TROJAN: So we're going to look at  
10 what's Exhibit 3 to the Declaration of Dave Lahoti.  
11 If you could put that before the witness.

12 We're going to mark this as Exhibit 3, just  
13 for clarity.

14 \* \* \*

15 (Whereupon, the document referred  
16 to was marked Opposer's Exhibit No. 3  
17 for identification by the Court Reporter,  
18 and a copy is hereto attached.)

19 \* \* \*

20 BY MR. TROJAN:

21 Q And if you could look at this and tell me  
22 whether you recognize it or not.

23 A I do recognize it.

24 Q And do you know what it is?

25 A I believe it's a printout from our DVD

1 World Company website.

2 Q Do you know if this is currently on the  
3 website?

4 A I don't believe it is.

5 Q Do you know when it was taken down?

6 A I do not know.

7 Q Do you know why it was taken down?

8 A There would be more updated information.

9 Q Do you know if --

10 A The company is always growing.

11 Q So the information in here would be added  
12 to? The information would not be deleted; is that  
13 correct?

14 A It depends on your definition of  
15 "deletion." By the very nature of the Internet and  
16 web pages, in order to update, you need to delete  
17 the past information.

18 Q Right. I didn't mean from a technology  
19 sense. I meant the content of the information we  
20 see here, does that content appear on your website  
21 today?

22 A I don't know.

23 Q Do you know who wrote the history described  
24 in Exhibit 3?

25 A The exact person? I don't know.

1 Q Have you ever reviewed this history before?

2 A I remember seeing it.

3 Q Do you know where the person who did write  
4 it would have gotten the information?

5 A He was an employee of the company if he  
6 was working on our site so he would have known the  
7 history of our company.

8 Q And does this document accurately reflect  
9 the history of your company?

10 A Accurately for the time it was written.

11 Q So it's accurate for the period of time  
12 that it covers; is that correct?

13 A Yes.

14 Q In the fifth paragraph down, on the first  
15 page, it says, quote:

16 "The following year would bring a  
17 name change to DVD World. It would now  
18 be called "DVD World Online. This was  
19 done to the numerous..."

20 And then do you know what that word would  
21 have been that's missing?

22 A "Amount."

23 Q "This was done due to the numerous  
24 amounts of international stores that  
25 were saying they were 'DVD World' but

1                   weren't."

2                   Are you familiar with other stores using  
3 "DVD World" as part of their name?

4           A       At that time, I was aware of at least one  
5 other store. And now I'm not aware of any. The  
6 ones that were doing it went out of business.

7           Q       Well, it says, "numerous amounts." So what  
8 would -- it's more than one?

9           A       I was being dramatic.

10          Q       Did you write this?

11          A       I did not write this, no.

12          Q       Then on what basis do you say that you were  
13 being dramatic?

14          A       I'm not saying that I was being dramatic.  
15 I'm saying that the person that wrote this was  
16 obviously being dramatic to promote the name of "DVD  
17 World Online," which was becoming our new online  
18 portal for everything DVD World related.

19          Q       And so was there a time when the domain  
20 name was "DVDWorld.Com"?

21          A       We never had the domain name  
22 "DVDWorld.Com."

23          Q       Do you know who did?

24          A       We have 107 domain names that contain the  
25 "DVD World" name but not "DVDWorld.Com."

1 Q Do you know who owns the domain name  
2 "DVDWorld.Com"?

3 A Right now, I believe it's owned by Anita  
4 Dhaliwal.

5 Q Do you know how long she's owned it?

6 A I believe she received that in December of  
7 2004.

8 Q Have you ever communicated with Anita  
9 Dhaliwal?

10 A Myself? No.

11 Q Has anyone on your behalf?

12 A I believe our Legal Department contacted  
13 her when she received the DVD World name in  
14 DVDWorld.Com to notify her of our trademark, "DVD  
15 World."

16 Q Have you ever done any investigation into  
17 who Anita Dhaliwal is?

18 A Personally? I believe she owns a website  
19 called DivaVillage.Com. Other than that, I know  
20 very little about her.

21 Q Have you had anyone investigate her on your  
22 behalf?

23 A No.

24 Q So in this Exhibit 3 it says that there was  
25 a launch of the website in April of 1999; is that

1 correct?

2 A That was when we got out of our beta stage.

3 Q And, in April of 1999, what were you  
4 selling?

5 A We were selling movies and video games.

6 Q And that would have been DVD World Company;  
7 is that correct?

8 A It would have been a division of the DVD  
9 World Company. The specific division at that time  
10 was just known as DVD World or DVD World -- at  
11 DVDWorldOnline.Com was the domain name for the  
12 retail site.

13 Q So did the DVDWorldOnline.Com -- was that  
14 adopted in 1999 or 2000?

15 A The "DVDWorldOnline.Com" domain name became  
16 active in 1998.

17 Q And when you say, "active" --

18 A That was the main domain name for the  
19 retail site. The site itself was known as "DVD  
20 World."

21 Q So when you say that the DVDWorldOnline.Com  
22 site was active in April of 1998, what do you mean  
23 by "active"?

24 A It means it was up and then tested. Before  
25 a website goes live or launches, you have a testing

1 phase where you work out the bugs.

2 Q So before the company was founded, you were  
3 testing the website; is that correct?

4 A Yes.

5 Q Was there ever a time when the DVD World  
6 Online website was just an informational site?

7 A The DVDWorldOnline.Com website? No. There  
8 was an AOL website, hosted website, that went by the  
9 name "DVD World" that was an information website.

10 Q And what kind of information did it  
11 provide?

12 A It provided information on DVD's and  
13 movies.

14 Q What kind of information?

15 A Production information, DVD information,  
16 the specifics of the DVD. Anything related to  
17 DVD's.

18 Q And when you say it was an AOL.Com  
19 sponsored site, what do you mean by that?

20 A It wasn't sponsored by them. It was hosted  
21 by them.

22 Q So what was the domain --

23 A Members of AOL could have websites that  
24 were hosted by AOL. The original DVD World site  
25 that was information only was hosted by AOL.

1 Q In what years was the AOL site active?

2 A I believe it could have started as early as  
3 late 1996, but I know it was definitely around in  
4 1997.

5 Q And when did it cease to exist?

6 A It ceased to exist when we got the  
7 DVDWorldOnline.Com domain name.

8 Q Was that in 1998?

9 A The domain name was purchased in 1998, yes.

10 Q In the fourth paragraph of the history of  
11 the company in Exhibit 3, it says:

12 "The measures taken in the summer  
13 of that year fixed the problems that  
14 plagued the site earlier and now the site  
15 was finally starting to see the sales that  
16 Eddie Papetti had been anticipating."

17 What problems does that refer to?

18 A Our search engine originally was not very  
19 good, so we fixed it.

20 Q Do you know approximately in 2000 how many  
21 DVD's you sold?

22 A I don't know that information.

23 Q Do you have an estimate?

24 MR. PELTON: Object to the relevance.

25 You can answer if you know.

1 THE WITNESS: It was at least a couple  
2 thousand.

3 BY MR. TROJAN:

4 Q And how many DVD's does DVDWorldOnline.Com  
5 sell today?

6 MR. PELTON: Again, object to the  
7 relevance.

8 THE WITNESS: We sell several thousand  
9 every year.

10 BY MR. TROJAN:

11 Q Is it true that DVD World Online is the  
12 number one online DVD retailer distributor in the  
13 world?

14 A Yes.

15 Q On what basis do you claim that?

16 A On the fact we're the only one.

17 Q So you believe you're the only company  
18 online selling DVD's?

19 MR. PELTON: Object to the relevance.

20 THE WITNESS: No. We're the only one that  
21 sells to both consumers and businesses through our  
22 website. Everyone else either does one or the  
23 other. And, based on our sales, other retailers and  
24 distributors -- we'd be bigger than them.

25 ///

1 BY MR. TROJAN:

2 Q So when you were talking about selling  
3 several thousand DVD's per year, does that include  
4 two other businesses?

5 A Yes.

6 Q It says in the second page of Exhibit 3  
7 that there's "a new 200 acre 'DVD World Complex'  
8 planned for 2005."

9 Do you know if that was ever built?

10 A No, we did not complete that at this point.

11 Q Do you own ExtremeDVD.Net?

12 MR. PELTON: I would object to the  
13 relevance.

14 THE WITNESS: Yes.

15 BY MR. TROJAN:

16 Q And what does ExtremeDVD.Net sell?

17 A They don't sell anything.

18 Q What do they do?

19 A It was anticipated to be an information  
20 site. Now, it just forwards to our main retail  
21 site.

22 Q If we could look at DVDWPC 0001 through  
23 0003.

24 We'll mark this as Exhibit 4. No. Let's  
25 mark this as -- one second.

1 Exhibit 23.

2 MR. PELTON: I'm sorry. We're marking this  
3 Exhibit 23?

4 MR. TROJAN: Correct.

5 MR. PELTON: Okay. And this is DVDWPC 0001  
6 through -3?

7 MR. TROJAN: Yes.

8 MR. PELTON: Okay.

9 \* \* \*

10 (Whereupon, the document referred  
11 to was marked Opposer's Exhibit No. 23  
12 for identification by the Court Reporter,  
13 and a copy is hereto attached.)

14 \* \* \*

15 BY MR. TROJAN:

16 Q Do you understand what this is?

17 A I believe this is the Domain Name List I  
18 gave to my attorneys at the time it was required to  
19 respond to one of the questions.

20 Q And are these the 107 domain names that you  
21 were referring to earlier?

22 A I believe this is some of them. I believe  
23 this is not all of them, since this -- it is an old  
24 document. We have more names than I did when this  
25 was written up.

1 Q And all of these domain names, are they  
2 connected to the website that you can also access by  
3 using DVDWorldOnline.Com?

4 A Just about all of them, yes.

5 Q Do any of them go to a different website  
6 that you run?

7 MR. PELTON: I object to the relevance.

8 THE WITNESS: The DVD World Company site  
9 would go to the DVD World Company website.

10 DVD World Home Video domain names would go  
11 to DVD World Home Video websites. And DVD World  
12 Pictures would go to that specific website as well.

13 Otherwise, the domain names would go to the  
14 main retail site.

15 BY MR. TROJAN:

16 Q And the main retail site is the one that  
17 sells DVD's and also has a domain name of  
18 DVDWorldOnline.Com and HDDVDWorld.Com; correct?

19 A Correct.

20 Q And in your Answer to Request No. 9, it  
21 says -- for example, (b): "DVD World sells across  
22 the world."

23 And so you sell throughout the world; is  
24 that correct?

25 A That's correct.

1 Q And this particular DVD World that  
2 sells across the world is the DVD World Company;  
3 correct?

4 A That's right. The parent company. So you  
5 could say the DVD World Company. That the retail  
6 site's a part of DVD World Company, yes. So is DVD  
7 World Pictures Corp.

8 Q Do any sales of DVD's that are sold on  
9 the website that I can access through  
10 DVDWorldOnline.Com -- are any of those DVD sales  
11 sold through DVD World Pictures Corporation: yes  
12 or no?

13 A The DVD's are available through  
14 DVDWorldOnline.Com or HDDVDWorld.Com are  
15 commercially available titles. They are not created  
16 by DVD World Pictures.

17 Q And none of the sales that occur on  
18 DVDWorldOnline.Com or HDDVDWorld.Com go through DVD  
19 World Pictures Corporation; correct?

20 A That's correct.

21 MR. TROJAN: The next thing we're going to  
22 look at is DVDWPC 0004.

23 MR. PELTON: And what are we marking this?

24 MR. TROJAN: This will be Exhibit 24.

25 ///

1 \* \* \*

2 (Whereupon, the document referred  
3 to was marked Opposer's Exhibit No. 24  
4 for identification by the Court Reporter,  
5 and a copy is hereto attached.)

6 \* \* \*

7 BY MR. TROJAN:

8 Q Do you have that exhibit before you,  
9 Mr. Papetti?

10 A Yes.

11 Q Can you tell me what this is.

12 A It's a copy of my resale certificate.

13 Q And do you know if this has a date on it?

14 A It looks like it does.

15 Q Can you point me to that date? Do you see  
16 where it is?

17 A Yes. It says, "Validated registration."  
18 It looks like it has a date of January 8, 1999.

19 Q Actually, isn't that the date -- there's  
20 also a stamp over it that says "Void." "Void  
21 validated."

22 Do you see that?

23 A I don't see anything that says "Void" --  
24 oh, yes, it says "Void."

25 Q Do you know why your registration has a

1 "Void" stamp over it?

2 A I know that my registration is active. My  
3 only guess is that this was voided out because it's  
4 a copy. It's done to protect myself so that people  
5 can't go using my resale certificate without my  
6 permission.

7 Q Do you know that for a fact that's why they  
8 stamped it "Void"?

9 A I don't see that it's stamped "Void." I  
10 see that it's stamped "Validated." I don't know  
11 where this came from.

12 Q Okay. This is part of your document  
13 production to us. It's DVDWPC 0004.

14 A Well, if it's from me and it's stamped  
15 "Void," then that's because it's done to protect  
16 me so that no one can use my resale certificate.  
17 My resale certificate is active with New York  
18 State.

19 Q And that resale certificate is for DVD  
20 World Company; is that correct?

21 A It's for DVD World, as stated on the form,  
22 which would be the DVD World Company, yes.

23 MR. TROJAN: So we'll move on to DVDWPC  
24 0005. We'll mark that as Exhibit 25.

25 ///

1 \* \* \*

2 (Whereupon, the document referred  
3 to was marked Opposer's Exhibit No. 25  
4 for identification by the Court Reporter,  
5 and a copy is hereto attached.)

6 \* \* \*

7 BY MR. TROJAN:

8 Q Do you recognize this?

9 A It looks like a copy of my original  
10 business certificate.

11 Q Do you see anywhere where it's stamped  
12 "Void"?

13 A No, but this is a different type of  
14 certificate than the other one. This can't be  
15 misconstrued.

16 Q I see. And this is the DVD World for the  
17 company; correct? DVD World Company?

18 A Yes. This is the original sole  
19 proprietorship that would be considered the DVD  
20 World Company.

21 Q And this sole proprietorship still exists  
22 today; correct?

23 A Yes.

24 Q Okay. We'll now look at DVDWPC 0006, and  
25 if you could also look at 0007. And before we mark

1 it, just tell me if these two documents are related.

2 A They're related in that they're both  
3 yearbook ads, advertising that appeared in a  
4 yearbook.

5 MR. TROJAN: So we'll mark both of these as  
6 Exhibit 26.

7 \* \* \*

8 (Whereupon, the documents referred  
9 to were marked Opposer's Exhibit No. 26  
10 for identification by the Court Reporter,  
11 and copies are hereto attached.)

12 \* \* \*

13 BY MR. TROJAN:

14 Q Do you know when these ads would have been  
15 created?

16 A Created? I don't know. I can say that  
17 based on the dates present that one of them would  
18 have appeared in a yearbook for the school year 2000  
19 through 2001 and the next one for the school year  
20 2001 to 2002.

21 Q And at the top of the pages it says the  
22 "DVD World Company" and "DVD World Online."

23 A Yes.

24 Q Are those two separate companies?

25 A No. As I stated before, the DVD World

1 Company is the parent company of all other divisions  
2 of the DVD World Company. So DVD World Online is a  
3 division of the DVD World Company.

4 Q And so this is just advertising to direct  
5 high school graduates to the DVDWorldOnline.Com  
6 website; is that correct?

7 A High school students, their parents,  
8 family friends. A lot of advertisers go into the  
9 yearbooks.

10 MR. TROJAN: Now we're going to look at  
11 DVDWPC 0008. We'll mark this as Exhibit 27.

12 \* \* \*

13 (Whereupon, the document referred  
14 to was marked Opposer's Exhibit No. 27  
15 for identification by the Court Reporter,  
16 and a copy is hereto attached.)

17 \* \* \*

18 BY MR. TROJAN:

19 Q Can you tell me what this is?

20 A This is a copy of a contract that I have  
21 with Centereach High School.

22 Q And this was in 1998; correct?

23 A It covers 1998 to 2010.

24 Q And this is under the DVD World Company;  
25 correct?

1           A       DVD World Company can be considered a  
2 division of -- yes, the DVD World Company or DVD  
3 World Pictures Corp., since they all fall under DVD  
4 World Company, yes.

5           Q       So you're now saying that DVD World Home  
6 Video is a division of DVD World Pictures  
7 Corporation?

8           A       I stated that earlier.

9           Q       Well --

10          A       It handles under both. Technically,  
11 everything falls under the DVD World Company.

12          Q       Correct.

13          A       Right.

14          Q       Do any sales that are obtained through DVD  
15 World Home Video go through the books of DVD World  
16 Pictures Corporation?

17          A       Yes.

18          Q       So DVD World Home Video sales are deposited  
19 to DVD World Pictures Corporation's bank accounts?

20          A       Depending on the event that's being  
21 recorded.

22          Q       What kind of event would end up in DVD  
23 World Pictures Corporation's bank accounts?

24          A       Hundreds of events, such as the events that  
25 I handled for high schools.

1 Q But those events are not sold on the  
2 DVDWorldOnline.Com site or the HDDVDWorld.Com site;  
3 correct?

4 A No. They're sold on DVD World Home  
5 Video.com.

6 MR. TROJAN: We have been going for about  
7 an hour and 15 minutes. Do you want to take a short  
8 break?

9 MR. PELTON: Sure.

10 MR. TROJAN: Okay.

11 MR. PELTON: Five minutes or so?

12 MR. TROJAN: Yes. About that.

13 (Whereupon, there was a recess in the  
14 proceedings from 11:20 a.m. to 11:31 a.m.)

15 BY MR. TROJAN:

16 Q Have you ever heard of a website called  
17 "DVD World News.com"?

18 A No.

19 Q Have you ever heard of a website called  
20 "TheDVDWorld.Com"?

21 A No.

22 Q Have you ever heard of a website called  
23 "MusicDVDWorld.Com"?

24 MR. PELTON: Sorry. I think there was a  
25 little static on the line there. Can you repeat

1 that one?

2 MR. TROJAN: Sure.

3 Q Have you ever heard of a website called  
4 "MusicDVDWorld.Com"?

5 A The domain name sounds familiar. Unless  
6 it's owned by me, I haven't heard of it as a  
7 separate website.

8 Q Have you ever looked at a website called  
9 "Sony-Asia.Com/DVDWorld/SonyDVDWorld.HTML"?

10 A No.

11 Q Have you ever heard of a website called  
12 "DVDWorld.Com.UK"?

13 A I was aware of that company, and they're  
14 out of business.

15 Q Have you ever done a search on the Internet  
16 for the term "DVD World"?

17 A Yes. And my company always comes up number  
18 one.

19 Q Have you ever gone through all of the hits  
20 for "DVD World" to determine if any other companies  
21 are using "DVD World" as part of their name?

22 A I only do it to see my position in the  
23 search engines.

24 Q Have you ever done a search for DVD World  
25 to look for what you might consider infringers of

1 your trademark?

2 MR. PELTON: Object to the relevance  
3 regarding the claims in the Notice of Opposition.

4 You can answer if you know the answer.

5 THE WITNESS: That might be one place I  
6 look for opposers and for infringers.

7 BY MR. TROJAN:

8 Q Have you ever sent any cease and desist  
9 letters to anyone accusing them of infringing upon  
10 your alleged trademark for DVD World?

11 A Myself personally? No.

12 Q Have you ever had anyone on your behalf  
13 send cease and desist letters to anyone using the  
14 "DVD World" term?

15 A I believe my Legal Department has, yes.

16 Q How many times has that occurred?

17 A I don't know.

18 Q Do you have an estimate?

19 A I don't. I'm not in the Legal Department.

20 Q Who's in the Legal Department?

21 A There's several lawyers that I have. I'm  
22 not going to go into detail on who they are.

23 Q When you say, "Legal Department," are you  
24 talking about a department within any one of your  
25 companies in which lawyers are employees of the

1 company?

2 A I consider any lawyer that's taking a fee  
3 from me to be included in my Legal Department.

4 Q So you're not referring to in-house  
5 lawyers. You're referring to lawyers that work for  
6 law firms that you hire; is that correct?

7 A That would be my basic usage of the term  
8 "Legal Department," yes.

9 Q Do you know if you have ever entered into  
10 any of kind of settlement with anyone using the "DVD  
11 World" term?

12 A I know that we have purchased domain names  
13 from infringing sites to compensate them for their  
14 domain name fees. If you want to consider that a  
15 settlement, I guess it could be considered as such.

16 Q Do you know how much that you have paid for  
17 purchasing domain names from people who were using  
18 the "DVD World" name?

19 MR. PELTON: I object to the relevance. I  
20 didn't mean to interrupt you if the question's not  
21 over.

22 BY MR. TROJAN:

23 Q Can you answer?

24 MR. PELTON: If that was the whole  
25 question, I object to the relevance. If it wasn't

1 the whole question, I'm sorry for interrupting. You  
2 can restate it.

3 MR. TROJAN: It was the whole question.

4 MR. PELTON: All right.

5 THE WITNESS: I know the amounts vary. I  
6 don't know the exact amounts off the top of my head.

7 BY MR. TROJAN:

8 Q Do you have an estimate?

9 A I do not. It all depends on the value of  
10 the site, the domain name.

11 Q Do any of these domain names that were  
12 purchased -- were they connected to a business that  
13 was selling DVD's?

14 A I really don't know.

15 Q Do you know if you sent a cease and desist  
16 letter to Sony for its use of the words "DVD World"  
17 on its website to sell DVD's?

18 MR. PELTON: I object to the term "use"  
19 as being vague. I think before you referred to a  
20 website address. We haven't discussed any use.

21 BY MR. TROJAN:

22 Q Do you know if you have sent any cease and  
23 desist letters to Sony for use in any way of the  
24 "DVD World" term?

25 A I, myself, do not know. Based on that

1 domain name, I believe that was a Japanese website.  
2 So it wouldn't affect our U.S. trademark. It's not  
3 held under United States Trademark Law.

4 So I doubt we would contact them about  
5 that, since it's a Japanese site of Sony, Sony of  
6 Japan, and not Sony of America that is involved,  
7 based on the domain name that you stated.

8 So, based on the domain name, I don't  
9 believe Sony would have been contacted.

10 Q But you have never been to that site;  
11 correct?

12 A I can't say that I have. I can say I've  
13 been to a Sony website, but not Sony of Japan.

14 Q For the record, there's nothing in the name  
15 or the website that I gave you that says "Sony of  
16 Japan." And the web address is in English, not  
17 Japanese.

18 A All web addresses are in English.

19 Q All web addresses are in English?

20 A Most domain names, yes. They're based on  
21 English characters.

22 Q Have you ever seen in Asia domain names  
23 that are not in English?

24 A I haven't been to Asia so, no, I can't say  
25 that.

1 MR. TROJAN: All right. We're going to  
2 look at DVDWPC 9 through 21.

3 MR. PELTON: Are we on Exhibit 28, I  
4 believe?

5 MR. TROJAN: That's correct.

6 \* \* \*

7 (Whereupon, the document referred  
8 to was marked Opposer's Exhibit No. 28  
9 for identification by the Court Reporter,  
10 and a copy is hereto attached.)

11 \* \* \*

12 BY MR. TROJAN:

13 Q Do you recognize these?

14 A Yes.

15 Q And can you tell me what they are?

16 A They're various advertisements, and they  
17 are DVD cover art for DVD World Home Video recorded  
18 events.

19 Q And the cover art, is that on page 21?

20 A That would be the cover art, yes.

21 Q And these all relate to DVD World Home  
22 Video presentations; correct?

23 A Yes.

24 Q And none of these are sold on the  
25 DVDWorldOnline.Com site; correct?

1           A       Correct.

2                   MR. TROJAN: We're going to look at  
3 Exhibit 22. We'll mark that as Exhibit 29.

4                   MR. PELTON: Do you mean DVDWPC 22?

5                   MR. TROJAN: Right, which we've marked  
6 Exhibit 29.

7                   MR. PELTON: Okay.

8   \* \* \*

9                   (Whereupon, the document referred  
10 to was marked Opposer's Exhibit No. 29  
11 for identification by the Court Reporter,  
12 and a copy is hereto attached.)

13   \* \* \*

14 BY MR. TROJAN:

15           Q       And this is an advertisement put out by  
16 DVD World Company for the sale of a book; is that  
17 correct?

18           A       That's true.

19           Q       Excuse me?

20           A       That's one of the things advertised on  
21 here, yes.

22           Q       And does DVD World Online also sell books,  
23 or was it just this book?

24           A       That was a book that we published and  
25 distributed. We have in the past sold books.

1 MR. TROJAN: And we'll look at DVDWPC 23,  
2 which we'll mark as Exhibit 30.

3 \* \* \*

4 (Whereupon, the document referred  
5 to was marked Opposer's Exhibit No. 30  
6 for identification by the Court Reporter,  
7 and a copy is hereto attached.)

8 \* \* \*

9 BY MR. TROJAN:

10 Q Can you tell me what this is?

11 A This appears to be another advertisement  
12 for the company and its services.

13 Q So all of the things described on this page  
14 are things that DVD World Company does?

15 A Yes.

16 Q Including tax services?

17 A Yes.

18 Q And of the things listed on this page,  
19 which ones of them are done by DVD World Pictures  
20 Corporation, if any?

21 A That's the video production and  
22 reproduction.

23 Q Anything else?

24 A Motion picture production and distribution.

25 Q Anything else?

1           A       The motion picture studios would also fall  
2 under DVD World Pictures Corp.

3           Q       Anything else?

4           A       The rest would all be considered just under  
5 the general company, just like DVD World Pictures  
6 itself is.

7                   MR. TROJAN: The next thing we'll look at  
8 is DVDWPC 24 to 25. Mark that as Exhibit 31.

9   \* \* \*

10                   (Whereupon, the document referred  
11 to was marked Opposer's Exhibit No. 31  
12 for identification by the Court Reporter,  
13 and a copy is hereto attached.)

14   \* \* \*

15 BY MR. TROJAN:

16           Q       And could you describe this for me.

17           A       I believe this was a web page, an  
18 advertisement of what was anticipated to be the  
19 first movie from DVD World Pictures, the first major  
20 movie from DVD World Pictures.

21           Q       DVD World Pictures has done other movies?

22           A       All of our home videos would be considered  
23 movies. They're moving pictures. They're edited.

24           Q       Would this, "The Rape of America's Youth"  
25 be the first -- well, is that a fictional movie?

1           A     That was going to be a docudrama.  So  
2 partly documentary, partly fictional.

3           Q     Has that been completed?

4           A     That has not been completed at this point.

5           Q     Do you know who the author of "The Rape of  
6 America's Youth" is?

7           A     Yes.

8           Q     Who?

9           A     I'm the author of "The Rape of America's  
10 Youth."

11          Q     It says in the middle of the page of  
12 Exhibit 31:

13                   "The DVD World Pictures Corporation  
14 website will be launched in April of 2006  
15 to coincide with The DVD World Company  
16 Press Event which will announce the first  
17 3 movies to be produced and released  
18 by DVD World Pictures."

19                   Was the DVD World Pictures Corporation  
20 website launched in April of 2006?

21          A     No.  When this movie was delayed, so was  
22 the launch of the site.

23          Q     At what point in time was the DVD World  
24 Pictures Corporation website live?

25          A     I don't know the date it went live.  When

1 this was pulled, it was live, and this is from March  
2 of 2006. The thing that was being publicized in  
3 here was the -- which were (inaudible) -- and I  
4 don't know when the site was updated.

5 THE REPORTER: I didn't hear that.

6 BY MR. TROJAN:

7 Q We lost the sound. Could you repeat that.

8 A I said the site -- you said, "When was it  
9 live?" When this was taken, it was live. I don't  
10 know the exact date when it went live. What's being  
11 addressed here is a new website design that was  
12 going to be launched in April of 2006. I can't say  
13 when or if the DVD World Pictures site was updated,  
14 since the film that it was to promote was delayed.

15 Q Has the DVD World Pictures Corporation  
16 website ever sold any DVD's?

17 A The actual site? No. No, it has not.

18 MR. TROJAN: Next exhibit is DVDWPC 26  
19 through 28. It's Exhibit 32.

20 \* \* \*

21 (Whereupon, the document referred  
22 to was marked Opposer's Exhibit No. 32  
23 for identification by the Court Reporter,  
24 and a copy is hereto attached.)

25 \* \* \*

1 BY MR. TROJAN:

2 Q Can you tell me what this is.

3 A This appears to be one of the early home  
4 pages for the main retail site.

5 Q When you say, "early home page," what do  
6 you mean?

7 A It's an archived version.

8 Q Do you know when this page would have  
9 existed?

10 A Based on the address here, it is from 1999.

11 MR. TROJAN: Next exhibit is DVDWPC 29  
12 through 31. We'll mark that as Exhibit 33.

13 \* \* \*

14 (Whereupon, the document referred  
15 to was marked Opposer's Exhibit No. 33  
16 for identification by the Court Reporter,  
17 and a copy is hereto attached.)

18 \* \* \*

19 BY MR. TROJAN:

20 Q Before we get to this exhibit, with respect  
21 to the videos that you do for live events, have you  
22 done any of those live events outside of the State  
23 of New York?

24 A I don't believe so.

25 Q And with respect to the three movies that

1 were described in the earlier exhibit, Exhibit 31,  
2 in the middle paragraph, have any of those movies  
3 been produced?

4 A They're currently in financing.

5 Q And now looking at Exhibit 33, can you  
6 describe for me what this is.

7 A It looks like a printout from the  
8 DVDWorldCompany.Com website. I don't know when it's  
9 from.

10 Q Does this document accurately reflect each  
11 of your divisions?

12 A At the time. Things have changed since  
13 then.

14 Q So when was this particular document  
15 created?

16 A Based on the date, it looks like 2006.  
17 That's based on the date on the document.

18 Q And then if you look at page 3 of  
19 Exhibit 33, it says:

20 "DVD World Pictures is the only  
21 corporate division of The DVD World  
22 Company. Its sole purpose is to bring  
23 Major Motion Pictures worldwide under  
24 the DVD World Pictures banner. DVD World  
25 Pictures is positioning itself to become

1           the next major movie studio in the U.S."  
2           Is that an accurate reflection of its  
3 purpose?

4           A     When this was written --

5           Q     Has the purpose --

6           A     -- which was -- that was one of the  
7 purposes of DVD World Pictures Corp.

8           Q     It says, "it's the sole purpose" -- is that  
9 not correct? -- at the time it was written?

10          A     At the time it was written, yes, that was  
11 its purpose.

12          Q     It says, "The DVD World Pictures website  
13 launches December 2005." Did it launch then?

14          A     I don't remember when it launched.

15          Q     And is it correct when it says that DVD  
16 World Pictures was founded in February of 2003?

17          A     I believe it was February of 2002 is what's  
18 on the corporate papers. That's a typo on the  
19 website.

20          Q     Has the purpose of DVD World Pictures  
21 Corporation changed since March of 2006, when this  
22 was downloaded from the website?

23          A     Yes. It includes the Live Event Recording  
24 Division now trademark.

25          Q     You describe that as also motion pictures,

1     though -- is that correct? -- the live event?

2             A     Motion pictures remains a part of the  
3     company, yes.

4             MR. TROJAN:   The next exhibit will be  
5     Exhibit 34, and it is DVDWPC 32.

6                     \* \* \*

7             (Whereupon, the document referred  
8             to was marked Opposer's Exhibit No. 34  
9             for identification by the Court Reporter,  
10            and a copy is hereto attached.)

11                    \* \* \*

12     BY MR. TROJAN:

13            Q     Do you recognize what this is?

14            A     It's a page from the DVDWorldHomeVideo.Com  
15     website.

16            Q     So this particular website would sell the  
17     live event DVD's; is that correct?

18            A     That's correct.

19            MR. TROJAN:   The next exhibit is DVDWPC 33  
20     through 37.  We'll mark that as Exhibit 35.

21                    \* \* \*

22            (Whereupon, the document referred  
23            to was marked Opposer's Exhibit No. 35  
24            for identification by the Court Reporter,  
25            and a copy is hereto attached.)

1 BY MR. TROJAN:

2 Q Can you tell me what that is?

3 MR. PELTON: Yes. Just a second.

4 MR. TROJAN: All right. Sorry.

5 MR. PELTON: I'm just trying to keep track  
6 of the exhibit numbers in case we need to refer back  
7 to them.

8 This is Exhibit 35, and it's DVDWPC 33  
9 through 37; is that right?

10 MR. TROJAN: Correct.

11 MR. PELTON: Okay.

12 THE WITNESS: This appears to be a printout  
13 from our DVD Destination site.

14 BY MR. TROJAN:

15 Q And the DVD Destination site is the  
16 one that you reach by typing in "DVDWorldOnline.Com"  
17 or "HDDVDWorld.Com"; correct?

18 A The only time HDDVDWorld.Com pointed to  
19 DVD Destination was before the release of the  
20 HD DVD format, at which time HD DVD World had its  
21 own domain name and website. The DVD Destination  
22 site was pointed to by DVDWorldOnline.Com when we  
23 merged the DVD World Online and DVD Destination  
24 websites.

25 MR. TROJAN: Could you repeat that for me.

1 (Answer read.)

2 BY MR. TROJAN:

3 Q Was there a separate website called "DVD  
4 Destination.Com"?

5 A At one time there was.

6 Q And what was the difference between  
7 DVDWorldOnline.Com and DVDDestination.Com?

8 A In the search features.

9 Q What was different about the search  
10 features?

11 A It was more genre specific.

12 Q Which one was more genre specific?

13 A DVD Destination.

14 Q What kind of genres did DVD Destination  
15 have?

16 A They all had the same genre. They all  
17 had the same movies. The only difference in DVD  
18 Destination was that the search engine allowed you  
19 to break up the genres more specifically.

20 Q And why were those kept as separate  
21 websites?

22 A For the same reason. And EB Games are  
23 owned by the same company, or Tiger Direct and  
24 CompUSA.Com are owned by the same company. You  
25 create your own competition and offer different

1 features on those websites, even though they're  
2 owned by the same company.

3 Q When was DVDDestination.Com and  
4 DVDWorldOnline.Com merged?

5 A Based on this, sometime in 2006. I don't  
6 remember any exact dates.

7 Q Well, this is when it was printed. You  
8 don't recall what year in which they were merged?

9 A No.

10 Q Is DVD Destination -- is that the name of  
11 the website?

12 A At this time, "DVD Destination" was in the  
13 left-hand corner, and "DVD World" appeared in the  
14 middle. You could get there by either going to  
15 DVDDestination.Com or DVDWorldOnline.Com. So it was  
16 DVD World or DVD Destination, whichever the person  
17 wanted to recognize. It was still, as noted in the  
18 left-hand corner, a division of the DVD World  
19 Company.

20 Q Has the DVD Destination site ever indicated  
21 that it was owned by DVD World Pictures Corporation?

22 A It's not owned by DVD World Pictures  
23 Corporation. It's owned by the DVD World Company,  
24 and it does reflect that and always did.

25 Q Has the DVDWorldOnline.Com website ever

1 indicated that it was owned by the DVD World  
2 Pictures Corporation?

3 A (Inaudible) at what state DVD logos are  
4 owned by DVD World Pictures Corp.

5 THE REPORTER: I didn't hear you.

6 THE WITNESS: -- "are owned by DVD World  
7 Pictures Corp."

8 BY MR. TROJAN:

9 Q You're going to need to repeat because we  
10 completely got garbled sound.

11 A I said the site itself would note that it's  
12 owned by the DVD World Company. The only part that  
13 it would say would be (inaudible) -- would be the  
14 trademark, which is also noted at the bottom of the  
15 page.

16 Q Once again, I'm really -- we apologize.  
17 The sound got messed up again. Just the second half  
18 of your answer got messed up. Can you repeat?

19 MR. PELTON: Do you want to read back the  
20 question first.

21 MR. TROJAN: Yes, why don't we read -- go  
22 ahead and read back the question.

23 (The record was read as follows:

24 "Q Has the DVDWorldOnline.Com  
25 website ever indicated that it was owned

1 by the DVD World Pictures Corporation?")

2 THE WITNESS: I'm just going to answer the  
3 whole thing again to make sure you got it all.

4 The website has never stated that it's  
5 owned by DVD World Pictures Corp. It would state  
6 that it's owned by the DVD World Company.

7 The only statement on the website at  
8 DVDWorldOnline.Com that would mention DVD World  
9 Pictures Corp. is related to the trademark with  
10 the statement the DVD World name and design are  
11 either trademarks or registered trademarks of  
12 DVD World Pictures Corp., a division of the DVD  
13 World Company.

14 Q But, to be clear, the services offered with  
15 respect to the sale of DVD's are not services that  
16 are offered by DVD World Pictures Corporation on  
17 either the DVDDestination.Com website or the  
18 DVDWorldOnline.Com website; correct?

19 MR. PELTON: I'll object as asked and  
20 answered previously, I believe, but....

21 THE WITNESS: As stated before, DVD  
22 World Pictures covers the retail and distribution  
23 of titles that we record, edit, and produce.  
24 The titles handled by DVDDestination.Com,  
25 DVDWorldOnline.Com, and HDDVDWorld.Com would be

1 held under the DVD World Company, which is also  
2 the parent company of DVD World Pictures Corp.

3 BY MR. TROJAN:

4 Q But, as we sit here today, you do not know  
5 whether the shares of DVD World Pictures Corporation  
6 are owned by the DVD World Company or by you  
7 personally; correct?

8 A I don't know whose name they are in, but  
9 since I own 100 percent of both companies, it can be  
10 stated that I, DVD World (inaudible) in complete  
11 control of DVD World Pictures.

12 THE REPORTER: I couldn't hear one word.

13 (Whereupon, a discussion was held off  
14 the record.)

15 BY MR. TROJAN:

16 Q She's going to read back what she got.  
17 There's one word that got lost.

18 (The record was read as follows:

19 "A I don't know whose name they  
20 are in, but since I own 100 percent of  
21 both companies, it can be stated that I,  
22 DVD World (inaudible) in complete control  
23 of DVD World Pictures.")

24 THE WITNESS: I think that's "and/or DVD  
25 World Company."

1 THE REPORTER: All right.

2 THE WITNESS: That's what you missed.

3 MR. TROJAN: So DVDWPC 38 through 40 will  
4 be marked as Exhibit 36.

5 \* \* \*

6 (Whereupon, the document referred  
7 to was marked Opposer's Exhibit No. 36  
8 for identification by the Court Reporter,  
9 and a copy is hereto attached.)

10 \* \* \*

11 BY MR. TROJAN:

12 Q Do you recognize what this is?

13 A Yes. It looks like my trademark papers.

14 Q Did you file this trademark yourself, or  
15 did you have an attorney do it?

16 A It was handled by attorneys.

17 Q And this is for DVD World trademark;  
18 correct?

19 A Yes.

20 Q And if you look at the second page, it  
21 claims a date of first use of May 14, 1997, and a  
22 date of first use in commerce of November 19, 1998.  
23 Do you see that?

24 A Yes.

25 Q And at those times we can agree that DVD

1 World Pictures Corporation did not exist; correct?

2 A That's correct.

3 Q And, in fact, DVD World Pictures  
4 Corporation was not created until 2002; correct?

5 A That's correct.

6 MR. TROJAN: Next exhibit is DVDWPC 41 and  
7 42, which is Exhibit 37.

8 \* \* \*

9 (Whereupon, the document referred  
10 to was marked Opposer's Exhibit No. 37  
11 for identification by the Court Reporter,  
12 and a copy is hereto attached.)

13 \* \* \*

14 BY MR. TROJAN:

15 Q Can you tell me what this is.

16 A This is a printout from our music retail  
17 site.

18 Q On the second page, where it says, "The  
19 'DVD World' name and design are either trademarks  
20 or registered trademarks of DVD World Pictures  
21 Corporation, a division of DVD World Company," when  
22 did that first start appearing there?

23 A I don't know the date that that first  
24 started appearing.

25 Q Do you know the year?

1           A     I don't. I would assume it was by the time  
2 we filed our application for the first trademark for  
3 sure.

4           Q     How do you know that for sure?

5           A     Because, once we filed the trademarks, we  
6 were told by our trademark attorneys to put it on  
7 all of our pages.

8           Q     And when you were told that, did you have  
9 a discussion about who the trademark application  
10 should be filed in? Whose name it should be filed  
11 in?

12          A     Yes.

13          Q     And what was said?

14          A     They said to file it for the corporation to  
15 protect the mark.

16          Q     Did they discuss whether there needed to be  
17 any kind of license between DVD World Company and  
18 DVD World Corporation?

19          A     They said because I was sole owner, and  
20 because DVD World Pictures is a division of the DVD  
21 World Company, that it wouldn't be necessary.

22          Q     And what was the name of this lawyer?

23          A     Legal Zoom.

24          Q     So you talked to a lawyer at Legal Zoom; is  
25 that correct?

- 1           A     Yes.
- 2           Q     And the person you talked to, do you know  
3 that that person was a lawyer?
- 4           A     (Inaudible.)
- 5           Q     Excuse me?
- 6           A     I paid the consultation fee to make sure  
7 that I talked with a lawyer.
- 8           Q     Do you know the name of that lawyer?
- 9           A     I don't have that information available to  
10 me, no.
- 11          Q     Did you ever know the name of the lawyer?
- 12          A     When I talked to them, yes.
- 13          Q     When did you graduate from high school?
- 14          A     2001.
- 15          Q     Did you go to college?
- 16          A     Yes.
- 17          Q     Where did you go?
- 18          A     Hofstra University.
- 19          Q     And did you graduate?
- 20          A     No.
- 21          Q     How many years did you go there?
- 22          A     I'm still going.
- 23          Q     Do you have a major?
- 24          A     Yes.
- 25          Q     What's your major?

1 A Film.

2 Q Was that always your major?

3 A No.

4 Q Did you ever receive a degree?

5 A Not yet.

6 Q What was your major before film?

7 A Music education.

8 Q Have you ever taken any classes in  
9 intellectual property?

10 A Yes.

11 Q What classes have you taken?

12 A Entertainment law.

13 Q Anything else?

14 A That's it.

15 Q When did you take the class?

16 A I don't remember the year.

17 Q Was it before you filed your trademark  
18 application for DVD World?

19 A No.

20 MR. TROJAN: Next exhibit is Exhibit 38,  
21 which is DVDWPC 43 and 44.

22 (Whereupon, the document referred  
23 to was marked Opposer's Exhibit No. 38  
24 for identification by the Court Reporter,  
25 and a copy is hereto attached.)

1 BY MR. TROJAN:

2 Q Do you recognize what this is?

3 A It looks like a press release associated  
4 with the release of the book, "The Rape of America's  
5 Youth."

6 Q I'm just trying to find a page, the second  
7 page where it talks about the DVD World Company. On  
8 this particular page, it indicates that the page is  
9 copyrighted by Hot Products News. Do you know who  
10 these are?

11 A This isn't from one of my sites. This is  
12 just a press release. They're the company. Hot  
13 products -- this was taken from their website to  
14 show the press release that was on it.

15 Q I see.

16 A So the sites copyright them. The press  
17 release is what's associated to us.

18 MR. TROJAN: All right. The next exhibit  
19 is 39, DVDWPC 45.

20 \* \* \*

21 (Whereupon, the document referred  
22 to was marked Opposer's Exhibit No. 39  
23 for identification by the Court Reporter,  
24 and a copy is hereto attached.)

25 \* \* \*

1 BY MR. TROJAN:

2 Q Do you know what this is?

3 A This was the page that was put up on  
4 HDDVDWorld.Com before the release of the HD DVD  
5 format.

6 Q What's DVD World Web Creations?

7 A That's our division that handles website  
8 design and hosting.

9 Q There's a division of your company called  
10 "DVD World Press"; is that correct?

11 A Yes. They published the book.

12 Q Has DVD World Press published any books  
13 other than your own?

14 A Not yet.

15 Q DVD World -- do you have a MySpace page?

16 A Yes.

17 MR. TROJAN: Let's mark this as Exhibit 40.  
18 It is DVDWPC 56 to 59.

19 \* \* \*

20 (Whereupon, the document referred  
21 to was marked Opposer's Exhibit No. 40  
22 for identification by the Court Reporter,  
23 and a copy is hereto attached.)

24 \* \* \*

25 ///

1 BY MR. TROJAN:

2 Q Is this your personal MySpace page?

3 A The company.

4 Q Do you know who wrote the text under "About  
5 me:"?

6 A "About me:" I wrote that text.

7 Q Is it accurate?

8 A Yes, for the time. The domain names have  
9 changed.

10 Q And under "DVD World's Companies," is that  
11 also accurate, on page 58 of Exhibit 40?

12 A At the time it was written, yes.

13 MR. TROJAN: Next exhibit is 41, which is  
14 DVDWPC 60 through 62.

15 \* \* \*

16 (Whereupon, the document referred  
17 to was marked Opposer's Exhibit No. 41  
18 for identification by the Court Reporter,  
19 and a copy is hereto attached.)

20 \* \* \*

21 BY MR. TROJAN:

22 Q Can you tell me what this is.

23 A These are archival posts from the original  
24 DVD World site that was hosted by AOL.

25 Q Now, how can we tell it's an archival

1 post? If I look down at the bottom it says,  
2 "Hometown.AOL.Com." It doesn't show anything that  
3 would indicate it's archival.

4 A Well, I know I haven't done anything with  
5 this page since 1997, so I know it's archival. It's  
6 really not from 2006, as the printout is.

7 MR. TROJAN: Okay. So the next exhibit is  
8 from the Declaration of David Lahoti, and it would  
9 be Exhibit 5.

10 MR. PELTON: Okay.

11 MR. TROJAN: And we will mark this  
12 Exhibit 5.

13 \* \* \*

14 (Whereupon, the document referred  
15 to was marked out of order Opposer's  
16 Exhibit No. 5 for identification by the  
17 Court Reporter, and a copy is hereto  
18 attached.)

19 \* \* \*

20 BY MR. TROJAN:

21 Q Have you ever seen this list before?

22 A This exact list? No.

23 Q Have you ever gone through to determine  
24 whether any of these websites or web addresses have  
25 businesses that sell DVD's?

1           A     Since I've just seen this list, no.

2           Q     Have you ever tried to compile your own  
3 list to determine if any other websites that contain  
4 the term "DVD World" in their web address are  
5 selling DVD's?

6           A     I haven't, but I've had people that did.

7           Q     Who did you have do that?

8           A     That would have been people in my Legal  
9 Department.

10          Q     And did they prepare a report that they  
11 submitted to you concerning other uses of "DVD  
12 World"?

13          A     They would let me know if a site seemed to  
14 infringe on my trademark.

15          Q     When you talked to LegalZoom.Com, your  
16 lawyer there --

17          A     Yes.

18          Q     -- did that lawyer discuss with you whether  
19 the term "DVD World" was capable of being used as a  
20 trademark?

21               MR. PELTON: I'm going to object to any  
22 discussion he had with a lawyer. It would clearly  
23 be privileged attorney-client communications.

24               MR. TROJAN: Oh, he already volunteered and  
25 talked extensively about his discussion with that

1 lawyer, Legal Zoom. Their privilege has been  
2 completely waived. There's no question about that.

3 He asserted what the lawyer had said as  
4 justification for what he did with respect to  
5 who was going to be listed as the owner of the  
6 registration, and he talked extensively about  
7 getting advice and what that lawyer said to him.  
8 There is no privilege there. So --

9 MR. PELTON: I'll note my objection for the  
10 record. I'll also note that Legal Zoom advertises  
11 that they're not attorneys. So I'm not sure who he  
12 had spoken to.

13 MR. TROJAN: Well, that's exactly my point.  
14 And so he testified that he paid extra to have a  
15 legal consultation with a lawyer. So, apparently,  
16 Legal Zoom does do that.

17 MR. PELTON: That's his testimony? Okay.  
18 Well, the objection is noted.

19 You can answer the question.

20 THE WITNESS: Okay. When I talked with the  
21 attorney, Legal Zoom themselves, before talking with  
22 the attorney who ran a comprehensive search on "DVD  
23 World." The attorney told me I would have no issue  
24 with trademarking the name, and I received the  
25 trademark, the first "DVD World" trademark.

1 BY MR. TROJAN:

2 Q When you say, "a comprehensive search," do  
3 you have a copy of that report?

4 A No. They notified me by phone and e-mail  
5 that there was no issue. If there was an issue,  
6 they would not allow me to do the trademark.

7 Q So all they said was there was no issue; is  
8 that correct?

9 A They said there was no issue, and I  
10 received the trademark.

11 Q But they never provided you with any kind  
12 of report showing you where they searched or what  
13 they searched; is that correct?

14 A For the first trademark, no. For the  
15 second trademark, yes, the trademark that's in  
16 discussion here.

17 They notified me that there was a conflict  
18 with the DVD World trademark, but it was my DVD  
19 World trademark. Hence, I was allowed to file my  
20 second registration.

21 So their search was thorough enough to see  
22 the second time that I already had or that there was  
23 a DVD World trademark, there was a conflict, but  
24 there was no conflict since I already had that DVD  
25 World trademark.

1           Q     But they did not provide you -- other than  
2     searching the Trademark Office database, they did  
3     not ever indicate to you they had searched any other  
4     database; correct?

5           A     I don't know what database they check. I  
6     know it's a comprehensive search.

7           Q     You know it's a comprehensive search why?

8           A     Because it's called "a comprehensive  
9     search."

10          Q     Do you know that there's 50 state  
11     registration systems for trademarks?

12          A     I don't know the logistics of the trademark  
13     system. I do know that, when I filed, it would  
14     have went through all of those, and I received  
15     my trademark. And I'm the only person to have  
16     the DVD World trademark, which is still a live  
17     trademark.

18          Q     Right. And that's why we have an  
19     opposition legal proceeding.

20          A     For the second trademark.

21          Q     Did you ever use the DVD World trademark  
22     with an "R" in a circle next to it at a time when  
23     you did not yet have a registration?

24          A     I don't know if that occurred. I know  
25     that, if it did, it was fixed by our web design

1 team.

2 Q How do you know it would have been fixed if  
3 you don't know if it occurred?

4 A Because, if anything was ever to occur with  
5 an error like that, it would be corrected right  
6 away.

7 MR. PELTON: Do you want to take a  
8 five-minute restroom break, either now or sometime  
9 in the future?

10 MR. TROJAN: Yes, we can take that break  
11 now.

12 MR. PELTON: If you're close to a breaking  
13 point, we can go on for a few minutes, whatever.

14 MR. TROJAN: No, no, no. This is a good  
15 breaking point. In fact, I anticipate that I'm just  
16 going to look over a few things and unless I -- and  
17 we may be wrapping it up very shortly.

18 MR. PELTON: Okay. We'll take five  
19 minutes, then.

20 MR. TROJAN: Okay.

21 (Whereupon, there was a recess in the  
22 proceedings from 12:41 p.m. to 12:51 p.m.)

23 MR. TROJAN: Ready?

24 MR. PELTON: Yes, we're ready.

25 ///

1 BY MR. TROJAN:

2 Q Attached to --

3 MR. PELTON: Before -- I'm sorry.

4 Before we go further, can we read back the last  
5 question and answer. And I think the witness may  
6 want to clarify something.

7 (The record was read as follows:

8 "Q How do you know it would have  
9 been fixed if you don't know if it  
10 occurred?

11 "A Because, if anything was ever to  
12 occur with an error like that, it would be  
13 corrected right away.")

14 THE WITNESS: I just wanted to clarify that  
15 I believe the paperwork shows there was a complaint  
16 that the trademark "R" was being used on the site,  
17 and the documentation shows that the site does not  
18 use that trademarked "R." So if there was an issue,  
19 it was corrected.

20 BY MR. TROJAN:

21 Q Okay. We'll just have one last exhibit,  
22 and it's actually attached to the Declaration of  
23 R. Joseph Trojan in support of Opposer's Motion for  
24 Summary Judgment. And it would be Exhibit 2.

25 ///

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(Whereupon, the document referred to was marked out of order Opposer's Exhibit No. 2 for identification by the Court Reporter, and a copy is hereto attached.)

\* \* \*

MR. PELTON: Okay. Let me find that one. You know what? I don't think I have that one. Let me just double check.

MR. TROJAN: We can fax it over real quick.

MR. PELTON: I can probably pull it up on my computer. Let me see how well things are organized on my computer.

(Whereupon, there was a pause in the proceedings.)

MR. PELTON: Okay. I've got your declaration from March 27, 2009.

MR. TROJAN: Right. And there's Exhibit 2.

MR. PELTON: Exhibit 2. And it's just one page, some sort of rough screen shot?

MR. TROJAN: Right. It says "Specimen" in the left-hand corner.

MR. PELTON: Okay. We're looking at it on my computer.

1 MR. TROJAN: So this was a specimen  
2 submitted in Application No. 78288849 for DVD World.

3 Q Do you know where, what website this was  
4 taken from, if from a website at all?

5 A Based on the logo and the text underneath  
6 it, it would be appear to be from either  
7 DVDWorldOnline.Com or DVDDestination.Com, one of our  
8 main retail websites.

9 Q Is there any way to tell when this was  
10 taken from the website?

11 A Not really.

12 Q So this was literally just printing  
13 out the screen? This is not the full first page;  
14 correct?

15 A No.

16 Q I think we had a double negative.  
17 This is the full first screen?

18 A No, that's not.

19 Q Can you describe this for me as accurately  
20 as you can.

21 A It seems like a -- just a snapshot of the  
22 top center of the main home page on one of our main  
23 retail sites.

24 Q Then it's one of the two retail websites  
25 that you mentioned; correct?

1           A       Yes.

2           MR. TROJAN: I have no further questions.

3           MR. PELTON: I'm just moving so I can look

4 at him. Can you see me on your video?

5           MR. TROJAN: No, but it's okay.

6           MR. PELTON: All right. Well, I can also

7 zoom. It's not a problem.

8           MR. TROJAN: There you go. Perfect.

9           MR. PELTON: Okay. I tell you I need one

10 of these in my office. This is great.

11 I just had them fax you one more three-page

12 document.

13           MR. TROJAN: Okay. Let me go get it.

14           MR. PELTON: Okay.

15 (Whereupon, there was a pause in

16 the proceedings.)

17           MR. TROJAN: Did you send it here, or did

18 you send it to my office?

19           MR. PELTON: I sent it there.

20           MR. TROJAN: They say they don't have it.

21           MR. PELTON: Did they get the one I sent

22 them earlier? That was just one page, a cover for a

23 VHS tape.

24           MR. TROJAN: Yes, Dawnwood Blues.

25           MR. PELTON: Okay. Well, let me go check

1 and see if the fax went through.

2 MR. TROJAN: Okay.

3 MR. PELTON: Because, as soon as you get  
4 that, we can move through these pretty quickly, I  
5 think.

6 (Whereupon, there was a pause in  
7 the proceedings.)

8 MR. TROJAN: Well, now I have two copies.  
9 It came through twice.

10 MR. PELTON: Okay. Great. Ready when you  
11 are.

12 MR. TROJAN: We're ready.

13 MR. PELTON: Okay.

14 \* \* \*

15 EXAMINATION

16 BY MR. PELTON:

17 Q My name is Erik Pelton, E-r-i-k, Pelton,  
18 P-, as in Peter, -e-l-t-o-n, with Erik M. Pelton &  
19 Associates, PLLC. I represent applicant in this  
20 proceeding, DVD World Pictures Corp.

21 Mr. Papetti, can you go back to when you  
22 started this business that has grown into DVD World  
23 Company and DVD World Pictures Corporation and  
24 describe how and when you started it.

25 A Well, it started with the first film that I

1 recorded or concert that I recorded, which was  
2 Dawnwood Blues. I did that, and the parents wanted  
3 a copy of it. That was 1996.

4 So I put the "DVD World" name on it, which  
5 I came up with because DVD was just starting to come  
6 out as a home video format. And after that, I  
7 continued to record events and then started a DVD  
8 collection, which I wanted to post information about  
9 online, which ended up being the AOL DVD World  
10 website.

11 And then I went into actually selling the  
12 DVD's, as well as making the videos, which I did,  
13 and the company just grew from there.

14 Q And approximately what year was this?

15 A The first video was done in 1996, and the  
16 company went into retail in 1998.

17 MR. PELTON: And for our next exhibit,  
18 which I believe we're at 42, is this the VHS cover  
19 for Dawnwood Blues.

20 \* \* \*

21 (Whereupon, the document referred  
22 to was marked Applicant's Exhibit No.  
23 42 for identification by the Court  
24 Reporter, and a copy is hereto attached.)

25 \* \* \*

1 BY MR. PELTON:

2 Q To your knowledge, is this an accurate copy  
3 of an original VHS tape that was made by you for DVD  
4 World in 1996?

5 A Yes, that's the first tape we did.

6 Q And is that the "DVD World" logo on the top  
7 label you came up with?

8 A Yes.

9 Q You created that "DVD World" logo; is that  
10 correct?

11 A That logo I created, yes.

12 Q And was that on a computer you created it?

13 A Yes.

14 Q And is the design a disc overlaid with a  
15 map of the world?

16 A Yes.

17 Q And what was Dawnwood Blues?

18 A That was a concert that was done at my  
19 middle school and that was a world premiere song,  
20 which was why it was a big deal to record it and why  
21 parents wanted to have a copy of it.

22 Q And how old are you at the time in June of  
23 1996?

24 A I was 13.

25 Q And did you personally do the recording?

1           A     I didn't do the recording because I  
2 was a performer in the tape, but I did the actual  
3 duplication and layout of the tape.

4           Q     And did you make any credits for the tape?

5           A     The only credit on this one was the little  
6 label we put on it.

7           Q     And do you remember about how many copies  
8 you duplicated?

9           A     I think it was around 20.

10          Q     And were those sold or given away?

11          A     They were given away pretty much at cost.

12          Q     When did you first start recording events  
13 and charging money?

14          A     We started that -- I believe it was the  
15 end of '97 or early '98. That's when we started  
16 investing in, you know, a nice camera and really  
17 putting a lot of effort behind it.

18          Q     And approximately how many events per year  
19 have you done since then?

20          A     Now we're up to over 20 events a year.

21          Q     And what type of events, generally?

22          A     Concerts, weddings, plays.

23          Q     And, in addition to recording these events,  
24 do you also sell and distribute them on DVD or tape?

25          A     Yes. They're sold on the DVDWorldHome-

1 Video.Com website, as well as being distributed to  
2 the school organization that they're for.

3 Q And do you ship them directly to  
4 purchasers, or do you distribute them at the school  
5 or at the event?

6 A They're done both ways. They're shipped  
7 directly to the customer, if they want that, or  
8 they're distributed through the school, who also  
9 allows them to be purchased or picked up at the  
10 school.

11 Q And do you know if any orders for an event  
12 tape or event disc have been for somebody who lived  
13 out of state, out of New York?

14 A I believe there were a couple where one of  
15 the people in the video had a relative that lived  
16 outside of the state, and they purchased a copy.

17 MR. TROJAN: Objection. Move to strike.  
18 Best evidence.

19 BY MR. PELTON:

20 Q And has your business venture received any  
21 recognition or awards between the time you started  
22 it and now?

23 A Yes. The NRCC three times recognized me as  
24 Businessman of the Year.

25 Q And what is NRCC?

1           A     That's the National Republican  
2 Congressional Committee.

3                     I've also served as an honorary chairman  
4 on the Board of Business Advisory in Washington, and  
5 I believe it was called the "Presidential Business  
6 Commission" under George W. Bush. I was on that as  
7 well.

8           Q     At what point did this venture begin  
9 selling commercial movies?

10          A     We started selling commercial movies  
11 through the DVDWorldOnline.Com site. Just started  
12 in its testing phases in 1998. That's when one of  
13 the first orders were processed.

14          Q     And since then this venture has used a  
15 variety of domain names?

16          A     Yes.

17          Q     Do all of the domain names go over to the  
18 same site?

19          A     Almost all of them, yes, unless it's for  
20 DVD Home Video or one of the divisions that does  
21 some things different.

22          Q     So the commercial side of it almost all  
23 goes over to one site --

24          A     Yes.

25          Q     -- or move towards to one site?

1 A Yes.

2 Q And currently that site is what?

3 A The main website for commercial DVD retail  
4 is HDDVDWorld.Com or DVDWorldOnline.Com.

5 Q And before HDDVDWorld.Com was active, were  
6 there other sites?

7 A Yes.

8 There was still the "DVDWorldOnline.Com"  
9 domain name to the main retail site and  
10 DVDDestination.Com.

11 Q And DVDDestination.Com and DVDWorld-  
12 Online.Com and HDDVDWorld.Com, did each of them  
13 featured the "DVD World" logo?

14 A Yes. They've featured both logos, both the  
15 original logo and the updated logo.

16 Q And have they always featured both of those  
17 logos?

18 A Yes.

19 Q And you mentioned an updated logo. Do you  
20 recall when the logo was updated?

21 A I believe the logo was updated in 2003 or  
22 early 2004.

23 Q And does the updated logo still contain the  
24 words "DVD World"?

25 A Yes.

1 Q And does it still contain the image of a  
2 disc?

3 A Yes.

4 Q And is it in this font?

5 A It's a similar font.

6 Q But it's not exactly the same font?

7 A Not exactly, no.

8 Q How many domain names do you own that  
9 redirect -- or strike that.

10 How many domain names do you own?

11 A With the "DVD World" mark or domains in  
12 general?

13 Q Domains in general.

14 A We have over 300 domain names.

15 Q And how many domain names contain the words  
16 "DVD" and "World"?

17 A A hundred and seven.

18 MR. PELTON: And mark as Exhibit 43  
19 Principal Domain Name List, which is three pages.

20 \* \* \*

21 (Whereupon, the document referred  
22 to was marked Applicant's Exhibit No. 43  
23 for identification by the Court Reporter,  
24 and a copy is hereto attached.)

25 \* \* \*

1 BY MR. PELTON:

2 Q Is this a list of the 107 domain names?

3 A Yes.

4 Q And how do you know that?

5 A Because I printed out this list from our  
6 record with Go Daddy, who houses our domain names.

7 Q And when did you print that out?

8 A I printed that out today.

9 Q Are the domain names registered in a  
10 corporation's name or in an individual's name?

11 A Some of them are registered to DVD World or  
12 DVD World Pictures Corp., and the other ones --  
13 (inaudible).

14 THE REPORTER: "And the other ones" -- I  
15 couldn't hear you.

16 THE WITNESS: I said the domain names are  
17 registered either to myself, DVD World, or DVD World  
18 Pictures Corp.

19 THE REPORTER: Thank you.

20 BY MR. PELTON:

21 Q Do you recall who HDDVDWorld.Com is  
22 registered to?

23 A I don't recall.

24 THE REPORTER: I'm sorry. I didn't hear  
25 you. There was a buzz. What was the question?

1 THE WITNESS: I said --

2 THE REPORTER: The question, please.

3 THE WITNESS: I said, "I don't recall."

4 THE REPORTER: What was the question?

5 BY MR. PELTON:

6 Q Oh. The question was do you recall who  
7 HDDVDWorld.Com is registered to?

8 A I don't recall.

9 Q And this 107 or so domain names, each  
10 of them redirect to either HDDVDWorld.Com or  
11 DVDWorldOnline.Com?

12 A I'd say 102 of them would forward to the  
13 main retail site.

14 MR. TROJAN: Hold on. Something's wrong on  
15 your guy's end, because we're losing a lot.

16 MR. PELTON: Okay. Maybe let me try to  
17 move the mic over.

18 MR. TROJAN: Okay. Tap something.

19 MR. PELTON: Is that better? (Inaudible.)

20 THE REPORTER: No, it's not working. Do  
21 you have a tech person there? Maybe when you  
22 moved --

23 MR. PELTON: Yes. Hold on a second.

24 (Whereupon, there was a pause in  
25 the proceedings.)

1 MR. PELTON: Can you hear me now, guys?

2 MR. TROJAN: Yes.

3 (Buzzing sound.)

4 THE REPORTER: It's that buzz. What is the  
5 buzz? We keep hearing a buzz.

6 MR. PELTON: (Inaudible.) Maybe a phone is  
7 vibrating.

8 (Whereupon, there was a pause in  
9 the proceedings.)

10 MR. TROJAN: I think you fixed the problem.  
11 Say something again.

12 MR. PELTON: Okay. We're testing now.

13 MR. TROJAN: No, that's great.

14 MR. PELTON: Okay. It was just  
15 interference with the phones, I guess.

16 MR. TROJAN: Would you mind reading back a  
17 question or two.

18 MR. TROJAN: It happened again when you sat  
19 down.

20 MR. PELTON: It did? It must be --

21 MR. TROJAN: Maybe move the computer away  
22 from it.

23 MR. PELTON: The microphone was facing the  
24 other way. Is that better?

25 MR. TROJAN: Yes, that seems better.

1 MR. PELTON: Okay. I think the  
2 microphone -- the speaker is actually one portion of  
3 the (inaudible) is facing away.

4 (Buzzing again.)

5 MR. TROJAN: Well --

6 MR. PELTON: Okay, or not okay?

7 MR. TROJAN: Well, let's see. Go ahead.

8 MR. PELTON: All right.

9 (The record was read as follows:

10 "Q And this 107 or so domain  
11 names, each of them redirect to either  
12 HDDVDWorld.Com or DVDWorldOnline.Com?

13 "A I'd say 102 of them would  
14 forward to the main retail site.")

15 BY MR. PELTON:

16 Q Are each of these sites controlled and  
17 maintained by yourself and your corporation?

18 A Yes, they are.

19 Q And you mentioned earlier having employees.  
20 Has DVD World Pictures Corp. ever had an employee  
21 who was paid on payroll or who was provided any  
22 benefits?

23 A No.

24 Q Other than yourself.

25 A Other than myself.

1 Q So when you referenced "employees," are  
2 they really contractors?

3 A For the most part, yes.

4 Q Or some other form of relationship?

5 A Yes.

6 MR. PELTON: Is the sound okay?

7 MR. TROJAN: Yes.

8 MR. PELTON: Okay. Thanks.

9 I would like to refer back to Exhibit 5  
10 from earlier. First I have to find it.

11 That is the Exhibit 5 of the Declaration of  
12 Dave Lahoti with the domain name list.

13 Q You reviewed this Exhibit 5 earlier -- is  
14 that correct? -- as part of the deposition?

15 A Yes.

16 Q To your knowledge, does registration of a  
17 domain name mean that the domain name is being used  
18 in any way?

19 A No.

20 Q To your knowledge, just briefly reviewing  
21 the 206 records on here, are there some that belong  
22 to you?

23 A Yes.

24 Q And just reviewing the 206 domain names  
25 here, are there numerous ones which have country

1 codes at the end of them?

2 A Yes.

3 Q Country codes other than -- that are  
4 outside of the U.S.?

5 A Yes.

6 Q Exhibit 32 from earlier I would like to  
7 refer to, and that is pages labeled DVDWPC 26  
8 through 28.

9 I believe it was your testimony earlier  
10 that, to the best of your knowledge, this was an  
11 archive of the website from sometime in 1999; is  
12 that correct?

13 A Yes.

14 Q Do you have any familiarity using  
15 Archive.Org's website?

16 A A little bit.

17 Q And do these pages use the DVD World's  
18 name?

19 A Yes.

20 Q And do they use the original DVD World  
21 logo?

22 A Yes.

23 Q And do they advertise the sale of  
24 commercial videos?

25 A Yes.

1 Q Exhibit 33, which are pages DVDWPC 29  
2 through 31, which (inaudible) --

3 MR. TROJAN: Okay. We totally lost you on  
4 that. I think you can't put your arm down in front  
5 of the mic.

6 MR. PELTON: I think that may be it.  
7 You're right. Okay.

8 Q Okay. This is Exhibit 33 from earlier.  
9 It's used the words "DVD World" in large font at the  
10 top of the page.

11 THE REPORTER: I'm sorry. I couldn't hear  
12 you. Do you want to try a speakerphone? We've done  
13 that before.

14 MR. PELTON: I'm not sure there is a phone  
15 here.

16 MR. TROJAN: I think if you move closer to  
17 the witness. I'm not going to object if you move  
18 closer to the witness.

19 MR. PELTON: All right. How is this?

20 MR. TROJAN: That's a lot better.

21 MR. PELTON: Okay.

22 Q On page DVDWPC 31 of this exhibit, does the  
23 web page shot or printout (inaudible) --

24 THE REPORTER: No, I'm sorry. It's not  
25 working. We're losing every other word.

1 MR. PELTON: Okay. Let's try a phone. Do  
2 you want to give me a number to call?

3 THE REPORTER: Yes.

4 (Whereupon, there was a recess in the  
5 proceedings from 1:24 p.m. to 1:29 p.m.)

6 MR. PELTON: I'm sorry to make you do it  
7 again. Can you read off the last question.

8 (The record was read as follows:

9 "Q Do you have any familiarity  
10 using Archive.Org's website?

11 "A A little bit.

12 "Q And do these pages use the DVD  
13 World's name?

14 "A Yes.

15 "Q And do they use the original  
16 DVD World logo?

17 "A Yes.

18 "Q And do they advertise the sale  
19 of commercial videos?

20 "A Yes.

21 "Q Exhibit 33, which are  
22 pages DVDWPC 29 through 31, which  
23 (inaudible) --")

24 THE REPORTER: That's where we left off.

25 MR. PELTON: Okay.

1 Q On page DVDWPC 29, does it use "DVD World"  
2 in large block letters as part of the logo at the  
3 top?

4 A Yes, it does.

5 Q And does it refer to -- on the second  
6 paragraph, "DVD World" Company, with "DVD World" in  
7 quotes?

8 A Yes.

9 Q And do many of the references to DVD World  
10 throughout this exhibit use "DVD World" in all caps  
11 while the wording next to it is not all caps?

12 A Yes.

13 Q And does the last page, DVDWPC 31, refer to  
14 film production?

15 A Yes, it does.

16 Q And each of these exhibits we have looked  
17 at from today that were provided by you as part of  
18 the discovery process or come from one of the DVD  
19 World websites, to the best of your knowledge, are  
20 they true and accurate copies of the original?

21 A Yes.

22 Q And would you be in charge of supervising  
23 any content, you know, added to, deleted from,  
24 edited, or placed on those websites?

25 A In most cases, yes.

1 Q And if it wasn't you who was in charge of  
2 that, would you be sort of ultimately supervising  
3 the person who was responsible for it?

4 A Yes.

5 Q Has your venture used either the old or the  
6 current or both versions of the DVD World's logo  
7 continuously from 1998 to the present?

8 A Yes.

9 Q And have you run a website featuring the  
10 sale of commercial movies and genre films on DVD  
11 continuously since November 1998?

12 A Yes.

13 Q And do you also use the logo in other forms  
14 of advertising?

15 A Yes.

16 Q Do you use the logo on, for example,  
17 yearbook ads that we saw earlier as exhibits?

18 A Yes.

19 Q And have you ever conducted banner  
20 advertising?

21 A Yes, we have.

22 Q And banner advertising would show up on  
23 other websites on the Internet; is that correct?

24 A Yes.

25 Q And would those banner advertisements

1 feature the "DVD World" logo?

2 A Yes.

3 MR. TROJAN: Objection. Best evidence.

4 BY MR. PELTON:

5 Q And would they feature the DVD World's  
6 name?

7 MR. TROJAN: Objection. Best evidence.

8 THE WITNESS: Yes.

9 BY MR. PELTON:

10 Q Are there any other types of advertising  
11 that you've done?

12 A PaperClip.

13 Q And what type of PaperClip ads have you  
14 purchased?

15 A PaperClip ads and search engines like  
16 Google and Yahoo to appear in their search results.  
17 They're advertised as search results. And also  
18 product paper clips such as Price Grab or BizRate,  
19 where you pay for clips for people looking to  
20 purchase your product based on its price or  
21 availability.

22 Q And what would the text of a Paper Clip  
23 advertisement say, for example?

24 A It would have the DVD World name. If it's  
25 in a search engine, it would have a summary of the

1 site. Or if it's in Price Grabber or BizRate, it  
2 would show the product and then the company name or  
3 logo next to it.

4 Q And what years -- during what periods of  
5 time have you conducted such Internet and search  
6 engine advertising?

7 A We started that in 2001, I believe.

8 Q And do you still do that today?

9 A Yes.

10 Q And in movies that are filmed by DVD World  
11 Pictures Corp., are they packaged with labels that  
12 have the "DVD World" logo on them?

13 MR. TROJAN: Objection. Best evidence.

14 BY MR. PELTON:

15 Q You can answer the question.

16 A Yes. Anything done by DVD World Home Video  
17 bears the "DVD World" name and "DVD World Home  
18 Video" name.

19 Q And do videos carry credits?

20 A Some of them do.

21 Q And do the credits carry the "DVD World"  
22 name?

23 MR. TROJAN: Objection. Best evidence.

24 THE WITNESS: The DVD World's name appears  
25 in the front credits and then the logo at the end of

1 the film.

2 THE REPORTER: Excuse me. Is there any way  
3 the witness can get closer to the microphone as  
4 well? Thank you.

5 BY MR. PELTON:

6 Q On Exhibit 27, we looked at a page labeled  
7 "DVDWPC 8," which was an agreement with a school; is  
8 that correct?

9 A That is correct.

10 Q And would the videos created and  
11 distributed under that agreement carry credits  
12 with DVD World?

13 A Yes.

14 MR. TROJAN: Objection. Best evidence.

15 MR. PELTON: Our next exhibit is the  
16 documents that I e-mailed to your office yesterday,  
17 the registration certificate. Are we up to No. 44?  
18 Does that sound right?

19 THE REPORTER: Yes.

20 \* \* \*

21 (Whereupon, the document referred  
22 to was marked Opposer's Exhibit No. 44  
23 for identification by the Court Reporter,  
24 and a copy is hereto attached.)

25 \* \* \*

1 MR. TROJAN: Okay. We have it.

2 BY MR. PELTON:

3 Q Okay. Have you seen this document before?

4 A That's the trademark paper for the DVD  
5 World mark, yes.

6 Q Does it contain a picture on it?

7 A Yes.

8 Q And is that the original DVD World logo?

9 A Yes.

10 Q And are you still using that DVD World logo  
11 today on your websites?

12 A Yes.

13 Q Can you review the information contained in  
14 there regarding the ownership and description of  
15 goods and services.

16 A The ownership is to DVD World Pictures  
17 Corp. for online retailing of DVD's in Class 35.

18 Q And has this registration, to your  
19 knowledge, ever been transferred to anybody else?

20 A No.

21 Q Is DVD World Pictures Corp. the current  
22 owner of this registration?

23 A Yes.

24 Q And you mentioned before that Legal Zoom  
25 helped you file the application that resulted in

1 this registration; is that correct?

2 A Yes.

3 Q And at the time you filed for this, had  
4 you already incorporated DVD World Pictures  
5 Corporation?

6 A Yes.

7 Q And you were the sole owner and officer of  
8 that corporation?

9 A Yes.

10 Q What was your intention in filing for the  
11 trademark in the corporation's name?

12 A It was filed in the corporation's name to  
13 protect the trademark. Should anything happen to  
14 me; that the trademark would survive.

15 MR. PELTON: If I could just take a  
16 five-minute break to review everything here, I'm  
17 very close to being completed.

18 MR. TROJAN: Right.

19 MR. PELTON: Okay.

20 (Whereupon, there was a recess in the  
21 proceedings from 1:40 p.m. to 1:44 p.m.)

22 BY MR. PELTON:

23 Q Does DVD World Pictures Corp. or DVD World  
24 sole proprietorship pay any sales taxes?

25 A Yes.

1 Q Are those sales taxes to the State of  
2 New York?

3 A Yes.

4 Q And how are those paid?

5 A Those are paid by a corporate check.

6 Q Is there just one sales tax account?

7 A Yes.

8 MR. TROJAN: I'm going to object to -- and  
9 move to strike the last three questions and answers  
10 as in violation of the Best Evidence Rule.

11 Go ahead.

12 BY MR. PELTON:

13 Q Are you in charge of paying these taxes?

14 A My accountant is.

15 Q Do you direct or employ an accountant?

16 A Yes.

17 Q And I think there's one check issued  
18 periodically for the sales tax?

19 A Yes.

20 Q Does that cover taxes for both the sole  
21 proprietorship and the corporation, to the best of  
22 your knowledge?

23 MR. TROJAN: Objection.

24 THE WITNESS: I'm not sure. I don't know.

25 MR. TROJAN: Objection. Best evidence.

1 BY MR. PELTON:

2 Q Would you repeat your answer.

3 A They share the same resale number. So one  
4 check for both.

5 MR. PELTON: I have no further questions.

6 \* \* \*

7 FURTHER EXAMINATION

8 BY MR. TROJAN:

9 Q Does the income that is derived from  
10 DVDWorldOnline.Com -- does that income get reported  
11 on the DVD Pictures Corporation tax return if --

12 A No.

13 MR. TROJAN: Thank you. I have no further  
14 questions.

15 MR. PELTON: Okay. I have no questions.  
16 We're done.

17 THE REPORTER: Do you want a copy,  
18 Mr. Pelton.

19 MR. PELTON: I don't need a real copy  
20 because Mr. Trojan has to file it, but we do need a  
21 copy for review.

22 THE REPORTER: Do you want an e-mail? So  
23 send you a copy, then?

24 MR. PELTON: E-mail is fine.

25 THE REPORTER: All right. Thank you.

1 MR. TROJAN: I guess we're done.

2 MR. PELTON: Yes. If the court reporter  
3 doesn't need anything else, then we're done.

4 THE REPORTER: Where do I send the  
5 original?

6 MR. TROJAN: To me.

7 \* \* \*

8 (Whereupon, at 1:46 p.m.,  
9 Wednesday, October 14, 2009, the  
10 testimony of Edwin Papetti was  
11 concluded.)

12 \* \* \*

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STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF LOS ANGELES )

I, EDWIN PAPETTI, having appeared for my testimony on October 14, 2009, do this date declare under penalty of perjury that I have read the foregoing testimony, I have made any corrections, additions, or deletions that I was desirous of making in order to render the within transcript true and correct.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 6<sup>th</sup> day of November, 2009.

  
EDWIN PAPETTI

DEPONENT'S CHANGES OR CORRECTIONS

Note: If you are adding to your testimony, print the exact words you want to add. If you are deleting from your testimony, print the exact words you want to delete. Specify with "Add" or "Delete" and sign this form.

TESTIMONY OF: EDWIN PAPETTI  
CASE: DVD World Pictures v.  
Dhaliwal  
DATE OF TESTIMONY: October 14, 2009

PAGE	LINE	CHANGE/ADD/DELETE
8	5	Change "made" to "named"
12	5	change "DPD" to "VPD"
21	17	change "DVD World Online" to "DVDWorldOnline.co."
21	24	change "Google, Analytics" to "Google Analyti
35	13	add "that" after "DVDs"
56	24	delete "now trademark"
59	22	add "Game Stop" before "and EB Games"
59	22	delete "." after "reason"
100	12	Change "paperclip" to "pay per click"
100	13	change "paperclip" to "pay per click"

Signature *[Signature]* Date 11/6/09

1	PAGE	LINE	CHANGE/ADD/DELETE
2	<u>100</u>	<u>15</u>	change "paperclip" to "pay per click"
3	<u>100</u>	<u>18</u>	change "Price Grab" to "Price Grabber"
4	<u>100</u>	<u>22</u>	change "paperclip" to "pay per click"
5	_____	_____	_____
6	_____	_____	_____
7	_____	_____	_____
8	_____	_____	_____
9	_____	_____	_____
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23	_____	_____	_____
24	_____	_____	_____
25	Deponent's Signature		<u>Edwin Papetti</u> Date <u>11/6/09</u>

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I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

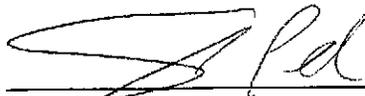
That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were placed under oath; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed my name.

OCT 22 2009

Dated: \_\_\_\_\_



\_\_\_\_\_  
SYLVIA POLLICK, RMR, CRR  
CSR No. 1826

SPECIMEN

78288849

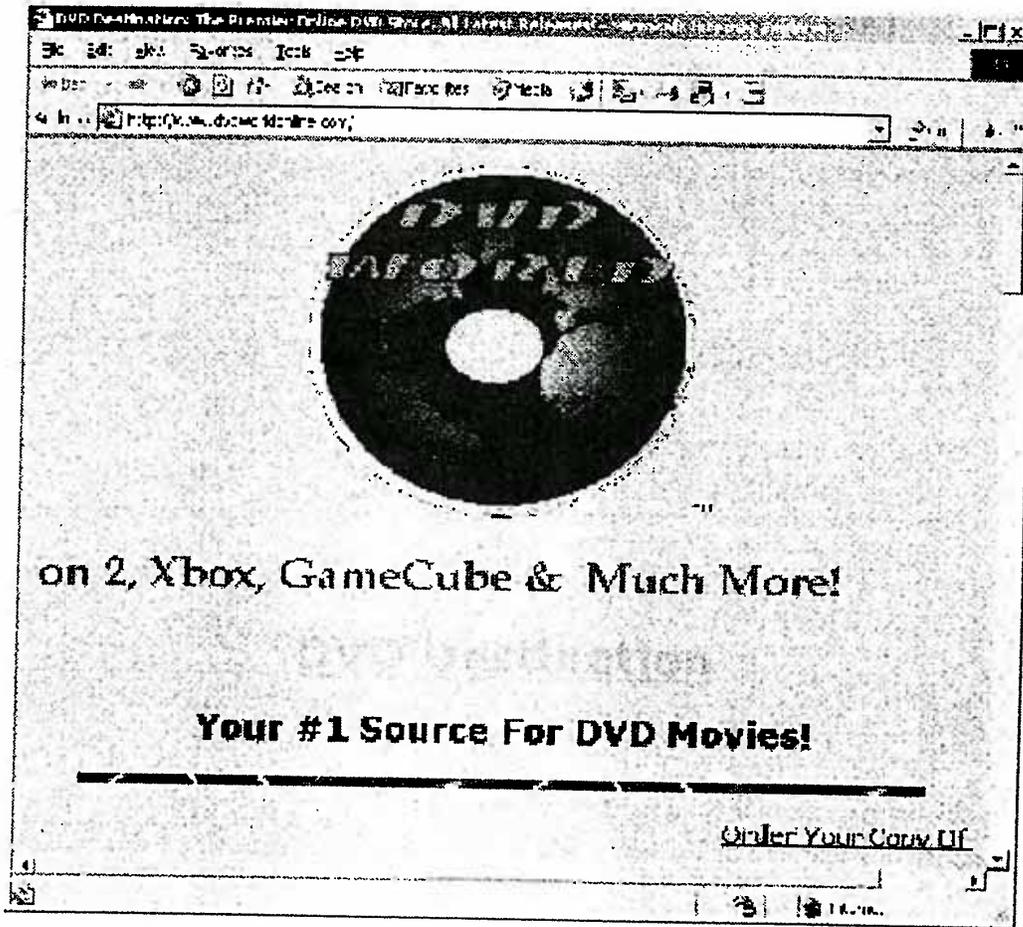
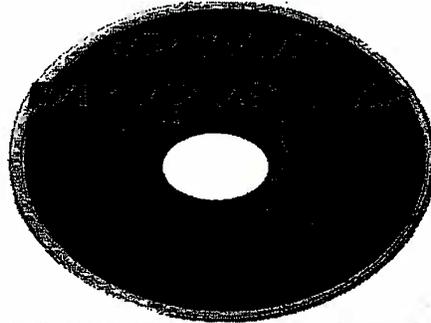


EXHIBIT NO. 2  
SYLVIA POLLOCK

EX 2



# DVD WORLD ONLINE

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## History

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### The Past

Founded On November 19th 1998, "DVD WORLD" Was Founded By "DVD WORLD Company" President & Founder Eddie Papetti. The Online Site Would Not Be Launched Until April Of 1999.

In April Of 1999 The Web Site Was Launched As "DVD WORLD". The Store Sold About 50 Items And Was A Big Success. By The Summer Of 1999 Eddie Papetti Knew That Something Had To Be Changed In Order For The Store To Continue.

During The Summer Of 1999 "DVD WORLD" Went Through Major Renovations. The Stock Of The Store Was Greatly Increased, Along With A Complete Re-Design Of The Site From The Ground Up.

The Measures Taken In The Summer Of That Year Fixed The Problems That Plagued The Site Earlier And Now The Site Was Finally Starting To See The Sales That Eddie Papetti Had Been Anticipating.

The Following Year Would Bring A Name Change To "DVD WORLD", It Would Now Be Called "DVD WORLD ONLINE". This Was Done Due To The Numerous Complaints Of International Stores That Were Saying They Were "DVD WORLD" But Weren't.

EXH. 3



**Sales Continued To Grow Through The Years, And Currently "DVD WORLD ONLINE" Is The 3rd Largest Online DVD Retailer In The World.**

### **THE PRESENT**

**Currently "DVD WORLD ONLINE" Has 2 Warehouses It Uses To Serve It's Customers.**

**'DVD WORLD ONLINE" Is The #1 Online DVD Retailer/Distributor In The World.**

**'DVD WORLD ONLINE" Stands As The 3rd Largest Online DVD Specific Retailer, & Sales Are Increasing Daily.**

**"DVD WORLD ONLINE" Has The Largest IN STOCK DVD Selection In The World. Over 99% Of The Titles Carried Are IN STOCK.**

**"DVD WORLD ONLINE" Has Been Certified As A Top Retailer by Many Companies, Including "Gomez", "PayPal" & "BizRate".**

**"DVD WORLD WebCreations" Is Now In Charge Of Maintaining The Site, though Eddie Papetti Remains Head Of Operations at "DVD WORLD ONLINE".**

### **THE FUTURE**

**A New 200 Acre "DVD WORLD Complex" Is Planned For 2005 Which Will Become The New Home Of "DVD WORLD ONLINE".**

**"DVD WORLD WebCreations" Is Constantly Developing New State-Of-The-Art Technology To Keep The Site Current With New Internet Technologies. So The Site Is Constantly Changing and Will Continue To Do So.**

**"DVD WORLD ONLINE" Will Be Interconnected With "ExtremeDVD.Net" To Allow For Customers To Have The Most Advanced And Knowledgeable Buying Experience Ever.**

**A Separate Version Of "DVD WORLD ONLINE" Will Be Opened In The Summer of 2003, And Will Feature Different Features Than The Main "DVD WORLD ONLINE" Site. Both Site Will Carry The Same Inventory, They Will Just Have Different Features To Fit The Varying Needs Of Online Customers. For More Information On This New Version Go To The "DVD Destination" Part Of This Site.**

**Exhibit 5 to Declaration of Dave Lahoti**  
**List of Domain Names with "DVD WORLD"**

- |                             |                          |
|-----------------------------|--------------------------|
| 1. dvdworldusa.com          | 29. asiavcdvdworld.com   |
| 2. dvdworld.co.uk           | 30. bargaindvdworld.com  |
| 3. dvdworld.in              | 31. blueraydvdworld.biz  |
| 4. dvdworld.es              | 32. blueraydvdworld.org  |
| 5. dvdworld.de              | 33. blu-raydvdworld.biz  |
| 6. dvd-world.de             | 34. blu-raydvdworld.com  |
| 7. dvd-world.co.uk          | 35. bluraydvdworld.com   |
| 8. dvdworld.fr              | 36. blu-raydvdworld.info |
| 9. dvd-world.nl             | 37. bluraydvdworld.info  |
| 10. dvdworld.nl             | 38. blu-raydvdworld.net  |
| 11. dvdworld.co.nz          | 39. bluraydvdworld.net   |
| 12. dvdworld.com.au         | 40. blu-raydvdworld.org  |
| 13. dvdworld.net.au         | 41. blu-raydvdworld.us   |
| 14. dvdworld.it             | 42. bluraydvdworld.us    |
| 15. dvdworld.at             | 43. blu-raydvdworld.ws   |
| 16. dvd-world.it            | 44. bluraydvdworld.ws    |
| 17. 1800dvdworld.com        | 45. cartoondvdworld.com  |
| 18. 2dvdworld.com           | 46. cd-dvdworld.com      |
| 19. adultdvdworld.com       | 47. cddvdworld.com       |
| 20. adultdvdworld.net       | 48. cd-dvdworld.net      |
| 21. adultdvdworldonline.com | 49. cddvdworld.net       |
| 22. alldvdworld.com         | 50. cdvdworld.com        |
| 23. anime-dvd-world.com     | 51. crazydvdworld.com    |
| 24. anime-dvdworld.com      | 52. customdvdworld.com   |
| 25. animedvdworld.com       | 53. discountdvdworld.com |
| 26. anime-dvd-world.info    | 54. dollardvdworld.com   |
| 27. anime-dvd-world.net     | 55. dualdvdworld.com     |
| 28. asiandvdworld.com       | 56. dvdworld24.com       |

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|------------------------------|------------------------------|
| 57. dvdworldauctions.com     | 87. dvdworlditalia.com       |
| 58. dvdworldbanking.com      | 88. dvdworldlive.com         |
| 59. dvdworld-bg.com          | 89. dvdworldlp.com           |
| 60. dvdworld.biz             | 90. dvdworldmag.com          |
| 61. dvdworldblowout.com      | 91. dvdworldmall.com         |
| 62. dvdworld.bz              | 92. dvdworldmusic.com        |
| 63. dvdworld-caledonie.com   | 93. dvdworld.net             |
| 64. dvdworldcali.com         | 94. dvdworldnet.com          |
| 65. dvdworld.cc              | 95. dvdworld.net.uk          |
| 66. dvdworld.com             | 96. dvdworldnews.com         |
| 67. dvdworldcompany.biz      | 97. dvdworldonline.biz       |
| 68. dvdworldcompany.com      | 98. dvdworldonline.com       |
| 69. dvdworldcompany.info     | 99. dvdworldonline.info      |
| 70. dvdworldcompany.net      | 100. dvdworldonline.net      |
| 71. dvdworldcompany.us       | 101. dvdworldonline.org      |
| 72. dvdworlddirect.com       | 102. dvdworldonline.us       |
| 73. dvdworlddistribution.com | 103. dvdworldonline.ws       |
| 74. dvdworldexpress.com      | 104. dvdworld.org.uk         |
| 75. dvdworldfinancial.biz    | 105. dvdworldpictures.com    |
| 76. dvdworldfinancial.com    | 106. dvdworldpremiere.com    |
| 77. dvdworldfinancial.info   | 107. dvdworldpress.biz       |
| 78. dvdworldfinancial.net    | 108. dvdworldpress.com       |
| 79. dvdworldfree.com         | 109. dvdworldpress.info      |
| 80. dvdworldfundraising.com  | 110. dvdworldpress.net       |
| 81. dvdworldgames.com        | 111. dvdworldproductions.com |
| 82. dvdworldgrenada.com      | 112. dvdworldpublishing.com  |
| 83. dvdworldheadquarters.com | 113. dvdworldrental.com      |
| 84. dvdworldhomevideo.com    | 114. dvdworldrentals.biz     |
| 85. dvdworldhq.com           | 115. dvdworldrentals.com     |
| 86. dvdworld.info            | 116. dvdworldrentals.info    |

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|-------------------------------|---------------------------------|
| 117. dvdworldrentals.net      | 147. dvdworldwide.com           |
| 118. dvdworldreport.com       | 148. dvdworldwide.net           |
| 119. dvdworldsales.com        | 149. electronicsanddvdworld.com |
| 120. dvdworlds.biz            | 150. eroticdvdworld.com         |
| 121. dvdworldscenes.com       | 151. eurodvdworld.com           |
| 122. dvdworlds.com            | 152. freedvdworld.com           |
| 123. dvdworldshop.com         | 153. gaydvdworld.com            |
| 124. dvdworlds.info           | 154. hd-dvdworld.biz            |
| 125. dvdworlds.net            | 155. hddvdworld.biz             |
| 126. dvdworlds.org            | 156. hd-dvdworld.com            |
| 127. dvdworldsource.com       | 157. hddvdworld.com             |
| 128. dvdworldstore.com        | 158. hd-dvdworld.info           |
| 129. dvdworlds.us             | 159. hddvdworld.info            |
| 130. dvdworldtour.com         | 160. hd-dvdworld.net            |
| 131. dvdworldtrade.com        | 161. hddvdworld.net             |
| 132. dvdworldtravel.com       | 162. hd-dvdworld.org            |
| 133. dvdworldtravels.com      | 163. hddvdworld.org             |
| 134. dvdworldtrips.com        | 164. hd-dvdworld.us             |
| 135. dvdworld.tv              | 165. hddvdworld.us              |
| 136. dvdworld-uk.com          | 166. hd-dvdworld.ws             |
| 137. dvdworlduk.com           | 167. hddvdworld.ws              |
| 138. dvdworlduk.net           | 168. hitachidvdworld.com        |
| 139. dvdworld.us              | 169. hitdvdworld.com            |
| 140. dvdworldusa.biz          | 170. hitsdvdworld.com           |
| 141. dvdworldusa.info         | 171. japandvdworld.com          |
| 142. dvdworldusa.net          | 172. k-deesdvdworld.com         |
| 143. dvdworldvalencia.com     | 173. k-deesdvdworld.net         |
| 144. dvdworld-web.com         | 174. madonnadvdworld.com        |
| 145. dvdworldwebcreations.com | 175. magicdvdworld.com          |
| 146. dvdworldwebhosting.com   | 176. magicdvdworld.net          |

177. musicdvdworld.com
178. mydvdworld.com
179. narutodvdworld.com
180. officialdvdworld.com
181. onlinedvdworld.com
182. playboydvdworld.com
183. porndvdworld.com
184. portabledvdworld.com
185. r18dvdworld.com
186. rdvdworld.com
187. robinsdvdworld.com
188. sexdvdworld.com
189. sonydvdworld.com
190. telugudvdworld.com
191. thedvdworld.com
192. thedvdworldcompany.com
193. tristatemusicanddvdworld.com
194. tristatemusicdvdworld.com
195. tsdvdworld.com
196. tvdvdworld.com
197. tvondvdworld.com
198. useddvdworld.biz
199. useddvdworld.com
200. useddvdworld.us
201. wwwdvdworld.com
202. xdvdworld.com
203. xxx-dvdworld.com
204. xxxdvdworld.com
205. xxxdvdworld.net
206. yourdvdworld.com

## DVD WORLD ANSWERS TO TRADEMARK QUESTIONS

Request 9:

a) The type of customer DVD World sells to is anyone that likes movies and/or is looking for DVD information which is pretty much everyone around the world. DVD World markets and sells it's products to everyone in the world. Motion Pictures are currently only filmed in New York but are distributed across the globe as well. There is not one country DVD World does not ship to or sell to.

b) DVD World sells across the world.

c) Sales are taken online through our websites and through booths at the live events we record and are distributed by DVD World.

Our websites clearly show that we ship everywhere, the main site can be viewed at DVDWorldOnline.Com if a clear example of who we sell to is needed.

Request 10: List Of Domain Names Containing DVD World which DVD World Pictures Corp. owns.

- i. 2dvdworld.com
- ii. Adultdvdworld.net
- iii. Adultdvdworldonline.com
- iv. Anime-dvdworld.com
- v. Animedvdworld.com
- vi. Blu-raydvdworld.biz
- vii. Blu-raydvdworld.com
- viii. Blu-raydvdworld.info
- ix. Blu-raydvdworld.net
- x. Blu-raydvdworld.org
- xi. Blu-raydvdworld.us
- xii. Blu-raydvdworld.ws
- xiii. Blueraydvdworld.biz
- xiv. Bluraydvdworld.com
- xv. Bluraydvdworld.info
- xvi. Bluraydvdworld.net
- xvii. Blueraydvdworld.org
- xviii. Bluraydvdworld.us
- xix. Bluraydvdworld.ws
- xx. Cd-dvdworld.net
- xxi. Dvdworld.biz
- xxii. Dvdworld.bz
- xxiii. Dvdworld.cc



DVDWPC 0001

EX 23

- xxiv. Dvdworld.info
- xxv. Dvdworld.me.uk
- xxvi. Dvdworld.org.uk
- xxvii. Dvdworld.tv
- xxviii. Dvdworld.us
- xxix. Dvdworld-web.com
- xxx. Dvdworlds.com
- xxxi. Dvdworldauctions.com
- xxxii. Dvdworldbanking.com
- xxxiii. Dvdworldcompany.biz
- xxxiv. Dvdworldcompany.com
- xxxv. Dvdworldcompany.info
- xxxvi. Dvdworldcompany.net
- xxxvii. Dvdworldcompany.us
- xxxviii. Dvdworlddirect.com
- xxxix. Dvdworlddistribution.com
- xl. Dvdworldfinancial.biz
- xli. Dvdworldfinancial.com
- xl.ii. Dvdworldfinancial.info
- xl.iii. Dvdworldfinancial.net
- xl.iv. Dvdworldfunraising.com
- xl.v. Dvdworldgames.com
- xl.vi. Dvdworldhomevideo.com
- xl.vii. Dvdworldlive.com
- xl.viii. Dvdworldmusic.com
- xl.ix. Dvdworldnet.com
- l. Dvdworldonline.biz
- li. Dvdworldonline.com
- lii. Dvdworldonline.info
- liii. Dvdworldonline.net
- liv. Dvdworldonline.org
- lv. Dvdworldonline.us
- lvi. Dvdworldonline.ws
- lvii. Dvdworldpictures.com
- lviii. Dvdworldpress.biz
- lix. Dvdworldpress.com
- lx. Dvdworldpress.info
- lxi. Dvdworldpress.net
- lxii. Dvdworldpublishing.com
- lxiii. Dvdworldrental.com
- lxiv. Dvdworldrentals.biz
- lxv. Dvdworldrentals.com
- lxvi. Dvdworldrentals.info
- lxvii. Dvdworldrentals.net
- lxviii. Dvdworlds.biz
- lxix. Dvdworlds.info

- lxx. Dvdworlds.net
- lxxi. Dvdworlds.org
- lxxii. Dvdworlds.us
- lxxiii. Dvdworldshop.com
- lxxiv. Dvdworldstore.com
- lxxv. Dvdworldtravel.com
- lxxvi. Dvdworldusa.biz
- lxxvii. Dvdworldusa.info
- lxxviii. Dvdworldusa.net
- lxxix. Dvdworldwebcreations.com
- lxxx. Dvdworldwebhosting.com
- lxxxi. Hd-dvdworld.biz
- lxxxii. Hd-dvdworld.com
- lxxxiii. Hd-dvdworld.info
- lxxxiv. Hd-dvdworld.net
- lxxxv. Hd-dvdworld.org
- lxxxvi. Hd-dvdworld.us
- lxxxvii. Hd-dvdworld.ws
- lxxxviii. Hddvdworld.biz
- lxxxix. Hddvdworld.com
- xc. Hddvdworld.info
- xc. Hddvdworld.net
- xcii. Hddvdworld.org
- xciii. Hddvdworld.us
- xciv. Hddvdworld.ws
- xcv. Officialdvdworld.com
- xcvi. Playboydvdworld.com
- xcvii. Thedvdworldcompany.com
- xcviii. Useddvdworld.biz
- xcix. Useddvdworld.com
- c. Useddvdworld.us
- ci. Xxx-dvdworld.com
- cii. Xxdvdworld.com
- ciii. Anime-dvd-world.com
- civ. Anime-dvd-world.com
- cv. Anime-dvd-world.info
- cvi. Anime-dvd-world.net

WhoIs records for any of the domains listed above will show that they owned by DVD World Pictures Corp. and/or Eddie Papetti and their ownership is public to anyone who looks them up.

Request 31: There has been no investigation, inquiry, administrative, state or federal court action taken against our mark of DVD World so no such documents exist.

Certificate of Authority

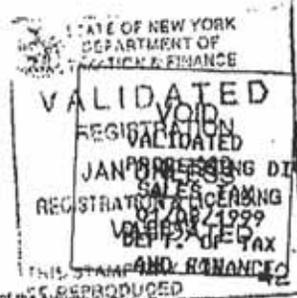
Identification Number

106664477SS

(Use this number on all returns and correspondence)



EDWIN PAPETTI  
DVD WORLD  
63 MCGAW AVE  
LAKE GROVE, NY 11755



is authorized to collect sales and use taxes under Articles 28 and 29 of the Tax Law of the State of New York.

Not Transferable

This certificate must be prominently displayed in your place of business listed above.  
Fraudulent or other improper use of this certificate may cause it to be revoked.  
This certificate may not be photocopied or reproduced.

DTF-17 C (3/97)

*Ex. 24*



DVDWPC 0004

# Business Certificate

I HEREBY CERTIFY that I am conducting or transacting business under the name or designation of  
D V D WORLD

at 63 McGaw Ave,

City or Town of Lake Grove

County of Suffolk

11755  
State of New York.

My full name is Edwin J. Papetti

and I reside at 63 McGaw Ave, Lake Grove, N.Y. 11755

I FURTHER CERTIFY that I am the successor in interest to  
NONE OF  
the person or persons heretofore using such name or names to carry on or conduct or transact business.

In Witness Whereof, the undersigned have this 27th day of Nov, 19 98  
made and signed this certificate.

*Eddie Papetti*

\* Print or type name.  
\* If under 21 years of age, state "I am ..... years of age".

State of New York, County of Suffolk  
On this 27th day of

Ed

to me known and known to me to  
certificate, and he thereupon

COUNTY CLERK'S OFFICE  
STATE OF NEW YORK  
COUNTY OF SUFFOLK

SS.:

I, EDWARD P. ROMAINE, Clerk of the County of Suffolk and  
the Court of Record thereof, do hereby certify that I have compared the  
annexed with the original ..... CERTIFICATE ..... FILED in my  
office ..... NOV 27 1998 ..... and, that the same is a true  
copy thereof, and of the whole of such original.

In Testimony Whereof, I have hereunto set my hand and affixed  
the seal of said County and Court this ..... NOV 27 1998

*Edward P. Romaine* Clerk.

Form No. 236

12-102.12/90es

EX 25



DVDWPC 0005

THE  
DVD WORLD COMPANY

&

DVD WORLD ONLINE

GOOD  
LUCK  
IN THE  
FUTURE!



FOLLOW  
YOUR  
DREAMS!

Congratulates The

EXHIBIT NO. 26  
SYLVIA POLLOCK

Class Of 2002

[HTTP://WWW.DVDWORLDONLINE.COM](http://www.dvdworldonline.com)

DVDWPC 0006

*26*

Benefactors 229

THE DVD WORLD COMPANY  
&  
DVD WORLD ONLINE

GOOD  
LUCK  
IN THE  
FUTURE!



FOLLOW  
YOUR  
DREAMS!

Congratulates The

**Class Of 2001**

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## Terms & Conditions for Centereach High School Drama Dept.

The following are the terms and conditions set forth by DVD World Home Video, a subsidiary of DVD World Pictures Corp. (a division of The DVD World Company) for Centereach High School Drama Productions that will be recorded and made available on video products by DVD World Home Video. If any term is broken by Centereach High School, DVD World Home Video is not required to finish the home video creation process.

1. DVD World Home Video has exclusive video recording & distribution rights to CHS Drama Productions.
2. DVD World Home Video retains the copyright to the video content of the events, and the video of the events cannot be copied, or shown in public areas, without the prior approval of DVD World Home Video.
3. DVD World Home Video will not charge a set up for CHS Home Drama Production recordings.
4. DVD World Home Video will pay a \$5 commission back to Centereach High School for each video product sold.\*
5. The pricing for each Video Product is as follows:
  - 2-DVD Set = \$20
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6. DVD World Home Video makes no claim that every student will be recorded.
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Barry Knocell 10/30/98  
CHS Drama Official Date

Eddie R. [Signature] 10/30/98  
DVD World Official Date

10/27



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&  
*Pep Rally 1998*

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*Pep Rally 1999*

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*Pep Rally 2000*

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Centereach High School Production

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*Pep Rally 2001*

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Digital-to-Digital Transfer  
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*Pep Rally 2004*

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Centereach High School Drama Production

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*The Premiere Movie From DVD World Pictures, "The Rape Of America's Youth", Releases October 2007!*

\* DVD World Pictures' first movie will be the motion picture adaptation of the bestselling book "The Rape Of America's Youth: The US College System", which was released in November of last year. The movie will be the first Docu-Horror title, mixing the Documentary & Horror genres together. More information will be released in April about this movie and the other 2 movies currently in Pre-Production at DVD World Pictures. \*

The DVD World Pictures Corp. website will launch in April of 2006 to coincide with the The DVD World Company Press Event which will announce the first 3 movies to be produced and released by DVD World Pictures.

DVD World Pictures will be offering stock in each movie it produces to the public through a proprietary new technology that provides the average American the opportunity to share in the wealth of Hollywood, and give you the never-ending dividends that only the movie industry can.

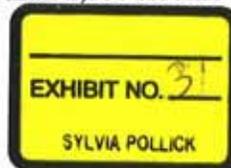
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All titles released by DVD World Pictures will be distributed theatrically, and on home video, by DVD World Distribution, the distribution arm of The DVD World Company established over 7 years ago. All movies will be shown on no less than 2,500 screens across the country.

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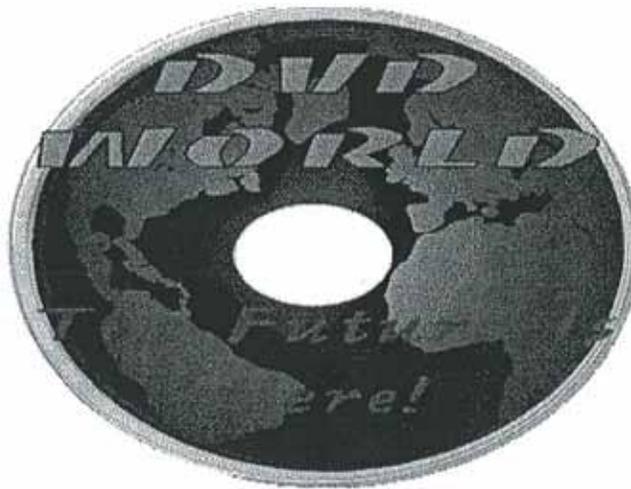
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**More information will come once the Press Event happens, including video from the Press Event.**

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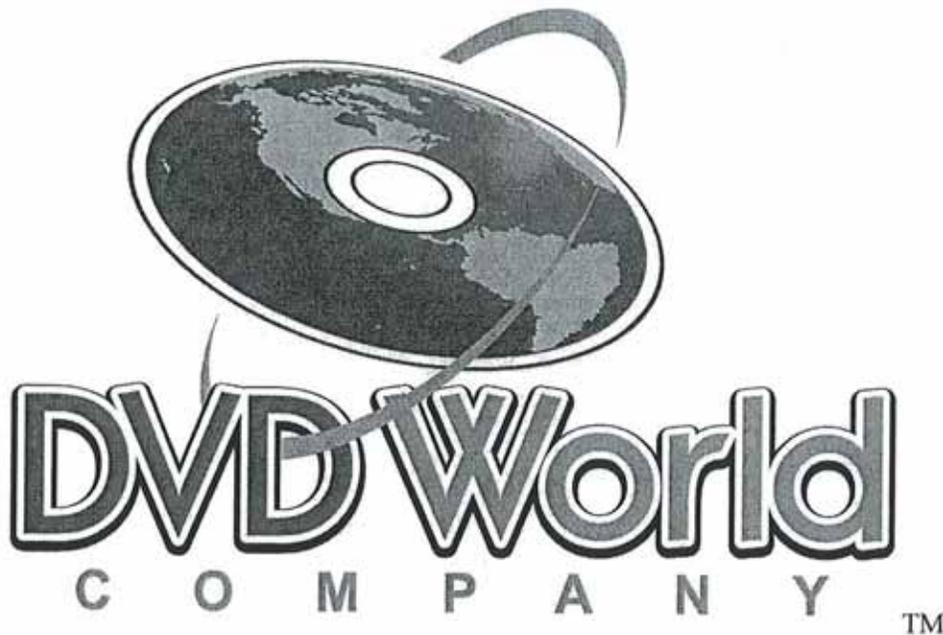
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Founded in 1997 by President & CEO Eddie Papetti, The DVD WORLD<sup>TM</sup> Company has become one of the largest online DVD retailers & distributors in the world.

Since its inception in 1997 as a DVD information site as "DVD WORLD<sup>TM</sup>" the company has grown to include several divisions, in many different areas of technology & retail, so in 1999 the name of the company was changed from just "DVD WORLD<sup>TM</sup>" to "The DVD WORLD<sup>TM</sup> Company". Below are the names of all the companies and divisions owned & operated by The DVD WORLD<sup>TM</sup> Company.

The DVD WORLD<sup>TM</sup> name has grown to be associated with the finest products and services in the world. As The DVD WORLD<sup>TM</sup> Company continues to grow and expand, we look forward to serving your ever increasing needs.

The *NEW* DVD World<sup>TM</sup> Company site is getting ready to launch later this year, until that time please click on any of the company names below to be brought to that division specific Website.

## **THE DVD WORLD COMPANY**

(Click On Any Of The Divisions Below To See A Detailed Listing Of The Companies In Each Division)

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**DVD WORLD<sup>TM</sup> Pictures Corp.**



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### **DVD WORLD Pictures Facts:**

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Has the rights to over 71 scripts

2 movies currently in production - The Rape Of America's Youth & Untitled Dracula Project

### **DVD WORLD Pictures Website - Launches December 2005**

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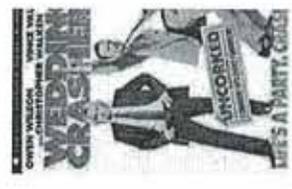
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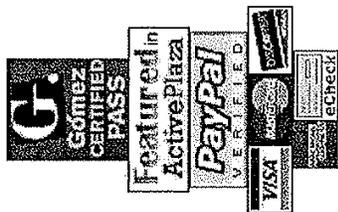
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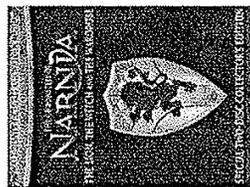
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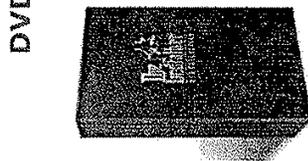
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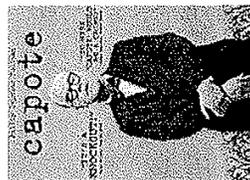
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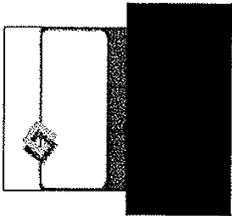


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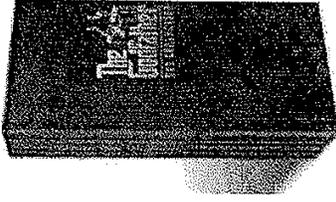
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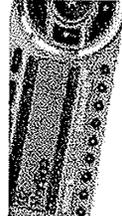
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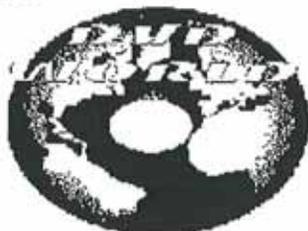
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**This page was generated by the TARR system on 2006-03-31 01:40:10 ET**

**Serial Number: 78288849**

**Registration Number: 2912970**

**Mark**



**(words only): DVD WORLD**

**Standard Character claim: No**

**Current Status: Registered.**

**Date of Status: 2004-12-21**

**Filing Date: 2003-08-18**

**Transformed into a National Application: No**

**Registration Date: 2004-12-21**

**Register: Principal**

**Law Office Assigned: LAW OFFICE 106**

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location: 650 -Publication And Issue Section**

**Date In Location: 2004-12-21**

---

**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. DVD WORLD Pictures Corp.

**Address:**

DVD WORLD Pictures Corp.  
63 McGaw Ave.

*Ex 36*



**DVDWPC 0038**

Lake Grove, NY 117552022  
United States  
**Legal Entity Type:** Corporation  
**State or Country of Incorporation:** New York  
**Phone Number:** 631 580 0101  
**Fax Number:** 631 471 4893

---

**GOODS AND/OR SERVICES**

---

**International Class:** 035  
Online Retailing Of DVDs  
**First Use Date:** 1997-05-14  
**First Use in Commerce Date:** 1998-11-19

**Basis:** 1(a)

---

**ADDITIONAL INFORMATION**

---

**Disclaimer:** DVD

**Design Search Code(s):**

**01.07.01** - Globes with outlines of continents  
**26.01.02** - Circles, plain single line; Plain single line circles  
**26.01.21** - Circles that are totally or partially shaded.

---

**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

---

**PROSECUTION HISTORY**

---

2004-12-21 - Registered - Principal Register  
2004-09-28 - Published for opposition  
2004-09-08 - Notice of publication  
2004-07-26 - Law Office Publication Review Completed  
2004-07-26 - Assigned To LIE  
2004-07-12 - Approved for Pub - Principal Register (Initial exam)  
2004-06-08 - Communication received from applicant  
2004-06-08 - TEAS Response to Office Action Received  
2004-04-21 - Communication received from applicant

**DVDWPC 0039**

2004-04-21 - TEAS Response to Office Action Received

2004-04-19 - Final refusal e-mailed

2004-02-27 - Communication received from applicant

2004-02-27 - TEAS Response to Office Action Received

2004-02-21 - Non-final action e-mailed

2004-02-20 - Case file assigned to examining attorney

---

**CORRESPONDENCE INFORMATION**

---

**Correspondent**

DVD WORLD Pictures Corp.  
63 McGaw Ave.  
Lake Grove, NY 11755-2022

**Phone Number:** 631 580 0101

**Fax Number:** 631 471 4893

---

**DVDWPC 0040**

# DVD WORLD MUSIC

YOUR #1 DVD SOURCE

- Home
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- Games
- Music
- Computers
- D-VHS
- Fund Raising

Hot New Releases | Pre-Orders | Classical Music | View Order | Order Status | Check Out



## WELCOME

Search Music

Artist

### SHOPPING CART

Title	Price
Greatest Hi...	\$18.98
<b>Subtotal</b>	<b>\$18.98</b>

GO TO CHECKOUT

- Music
- New Releases
- Coming Soon
- Top Sellers
- Power Search
- Sacd
- Dvd-Audio
- Dualdiscs

### Music Finder

- Explore
- New Releases
- Coming Soon
- Artist
- Label
- Genre
- Classical
- Country
- Folk
- Gospel
- Jazz
- Latin
- R&B
- Rap
- Rock

**Goldfrapp SUPERATURE**

QUIN IT **3/7**

Deluxe Edition CD with DVD

Supernature [Bonus Track] Goldfrapp

CD \$14.98

Oh La La (video)

Goldfrapp interview (video)

sound samples Ready

ORDER NOW!



Now, Vol. 21 [UTV]  
Various Artists

PRE-ORDER CD \$18.98

### new releases

- Me and My Gang - Rascal Flatts
- The Best of Poison: 20 Years of Rock - Poison
- No Boundaries - The 5 Browns
- At War with the Mystics - The Flaming Lips
- I'm Not Dead - Pink
- Vision Valley - The Vines



3121 (Digipack Packaging) Prince  
AMG Rating: ★★★★★

ADD TO CART CD \$13.99

### top sellers

- Both Sides of the Gun - Ben Harper
- Chicago XXX - Chicago
- Underage Thinking - Teddy Geiger
- Life on the Murder Scene [CD/2DVD] - My Chemical Romance
- The Heart of the Streetz, Vol. 2 - B.G.
- Ghetto Revelations, Vol. 2 - Urban Mystic



http://www.thestore24.com/dvdworldonline

DVDWPC 0041

3/31/2006

- All Genres
- Format
- Cd
- Dual Disc
- Dvd Audio
- Sacd-Sl
- Sacd-Hybrid
- Dvd
- Misc.

**Specialty Items**

- Box Sets
- Compilations
- Imports
- Live Recordings
- Soundtracks

**No Boundaries**  
The Five Browns



**FREE-ORDER**

CD \$18.98

**new releases**

- [Italia Tiamo](#)
- [Dream Visions](#)
- [Anthem](#)
- [Boys from Syracuse/O.C.R. \(RMST\)](#)
- [Chopin: Valses; Ravel: Valses nobles et sentimentales](#)
- [Epilogue](#)

**Classical**



**High School Musical [An Original Walt Disney Records Soundtrack]**

**FREE-TO-CHEAT**

CD \$12.98

**top sellers**

- [V for Vendetta \[Soundtrack\]](#)
- [Lost \[Original Television Soundtrack\]](#)
- [Elvis Costello: The Juliet Letters \[Bonus CD\]](#)
- [Memoirs of a Geisha \[Original Motion Picture Soundtrack\]](#)
- [John Tavener: Lament for Jerusalem](#)
- [Rent \[Original Motion Picture Soundtrack\]](#)



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The DVD WORLD Company.

DVDWPC 0042

<http://www.thestore24.com/dvdworldonline>

3/31/2006



A multifaceted site providing PR and marketing for companies introducing new products and services. An excellent resource for consumers, journalists, distributors, investors and industry professionals looking for the latest news.



887

### Book - 'The Rape Of America's Youth'

Book Exposes the Sordid Underbelly, Manipulation, and Bad Business Ethics of the US College System

Packed with references and comparisons to the Holocaust, firing squads, crucifixions, and Enron, along with many others, and a catch-phrase of "Feel The Rape," "The Rape Of America's Youth" is not for the faint of heart

The DVD World Company announced today that it will release the highly controversial book "The Rape Of America's Youth: The US College System" on November 15th of this year. The book will be published by DVD World Press and distributed by DVD World Distribution, both divisions of The DVD World Company.

"The Rape Of America's Youth" was written by The DVD World Company President and Founder Eddie Papetti after he saw the lies, manipulation and bad business ethics the US College System uses in order to stay profitable and feed the bottom-lines of not only their business but also the Banking Industry and Corporate America, which rely on the US College System as a source of income. "The Rape Of America's Youth" takes apart each issue to expose the sordid underbelly of the College System and tells the reader what they need to avoid in order to not get "Raped" by the College System they are in.

Packed with references and comparisons to the Holocaust, firing squads, crucifixions, and Enron, along with many others, and a catch-phrase of "Feel The Rape," "The Rape Of America's Youth" is not for the faint of heart, and includes one of the most shocking climaxes ever for a non-fiction or fiction title.

Mr. Papetti states, "The book was designed with high school, college and past college students in mind. It allows them to see how the system was designed and gives them the information to not get 'Raped' by that system. Never before has a book given students the information this book does, making it a must-have for anyone intending on going to college or that is currently in college."

"The Rape Of America's Youth" is available to all bookstores and is also available online directly at <http://www.DVDWorldOnline.com>. For more information on the title and distribution visit <http://www.RapeOfAmericasYouth.com>

"The Rape Of America's Youth" is also currently being turned into a Major Motion Picture and being developed into a Television Series with basic cable in mind by DVD World Pictures.

About Eddie Papetti



DVDWPC 0043



Eddie Papetti has been recognized for his business excellence several times. He recently was named "NRCC Businessman Of The Year for New York" (2004) and won the "Ronald Reagan Republican Gold Medal for Business Ethics" (2004). He has been the head of The DVD World Company since it started in 1997.

About The DVD World Company

The DVD World Company is one of the oldest, and most respected, online retailers around. Its DVD retail site DVDDestination.com ranks as one of the largest online DVD stores and offers all DVDs for at least 30% off. The company also has divisions that handle video games (GameDestination.com), music (DVDWorldMusic.com), distribution (DVDWorldDistribution.com), and publishing (DVDWorldPress.com), along with motion picture production and distribution under its DVD World Pictures banner. For more information visit <http://www.DVDWorldOnline.com>

Press Contact:  
Eddie Papetti  
516-607-2631  
[press@rapeofamericasyouth.com](mailto:press@rapeofamericasyouth.com)

Source: The DVD World Company

# # #

For More Information: <http://www.RapeOfAmericasYouth.com>

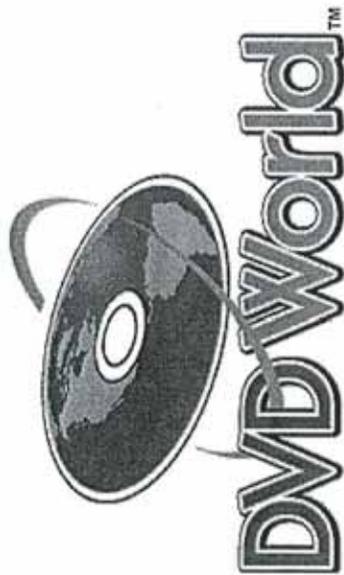
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[info@hotproductnews.com](mailto:info@hotproductnews.com)

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The High Definition DVD Revolution Is Coming. As Soon As Title Prices Are Officially Announced HD-DVD Titles Will Be Available To Orders From DVD World at HDDVDWorld.Com or HD-DVDWorld.Com

For The Time Being You Can Order Your Normal DVD Titles From DVD World at DVDWorldOnline.Com

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DVDWPC 0045

37-39



<http://www.hddvdworld.com/>

3/31/2006

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### DVD World

"DVD World: Changing The Shape Of Entertainment"

Male  
23 years old  
NEW YORK  
United States



Last Login:  
3/30/2006

View More Pics

#### Contacting DVD World

- Send Message
- Add to Friends
- Instant Message
- Add to Group
- Forward to Friend
- Add to Favorites
- Block User
- Rank User

MySpace URL:  
<http://www.myspace.com/dvdworld>

Rapture HJRT

+add+ +view+

### DVD World is in your extended network

#### DVD World's Latest Blog Entry [Subscribe to this Blog]

Book Officially on Amazon.Com (view more)

Major Site Updates (view more)

Rape Of America's Youth on Amazon (view more)

[View All Blog Entries]

#### DVD World's Blurbs

##### About me:

DVD World is currently one of the largest DVD retailers and distributors in the world.

The DVD World Company was founded in 1997 by Eddie Papetti as a DVD information site and has grown into a major player in the Entertainment world. Eddie currently stands as President & CEO of The DVD World Company and has been awarded several awards for business excellence including NRCC Businessman Of The Year in 2004 and The Ronald Regan Republican Gold Medal for Business Ethics. He also serves on several boards in Washington including The Presidential Business Committee & The Business Advisory Board.

The DVD World Company has divisions in DVD Retail & Distribution, Video Game/System Retail & Distribution, Web Design, Web Hosting, Custom Business Class Computer Retail & Distribution, Live Event Recording, Home



DVD World's Interests	
<b>General</b>	Film Production &; Distribution, Movies
<b>Music</b>	Frank Wiidhorn, Marilyn Manson, Aerosmith, Billy Joel, Metalica, Hurt, NIN, Sirius Satellite Radio (Octane 20 / Howard 100)
<b>Movies</b>	Citizen Kane, The Matrix Trilogy, JAWS, Jurassic Park, Lord Of The Rings Trilogy, The Frighteners, All That Jazz
<b>Television</b>	Nip/Tuck, The Sopranos, Six Feet Under, Scrubs, ER, The Simpsons, Family Guy, American Dad, Malcolm In The Middle, Las Vegas, 24, The Apprentice, Arrested Development
<b>Books</b>	The Rape Of America's Youth
<b>Heroes</b>	The Big G-O-D Upstairs
<b>Groups:</b>	<b>Rape Of America's Youth: The US College System</b> , Family guy , New DVD Releases , Hofstra University
	<b>View All DVD World's Groups</b>

Video Production, Advertising & Marketing, Movie Picture Production & Distribution, FundRaising, Music Retail & Distribution, Investment Banking, Information Services & Book Publishing.

Movies on DVD, HD-DVD and Blu-Ray Disc are available for purchase at a savings of at least 30%off at **DVDDestination.Com**

Video Games are available at **GameDestination.Com**

DVD World Music is in the final testing stages and will launch in the next 2 weeks with the largest in stock selection of CD's on the web.

DVD World Pictures has started Pre-Production on 3 major motion pictures including the movie version of DVD World Press "The Rape Of America's Youth: The US College System". The first major motion picture from DVD World Pictures is aiming for a October 2007 release in over 2,000 theaters, it is currently known as "Untitfed Dracula Project". The name will be revealed at a Press Event in June of this year.

The "DVD World" name and logo are either Registered Trademarks or Trademarks of DVD World Pictures Corp., a division of The DVD World Company. Any use of the "DVD World" name or logo without the express written consent of The DVD World Company is punishable under the Trademark & Copyright laws of the United States.

**Who I'd like to meet:**  
Jesus

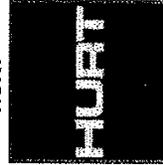
**DVD World's Friend Space**

**DVD World has 27 friends.**

anton



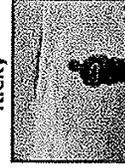
HURT



Kerri



Ricky



**DVD World's Details**

<b>Status:</b>	Single
<b>Zodiac Sign:</b>	Scorpio
<b>Smoke / Drink:</b>	No / No
<b>Occupation:</b>	Retailer

**DVD World's Networking**

Film - Production - Producer

DVDWPC 0057

DVD World Pictures is a production and distribution company of major motion pictures it self-finances through it's parent company The DVD World Company. The first major film from DVD World Pictures will be released in October 2007.

**DVD World's Companies**

Long Coat Productions , New York US	2005 - Present
Motion Picture Production Company	
DVD World Computers , New York US DVDWorldComputers.Com Custom Computers	Coming Soon
DVD World Music , New York US DVDWorldMusic.Com Music Store	2006 - Present
DVD World Home Video , New York US DVDWorldHomeVideo.Com Live Event Recording & Home Video Creation	1999 - Present
Game Destination , New York US GameDestination.Com Video Game Retailer & Distributor	2005 - Present
DVD World Pictures , New York US First Movie Comes To Theaters October 2007 Motion Picture Studio	2000 - Present
DVD World Press , New York US DVDWorldPress.Com Publisher of "The Rape Of America's Youth: The US College System"	2005 - Present
DVD Destination , New York US DVDDestination.Com DVD Retailer & Distributor The DVD World Company	1999 - Present 1997 -

Megs



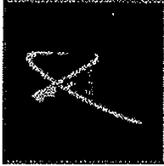
Joe



peter



Roxanne and the Criminal Bogies



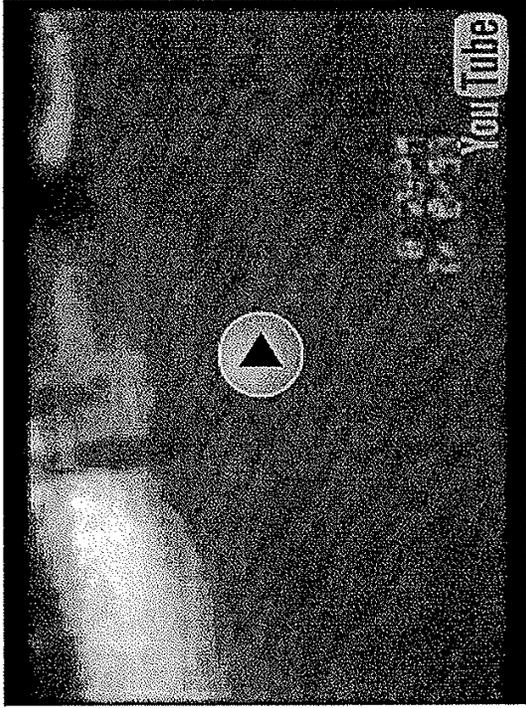
[View All of DVD World 's Friends](#)

**DVD World's Friends Comments**

Displaying 13 of 13 comments (View/Edit All Comments)

anton 	<b>3/27/2006 12:55 PM</b> edwrit my love...where art thou been? oh, there you are. hey what's up?
*~CoLLeeN~*	<b>3/26/2006 11:05 AM</b> .. width="425" height="350">

NY US  
TheDVDWorldCompany.Com  
Entertainment Company  
Present

	
Megs 	<p><b>3/19/2006 11:21 AM</b></p> <p>i would do anything for love...but i won't do that...oh no, no i wont do that...</p>
anton	<p><b>2/12/2006 8:21 PM</b></p>

DVDWPC 0059

<b>30-Year Mortgage Rates are Still Low!</b>										Up to 4 refinance offers - Free - in 60 seconds												
CLICK YOUR STATE										AL	AK	AZ	AR	CA	CO	CT	DE	FL	GA	HI	ID	IL
IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM						
NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI						

Main >> Entertainment & Games >> Movies--Other

Search | Help



## DVD WORLD

Welcome to DVD WORLD! This site is dedicated to currently released and soon to be r titles that I own or will own. This site is also dedicated to letting you know what DVD is why it will replace VHS as the home video of choice.

This Febuary Be Prepared For :

**DVD WORLD "The Store"!**

If you have any questions or comments please e-mail me at [ssaeromm@aol.com](mailto:ssaeromm@aol.com).

If you don't know what a DVD is or want more information on it [Click Here To Go My FAQ Page.](#)

[Click Here To See Current DVD's!](#)

[Click Here To See DVD's Coming Soon!](#)

[Click Here To Go To My Anti-DIVX Page!](#)

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*Ex 41*



DVDWPC 0060



Find the **flat panel TV** that fits your home and your budget.

NO SHIPP

Shop

Main >> Entertainment & Games >> Movies--Other

Search | Help



We Have... DVD, VHS

## DVD WORLD REVIEWS: *The Best Reviews On The Net!*

Here are just some of the big movies that will be reviewed this week by DVD WORLD Review:

### DVD Reviews For The Week Of 8/29/99

- Eraser
- TITANIC
- Analyze This
- The FACULTY
- What Dreams May Come: Special Edition

DVDWPC 0061

**DO YOU NEED TO LOSE WEIGHT?**  
\*BODY SHAPING REQUIRE DIET AND EXERCISE.  
 SOURCE: BMI (BODY MASS INDEX) BASED ON THE U.S. GOVERNMENT'S 1998 WEIGHT CHART.

Height	Age 19-34	Age over 35
5'0"	97 - 128	108 - 138
5'1"	101 - 132	111 - 143
5'2"	104 - 137	115 - 148

FIND YOUR WEIGHT >>>

**FRI**  
DIET PLAN  
Click!

Main >> Search Hometown

Help



Search by keyword or members' screen names

Search

Journal Results for **dvd world**:

- 4 my friends >> happy new year!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!**  
 Description: HAPPY NEW YEAR!!!!!!!!!!!!!!!!!!!!!!!!!!!! new year's resolutions, anyone????????? i'm not totally sure what mine is...well enjoy the new year...may God bless our lives this new year...k well later...robin  
 Updated: 1/16/2006 (209 comments)
- Uncut-RawTV Blog**  
 Description: This blog was created for our many fans and customers around the **world**. Uncut-RawTV blog will post information about the many activites of Uncut-RawTV and Uncut-RawTV Studios. Stay abreast of N  
 Updated: 1/23/2006 (4 entries)
- Join In and Shape the News >> Grade Bush: Part 2**  
 Description: As we get ready for Tuesday's State of the Union address, we want you to tell us the state of President Bush's performance. We'll make it real easy. Just give him a letter grade along with a q  
 Updated: 12 minutes, 20 seconds ago (2504 comments)
- Dear Dysfunction, Sincerely Emotions**  
 Description: My crazy life  
 Updated: 9/6/2005 (7 entries)
- Erick's crazy world of mental monkeys & killer robots!**  
 Description: Prepare yourself, for the far reaching and extremely boring, mundane life of.....Erick! (aka NoirTech) "dun dun duuuuuunnnnnn!"  
 Updated: 8/19/2005 (176 entries)

(1-5 of 229) more >>

Homepage Results for **dvd world**:

- About DVD WORLD ONLINE**  
 Description: About **DVD WORLD ONLINE** About **DVDWORLD ONLINE** About **DVD WORLD**  
 Updated: 9/15/2002
- DVD WORLD**  
 Description: **DVD WORLD DVD WORLD**  
 Updated: 2/5/1999
- Eraser Review**  
 Description: ...Price: \$24.99 **DVD WORLD** Price: \$17...one of the first **DVD**'s to be made**WORLD** has it at 30  
 Updated: 9/15/2002
- DVD WORLD Reviews**  
 Description: **DVD WORLD** Reviews **DVDWORLD REVIEWS**:The Best  
 Updated: 9/1/1999
- I Love Elijah Wood!!!!**  
 Description: ...come to vieo and **dvd world** wide in...mosy fav in the **world** is The Lord of

**DVDWPC 0062**



Filmed &  
Distributed by:  
DVD World Home  
Video

THE DAWNWOOD PTA PRESENTS

Commissioned by the Dawnwood Middle School P.T.A.  
& dedicated to the Dawnwood Middle School Stage Band.

# DAWNWOOD BLUES

CARL STROMMEN



MONDAY JUNE 10, 1996

EXHIBIT NO. 47  
SYLVIA POLICK

476

# Printable Domain List

107 Domains

Domain Name	Expires	Status	Features
2DVDWORLD.COM	11/3/2009	Active - Locked	
ADULTDVDWORLD.NET	6/19/2010	Active - Locked	
ADULTDVDWORLDONLINE.COM	6/19/2010	Active - Locked	
ADULTHD-DVDWORLD.COM	1/11/2010	Active - Locked	
ADULTHDDVDWORLD.COM	1/11/2010	Active - Locked	
ANIME-DVDWORLD.COM	3/1/2010	Active - Locked	
ANIMEDVDWORLD.COM	11/3/2009	Active - Locked	
BLU-RAYDVDWORLD.BIZ	8/27/2010	Active - Locked	
BLU-RAYDVDWORLD.COM	8/27/2010	Active - Locked	
BLU-RAYDVDWORLD.INFO	2/2/2010	Active - Locked	
BLU-RAYDVDWORLD.NET	2/2/2010	Active - Locked	
BLU-RAYDVDWORLD.ORG	2/2/2010	Active - Locked	
BLU-RAYDVDWORLD.US	2/1/2010	Active - Locked	
BLU-RAYDVDWORLD.WS	2/2/2010	Active - Locked	
BLURAYDVDWORLD.BIZ	2/1/2010	Active - Locked	
BLURAYDVDWORLD.COM	8/27/2010	Active - Locked	
BLURAYDVDWORLD.INFO	2/2/2010	Active - Locked	
BLURAYDVDWORLD.NET	8/27/2010	Active - Locked	
BLURAYDVDWORLD.ORG	8/28/2010	Active - Locked	
BLURAYDVDWORLD.US	2/1/2010	Active - Locked	
BLURAYDVDWORLD.WS	2/2/2010	Active - Locked	
CD-DVDWORLD.NET	11/3/2009	Active - Locked	
DVDWORLD-WEB.COM	11/3/2009	Active - Locked	
DVDWORLD.BIZ	6/8/2010	Active - Locked	
DVDWORLD.CC	5/31/2010	Active - Locked	
DVDWORLD.INFO	12/25/2009	Active - Locked	
DVDWORLD.MOBI	8/12/2010	Active - Locked	
DVDWORLD.ORG.UK	9/28/2011	Active - Locked	
DVDWORLD.TV	12/28/2009	Active - Locked	
DVDWORLD.US	4/23/2010	Active - Locked	
DVDWORLDAUCTIONS.COM	1/8/2010	Active - Locked	
DVDWORLDBANKING.COM	12/30/2009	Active - Locked	
DVDWORLDBLOG.COM	10/16/2010	Active - Locked	
DVDWORLDCOMPANY.BIZ	11/20/2009	Active - Locked	
DVDWORLDCOMPANY.COM	11/21/2009	Active - Locked	
DVDWORLDCOMPANY.INFO	11/25/2009	Active - Locked	
DVDWORLDCOMPANY.NET	11/25/2009	Active - Locked	
DVDWORLDCOMPANY.US	11/20/2009	Active - Locked	
DVDWORLDDISTRIBUTION.COM	2/5/2010	Active - Locked	
DVDWORLDDOMAINS.COM	2/24/2011	Active - Locked	
DVDWORLDELECTRONICS.COM	11/12/2009	Active - Locked	

[Print](#)



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## Printable Domain List

DVDWORLDFINANCIAL.BIZ	12/30/2009	Active - Locked
DVDWORLDFINANCIAL.COM	12/30/2009	Active - Locked
DVDWORLDFINANCIAL.INFO	12/31/2009	Active - Locked
DVDWORLDFINANCIAL.NET	12/30/2009	Active - Locked
DVDWORLDFORUM.COM	10/16/2010	Active - Locked
DVDWORLDFOUNDRISING.COM	8/29/2010	Active - Locked
DVDWORLDGAMES.BIZ	2/17/2010	Active - Locked
DVDWORLDGAMES.COM	2/17/2010	Active - Locked
DVDWORLDGAMES.INFO	2/18/2010	Active - Locked
DVDWORLDGAMES.NET	2/17/2010	Active - Locked
DVDWORLDHOMEVIDEO.COM	2/5/2010	Active - Locked
DVDWORLDLIVE.COM	11/17/2009	Active - Locked
DVDWORLDMUSIC.COM	2/17/2010	Active - Locked
DVDWORLDNET.COM	11/3/2009	Active - Locked
DVDWORLDONLINE.BIZ	5/5/2010	Active - Locked
DVDWORLDONLINE.COM	2/11/2010	Active - Locked
DVDWORLDONLINE.INFO	5/6/2010	Active - Locked
DVDWORLDONLINE.NET	5/5/2010	Active - Locked
DVDWORLDONLINE.ORG	5/6/2010	Active - Locked
DVDWORLDONLINE.US	4/23/2010	Active - Locked
DVDWORLDONLINE.WS	5/5/2010	Active - Locked
DVDWORLDPICTURES.COM	2/5/2010	Active - Locked
DVDWORLDRENTAL.COM	3/20/2010	Active - Locked
DVDWORLDRENTALS.BIZ	3/20/2010	Active - Locked
DVDWORLDRENTALS.COM	3/20/2010	Active - Locked
DVDWORLDRENTALS.INFO	3/21/2010	Active - Locked
DVDWORLDRENTALS.NET	3/20/2010	Active - Locked
DVDWORLDS.BIZ	12/27/2009	Active - Locked
DVDWORLDS.COM	11/10/2009	Active - Locked
DVDWORLDS.INFO	12/28/2009	Active - Locked
DVDWORLDS.NET	12/28/2009	Active - Locked
DVDWORLDS.ORG	12/28/2009	Active - Locked
DVDWORLDS.US	12/27/2009	Active - Locked
DVDWORLDSHOP.COM	2/28/2011	Active - Locked
DVDWORLDSUCKS.COM	4/9/2010	Active - Locked
DVDWORLDTRAVEL.COM	1/8/2010	Active - Locked
DVDWORLDUSA.BIZ	12/25/2010	Active - Locked
DVDWORLDUSA.INFO	12/26/2010	Active - Locked
DVDWORLDUSA.NET	12/26/2010	Active - Locked
DVDWORLDWAR.COM	7/14/2010	Active - Locked
DVDWORLDWARS.COM	7/14/2010	Active - Locked
DVDWORLDWEBCREATIONS.COM	2/21/2011	Active - Locked
DVDWORLDWEBHOSTING.COM	1/7/2010	Active - Locked
HD-DVDWORLD.BIZ	1/26/2010	Active - Locked

## Printable Domain List

HD-DVDWORLD.COM	1/27/2010	Active - Locked
HD-DVDWORLD.INFO	2/2/2010	Active - Locked
HD-DVDWORLD.NET	1/27/2010	Active - Locked
HD-DVDWORLD.ORG	2/2/2010	Active - Locked
HD-DVDWORLD.US	1/26/2010	Active - Locked
HD-DVDWORLD.WS	2/2/2010	Active - Locked
HDDVDWORLD.BIZ	1/26/2010	Active - Locked
HDDVDWORLD.COM	12/1/2009	Active - Locked
HDDVDWORLD.INFO	2/2/2010	Active - Locked
HDDVDWORLD.MOBI	1/7/2010	Active - Locked
HDDVDWORLD.NET	1/27/2010	Active - Locked
HDDVDWORLD.ORG	2/2/2010	Active - Locked
HDDVDWORLD.US	1/26/2010	Active - Locked
HDDVDWORLD.WS	2/2/2010	Active - Locked
OFFICIALDVDWORLD.COM	3/1/2010	Active - Locked
PLAYBOYDVDWORLD.COM	11/3/2009	Active - Locked
THEDVDWORLDCOMPANY.COM	2/5/2010	Active - Locked
USEDVDWORLD.BIZ	3/21/2010	Active - Locked
USEDVDWORLD.COM	3/22/2010	Active - Locked
USEDVDWORLD.US	3/21/2010	Active - Locked
XXX-DVDWORLD.COM	11/3/2009	Active - Locked
XXXDVDWORLD.COM	11/3/2009	Active - Locked

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Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

**United States Patent and Trademark Office**

**Reg. No. 2,912,970**

Registered Dec. 21, 2004

**SERVICE MARK  
PRINCIPAL REGISTER**



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LAKE GROVE, NY 117552022

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE DVD, APART FROM THE MARK AS SHOWN.

FOR: ONLINE RETAILING OF DVDS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

SER. NO. 78-288,849, FILED 8-18-2003.

FIRST USE 5-14-1997; IN COMMERCE 11-19-1998.

SOPHIA S. KIM, EXAMINING ATTORNEY

