

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

APPLICANT: **GOOGLE, INC.**
OPPOSER: **CENTRAL MFG. CO. (INC.)**
APPLICATION SN: **76-314,811**
TRADEMARK: **GOOGLE**
INT. CL. NO: **28**
FILED: **September 18, 2001**

TTAB

March 1, 2006

Ms. Jean Brown
Board Administrator Attorney
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451
703 308-9300



03-01-2006

U.S. Patent & TMO/TM Mail Rpt Dt #11

Dear Ms. Jean Brown:

In the instant case, we appreciate your serving upon the Applicant, the Opposer's Notice of Opposition.

This Notice of Opposition was sent by **Express Mail No: EQ 014137445 US** with the U.S. Postal Service in an express mail envelope.

Most Cordially,

Leo Stoller *President*
CENTRAL MFG. CO., (INC.), Opposer
Email - Leo@rentamark.com
Trademark & Licensing Dept.
P.O. Box 35189
Chicago, Illinois 60707-0189
773-283-3880 Fax 708/283-0083

Dated: March 1, 2006



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ESTTA Tracking number: **ESTTA55062**Filing date: **11/27/2005**

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

Applicant: **GOOGLE INC.**
Application Serial Number: **76314811**
Application Filing Date: **09/18/2001**
Mark: **GOOGLE**
Date of Publication **11/01/2005**

First 90 Day Request for Extension of Time to Oppose for Good Cause

Pursuant to 37 C.F.R. Section 2.102, Central Mfg. Co. (Inc), P.O. Box 35189, Chicago, IL 60707-0189, UNITED STATES, a Corporation, organized under the laws of Delaware, respectfully requests that it be granted a 90-day extension of time to file a notice of opposition against the above-identified mark for cause shown.

Potential opposer believes that good cause is established for this request by:

- The potential opposer needs additional time to investigate the claim

The time within which to file a notice of opposition is set to expire on 12/01/2005. Central Mfg. Co. (Inc) respectfully requests that the time period within which to file an opposition be extended until 03/01/2006.

Respectfully submitted,
/Leo Stoller/
11/27/2005

Leo Stoller
President/CEO
Central Mfg. Co. (Inc)

P.O. Box 35189
Chicago, IL 60707-0189
UNITED STATES
ldms4@hotmail.com
ldms4@hotmail.com

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

CENTRAL MFG. CO. (INC.),
(a Delaware Corporation)
P.O. Box 35189
Chicago, Illinois 60707-0189

Opposer,

v.

GOOGLE, INC.
(a Delaware corporation)
1600 Amphitheatre Parkway
Building 41
Mountain View, CA 94043

Applicant.

Trademark: **GOOGLE**
Application SN: 76-314,811
Int. Class No: 28
Filed: September 18, 2001
Published: November 1, 2005

TTAB/FEE
(IN TRIPLICATE)

03/09/2006 GTHMAS2 00000028 76314811

01 FC:6402

300.00 OP

NOTICE OF OPPOSITION

1. In the matter of first use Application SN: 76-314,811, for the mark **GOOGLE**, in International Class 28 for **toys and sporting equipment, namely plastic exercise balls**, the Opposer states as follows:

2. The Opposer has standing and has filed a valid intent to use application for the mark **GOOGLE** in International Class 28 for **sporting goods**.

3. The Opposer sent correspondence to Google, Inc. on *November 29, 2005*. A true and correct copy is attached hereto.

4. The Opposer sent correspondence to Applicant's counsel, **Michael T. Zeller, Esq.** on *January 26, 2006* and *January 29, 2006*. Applicant's counsel responded to Opposer's correspondence on *January 26, 2006*, *January 27, 2006* and *February 17, 2006*. See true and correct copies attached hereto.

5. The trademark proposed for registration by the Applicant, namely **GOOGLE**, is applied to similar goods as those sold by Opposer and so nearly resemble the Opposer's mark

as to be likely to confuse therewith and mistake therefore.

6. The Applicant's mark **GOOGLE** is identical to Opposer's *GOOGLE* mark so as to cause confusion and lead to deception as to the origin of Applicant's goods bearing the Applicant's mark.

7. If the Applicant is permitted to use and register **GOOGLE** for its goods, as specified in the application herein opposed, confusion in trade resulting in damage and injury to the Opposer would be caused and would result by reason of the similarity between the Applicant's mark and the Opposer's mark. Persons familiar with Opposer's mark *GOOGLE* would be likely to buy Applicant's goods as and for a service sold by the Opposer. Any such confusion in trade inevitably would result in loss of sales to the Opposer. Furthermore, any defect, objection or fault found with Applicant's goods marketed under its **GOOGLE** mark would necessarily reflect upon and seriously injure the reputation which the Opposer has established for its products merchandised under its *GOOGLE* marks for over 20 years.

8. If the Applicant were granted the registration herein opposed, it would thereby obtain at least a *prima facie* exclusive right to the use of its mark. Such registration would be a source of damage and injury to the Opposer.

9. The Opposer, located in Chicago, Illinois, believes that it will be damaged by registration of the mark **GOOGLE** shown in Application SN 76-314,811 and hereby opposes same. The Opposer engages in an aggressive licensing program of the mark **GOOGLE**, as well known to the Applicant.

10. The Opposer offers its *GOOGLE* mark to license on a wide variety of collateral merchandise.

11. If the Applicant is permitted to register the mark, and thereby, the *prima facie* exclusive right to use in commerce the mark **GOOGLE** on the goods licensed and sold by the Opposer, confusion is likely to result from any concurrent use of Opposer's mark **GOOGLE** and that of the Applicant's alleged mark **GOOGLE**, all to the great detriment of Opposer.

12. Purchasers are likely to consider the goods of the Applicant sold under the mark **GOOGLE** as emanating from the Opposer, and purchase such goods as those of the Opposer, resulting in loss of sales to Opposer.

13. Applicant's mark **GOOGLE**, when used on or in connection with the goods and/or services of the Applicant, is merely descriptive or deceptively misdescriptive of the goods.

14. Applicant's mark **GOOGLE**, when used on or in connection with the goods and/or services of the Applicant, is generic.

15. Upon information and belief, said application was obtained fraudulently in that the formal application papers filed by Applicant, under notice of §1001 of Title 18 of the United States Code stated that Applicant had a valid intent to use date. Said statement was false. Said false statement was made with the knowledge and belief that it was false, with the intent to induce authorized agents of the U.S. Patent and Trademark Office to grant said registration in that the Applicant, at the time it filed its said application and declaration were in fact an invalid intent to use date.

16. Upon information and belief, said application was obtained *fraudulently* in that the formal application papers filed by Applicant, under notice of §1001 of Title 18 of the United States Code stated that Applicant had a valid use in commerce when Applicant filed its Trademark application on *September 16, 1999*. Applicant had no valid use in commerce.

17. Upon information and belief, the Applicant has no evidence to establish a valid intent to use in commerce.

18. Upon information and belief, the Applicant has no evidence to establish a valid "use" date in commerce.

19. Applicant's use application was a fraud in that Applicant had no evidence to establish a valid use in commerce.

20. Applicant's said use statement was a false statement and was made with the knowledge and belief that it was *false*, with the intent to induce authorized agents of the U.S. Patent and Trademark Office to grant said registration as well known to the Applicant.

21. Upon information and belief, said statement of use of the mark **GOOGLE** on the services in question, was made by an authorized agent of Applicant with the knowledge and belief that said statements was false. Said false statements were made with the intent to induce authorized agents of the U.S. Patent and Trademark Office to grant said registration.

22. Applicant's mark **GOOGLE** was not applied for according to its correct type¹, as shown in its said application.

23. Applicant mutilated its alleged mark during the 2006 Winter Olympics on the internet, and is not entitled to registration. See a true and correct copy of an exhibit attached hereto.

24. Upon information and belief, the Applicant was not the owner of the mark for which the registration is requested².

25. Upon information and belief, applicant's use application was signed with the knowledge that another party had a right to use the mark in commerce on the same or similar goods.

26. Concurrent use of the mark **GOOGLE** by the Applicant and *GOOGLE* by the Opposer may result in irreparable damage to Opposer's Marketing and/or Trademark Licensing Program, reputation and goodwill.

27. If the Applicant is permitted to obtain a registration of the mark **GOOGLE**, a cloud will be placed on Opposer's title in and to its trademark, *GOOGLE*, and on its right to enjoy the free and exclusive use thereof in connection with the sale of its goods and/or services, and on its Trademark Licensing Program, all to the great injury of the Opposer.

28. Upon information and belief, Applicant's use Application was signed with the knowledge that another party had a right to use the mark in commerce.

29. Upon information and belief, the Applicant has abandoned the mark **GOOGLE**.

30. The registration to Applicant of the mark **GOOGLE** shown in the aforesaid application is likely to and will result in financial and other injury and damage to the Opposer in its business and in its enjoyment of its established rights in and to its said mark *GOOGLE*.

1. See §108 of the TMEP, page 100-5, Registration As Correct Type of Mark - It is important that a mark be registered according to its correct type, if it is not, the registration may be subject to cancellation. See *National Trailways Bus System v. Trailway Van Lines, Inc.*, 222 F. Supp 143, 139 USPQ 54 (E.D.N.Y. 1963), and 269 F. Supp. 352, 155 USPQ 507 (E.D.N.Y. 1965).

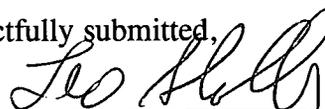
2. See *Huang v. Tzu Wei Chen Food Co. Ltd.*, 849 F.2d 1458, 7 USPQ2d 1335 (Fed. Cir. 1988). See TMEP §§706.01 and 802.06 §1 of the Trademark Act 15 U.S.C. §1051.

WHEREFORE, Opposer prays that the said Application for the trademark **GOOGLE** be denied, that no registration be issued thereon to Applicant, and that this Notice of Opposition be sustained in favor of the Opposer and that Opposer is entitled to judgment.

The Opposer prays for such other and further relief as may be deemed by the Director of Patents and Trademarks to be just and proper.

Enclosed is \$300.00.

Respectfully submitted,



Leo Stoller *Pres*
CENTRAL MFG. CO., Opposer
Trademark & Licensing Dept.
P.O. Box 35189
Chicago, Illinois 60707-0189
773 283-3880 FAX 708 453-0083

Dated: March 1, 2006

DECLARATION

The undersigned, Leo Stoller, declares that he is an individual and Director and President of CENTRAL MFG. CO., a Service Mark Application SN 78/782,064 and trademark and d/b/a for Central Mfg. Inc., A/K/A Central Manufacturing Inc., a Delaware Corporation registered to do business as Central Mfg Co., of Illinois A/K/A Central Manufacturing Co., founded and operated by Leo Stoller as such, is authorized to execute this document on its behalf, that all statements made of his own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: March 1, 2006

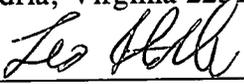
By: 
Leo Stoller

By: 
Leo Stoller, President
CENTRAL MFG. CO.

Certificate of Mailing

I hereby certify that the foregoing *Notice of Opposition* is being sent by **Express Mail No: EQ 014137445 US** with the U.S. Postal Service in an Express Mail envelope addressed to:

Box TTAB / FEE
Commissioner of Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451



Leo Stoller

Date: March 1, 2006



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Record 1 out of 1

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Browser to return to TESS)



**Word Mark
Goods and
Services**

GOOGLE

IC 009. US 021 023 026 036 038. G & S: Computer software for searching, compiling, indexing and organizing information on computer networks; computer hardware, computer software for searching, compiling, indexing, and organizing information within individual workstations and personal computers; computer software for creating indexes of information, indexes of web sites and indexes of other information resources; mouse pads. FIRST USE: 20001100. FIRST USE IN COMMERCE: 20001100

IC 011. US 013 021 023 031 034. G & S: lamps. FIRST USE: 20020600. FIRST USE IN COMMERCE: 20020600

IC 012. US 019 021 023 031 035 044. G & S: License plate frames and holders. FIRST USE: 20020600. FIRST USE IN COMMERCE: 20020600

IC 016. US 002 005 022 023 029 037 038 050. G & S: notebooks, pens, stickers, decals. FIRST USE: 20020600. FIRST USE IN COMMERCE: 20020600

IC 018. US 001 002 003 022 041. G & S: Bags, namely, tote bags, duffle bags, backpacks; umbrellas. FIRST USE: 20020600. FIRST USE IN COMMERCE: 20020600

IC 021. US 002 013 023 029 030 033 040 050. G & S: Mugs, tumblers. FIRST USE: 20020600. FIRST USE IN COMMERCE: 20020600

IC 025. US 022 039. G & S: Clothing, namely, shirts, t-shirts, vests, hats, caps, boxer shorts; children's clothing, namely, t-shirts. FIRST USE: 20010100. FIRST USE IN COMMERCE: 20010100

IC 028. US 022 023 038 050. G & S: Toys and sporting equipment, namely plastic exercise balls.

FIRST USE: 20010100. FIRST USE IN COMMERCE: 20010100

IC 035. US 100 101 102. G & S: Electronic retailing services via computer featuring mouse pads, lamps, license plate frames and holders, notebooks, pens, stickers, decals, tote bags, duffle bags, backpacks, umbrellas, mugs, tumblers, shirts, t-shirts, modem cords, toys, vests, caps, hats, and other clothing items. FIRST USE: 19990731. FIRST USE IN COMMERCE: 19990731

IC 038. US 100 101 104. G & S: providing multiple user access to proprietary collections of information by means of global computer information networks. FIRST USE: 19970900. FIRST USE IN COMMERCE: 19970900

IC 042. US 100 101. G & S: Computer services, namely, providing software interfaces available over a network in order to create personalized on-line information services; extraction and retrieval of information and data mining by means of global computer networks; creating indexes of information, indexes of web sites and indexes of other information sources in connection with global computer network; providing information from searchable indexes and databases of information, including text, electronic documents, databases, graphic and audio visual information, by means of global computer information networks. FIRST USE: 19970900. FIRST USE IN COMMERCE: 19970900

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Design Search Code

Serial Number 76314811

Filing Date September 18, 2001

Current Filing Basis 1A

Original Filing Basis 1A

Published for Opposition November 1, 2005

Owner (APPLICANT) GOOGLE INC. CORPORATION DELAWARE 1600 Amphitheatre Parkway Building 41 Mountain View CALIFORNIA 94043

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Julia Anne Matheson

Description of Mark The mark consists of The first letter "G" is blue; the second letter "O" is red; the third letter "O" is yellow; the fourth letter "G" is blue; the fifth letter "L" is green; and the sixth letter "E" is red. The drawing is lined for the color(s) red, blue, green and yellow.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[Browse Dicy](#)
[SEARCH OG](#)
[TOP](#)
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Thank you for your request. Here are the latest results from the TARR web server.

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Serial Number: 76314811 Assignment Information

Registration Number: (NOT AVAILABLE)

Mark

Google

(words only): GOOGLE

Standard Character claim: No

Current Status: A request for an extension of time to file an opposition has been filed at the Trademark Trial and Appeal Board.

Date of Status: 2005-11-27

Filing Date: 2001-09-18

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 114

Attorney Assigned:
FIRST VIVIAN M Employee Location

Current Location: 650 -Publication And Issue Section

Date In Location: 2005-09-22

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. GOOGLE INC.

Address:
GOOGLE INC.

1600 Amphitheatre Parkway Building 41
Mountain View, CA 94043
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Computer software for searching, compiling, indexing and organizing information on computer networks; computer hardware, computer software for searching, compiling, indexing, and organizing information within individual workstations and personal computers; computer software for creating indexes of information, indexes of web sites and indexes of other information resources; mouse pads

First Use Date: 2000-11-00

First Use in Commerce Date: 2000-11-00

Basis: 1(a)

International Class: 011

lamps

First Use Date: 2002-06-00

First Use in Commerce Date: 2002-06-00

Basis: 1(a)

International Class: 012

License plate frames and holders

First Use Date: 2002-06-00

First Use in Commerce Date: 2002-06-00

Basis: 1(a)

International Class: 016

notebooks, pens, stickers, decals

First Use Date: 2002-06-00

First Use in Commerce Date: 2002-06-00

Basis: 1(a)

International Class: 018

Bags, namely, tote bags, duffle bags, backpacks; umbrellas

First Use Date: 2002-06-00

First Use in Commerce Date: 2002-06-00

Basis: 1(a)

International Class: 021

Mugs, tumblers

First Use Date: 2002-06-00

First Use in Commerce Date: 2002-06-00

Basis: 1(a)

International Class: 025

Clothing, namely, shirts, t-shirts, vests, hats, caps, boxer shorts; children's clothing, namely, t-shirts

First Use Date: 2001-01-00

First Use in Commerce Date: 2001-01-00

Basis: 1(a)

International Class: 028

Toys and sporting equipment, namely plastic exercise balls

First Use Date: 2001-01-00

First Use in Commerce Date: 2001-01-00

Basis: 1(a)

International Class: 035

Electronic retailing services via computer featuring mouse pads, lamps, license plate frames and holders, notebooks, pens, stickers, decals, tote bags, duffle bags, backpacks, umbrellas, mugs, tumblers, shirts, t-shirts, modem cords, toys, vests, caps, hats, and other clothing items

First Use Date: 1999-07-31

First Use in Commerce Date: 1999-07-31

Basis: 1(a)

International Class: 038

providing multiple user access to proprietary collections of information by means of global computer information networks

First Use Date: 1997-09-00

First Use in Commerce Date: 1997-09-00

Basis: 1(a)

International Class: 042

Computer services, namely, providing software interfaces available over a network in order to create personalized on-line information services; extraction and retrieval of information and data mining by means of global computer networks; creating indexes of information, indexes of web sites and indexes of other information sources in connection with global computer network; providing information from searchable indexes and databases of information, including text, electronic documents, databases, graphic and audio visual information, by means of global computer information networks

First Use Date: 1997-09-00

First Use in Commerce Date: 1997-09-00

Basis: 1(a)

ADDITIONAL INFORMATION

Description of Mark: The mark consists of The first letter "G" is blue; the second letter "O" is red; the third letter "O" is yellow; the fourth letter "G" is blue; the fifth letter "L" is green; and the sixth letter

"E" is red.

Lining and Stippling: The drawing is lined for the color(s) red, blue, green and yellow.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-11-27 - Extension Of Time To Oppose Received

2005-11-01 - Published for opposition

2005-10-12 - Notice of publication

2005-09-06 - Law Office Publication Review Completed

2005-09-06 - Assigned To LIE

2005-08-26 - Assigned To LIE

2005-08-24 - Approved for Pub - Principal Register (Initial exam)

2005-08-24 - EXAMINERS AMENDMENT E-MAILED

2005-08-24 - Examiners Amendment -Written

2005-08-10 - Previous allowance count withdrawn

2005-07-29 - Withdrawn Before Publication

2005-04-22 - Law Office Publication Review Completed

2005-04-18 - Assigned To LIE

2005-04-15 - Assigned To LIE

2005-04-13 - Approved for Pub - Principal Register (Initial exam)

2005-03-22 - Amendment From Applicant Entered

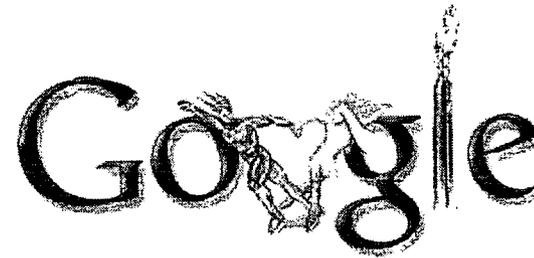
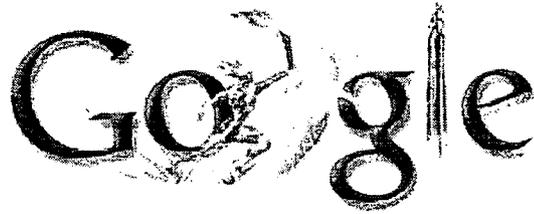
2005-02-17 - Communication received from applicant

2005-02-17 - TEAS Response to Office Action Received

2005-02-17 - Petition To Revive-Granted

2005-02-17 - TEAS Petition To Revive Received

Google™ 2006 Winter Games Doodle



Google

Google

GOOGLE

GOOGLE BRAND PRODUCTS & SERVICES SINCE 1981

P.O. Box 35189, Chicago, IL 60707-0189

VOICE 773/283-3880 * FAX 708/453-0083 * WEB PAGE: www.rentamark.com

November 29, 2005

FILE

Julia Anne Matheson
ROSE HAGAN
Google, Inc.
Building 41
1600 Amphitheatre Parkway
Mountain View, CA 94043

Re: **FOR SETTLEMENT PURPOSES ONLY -- NOT DISCOVERABLE.**
GOOGLE
APP. S/N: 76-314,811

Dear Ms. Matheson:

We are serving notice on you that we have filed a request for an extension of time to oppose your client's pending trademark application SN: 76-314,811.

We hold common law rights have been using the similar mark **GOOGLE** for many years prior to your clients use of the said mark and we engage in an active, aggressive trademark licensing program. We thus invite your client to become a trademark licensee of ours.

We have standing pursuant to **37 CFR §2.101(b)** to oppose your client's said trademark application and to conduct extensive discovery into your clients books and records, including depositions under oath of your client's executive officers.

THE BOARD PROVIDES A PERIOD OF TIME FOR PARTIES TO SETTLE

The Board encourages parties to settle registerability issues prior to filing of a Notice of Opposition. district Courts through out the land encourage parties to settle complex trademark litigation without getting into the actual merits of the claims, on the grounds that parties can will never settle a controversy outside of a court decision if the parties insist that their claims have to settled on the merits. In the case at bar, it will cost the parties at a minimum in excess of **\$150,000.00 (one hundred and fifty thousand dollars an no/100)** in fees and costs, and five years, to litigate this matter through to the Federal Circuit, without any party receiving a guaranteed positive result, not withstanding the merits of either parties claims. In view of the above the Board strongly encourage parties to settle register ability issues as between themselves rather than by TTAB decision. That is why the potential opposer is attempting to reach out to the Applicant in the extension period allowed by the Board to achieve an amicable settlement as between the parties.

It should be noted for the record that the potential opposer in this case has engaged in more oppositions and petitions to cancel over the last 30 years than any other entity currently practicing before the TTAB (over 300).

As well known to the Applicant, an Opposer in any opposition proceeding has the clear distinct procedural advantage in that there is an automatic "cloud" placed over the Applicant's title to its mark, which will not evaporate until the final court, the Federal Circuit speaks. After 4 or 5 new management, which loses interest in the said Application. In addition, the Applicant will not normally invest much of its time and funds promoting a mark which has a dark "cloud" over it. Consequently, an this Applicant would be well advised to merely file an express abandonment of the said application rather than continue to invest in an trademark application that may never register. That is what we encourage the applicant in this case to do. No money has to exchange hands, if the Applicant chooses to file a express abandonment with prejudice of its said application at issue within ten days.

This is an easy case to settle today.

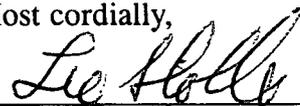
Prior to our filing the Notice of Opposition, the potential opposer i s placing on the table three reasonable settlement proposals, that when accepted by your client, will amicably resolve the registerability controversy. Number one is a Covenant Not To Sue where in your client agrees to abandon its trademark Application. The second is a 5% royalty based trademark licensing which will allow your client to use the said mark under license. The third agreement is a Consent To Register Agreement. Any of the said settlement agreements will avoid the need of a long and costly opposition proceeding and will allow the parties to resolve the said controversy registerability controversy amicably.

It should be noted that the potential opposer will not require the applicant, nor should be applicant require the potential Opposer to engage in any pretrial discovery whatsoever, as it has never been proven beneficial to resolving a registerably issue outside of a TTAB decision. The potential opposer will not participate in any pretrial discovery. If the Applicant is interested in settling this matter prior to the filing of a Notice of Opposition, the Opposer has given the Applicant three very easy methods upon which this case can be quickly settled.

The settlement offer(s) are valid until December 20, 2005.

If you have any questions please feel free to call me at 773-589-0340.

Most cordially,



Leo Stoller
GOOGLE
P O Box 35189
Chicago, IL 60707
Tel: 773/283-3880
FAX: 708/453-0083

RENTAMARK.COM

LICENSING BRAND PRODUCTS & SERVICES

P.O. Box 35189, Chicago, IL 60707-0189

VOICE 773/283-3880 * FAX 708/453-0083 * WEB PAGE: www.rentamark.com

FOR SETTLEMENT PURPOSES ONLY NOT DISCOVERABLE RULE 408

Mr. Michael T. Zeller Esq.
Quinn Emanuel Urquhart Oliver & Hedges, LLP
865 S. Figueroa St. 10th Floor
Los Angeles, California 90017

Re: Request for an Extension of time to Oppose Application SN 76-314811
Your client's mark GOOGLE has become Generic and will be canceled

Dear Mr. Henderson:

This is a good faith effort to resolve a registerability issue regarding your client's application as well as a Petition to Cancel Your Client's GOOGLE Registrations that have become Generic §1209.01(c) Generic Names

"Generic terms for goods or services (such as Google) are incapable of functioning as registrable trademarks denoting origin or any specific source. Such terms (like Google) are not registrable on the Principal Register or on the Supplemental Register, pursuant to §2(f) of the Trademark Act".

When we last spoke, last week I informed you with what you are already well aware that your client's GOOGLE mark has become a "generic" term and is no longer registerable. On Friday January 20, 2006 the Chicago Tribune published an article confirmed my allegation:

GOOGLE SET TO FIGHT JUSTICE'S DATA DEMAND

The dominant search engine, whose name has become a *verb*, has vowed to "rigorously" fight the justice Department... See attached true and correct copy of the Tribune Article.

Now all it will take is a skilled Trademark Practitioner to properly plead a Petition to Cancel Your client's GOOGLE mark pursuant to §2(f) and Google's mark will disappear off of the Principle Register and that will make the Yahoo case settlement look like a real bargain compared to Google's refusal to settle this registerability issue with the Potential Opposer for such an embarrassing small monetary figure.

Most cordially,

Leo Stoller,
Chicago, IL 60707-0189
Tel: 773/283-3880

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January 26, 2006

FOR SETTLEMENT PURPOSES ONLY NOT DISCOVERABLE RULE 408

Mr. Michael T. Zeller Esq.
Quinn Emanuel Urquhart Oliver & Hedges, LLP
865 S. Figueroa St. 10th Floor
Los Angeles, California 90017

Re: Request for an Extension of time to Oppose Application SN 76-314811

Dear Mr. Henderson:

Thank you for your fax dated January 26, 2006.

Your letter entirely mischaracterizes my conversation with you. First of all the conversation that we had was made pursuant to Federal Rules of Evidence Rule 408 Compromise and Offers to Compromise and is not discoverable. Secondly, I merely informed you that the issues in this case involve only the registerability of your client's trademark Application SN 76-314811. I did not send to your client any cease and desist letter and have not charged your client with trademark infringement. The fact that I informed you that I intended to file an Opposition to your client's trademark Application SN 76-314811 does not give rise to any cause of action in the district court.

I also put forward some settlements agreement that could resolve this matter amicably with either an Express Abandonment of your client's said Application, a trademark license or even a possible consent to register agreement.

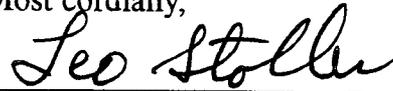
The Trademark Trial and Appeal Board encourages parties to attempt to resolve registerability issues prior to the filing of an Notice of Opposition and the Rules provide for an Extension of time in order for the parties to attempt to reach an amicable accord.

It appears that you have put forward some terms upon which we can discuss settlement at page 3 paragraph two of your letter. For instance your client appears to want to resolve this matter on the basis that we give up any rights to our GOOGGLE mark and desire that we not license to any third parties. We would be willing to entertain such a settlement although it was not our original intent to offer any settlement that would force us to give up any rights that we have in our GOOGLE BRAND. However at this early stage in this proceeding everything is on the table.

Nonetheless, we have prepared a settlement agreement that encompasses your client's settlement wishes, that we agree to discontinue all use of the mark Google. We would prefer a co-existence agreement but we have put forth a settlement agreement that we believe the parties can both live with.

The attached agreement is valid until Feb. 02, 2006.

Most cordially,



Leo Stoller, Pres.

P O Box 35189

Chicago, IL 60707

Tel: 773/283-3880

FAX: 708/453-0083

CONFIDENTIAL

quinn emanuel trial lawyers | los angeles

865 South Figueroa Street, 10th Floor, Los Angeles, California 90017 | TEL 213-624-7707 FAX 213-624-0643

January 26, 2006

VIA FACSIMILE AND U.S. MAIL

Mr. Leo Stoller
P.O. Box 35189
Chicago, IL 60707-0189

Re: Google Inc.

Dear Mr. Stoller:

As you know, this firm represents Google Inc. ("Google"), the owner of all rights to the famous GOOGLE mark.

I am writing further to our telephone call on January 11, 2006. During our conversation, you confirmed that you are the CEO of Central Mfg. Co., which you said is in the business of "trademark licensing and enforcement." You stated that Central Mfg. Co. is using "Google Brands & Services" as a trade name and as a d/b/a and is using the trademark "Google," including through licensees, on consumer goods that include the same types of consumer goods which Google sells. According to you, these uses of "Google" by and through Central Mfg. Co. have occurred not just in the Chicago area, but "all over" the United States. You indicated that you could demonstrate such uses through "catalog sheets," "licensing agreements" with third parties and "invoices."

In addition, you stated that you and Central Mfg. Co. have the "right to continue to use" "Google" as a mark in connection with all consumer goods, whereas Google has no right to use the GOOGLE mark on any consumer goods and has no right to go into what you called "our business." Indeed, you asserted that my client's GOOGLE mark is "generic" in connection with Internet search engines and that you would seek to undo Google's rights in its GOOGLE mark if it did not give in to your demands (described further below). The only alleged basis that you

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Mr. Leo Stoller
January 26, 2006

cited for this contention was that Google has been "so successful" and become "so famous" that its mark has been rendered generic.

During our conversation, you stated more than once that you would not provide us with any evidence to substantiate your claim of purported rights to, or use of, the mark or trade name "Google," although you claimed to have such documentation. You likewise declined to explain to me the origins of your claimed "Google" mark or to state who the licensees were.

You demanded during our conversation that Google either (1) cease using the GOOGLE mark for all consumer goods or (2) pay you money. Otherwise, you claimed that you would become a "nightmare" for Google, including by seeking to depose its top-level executives and demanding all of its financial documents. A decision by Google to fight this "controversy" with you and your company, as you put it, would cost Google hundreds of thousands of dollars and take years, even if the asserted claims are without merit. You additionally claimed that this dispute will put a "cloud on Google's brand" and "tie up its brand," will "defeat" Google's "ability to license" its GOOGLE mark in any field and will hamper Google's "ability to grow" its business.¹ For these reasons, you claimed, it was "less expensive" for Google to simply do as you demand and thereby get you "out of the Google game."

Your refusals to substantiate your alleged ownership of rights, coupled with your avowed intention to embark on a campaign of harassment if Google does not capitulate to your demands, make clear that there is no good faith factual or legal basis for your assertions that you and Central Mfg. Co. own rights of any kind to the mark or trade name "Google." Regrettably, your tactics here are consistent with your pattern of threatening and pursuing frivolous litigation -- including based on fabricated claims -- that is well documented in numerous Court rulings against you and your companies. E.g., S Indus., Inc. v. Centra 2000, Inc., 249 F.3d 625, 627-29 (7th Cir. 2001) (affirming attorneys' fee award against one of your companies because its suit was "indefensible" and "meritless" and stating that your "actions here look to be part of a pattern of abusive and improper litigation"); Central Mfg. Co. v. Pure Fishing, Inc., Order of Nov. 16, 2005 (N.D. Ill., Lindenberg, J.) (noting that you have "earned a reputation for initiating spurious and vexatious federal litigation" and finding that you had engaged in "gross misconduct" and "unethical conduct," evinced "an appalling lack of regard" for the judicial process and brought motions "that lacked any evidentiary support"); Central Mfg. Co. v. Brett, Order of Sept. 30, 2005 (N.D. Ill., Coar, J.) ("Stoller appears to be running an industry that produces often spurious, vexatious, and harassing federal litigation."); S Indus., Inc. v. Stone Age Equip., Inc., 12 F.

¹ To illustrate these points during our telephone call, you informed me that you had pursued many other "high profile" trademark disputes against others. These included, you claimed, an acknowledgment by Microsoft in one case that you owned superior trademark rights and, in another case, an assignment of rights to the mark "Terminator" that Canal Plus paid you money to acquire.

Mr. Leo Stoller
January 26, 2006

Supp. 2d 796, 819 (N.D. Ill. 1998 (Castillo, J.) (awarding attorney's fees against one of your companies, calling your documents "highly questionable" and "perhaps fabricated" and describing your testimony as "inconsistent, uncorroborated, and in some cases, demonstrably false"); S Indus., Inc. and Central Mfg. Co. v. JL Audio, Inc., 2003 WL 21189779, at *5 (TTAB 2003) ("Mr. Stoller's and opposers' litigation strategy of delay, harassment and even falsifying documents in other cases is well documented" and citing numerous cases in support).

We therefore expect your written acknowledgment, no later than February 2, 2006, that neither you nor any company owned or operated by you, including Central Mfg. Co., has any right, title or interest of any kind in GOOGLE, either as a mark or as a trade name. We further expect your written confirmation that you, your companies and your purported licensees are not using and will not use the mark or trade name "Google" in connection with the sale or offering for sale of goods or services.

Should you fail to do so, Google will take appropriate steps to vindicate its legal rights, which may include seeking reimbursement of its attorneys' fees and an award of sanctions against you and your companies.

I also understand that you called Rose Hagan at Google regarding this matter and left her a voicemail. Please direct any future communications to me, and not to Google.

This is not a complete statement of Google's position, and Google reserves all of its rights in this matter.

Very truly yours,



Michael T. Zeller

20056/1814666.1

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January 27, 2006

VIA FACSIMILE AND U.S. MAIL

Mr. Leo Stoller
P.O. Box 35189
Chicago, IL 60707-0189

Re: Google Inc.

Dear Mr. Stoller:

This is in response to your letter dated January 26, 2006.

Although your letter asserts I mischaracterized our telephone conversation of January 11, 2006, it fails to specify how. If, contrary to what you stated over the phone, you are now willing to provide us with documents which you claim substantiate your and/or Central's purported rights to use the mark or trade name "Google," please send them to me.

Your letter is incorrect in its assumption that Google has any interest in resolving this dispute by paying money to you or your alleged companies. Google will not do so, and the proposal attached to your letter is rejected.

I presume from your letter that you are refusing the terms set forth in my January 26, 2006 letter, namely, your provision of an unambiguous, written acknowledgment (1) that neither you nor any company owned or operated by you, including Central, has any right, title or interest of any kind in GOOGLE as a mark or as a trade name and (2) that you, your companies and your purported licensees are not using and will not use the mark or trade name "Google" in connection with the sale or offering for sale of goods or services. If I am mistaken on this score, please send me the written confirmation that we have sought. Otherwise, we will proceed on the basis that you and your companies are refusing to provide it.

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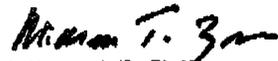
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Mr. Leo Stoller
January 27, 2006

Finally, notwithstanding the request in my January 26 letter, it appears that you are continuing to send communications to Google regarding this matter. That must stop, since Google does not want further contact with you directly, but only through counsel. Again, I ask that you please direct any future communications to me, and not to Google.

This is not a complete statement of Google's position, and Google reserves all of its rights in this matter.

Very truly yours,


Michael T. Zeller

20056/1814666.1

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February 17, 2006

VIA FACSIMILE AND U.S. MAIL

Mr. Leo Stoller
P.O. Box 35189
Chicago, IL 60707-0189

Re: Google Inc.

Dear Mr. Stoller:

This is in response to the various emails and faxes that you sent me on February 4, February 9 and February 13.

Contrary to the statements in those emails and faxes, Google has responded to your proposals. As I stated in my January 27 letter, Google is not willing to resolve the disputes by paying money to you or your alleged companies. Nor is Google amenable to resolving them by acknowledging that you or your alleged companies currently have, or ever have had, any right or interest in "Google" as a mark or trade name.

My January 26 letter contained Google's proposal to bring closure to these disputes, which you instigated. By all indications, however, you and your alleged companies are rejecting our proposed terms and are now purporting to raise yet more issues by asserting that Google's mark is generic and otherwise attacking Google's rights. As with your prior assertions that you and your companies own superior, common law rights to "Google," there is no basis for your newest arguments. Indeed, they are merely part and parcel of your well-documented practice of wrongfully threatening and then bringing frivolous litigation -- including based on fabricated evidence and false testimony -- for no purpose other than to extort money from legitimate businesses, large and small.

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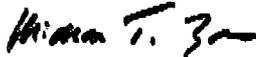
Mr. Leo Stoller
February 17, 2006

It is evident that the parties sharply disagree about, among other things, Google's superior rights to its GOOGLE mark and your lack of rights to use "Google" as a mark or trade name. That -- coupled with your groundless demands that Google cease using its famous GOOGLE mark or else pay you money, your threats of litigation, your threats to damage Google's innocent shareholders by publicizing your spurious allegations and your refusals to resolve this matter as we have proposed -- regrettably appears to mean that yet another court will have to be burdened with a dispute you created.

However, as I had asked in my January 27 letter, if you in fact are agreeable to providing the written assurances that we have requested so as to avoid litigation, then I would appreciate hearing from you.

This is not a complete statement of Google's position, and Google reserves all of its rights in this matter.

Very truly yours,



Michael T. Zeller

20056/1814666.1

SECTION

3

BUSINESS

THE DIGEST

Business news
in today's Chicago Tribune

NATION

Google set to fight
Justice's data demand

The dominant search engine, whose name has become a verb, has vowed to "vigorously" fight the Justice Department's attempt to have it hand over a trove of personal information, including searches by a million users. The government wants to comb the data for porn-related queries in its effort to resurrect an online porn law deemed unconstitutional last year. Google's steadfast reply has heartened privacy-rights advocates. **SEC. 1, PAGE 1**

All that glitters ...

With gold up almost 28 percent in the last five months, some analysts are warning investors about a frothy market. "Prices have been mainly driven by speculators, not fundamentals," said widely respected Barclays precious-metals analysts Yingxi Yu, Kevin Norrish and Ingrid Sternby. "Investors need to be aware that prices are extremely vulnerable to a change in sentiment." **BUSINESS, PAGE 6**

CHICAGO AREA

Tough December for Tribune Co.

The media concern's shares come under pressure as it reports a worse-than-expected decline in December revenues. Combined revenues from Tribune's publishing, broadcasting and entertainment segments fell 6.1 percent, to \$539 million, in the five weeks that ended Dec. 25, compared with the year-earlier period. Revenue derived from advertising was "particularly disappointing," Goldman Sachs analyst Peter Appert writes. **BUSINESS, PAGE 3**

Jewel stores sale talks revived

The owner of Jewel grocery stores reportedly has rekindled talks with a group of interested buyers, giving a small boost to the stock of parent Albertson's. A group including food retailer Supervalu—which owns Cub Foods—has submitted a sweetened bid to Albertson's board, according to a re-

EARNINGS

Motorola's net s

76% increase beats analyst estimates, but stock drops in after-hou

By Mike Hughlett

Tribune staff reporter

Motorola Inc. beat Wall Street forecasts Thursday as fourth-quarter profit jumped by 76 percent compared with the same period last year.

Still, the company's stock dipped in after-hours trading as Motorola fell short of analysts' sales expectations and posted weaker-than-expected

results in its phone-equipment segment.

Schaumburg-based Motorola, the world's second-largest mobile phone-maker, recorded net earnings of \$1.2 billion, or 47 cents per share. That includes 12 cents per share in non-recurring gains, primarily from a settlement in a legal battle over the collapse of Telsim, Turkey's second-biggest wireless carrier.

Analysts polled by Thomson Financial were expecting profits of 34 cents per share, not including one-time gains, so Motorola beat forecasts by 1 cent.

However, Motorola's \$10.43 billion in sales, up 18 percent from 2004's fourth quarter, were a bit less than the \$10.5 billion analysts' expected.

Motorola's mobile phone segment, which comprises 62

Levy Restaurants

Operates sports arena food services and fine dining restaurants, including noted Chicago locations such as Bistro 110, Spiaggia, Fulton's on the River and Mia Torre.

Founded: 1978

Headquarters: Chicago

Employees: 15,000

Operations: 95 locations in 41 U.S. and Canadian markets

REVENUES In billions of dollars

2004 ■ \$0.47

2005 ■ \$0.61

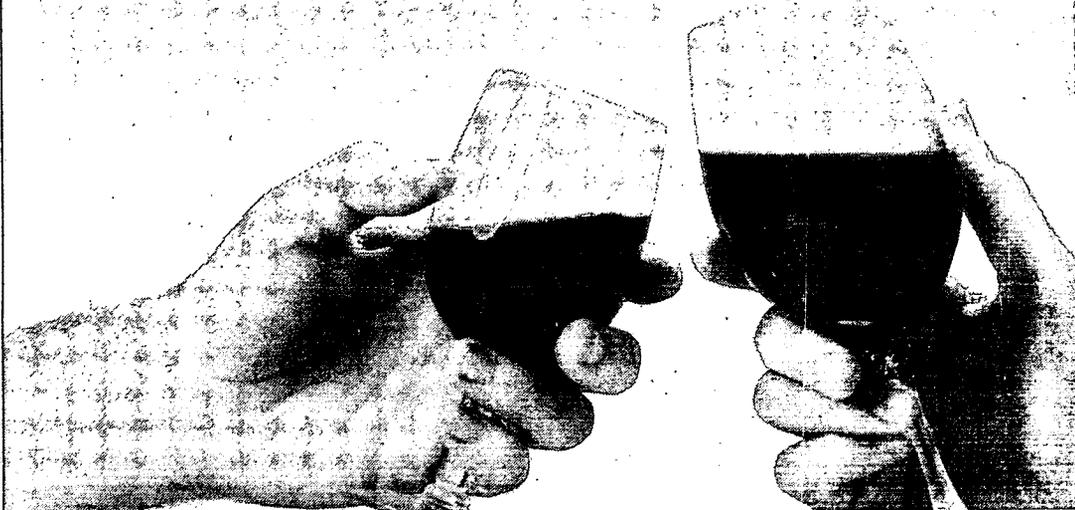
Compass Group

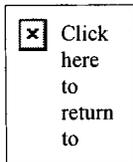
One of the world's largest foodservice companies, providing food and vending services to restaurants, institutions and other locations.

REVENUES In billions of dollars

2004 ■

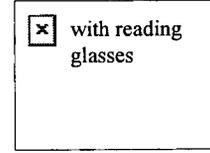
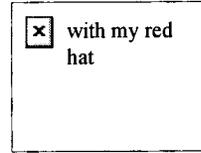
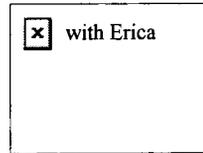
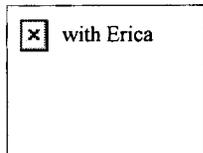
2005 ■





[Surfnetskids Journal: Google the Verb](#)

« [I Used to be Barbara Newdorf](#) | [Main](#) | [First Day of School](#) »



August 09, 2005

Google the Verb

Did you notice the lower-case "google" used as a verb in my [last post](#)?

The American Dialect Society chose "google" the verb as the "most useful word of 2002." Then, a few ago, the Oxford American Dictionary blessed "google" by including it as a verb in their latest edition.

I'd heard "google" here and there, but wondered whether it should be capitalized when used as a verb. I answer at [8 Ways to Sunday](#):

"Nouns, adjectives and verbs derived from personal, national or geographical names are often lowercase used with a specialized meaning" *Chicago Manual of Style, 14th Ed. 7.49*

Google (the corporation with a capital "G") is quite upset about the use of "google" as a verb. And their [are working overtime](#) trying to protect their trademark, and discourage the use of "google" as a verb.

What do think? Do you google? Or Google? Or not?

Posted by Barbara J. Feldman at August 9, 2005 06:51 PM | [Comments \(0\)](#)

Post a Comment

Thanks for signing in, . Now you can comment. ([sign out](#))

(If you haven't left a comment here before, you may need to be approved by the site owner before your will appear. Until then, it won't appear on the entry. Thanks for waiting.)

URL:

Remember me? Yes No

Comments:

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To google or not to google?

posted February 26, 2003 at 10:00 am

Paul McFedries, who runs the excellent [Word Spy](#), has received a letter from one of Google's lawyers concerning [his citation of the word google \(v.\)](#):

To search for information on the Web, particularly by using the Google search engine; to search the Web for information related to a new or potential girlfriend or boyfriend.

The letter reads in part:

This definition implies that "google" is a verb synonymous with "search." Please note that Google is a trademark of Google Technology Inc. Our brand is very important to us, and as I'm sure you'll understand, we want to make sure that when people use "Google," they are referring to the services our company provides and not to Internet searching in general.

Frank Abate, a participant on the mailing list, [responds to Paul's query](#) for information and advice and points out that Google can't really do anything about it:

Of course google is used as a verb. And why not? It only makes sense, it is short, it is fun, it works. And what the Google (TM) lawyer knows, but does not say, is that the company he represents cannot do anything about its use as a verb, legally. They cannot sue, as one cannot claim proprietary rights to a verb. Jesse Sheidlower recently pointed this out to me; apparently it is an explicit part of US law re trademarks.

I can't speak to the specific legal matters in this case, but having [some experience](#) in getting such letters from lawyers, it looks as though Frank is right. That letter from Google is a bluff, an example of a corporation using their significant corporate resources (i.e. time and money) to make individuals - who generally have neither time nor money, relatively speaking - do what the corporation wants them to do, regardless of legality.

When companies get big, do they just naturally turn into bullies or is it a conscious decision? (via [Grant](#))

Update: I'm well aware that Google, in order to protect their trademark, has to send out such letters. By law, trademarks need to be defended by the entities that own them or else they could lose that ownership. But still, it seems a little bullying when letters are sent out with the implication (however indirect or slight) of legal action when no legal action (assuming that Mr. Abate is correct) can be taken. Just rubs me the wrong way, although I'm unsure of a solution given the legal options available.

Cory Doctorow adds:

Allowing the generic use of "to google" by critical/academic sites like WordSpy does *not* constitute an abandonment of trademark (in fact, trademark abandonment involves a *very* high standard that is far in excess of allowing people to casually use your mark). What's

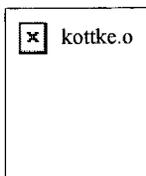
more, trademark specifically does NOT protect your mark from use in criticism, parody, instruction, and other first amendment contexts.

What is this place?

This entry is part of the kottke.org weblog, of which [Cheaper airline tickets](#) is the latest entry.

Within this weblog, this entry belongs in the [Google](#) categories and was published in [February 2003](#).

You're visiting kottke.org. All content by [Jason Kottke](#) ([contact me](#)) unless otherwise noted, with [some restrictions](#) on its use. Good luck will come to those who dig around in [the archives](#). If you've reached this point by accident, I suggest panic.





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Virtual Library Cat's Eye View

News and Views from Ernster, the Deane Law Library Virtual Cat.

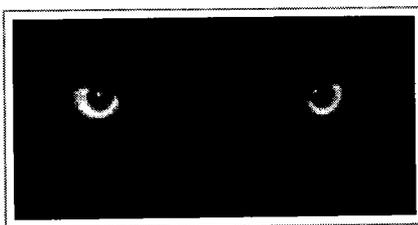
MONDAY, JANUARY 30, 2006

Using Google as a verb

An interesting example of Google being used as a verb can be found in [this Pontiac television commercial](#). In the spot, which is being shown regionally in the United States, someone is shown entering the term PONTIAC into the Google search box with the voiceover:

"Don't take our word for it, Google 'Pontiac' to find out!"

This is a great illustration of the power of Google the brand. Are broadcast and search mediums beginning to merge? Stay tuned for more...



Ernster, the Virtual Library Cat

posted by Ernster the Virtual Library Cat @ 8:05 AM [0 comments](#)

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Ernster the
Library Cat

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25 Feb 2004

Why Google is a verb and Yahoo isn't

For years Yahoo has tried to push their motto, 'Do you Yahoo?', trying to make their brand name into a Google has been trying, in vain, the opposite, to extend that they started sending trademark letters to we using Google as a verb. But the fact that Google is a verb and Yahoo isn't goes a long way in explaining differences between the two Internet powers.

The search engine wars are starting up. Yahoo dumped Google and we're all waiting for Microsoft to ge secret weapon out and kick Google. Well, maybe not in this version, or the next, but how does 3.1 soun let's concentrate on Google and Yahoo for a bit and especially the verbness of both names.

Yahoo has always tried to be a complete internet solution, from discussion groups, to mail, to homepage building and commerce. Yahoo doesn't want to be a portal, a place where you start your Internet advent but wants to be the Internet or at least a lifestyle on Internet. That's why they would like to be a verb. D Yahoo implies that Yahooing is a better way of internetting.

Google is the opposite. Google doesn't try to be everything for the Internetter, Google does only one thi search. Whether in newsgroups, shops, images or the plain old web, searching is what Google does best. makes to google as a verb much more attractive than to yahoo, which is why Google doesn't want the ve become popular; before you know it, people are googling at the new search engine of Yahoo.

Yahoo wants to be everything, wants to be a lifestyle and thus to be a verb. Google wants to be one thin wants to be unique and therefore doesn't want to be a general term like a verb.

comment_1

by

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google (GOO.gul) *v.* To search for information on the Web, particularly by using the Google search engine; to search the Web for information related to a new or potential girlfriend or boyfriend.

—**Googling** *pp.*

Example Citation:

Still a rare practice among the online masses, **Googling** the one you (might) love is fairly common among the young, professional and Internet-savvy. 'Everyone does it,' said Jena Fischer, 26, a Chicago advertising executive. 'And if [they say] they're not doing it, they're lying.'

—Nara Schoenberg, "Don't Go Into Date Blind; Singles Googling Before Canoodling," *Chicago Tribune*, April 2, 2001

Notes:

Note that Google™ is a trademark identifying the search technology and services of Google Technologies Inc.

Here's a citation illustrating the more general sense of the verb:

Dave Eggers, the 29-year-old author of 'A Heartbreaking Work of Staggering Genius' and editor of the quarterly journal *McSweeney's*, will chat with folks at a private Denver residence on Tuesday. ... Eggers is owner of probably the most **Googled** name out there right now.

—"Novelist Dave Eggers to speak in Denver," *The Denver Post*, September 10, 2000

Using **google** to scope out a new boyfriend or girlfriend — which has also been called *Google dating* and *interpersonal espionage* — took off after a lengthy article on the practice appeared in the January 15, 2001 issue of the *New York Observer*. However, the honor of the first print citation goes to the *Telegraph-Herald*, which published a story just the day before:

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! So if you're **Googling** your prospective dates, a word of warning: Don't jump to conclusions about someone just because Google says she murdered 50 people. Chances are, that's an overstatement.
—Amy Gilligan, "**Googling** is newest date thing," *Telegraph-Herald*, January 14, 2001

Note, too, some people claim you can only use the verb **google** to refer to a Google search. That makes sense, but how people use language often isn't sensible (how dull that would be!). Google *is* being used in a more general way. For example, one person told me that their daughter said she was "googling for her other sock." And here's an example citation (one of dozens I could provide) that shows the use of **googling** as a synonym for "searching the Web":

! The blind date has been replaced, we hear, by the 20/20 date.

Once, the prospective girlfriend devoted considerable time to the predate ritual, switching dresses, reapplying lipstick, declumping lashes, and, perhaps, calling the friend of a friend of a friend who might remember the date's name.

These days, date-readiness requires roughly the same amount of time, during which the investigative dater, suited up in her regulation black shift and clumpless mascara, gives the boyfriend-applicant a once-over. This process reflects none of the cuddliness implicit in the term "**Googling**."

With the assistance of her high-speed Internet connection, she scans and fact-checks her suitor's resume. Her short, buffed nails pull up his credit history, mortgage schedule, publications record, professional reprimands, genealogy and horoscope.
—Leah Eskin, "Getting to know ALL about you," *The Chicago Tribune*, February 9, 2003

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Posted on April 12, 2001 at 4:23 PM

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