

ESTTA Tracking number: **ESTTA298369**

Filing date: **07/30/2009**

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

Proceeding	91173105
Party	Defendant Michael Dalton
Correspondence Address	Michael Dalton P.O. Box 18137 670 Northland Blvd. Cincinnati, OH 45218-0137 UNITED STATES DALTONME@hotmail.com
Submission	Testimony For Defendant
Filer's Name	Michael Dalton
Filer's e-mail	DALTONME@hotmail.com
Signature	/ Michael Dalton /
Date	07/30/2009
Attachments	TAB AAcont3.pdf ( 1 page )(29561 bytes ) ApplicantExhibitFileFolder89thru92.pdf ( 1 page )(857519 bytes ) applicantexhibit89thru92.pdf ( 6 pages )(1767722 bytes )

# TAB AA

(continued 3)

HONDA MOTOR COMPANY, LTD., :

Opposer, :

-vs- :

Opposition No.

: 91/173,105

MICHAEL DALTON, :

Applicant. :

#### APPLICANT'S EXHIBITS

No. 89	-- Thedealerdashboard.com.....	84
No. 90	-- Email to DALTONME.....	86
No. 91	-- WHOIS Search Results.....	89
No. 92	-- Registry Data.....	90

This is the placeholder for domain **thedealerdashboard.com**. If you see this page after uploading site content you probably have not replaced the index.html file.

This page has been automatically generated by Plesk.



89

**DALTONME**

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**From:** <haskinslaw@aol.com>  
**Date:** Wednesday, June 10, 2009 4:27 PM  
**To:** <DALTONME@hotmail.com>  
**Subject:** Trademark Infringement

Mr. Dalton, I represent Growth Technologies International, Inc. Your "cease and desist" email to Growth's resellers is incorrect, as Growth is not using your brand, and does not intend to do so in the future. Any further emails or communication to resellers of Growth Technologies threatening legal action and/or violation of trademark infringement will be viewed as defamatory and intentional interference with a business/contractual relationship. My client will pursue legal action immediately, if this conduct should occur.

Harry W. Haskins, Esquire  
SunTrust Building  
3400 S. Tamiami Trail, Suite 201  
Sarasota, FL 34239  
(941) 366-1388 Office  
(941) 953-4284 Facsimile

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## WHOIS Search Results

### Your WHOIS Search Results



**thedealerdashboard.com**

Make an instant, anonymous offer to the current domain registrant. [Learn More](#)

[Make an offer to buy this domain](#)

BOOKMARK

**.ME is about YOU!**  
Personalize your space on the Internet with a .ME domain.  
[Learn More](#)

### SEARCH AGAIN

Enter a search term:

e.g. networksolutions.com

Search by:

[Domain Name](#)

[IP Address](#)

[Search](#)

Registrant:  
Contactprivacy.com  
96 Mowat Ave  
Toronto, ON M6K 3M1  
CA

Domain name: THEDEALERDASHBOARD.COM

Administrative Contact:  
contactprivacy.com, thedealerdashboard.com@contactprivacy.com  
96 Mowat Ave  
Toronto, ON M6K 3M1  
CA  
+1.4165385457

Technical Contact:  
contactprivacy.com, thedealerdashboard.com@contactprivacy.com  
96 Mowat Ave  
Toronto, ON M6K 3M1  
CA  
+1.4165385457

Registration Service Provider:  
Hover, help@hover.com  
416.538.5498  
http://help.hover.com

Registrar of Record: TUCOWS, INC.  
Record last updated on 16-Jan-2009.  
Record expires on 16-Jan-2010.  
Record created on 16-Jan-2009.

Registrar Domain Name Help Center:  
<http://domainhelp.tucows.com>

Domain servers in listed order:  
NS2.THATSUS.COM  
NS1.THATSUS.COM

Domain status: ok

This domain's privacy is protected by contactprivacy.com. To reach the domain contacts, please go to <http://www.contactprivacy.com> and follow the instructions.

The Data in the Tucows Registrar WHOIS database is provided to you by Tucows for information purposes only, and may be used to assist you in obtaining information about or related to a domain name's registration record.

Tucows makes this information available "as is," and does not guarantee its

When you register a domain name, current policies require that the contact information for your domain name registration be included in a public database known as WHOIS. To learn about actions you can take to protect your WHOIS information visit [www.internetprivacyadvocate.org](http://www.internetprivacyadvocate.org).

**NOTICE AND TERMS OF USE:** You are not authorized to access or query our WHOIS database through the use of high-volume, automated, electronic processes or for the purpose or purposes of using the data in any manner that violates these terms of use. The Data in Network Solutions' WHOIS database is provided by Network Solutions for information purposes only, and to assist persons in obtaining information about or related to a domain name registration record. Network Solutions does not guarantee its accuracy. By submitting a WHOIS query, you agree to abide by the following terms of use: You agree that you may use this Data only for lawful purposes and that under no circumstances will you use this Data to: (1) allow, enable, or otherwise support the transmission of mass unsolicited, commercial advertising or solicitations via direct mail, e-mail, telephone, or



91

accuracy.

By submitting a WHOIS query, you agree that you will use this data only for lawful purposes and that, under no circumstances will you use this data to: a) allow, enable, or otherwise support the transmission by e-mail, telephone, or facsimile of mass, unsolicited, commercial advertising or solicitations to entities other than the data recipient's own existing customers; or (b) enable high volume, automated, electronic processes that send queries or data to the systems of any Registry Operator or ICANN-Accredited registrar, except as reasonably necessary to register domain names or modify existing registrations.

The compilation, repackaging, dissemination or other use of this Data is expressly prohibited without the prior written consent of Tucows.

Tucows reserves the right to terminate your access to the Tucows WHOIS database in its sole discretion, including without limitation, for excessive querying of the WHOIS database or for failure to otherwise abide by this policy.

Tucows reserves the right to modify these terms at any time.

By submitting this query, you agree to abide by these terms.

NOTE: THE WHOIS DATABASE IS A CONTACT DATABASE ONLY. LACK OF A DOMAIN RECORD DOES NOT SIGNIFY DOMAIN AVAILABILITY.

The previous information has been obtained either directly from the registrant or a registrar of the domain name other than Network Solutions. Network Solutions, therefore, does not guarantee its accuracy or completeness.

[Show underlying registry data for this record](#)

**Current Registrar:** TUCOWS INC.  
**IP Address:** [72.3.240.146](#) (ARIN & RIPE IP search)  
**IP Location:** US(UNITED STATES)-NEW YORK-NEW YORK  
**Lock Status:** ok  
**DMOZ:** no listings  
**YI Directory:** [see listings](#)  
**Data as of:** 23-Apr-2008



**Need to get your business online?**  
Our professional designers can build a [custom Web site](#) for your business.  
\$11.95/month, plus a \$499.00 design fee



**Pay Per Click from Network Solutions**  
Create and manage your [pay per click advertising](#) from as low as \$125/month plus \$99 one time set-up fee



» Close window

## Registry Data

thedealerdashboard.com

Whois Server Version 2.0

Domain names in the .com and .net domains can now be registered with many different competing registrars. Go to <http://www.internic.net> for detailed information.

Domain Name: THEDEALERDASHBOARD.COM  
Registrar: TUCOWS INC.  
Whois Server: whois.tucows.com  
Referral URL: <http://domainhelp.opensrs.net>  
Name Server: NS1.THATSUS.COM  
Name Server: NS2.THATSUS.COM  
Status: ok  
Updated Date: 16-jan-2009  
Creation Date: 16-jan-2009  
Expiration Date: 16-jan-2010

>>> Last update of whois database: Wed, 15 Jul 2009 20:02:47 UTC <<<

NOTICE: The expiration date displayed in this record is the date the registrar's sponsorship of the domain name registration in the registry is currently set to expire. This date does not necessarily reflect the expiration date of the domain name registrant's agreement with the sponsoring registrar. Users may consult the sponsoring registrar's Whois database to view the registrar's reported date of expiration for this registration.

TERMS OF USE: You are not authorized to access or query our Whois database through the use of electronic processes that are high-volume and automated except as reasonably necessary to register domain names or modify existing registrations; the Data in VeriSign Global Registry Services' ("VeriSign") Whois database is provided by VeriSign for information purposes only, and to assist persons in obtaining information about or related to a domain name registration record. VeriSign does not guarantee its accuracy. By submitting a Whois query, you agree to abide by the following terms of use: You agree that you may use this Data only for lawful purposes and that under no circumstances will you use this Data to: (1) allow, enable, or otherwise support the transmission of mass unsolicited, commercial advertising or solicitations via e-mail, telephone, or facsimile; or (2) enable high volume, automated, electronic processes that apply to VeriSign (or its computer systems). The compilation, repackaging, dissemination or other use of this Data is expressly prohibited without the prior written consent of VeriSign. You agree not to use electronic processes that are automated and high-volume to access or query the Whois database except as reasonably necessary to register domain names or modify existing registrations. VeriSign reserves the right to restrict your access to the Whois database in its sole discretion to ensure operational stability. VeriSign may restrict or terminate your access to the Whois database for failure to abide by these terms of use. VeriSign reserves the right to modify these terms at any time.

The Registry database contains ONLY .COM, .NET, .EDU domains and Registrars.



