

TTAB

SHEEHAN
PHINNEY
BASS +
GREEN

PROFESSIONAL
ASSOCIATION



ATTORNEYS AT LAW

MANCHESTER
1000 ELM STREET
MANCHESTER, NH
03101
T 603 668-0300
F 603 627-8121

CONCORD
TWO EAGLE SQUARE
CONCORD, NH
03301
T 603 223-2020
F 603 224-8899

HANOVER
2 MAPLE STREET
HANOVER, NH
03755
T 603 643-9070
F 603 643-3679

BOSTON
ONE BOSTON PLACE
BOSTON, MA
02108
T 617 897-5600
F 617 439-9363

WWW.SHEEHAN.COM

Writer's Direct Dial: 603/627-8115
Direct Fax: 603/641-2352
ehaffer@sheehan.com
Admitted in NH and MA

December 12, 2008

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Commissioner for Trademarks
Attn: TTAB, Cheryl A. Butler, Esq.
P.O. Box 1451
Alexandria, VA 22313-1451

Re: PTC/PLMIC — Opposition Nos. 91174641 & 91177168

Dear Ms. Butler:

78/825,516

Here are the signed original depositions of Messrs. Silvestri and Noseworthy, together with all the exhibits introduced at each deposition.

Sincerely,

Edward A. Haffer

EAH/ec

Enclosures

cc: (w/enc.) Thomas V. Smurzynski, Esq.



12-15-2008

ORIGINAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

PLMIC, LLC,
Opposer

VS

PARAMETRIC TECHNOLOGY CORPORATION,
Applicant

PARAMETRIC TECHNOLOGY CORPORATION,
Opposer

VS

PLMIC, LLC,
Applicant

DEPOSITION OF JOHN GRAEME NOSEWORTHY

This deposition taken by agreement of counsel
at Monster Worldwide, 5 Clock Tower Place, Maynard,
Massachusetts, on Friday, November 7, 2008,
commencing at 10:50 a.m.

**CONNELLY
REPORTING & VIDEO SERVICES, INC.
WORLDWIDE VIDEOCONFERENCING**

32 GAULT ROAD
603-472-5745
Toll Free 888-422 DEPO(3376)

BEDFORD, NH 03110
FAX 603-472-4969
www.nhdepositions.com

1 APPEARANCES:

2 For PLMIC: SHEEHAN PHINNEY BASS + GREEN
3 1000 Elm Street
4 Manchester, NH 03105
EDWARD A. HAFFER, ESQ.

5 For Parametric: LAHIVE & COCKFIELD
6 One Post Office Square
7 Boston, MA 02109
THOMAS V. SMURZYNSKI, ESQ.

8 Court Reporter: Rebecca Lynn Metea, CCR

9 Also Present: Jason Silvestri

10

11

12

13

14

15

16

17

18

19

20

21

22

23

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

INDEX

EXAMINATION

Witness Name	Page
JOHN GRAEME NOSEWORTHY	
Examination by MR. HAFFER	4
Examination by MR. SMURZYNSKI	9

EXHIBITS

Exhibit	Description	PAGE
8	Snapshot of AimNet website	7

1 JOHN GRAEME NOSEWORTHY

2 (Witness duly sworn by The Court Reporter:)

3 I, JOHN GRAEME NOSEWORTHY, on oath, depose and say
4 as follows:

5 INTERROGATORIES BY MR. HAFFER:

6 Q Graeme, would you state your full name and
7 address, please?

8 A John Graeme Noseworthy, 95 Smith Street in
9 Leominster, Massachusetts.

10 Q You are employed by whom?

11 A Monster Worldwide.

12 Q In what capacity?

13 A I am a senior marketing manager.

14 Q When did you start working for Monster
15 Worldwide?

16 A In April of 2006.

17 Q Who was your employer before Monster?

18 A I was with a company called Courion
19 Corporation in Framingham for a few months,
20 and prior to that I was with AimNet Solutions
21 for 4 and a half years.

22 Q From when to when did you work at AimNet?

23 A From 2001 to 2005.

1 Q And why did you leave?

2 A I had a better opportunity that I wanted to
3 pursue at a better company, and AimNet was
4 moving towards an acquisition.

5 Q Being acquired?

6 A AimNet was being acquired by Cognizant
7 Technology Partners.

8 Q What was your job at AimNet at the time you
9 left?

10 A I was a marketing programs manager.

11 Q Jason Silvestri is your brother-in-law,
12 correct?

13 A That is correct.

14 Q And how long have you known him?

15 A Eight years.

16 Q Have you ever done business with Jason?

17 A I have.

18 Q And when was that?

19 A That was beginning on or around February of
20 2005.

21 Q And what were the circumstances?

22 A Jason originally came to AimNet to talk about
23 a service that at the time he called FlexPLM.

1 It wasn't an appropriate fit for AimNet, so we
2 ended up talking about some other things
3 including search engine optimization, search
4 engine marketing, because at that time, AimNet
5 had decided to completely rebuild their
6 website, or at least I was trying to.

7 Jason was able to bring knowledge to
8 the table that was simply beyond my capacity.
9 So because he brought something to the table
10 that wasn't appropriate for the organization,
11 he --

12 Q FlexPLM?

13 A FlexPLM, which he was bringing to me to try to
14 pitch to the rest of the company to help them
15 get in the door, which is perfectly
16 reasonable, but at the time, it wasn't an
17 appropriate fit for the company.

18 I ended up asking him about some of
19 the other things he was doing, which included
20 search engine optimization, search engine
21 marketing, and he did a great job. Perfect
22 fit.

23 Q You say this occurred at least as early as

1 February 2005?

2 A Yes. I started the project of looking to
3 build a new website in December of 2004, and
4 by January of 2005, I was trying to do it, but
5 at that time it was still building websites
6 was still a new thing to me. When Jason came
7 in, my God, I really need your help with this.
8 And it was in February that he started to help
9 me work on the website.

10 (Whereupon, the court reporter
11 marked Exhibit Number 8, Snapshot of AimNet
12 website, for Identification.)

13 Q I show you what has been marked as PLMIC
14 Exhibit 8, a copy which was given to
15 Mr. Smurzynski.

16 Have you seen the pages that are
17 included within Exhibit 8 before?

18 A Yes, definitely.

19 This is the old AimNet Solutions
20 website as it would have appeared towards the
21 end of 2004, and I know that because this
22 little envelope here is based on a marketing
23 campaign that I did at that time.

1 Q You are referring to the first page of the
2 exhibit?

3 A I am referring to the first page.

4 Q Take a look at the second page of Exhibit 8.

5 A Okay. So this is the website, I would say, on
6 or around March of 2005, and I can already
7 tell that Jason had worked on this, because
8 this is a partial load. This is not the whole
9 thing, because of this graphic right here of
10 the little vault is part of the work that
11 Jason had done for me (indicating.)

12 Q You are referring to the lower left-hand
13 corner of the picture on page 2, is that
14 right?

15 A That is correct.

16 Q And this was, this is March of 2005, is that
17 right?

18 A That is correct. If not earlier than that.

19 Q And it was before that work that appears on
20 page 2 of Exhibit 8, it was before that that
21 Jason had pitched FlexPLM's services to you,
22 is that right?

23 A Yes, again because he came in to pitch

1 FlexPLM, but it wasn't an appropriate fit, so
2 I asked him for help in another project which
3 was the website development, which is his work
4 that is evident here. Again, pointing to the
5 lower left-hand corner of page 2.

6 MR. HAFFER: I have no further
7 questions at this time.

8 INTERROGATORIES BY MR. SMURZYNSKI:

9 Q My name is Tom Smurzynski. I represent the
10 opposing party in this litigation. I would
11 like to follow-up with a few questions.

12 Have you ever had an opportunity at
13 any other time to purchase services from Jason
14 Silvestri for a company that you have been
15 working for?

16 A No, I have not.

17 Q When you said that Jason pitched the FlexPLM
18 services to you in 2005, in what way did he do
19 that? Did he come in and speak with you? Did
20 he call you? Did he write to you? Did he
21 e-mail you?

22 A Well, I will tell you, I remember it pretty
23 clearly because, and it is somewhat tricky to

1 say this with Jason sitting in the room, but
2 I would never have imagined he was capable of
3 this at the time. I simply had no idea Jason
4 had this kind of knowledge. He originally
5 called me and had asked me to look at a web
6 page, and over the phone, he walked me through
7 it and said it was something he would like an
8 opportunity to come and talk to me about at
9 AimNet, and honestly, I just was stunned. I
10 always thought of my -- well, he wasn't my
11 brother-in-law at that time, but later to be
12 my brother-in-law as being a younger brother,
13 and he was in a rock band, he was this guy and
14 that guy. I never thought of him as being
15 this person that could not only impress me,
16 but blow me away to the point that I really
17 could almost not comprehend what he was
18 talking about.

19 So when he brought it to me over the
20 phone and showed me the link, and we went
21 through it on his website, I remember saying
22 to him, stop, you need to come in and sit down
23 and talk to me about this. I understand what

1 you are showing me, but I don't understand how
2 it applies to AimNet. You need to come in.

3 Later he came in, and we sat in my
4 office at AimNet in Holliston, Massachusetts,
5 and he went through it, and I remember, again,
6 he went through it on the computer showing me
7 the website, which again I remember being
8 struck, very impressed with like, wow, this is
9 fantastic, and it was then that I said to him,
10 this is great, this is interesting. I think
11 you have something here. This is a great
12 thing. It is not a great fit for AimNet, let
13 me tell you now that you are sitting here
14 impressing the hell out of me how I think you
15 can help me.

16 We went into search engine marketing
17 and search engine optimization, which in and
18 of itself Jason was not just pitching a
19 service but again educating me like he did on
20 FlexPLM. It was the student teaching the
21 teacher. I was stunned.

22 That is part of the reason I
23 remember seeing the site. I remember him

1 talking to me on the phone, and I remember him
2 coming in to speak with me at my office in
3 Holliston.

4 Q You are a great brother-in-law. I don't have
5 any further questions.

6 MR. SMURZYNSKI: I don't have any
7 further questions.

8 MR. HAFFER: No questions.

9 (TIME NOTED: 10:59 a.m.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

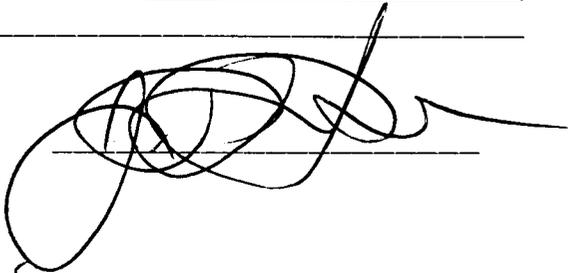
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

ERRATA SHEET AND CERTIFICATE OF WITNESS

In accordance with the rules of procedure governing depositions, you are entitled to read and correct your deposition transcript. Please read your deposition, and on this errata sheet make any necessary corrections or changes, either in form or substance. Identify those corrections/changes by page and line number, stating the change and the reason. Please do not mark the actual transcript. (Make extra copies of this sheet if you need to indicate more changes or corrections than will fit on this one page.) When completed, date and sign the errata sheet and have your signature notarized.

I, JOHN GRAEME NOSEWORTHY, do hereby certify that I have read the foregoing transcript of my testimony, and further certify that it is a true and accurate record of my testimony given on November 7, 2008, (with the exception of the corrections listed below):

PAGE	LINE	CORRECTION AND REASON FOR CORRECTION
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____



JOHN GRAEME NOSEWORTHY

STATE OF Massachusetts
COUNTY OF Worcester

Subscribed and sworn to before me this 1st
day of December, 2008

Kelly Anne Espinola
Notary Public _____ J.P. _____
My commission Expires: _____

Kelly Anne Espinola
Notary Public
My Commission Expires
March 26, 2010

1

2

C E R T I F I C A T E

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

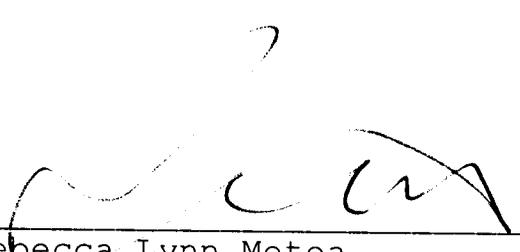
21

22

23

I, Rebecca Lynn Metea a Certified Shorthand Reporter in and for the State of New Hampshire, do hereby certify that the foregoing is a true and accurate transcript of my stenographic notes of the deposition of JOHN GRAEME NOSEWORTHY, who was first duly sworn, taken at the place and on the date hereinbefore set forth.

I further certify that I am neither counsel for nor related to or employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed in this case, nor am I financially interested in this action.



Rebecca Lynn Metea
Certified Shorthand Reporter
Certificate Number 39



Network Professional Services and Managed Network Services



ABOUT US

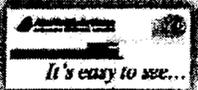
SERVICES

CASE STUDIES

WHITE PAPERS

PRESS ROOM

CONTACT US



Did you receive a clear envelope from us?

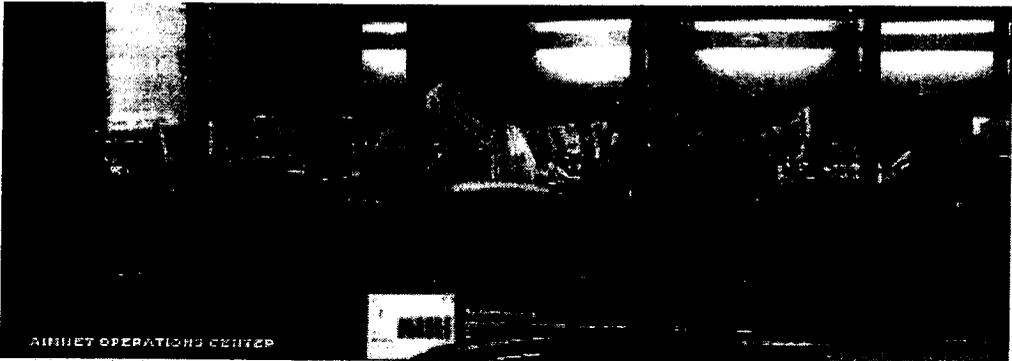
[CLICK HERE](#)

EMPOWERING E-BUSINESS NETWORK



EXHIBIT

B-PLMIC
rlm 1117108

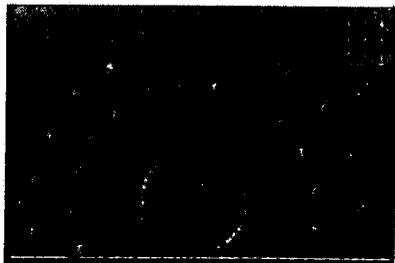


A Full Suite of Managed and Professional Network Services

AimNet Solutions is a leading technology services organization that can define, design, deliver, secure and manage our client's mission critical networks. We provide our global client base a suite of managed and professional services that enhance and compliment their existing network environment.

AimNet has in excess of 1,000 network clients of which over 450 we manage, monitor and secure 24 hours a day, 365 days a year on our OnTarget Network Management System.

Our clients are today's leaders in healthcare services, electrical utilities, financial services, and education.



ORIGINAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

PLMIC, LLC,

Opposer

VS

PARAMETRIC TECHNOLOGY CORPORATION,

Applicant

PARAMETRIC TECHNOLOGY CORPORATION,

Opposer

VS

PLMIC, LLC,

Applicant

DEPOSITION OF JASON SILVESTRI

This deposition taken by agreement of counsel
at Monster Worldwide, 5 Clock Tower Place, Maynard,
Massachusetts, on Friday, November 7, 2008,
commencing at 10:00 a.m.

**CONNELLY
REPORTING & VIDEO SERVICES, INC.
WORLDWIDE VIDEOCONFERENCING**

32 GAULT ROAD
603-472-5745
Toll Free 888-422 DEPO(3376)

BEDFORD, NH 03110
FAX 603-472-4969
www.nhdepositions.com

1 APPEARANCES:

2 For PLMIC: SHEEHAN PHINNEY BASS + GREEN
 3 1000 Elm Street
 4 Manchester, NH 03105
 EDWARD A. HAFFER, ESQ.

5 For Parametric: LAHIVE & COCKFIELD
 6 One Post Office Square
 7 Boston, MA 02109
 THOMAS V. SMURZYNSKI, ESQ.

8 Court Reporter: Rebecca Lynn Metea, CCR

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

INDEX

EXAMINATION

Witness Name	Page
JASON SILVESTRI	
Examination by MR. HAFFER	4
Examination by MR. SMURZYNSKI	21

EXHIBITS

Exhibit	Description	PAGE
1	FlexPLM application to PTO	4
2	Geek Squad data recover bill	4
3	Specimen for FlexPLM Advertising Solutions	4
4	Specimen of website using FlexPLM Advertising Solutions	4
5	Trademark/Service Mark Application, Principal Register,	22
6	Applicant's Answers to Opposer's First Set of Interrogatories	23
7	Applicant's Responses to Opposer's First Request for Production of Documents	26

1 (Whereupon, the court reporter
2 marked Exhibit Number 1, FlexPLM application
3 submitted to PTO; Exhibit Number 2, Geek
4 Squad, data recover bill; Exhibit Number 3,
5 Specimen for FlexPLM Advertising Solutions;
6 Exhibit Number 4, Specimen of website using
7 FlexPLM Advertising Solutions, for
8 Identification.)

9 JASON SILVESTRI

10 (Witness duly sworn by The Court Reporter:)

11 I, JASON SILVESTRI, on oath, depose and say as
12 follows:

13 INTERROGATORIES BY MR. HAFFER:

14 Q Jason, state your full name and address,
15 please.

16 A Jason Silvestri, 28 Union Street, Mansfield,
17 Massachusetts.

18 Q What is your connection to PLMIC, LLC?

19 A Sole manager, sole member. My official title
20 is owner and head of operations.

21 Q You are the managing member, is that right?

22 A Yes.

23 Q What is your date of birth?

1 A 7/27/79.

2 Q You are a high school graduate?

3 A Yes.

4 Q What school?

5 A Stoughton Academy out of Stoughton,
6 Massachusetts.

7 Q When did you graduate?

8 A 1998.

9 Q Any college or other formal education after
10 high school?

11 A No.

12 Q Would you, please, describe your full-time
13 employment history since graduating high
14 school?

15 A Okay. From 1998 to 1999, I was a cook at
16 D'Angelos in Avon, Massachusetts. From 1999
17 to 2001, I was a PLM consultant with Life
18 Cycle Solutions, Incorporated. I started as a
19 junior PLM consultant there, and finished as a
20 senior PLM consultant.

21 From 2002 to 2005, I had a
22 sole-proprietorship called Top Of The Food
23 Chain. The business there dealt with search

1 engine optimization and marketing.

2 Q What does that mean?

3 A Pretty much, you can -- the idea is that you
4 create websites and website interfaces to be
5 more search engine friendly. So when you
6 actually get it up on the internet, and you
7 have it ready, search engines are more
8 susceptible to those listings.

9 In 2006, I started PLMIC, and then
10 the business was the same pretty much as Top
11 Of The Food Chain, but the difference is
12 there. Top Of The Food Chain dealt with any
13 clients who came in. And we used search
14 engines as the key to advertising. Whereas,
15 the PLMIC deals with product lifecycle
16 management in supporting market places, and
17 that deals with, we use our own outlets as the
18 prominent advertising platform instead of
19 using search engines.

20 Q PLM means product lifecycle management?

21 A Yes.

22 Q What, in turn, does product lifecycle
23 management mean?

1 A Product lifecycle management is a
2 software-based methodology used to control
3 data and information of products through the
4 entire lifecycle process.

5 Q Have you ever used the term FlexPLM?

6 A Yes.

7 Q When was the first time you used it?

8 A As early as July 20, 2004, but definitely no
9 later than March 2005.

10 Q With respect to the July 20, 2004 date, how
11 did you use the term FlexPLM?

12 A As a sole-proprietor of the Top Of The Food
13 Chain, I purchased and registered a website
14 domain, FlexPLM.com. This was done through a
15 hosting company, my hosting company Omnimus
16 Network. This was done over an internet
17 connection from Avon, Massachusetts to
18 Torrens, California.

19 Q With respect to the March 2005 date, how did
20 you use the term "FlexPLM"?

21 A As a sole proprietorship of Top Of The Food
22 Chain, I posted to the internet a certain
23 availability to certain services with my

1 FlexPLM Advertising Solutions.

2 Q And this occurred in March 2005?

3 A This occurred March 2005. This was done over
4 our website, FlexPLM.

5 Q Any possibility it could have been earlier
6 than that?

7 A It could have been as early as February,
8 actually, but I don't know for sure.

9 Q Okay. I show you what has been marked as
10 PLMIC Exhibit 1, a copy of which I have
11 already given to Mr. Smurzynski.

12 Take a look at that, please.

13 A Yes. Okay.

14 Q Do you know what that is?

15 A Yes, it is the FlexPLM application that I
16 submitted to PTO in March of 2006, I believe.

17 Q And what was the use for which you filed this
18 application?

19 A Actually, if I can recite this back here, the
20 goods and services descriptions actually is
21 the correct use of what we were using it for.

22 Q That says what?

23 A Corporate advertising and marketing.

1 Q Cooperative?

2 A Corporate advertising and marketing of
3 products and services.

4 Q Take a look at the very first word written on
5 Exhibit 1 in the description of service.

6 What is that?

7 A Cooperative.

8 Q Cooperative?

9 A I am sorry. "Cooperative advertising of
10 marketing and of products and services by way
11 of solicitation, customer service and
12 providing marketing information via websites
13 on a global computer network."

14 Q And that was the use that you had with FlexPLM
15 at the time you filed that application,
16 correct?

17 A Correct.

18 Q When you filed this March 2006 application
19 with the PTO, did you file it under your own
20 name?

21 A Yes, I did.

22 Q Did you later assign this PTO application to
23 anyone?

1 A Yes, I did.

2 Q To whom did you assign it?

3 A PLMIC.

4 Q When did you do that?

5 A Roughly two months after, so that was May, May
6 of 2006.

7 Q Going back to your use of FlexPLM in March
8 2005, are you certain you posted on the
9 internet the availability of certain services,
10 including FlexPLM advertising solutions?

11 A Yes.

12 Q And what makes you certain it was March of
13 2005?

14 A Because I actually made a sale to a company
15 called AimNet Solutions. They actually
16 declined the FlexPLM services I was offering,
17 but they did obtain a different set of
18 services.

19 Q How is it you made your sale to AimNet in
20 March of 2005?

21 A Repeat that.

22 Q What were the circumstances under which you
23 made the sale to AimNet in March of 2005?

1 A At the time, I was really kind of trying to
2 drum up business, shooting it off to friends,
3 colleagues, family, and of course, anyone who
4 saw our advertisements on the website. One of
5 these people was Graeme Noseworthy, my
6 brother-in-law. I believe he worked for
7 marketing at the time.

8 Q In AimNet?

9 A In AimNet Solutions, correct. And he looked
10 at the FlexPLM solutions, and he declined
11 them, and instead he went with a set of
12 solutions that dealt with search engine
13 optimization and marketing.

14 Q You said that he made those selections.

15 Was he making them on his own behalf
16 or on behalf of AimNet?

17 A On behalf of AimNet.

18 Q That occurred when?

19 A This was March of 2005. It could be earlier.

20 Q And did you, in fact, provide the services for
21 search engine marketing and optimization?

22 A Yes, I did.

23 Q What do those services entail?

1 A A few things, actually.

2 One of my tasks at hand was to
3 create the AimNet website to be more visually
4 appealing. The second part of it was to
5 create a website super structure that dealt
6 with building up the interfaces so they were
7 more search engine friendly, which provided a
8 way to gain rank within organic search
9 results, which is a form of search engine
10 results on search engines.

11 And there was also, we launched a
12 pay per click campaign, an advertising
13 campaign with a few search engines. It was
14 Overture at the time, which is now Yahoo
15 Search Marketing, MSN Search and a few other
16 search engines.

17 Q In terms of the services you provided to
18 AimNet beginning in March of 2005, what was
19 the effect of those services with respect to
20 the internet?

21 A Can you repeat that?

22 Q What was the effect of the services you
23 provided to AimNet beginning in March of 2005?

1 A Well, anyone in the world could have saw the
2 changes I made to the AimNet website. AimNet
3 was a growing and successful company. They
4 dealt with various management professional
5 services. They liked what I was doing from
6 the beginning. They had a lot of trust in me.
7 I pretty much produced what they wanted, and
8 when I did, they had me put it up on their
9 website, and at that point, any clients they
10 had, existing clients they had and any
11 prospects I gained through my advertising
12 service, they would have seen it.

13 Q Now, if I understand you correctly, you said
14 in March of 2005, you, in fact, pitched or
15 offered to sell FlexPLM Advertising Solutions
16 to AimNet?

17 A Yes.

18 Q They declined that?

19 A That's correct.

20 Q If they -- what did those FlexPLM Advertising
21 Solutions services that you offered to them,
22 what did they entail?

23 A I would have to say the goods and services

1 description here would best describe it.

2 Q You are referring to the goods and services
3 description on Exhibit 1?

4 A Correct.

5 Q Do you have any records of your advertising
6 FlexPLM services on the internet in March of
7 2005?

8 A I did, but I can't retrieve that. That was a
9 couple years ago, the computer crashed. I
10 tried desperately to revive them. I could not
11 do so.

12 So based on instruction from you, I
13 brought the computer to the Geek Squad which
14 is a located in Best Buy. And they tried to
15 recover the system, and they could not either.

16 Q I show you what has been marked as PLMIC
17 Exhibit 2, a copy of which has been given to
18 Mr. Smurzynski.

19 Do recognize that?

20 A Yes, I do.

21 Q Can you tell me what that is, please?

22 A It is my bill from the Geek Squad.

23 Q And what is the date on that?

1 A I am sorry?

2 Q The date on the bill?

3 A September of 2007.

4 Q And you will notice at the bottom of Exhibit 2
5 in the lower right-hand corner are some page
6 numbers that begin with PLMIC.

7 Do you see that?

8 A Yes.

9 Q And I would ask you to turn to the second page
10 of Exhibit 2, which is PLMIC 255.

11 Do you see that?

12 A Yes.

13 Q And you will see a box toward the bottom of
14 the page where it is printed the words
15 "comments," do you see that?

16 A Yes.

17 Q And following "comments," I am going to read
18 this and you read with me and make sure I read
19 correctly, it says, "What could have caused
20 the failure, what happened right before loss
21 of data, any recent changes made to the
22 system, any other information deemed
23 necessary."

1 Did I read that correctly.

2 A Yes.

3 Q Beneath those printed words is a box within
4 which is handwriting. Whose handwriting is
5 that?

6 A That is mine.

7 Q Could you read, please, what your handwritten
8 word are within that box?

9 A "Most files are Adobe, Word, Docs, Excel,
10 images, et cetera. FlexPLM, search for
11 flex-plm, Flexplm before May of 2005."

12 Q And did you write that on the sheet when you
13 presented your computer to the Geek Squad for
14 them to do work on it?

15 A Right.

16 Q Could you go to the box toward the top of the
17 page, the box immediately above the printed
18 words, "Data return media type."

19 A Okay.

20 Q And you see handwriting, about two lines,
21 three lines immediately above those words?

22 A Yes.

23 Q And whose handwriting is that?

1 A The file and folders above are my handwriting
2 and the cursive writing here --

3 Q The final two handwritten lines?

4 A Yes, these are from the person who handled the
5 actual system I tried to recover.

6 Q Can you read what that says, please?

7 A I can try.

8 I believe it says, "Exe and or
9 applications cannot be recovered. Backed up
10 disk to the best of ability."

11 Q Backed up disk, or does that look like drive?

12 A That could be drive.

13 Q When did you make your first sale of FlexPLM
14 services?

15 A September 2006.

16 Q And to whom did you make the sale?

17 A Management Roundtable.

18 Q And where are they located?

19 A Waltham, Massachusetts.

20 Q And when you made that sale, were you working
21 through Top Of The Food Chain or PLMIC?

22 A PLMIC.

23 Q Going back to Exhibit 1, which is your PTO

1 application, did you consult with a lawyer
2 when you filed this?

3 A No, I did not. I filed it myself.

4 Q And if you look toward the top under "goods
5 and services," it says, "First use in
6 commerce, 20040720."

7 Did I read that correctly?

8 A Yes.

9 Q Why did you put that as your first use in
10 commerce?

11 A Because I registered a domain. I purchased
12 and registered a website domain, and I called
13 it FlexPLM, and I thought that registering a
14 domain was a proper use of trying to claim
15 rights to a trademark.

16 Q What is your understanding now?

17 A Well, my understanding now is that purchasing
18 a website domain may not be sufficient enough
19 to claim rights for a trademark. However, at
20 the time, I truly did believe that that was
21 enough to claim rights for a trademark.

22 Furthermore, based on my experience
23 with search engine optimization, buying a

1 website domain is one of the key steps into a
2 strategic marketing campaign. Website domains
3 themselves are among many attributes that
4 increase website page rank on search engines.
5 I am not a lawyer. I didn't have one at the
6 time.

7 Q Did or did not?

8 A I did not. I am just stating these as still
9 true to me, that that is what I feel.

10 Q I will show you what has been marked as PLMIC
11 Exhibit 3, a copy of which has been given to
12 Mr. Smurzynski.

13 Have you seen that before today?

14 A Yes, I have.

15 Q What does it show?

16 A It shows my specimen for FlexPLM Advertising
17 Solutions that I posted to the PTO.

18 Q And how does that Exhibit 3 specimen that you
19 submitted to PTO in March of 2006, how does
20 that compare to what you posted on the
21 internet a year earlier in March of 2005?

22 A FlexPLM Advertising was the same. However,
23 Logo Recognition Solutions and Interface

1 Adapter were actually FlexPLM solutions that
2 were added after but before the specimen here.

3 Q Am I correct in understanding in March of
4 2005, you posted to the internet only FlexPLM
5 Advertising Solutions?

6 A That's correct.

7 Q You did not post the terms that are underneath
8 it, is that correct?

9 A No, those were new innovations.

10 Q I will show you PLMIC Exhibit 4, a copy of
11 which has been given to Mr. Smurzynski.

12 Have you seen that before today?

13 A Yes, I have.

14 Q What is it, please?

15 A It looks like the specimen of my website using
16 FlexPLM Advertising Solutions, and I believe
17 in October of 2007.

18 Q Was that produced in connection with this
19 dispute before the Trademark Trial and Appeal
20 Board?

21 A I am sorry?

22 Q That October 2007 date, do you recall whether
23 that is approximately the date that documents

1 were produced to the Parametric --

2 A Yes, it is. I produced these for Parametric
3 Technology.

4 Q When did PLMIC begin advertising FlexPLM
5 Services in the manner shown on Exhibit 4?

6 A February 2006, February 8th, I am pretty sure.
7 We launched a brand-new website, and on that
8 were these solutions, and on the home page, in
9 fact, in plain sight, we had our FlexPLM
10 Advertising Solutions.

11 MR. HAFFER: I have no further
12 questions.

13 INTERROGATORIES BY MR. SMURZYNSKI:

14 Q I am going to -- good morning, I am Tom
15 Smurzynski, and I am representing Parametric
16 Technology Corporation, and I have a few
17 follow-up questions.

18 A Okay.

19 Q I would like to mark this, I guess, as Exhibit
20 5.

21 MR. HAFFER: Off the record

22 (Whereupon, the court reporter marked
23 Exhibit Number 5, Trademark/Service Mark

1 Application, Principal Register, for
2 Identification.)

3 Q I am going to ask you, I am going to represent
4 to you, Mr. Silvestri, that this is a download
5 from the official U.S. Patent and Trademark
6 office website, and basically shows the data
7 that was input when this trademark application
8 for FlexPLM by you was filed.

9 I am assuming that. So my first
10 question is, did you file the FlexPLM
11 trademark application electronically at the
12 U.S. PTO website?

13 A Yes.

14 Q I am going to go down to the bottom of the,
15 almost the bottom of the first page where
16 there is an entry that says, "First use
17 anywhere date," and written next to it, "At
18 least as early as 7/13/2003," or July 13,
19 2003.

20 A Right.

21 Q What did that date represent?

22 A Well, actually, based on my understanding, the
23 first use anywhere date, I thought that meant

1 at the time, like when was the first time I
2 even thought about using it. So I didn't
3 consider that to be a use in the public or
4 commerce, which is why I posted the use of on
5 7/20/2004.

6 Q Now, you referred to this business called Top
7 Of The Food Chain?

8 A Right.

9 Q And what kind of a business was that?

10 A It dealt with advertising, but one of the main
11 things was it was directed towards search
12 engine marketing, pay per click campaigns,
13 search engine optimization and various ways,
14 things like that, that helps companies
15 advertise their websites via search engines.

16 MR. SMURZYNSKI: I am going to ask
17 that this be marked as Exhibit 6.

18 (Whereupon, the court reporter
19 marked Exhibit Number 6, Applicant's Answers
20 to Opposer's First Set of Interrogatories, for
21 Identification.)

22 Q I am going to represent this to you,
23 Mr. Silvestri, as being your answers to the

1 set of interrogatories that my client
2 presented to you.

3 A Okay.

4 Q I would like to turn to the second page where
5 there is a question 3, "What was the date of
6 PLMIC's or its predecessor's first use of the
7 mark FLEXPLM in connection with cooperative
8 advertising and marketing of products and
9 services by way of solicitation, customer
10 service and providing marketing information
11 via websites on a global computer network?"

12 This description of the services are
13 the ones that come from the trademark
14 application?

15 A Right.

16 Q And your written answer there says that
17 "Depending how one views the use, as early as
18 July 20, 2004, and certainly no later than
19 March, 2005."

20 The question, "what was nature of
21 the use," you write, "As of July 20th, 2004, I
22 as sole-proprietor of the Top Of The Food
23 Chain, purchased and registered a website

1 domain www.flexplm.com."

2 A That's correct.

3 Q What do you mean "as sole-proprietor of Top Of
4 The Food Chain"? Was Top Of The Food Chain a
5 legal entity?

6 A Yes, it was. It was myself. At the time I
7 had no LLC or anything of that nature. It was
8 just me as an entrepreneur. I had just my own
9 business, and that was it.

10 Q So this was not a separately run entity. It
11 was a doing business name for personal
12 services?

13 A I am sorry?

14 Q Top Of The Food Chain, when you say you were a
15 proprietor of Top Of The Food Chain, was Top
16 Of The Food Chain a different legal entity or
17 was it just a way that you described the
18 people --

19 A It was a legal entity. I filed a certificate
20 of business. I think it was August 2002 in
21 Middleborough, so I was declaring that as my
22 business, but still acting as a
23 sole-proprietor.

1 Q Then you say, the next second part of that
2 response, in the interrogatory answer, "As to
3 March 2005, I, as a sole-proprietor of Top Of
4 The Food Chain, posted on the internet the
5 availability to certain services including
6 FlexPLM Advertising Solutions."

7 A Yes.

8 Q When you posted that on the internet, did you
9 use the words, "Top Of The Food Chain"?

10 A Yes. That was the name of my business. The
11 website was Top Of The Food Chain.

12 Q There was a website that was identified as Top
13 Of The Food Chain?

14 A Yes.

15 (Whereupon, the court reporter
16 marked Exhibit Number 7, Applicant's Responses
17 to Opposer's First Request for Production of
18 Documents, for Identification.)

19 Q I am going to represent to you, Mr. Silvestri,
20 this was a copy of applicant's responses to
21 opposer, my client's request for production of
22 documents.

23 It was signed by your counsel, but I

1 am accepting it as your responses. I would
2 like you to turn to the second page, and the
3 request for documents, number 3, "All
4 documents and ESI on which PLMC relies in
5 support of its contention that, as stated in
6 answer number 1, contained in PLMIC's answer
7 to opposition.

8 "Mr. Silvestri first used FLEXPLM in
9 commerce at least as early as July 20, 2004
10 and used it in connection with 'cooperative
11 advertising and marketing of products and
12 services by way of solicitation, customer
13 service and providing marketing information
14 via websites on a global computer network.'"

15 The response here on your behalf is,
16 "The above answer is mistaken," referring to
17 your answer to notice of opposition.

18 "Mr. Silvestri, in fact, first so
19 used the mark in March 2005. His use of the
20 mark as of July 20, 2004 was in the form of a
21 purchase and registration of the website
22 domain www.plmic.com."

23 A Yes, actually it should say FlexPLM.

1 Q I see.

2 MR. SMURZYNSKI: That might have
3 been a typo.

4 MR. HAFFER: That is my mistake.

5 MR. SMURZYNSKI: We will accept that
6 the response should have said FlexPLM.

7 MR. HAFFER: That's correct,
8 www.FlexPLM.com, and I signed this document
9 and that mistake was mine.

10 Q So I gather this response is basically the
11 response of the above answer was a mistake and
12 based on the realization that the date of July
13 20, 2004 was not, under the trademark rules,
14 an appropriate date that the mark was used?

15 A Well, from what I understand, it is not
16 sufficient enough to guarantee a trademark
17 use.

18 Q Earlier Mr. Haffer's questions of you, you
19 stated that you had made a first sale of the
20 services in September 2006?

21 A That's correct.

22 Q Can you tell me to whom that sale was made?

23 A Yes, that was to Management Roundtable out of

1 Waltham, Mass. Alex Cooper was the president
2 at the time, and he accepted FlexPLM
3 Development Solutions, which was pretty much,
4 I created a proposal which entailed various
5 ways to manifest their interfacing on their
6 websites. They had several different logging
7 interfaces and such, that needed to be unified
8 into a single entity, and for that, for the
9 solutions I provided for him for the outlook,
10 for the structure in which I showed him, he
11 paid me for that.

12 MR. SMURZYNSKI: I have no more
13 questions.

14 MR. HAFFER: No further questions.

15 (TIME NOTED: 10:45)

16

17

18

19

20

21

22

23

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

ERRATA SHEET AND CERTIFICATE OF WITNESS

In accordance with the rules of procedure governing depositions, you are entitled to read and correct your deposition transcript. Please read your deposition, and on this errata sheet make any necessary corrections or changes, either in form or substance. Identify those corrections/changes by page and line number, stating the change and the reason. Please do not mark the actual transcript. (Make extra copies of this sheet if you need to indicate more changes or corrections than will fit on this one page.) When completed, date and sign the errata sheet and have your signature notarized.

I, JASON SILVESTRI, do hereby certify that I have read the foregoing transcript of my testimony, and further certify that it is a true and accurate record of my testimony given on November 7, 2008, (with the exception of the corrections listed below):

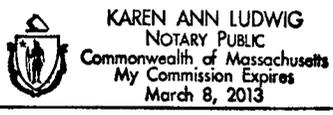
PAGE	LINE	CORRECTION AND REASON FOR CORRECTION
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Jason Silvestri

JASON SILVESTRI

STATE OF Massachusetts
COUNTY OF Bristol
Subscribed and sworn to before me this 11th
day of December, 2008

Karen Ann Ludwig
Notary Public J.P. _____
My commission Expires: _____



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

C E R T I F I C A T E

I, Rebecca Lynn Metea a Certified Shorthand Reporter in and for the State of New Hampshire, do hereby certify that the foregoing is a true and accurate transcript of my stenographic notes of the deposition of JASON SILVESTRI, who was first duly sworn, taken at the place and on the date hereinbefore set forth.

I further certify that I am neither counsel for nor related to or employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed in this case, nor am I financially interested in this action.



Rebecca Lynn Metea
Certified Shorthand Reporter
Certificate Number 39



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Nov 4 03:44:16 EST 2008

[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DOC](#)
[SEARCH QG](#)
[BOTTOM](#)
[HELP](#)
[PREV LIST](#)
[CURR LIST](#)
[NEXT LIST](#)

[PREV DOC](#)
[NEXT DOC](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

[Start](#) List At: OR [Jump](#) to record: **Record 1 out of 2**

[TARR Status](#)
[ASSIGN Status](#)
[TDR](#)
[TTAB Status](#)
(Use the "Back" button of the Internet Browser to return to TESS)

FlexPLM

Word Mark FLEXPLM
Goods and Services IC 035. US 100 101 102. G & S: Cooperative advertising and marketing of products and services by way of solicitation, customer service and providing marketing information via websites on a global computer network. FIRST USE: 20030713. FIRST USE IN COMMERCE: 20040720
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 78835516
Filing Date March 13, 2006
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition October 31, 2006
Owner (APPLICANT) PLMIC, LLC LTD LIAB CO MASSACHUSETTS 18 PEARL STREET MIDDLEBOROUGH MASSACHUSETTS 02346
Assignment Recorded ASSIGNMENT RECORDED
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

EXHIBIT
 1 - PLMIC
 rlm 11/9/08

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2008-11-04 15:15:20 ET

Serial Number: 78835516 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

FlexPLM

(words only): FLEXPLM

Standard Character claim: Yes

Current Status: An opposition is now pending at the Trademark Trial and Appeal Board.

Date of Status: 2006-12-19

Filing Date: 2006-03-13

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 107

Attorney Assigned:
PAPPAS MATTHEW JAMES

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-09-22

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

1. PLMIC, LLC

Address:
PLMIC, LLC
18 PEARL STREET
MIDDLEBOROUGH, MA 02346
United States

Legal Entity Type: Limited Liability Company
State or Country Where Organized: Massachusetts

<http://tarr.uspto.gov/servlet/tarr?regser=serial&entry=78835516>

11/4/2008

GOODS AND/OR SERVICES

International Class: 035

Class Status: Active

Cooperative advertising and marketing of products and services by way of solicitation, customer service and providing marketing information via websites on a global computer network

Basis: 1(a)

First Use Date: 2003-07-13

First Use in Commerce Date: 2004-07-20

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-01-02 - Withdrawal Of Attorney Granted

2007-01-02 - TEAS Withdrawal Of Attorney Received

2006-12-19 - Opposition instituted for Proceeding

2006-11-29 - Opposition papers filed

2006-10-31 - Published for opposition

2006-10-11 - Notice of publication

2006-09-14 - Law Office Publication Review Completed

2006-09-08 - Assigned To LIE

2006-09-02 - Approved for Pub - Principal Register (Initial exam)

2006-08-29 - Assigned To Examiner

2006-07-05 - Automatic Update Of Assignment Of Ownership

2006-05-16 - Attorney Revoked And/Or Appointed

2006-05-16 - TEAS Revoke/Appoint Attorney Received

2006-03-17 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

EDWARD HAFFER

SHEEHAN PHINNEY BASS & GREEN P.A.

1000 ELM STREET P.O. BOX 3701

MANCHESTER, NH 03105-3701

Phone Number: 508-947-7655

RECOVERY ONLY - BARDS Diagnostic

BARDS Recommended Data Recovery Level for Drive?

DR Level 1 (\$259) DR Level 2 (\$519) DR Level 3 (\$1599)

Note: All Data Recovery services incur a non-refundable Data Recovery Lab Fee of \$59 at check-in. (s 8040425). This fee is deducted from the final cost of successful recoveries.

Detailed BARDS Test Results

Controller Test: Passed Failed N/A

SMART Test: Passed Passed with exceptions Failed Not Supported

Quick Test: Passed Passed with exceptions Failed Not Supported

File Structure Test: Passed Passed with exceptions Failed Not Supported

RECOVERY ONLY - Geek Squad Agent's Physical Assessment of Hard Disk Drive:

Drive Condition:

New/Normal Wear Slight Damage Drive Case Deformation Fire/Smoke Damage Water Damage Electronics Damage

Terms and Conditions

By signature below, I "Client" agree to the following terms and conditions, which are in addition to those terms and conditions contained within the Service Order Disclaimer form.

The Engagement.

I hereby engage Geek Squad and its agents ("Geek Squad") to: inspect, evaluate, and identify the problem (if not already identified); and/or retrieve, or minimize the damage to, the equipment/data/media; and/or provide other related services as may be requested by me from time to time. Geek Squad may store any retrieved data for up to 30 days, unless notified by you to destroy at an earlier date.

IMPORTANT NOTICE.

I understand and acknowledge that I have the affirmative obligation to inform Geek Squad if my equipment/data/media is the subject of litigation or regulatory matter, and I further understand that Geek Squad does not perform data recovery or related services on equipment/data/media when said equipment/data/media are the subject of litigation or regulatory matter.

Geek Squad Privacy Policy.

The information you provide to Geek Squad will be handled according to the Geek Squad Privacy Policy. For more information, please visit GEEKSQUAD.COM to review the privacy policy or call 1 800 GEEK SQUAD.

Acknowledgment of Existing Conditions.

I acknowledge that the equipment/data/media may be damaged prior to Geek Squad's receipt, and I further acknowledge that the efforts of Geek Squad to complete the Engagement may result in the destruction of or further damage to the equipment/data/media. Geek Squad does not assume responsibility for additional damage that may occur to your equipment/data/media during Geek Squad's efforts to complete the Engagement.

NO WARRANTIES

IN REGARDS TO THIS ENGAGEMENT GEEK SQUAD MAKES AND YOU RECEIVE NO WARRANTIES OR CONDITIONS FOR ANY GOOD OR SERVICE, EXPRESS, IMPLIED, STATUTORY, OR IN ANY COMMUNICATION WITH YOU, AND GEEK SQUAD SPECIFICALLY DISCLAIMS ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND ARISING FROM USAGE OF TRADE OR COURSE OF DEALING OR PERFORMANCE.

Limitation of Liability; Limitation of Damages.

In no event will Geek Squad be liable for any indirect damages whatsoever. To the extent permitted by law, the total liability of Geek Squad to you under this Agreement shall in no event exceed the total sums paid by you to Geek Squad.

Your Representation and Indemnification.

Customer warrants to Geek Squad that it is the owner of, and/or has the right to be in possession of, all equipment/data/media furnished to Geek Squad, and that Geek Squad's collection, possession, processing and transfer of such equipment/data/media is in compliance with data protection laws to which you are subject; and you will defend (at your expense), indemnify, and hold Geek Squad harmless against any damages or expenses that may occur (including reasonable attorneys' fees), and pay any cost, damages, or attorneys' fees awarded against Geek Squad resulting from your breach of this section.

Miscellaneous.

If any provision of this Agreement is in violation of any applicable law, such provision shall to such extent be deemed null and void, and the remainder of the agreement shall remain in full force and effect. Except for the obligation to make payments, nonperformance of either party shall be excused to the extent performance is rendered impossible due to causes beyond such party's reasonable control. This agreement, together with Geek Squad's Service Order Disclaimer form, constitute the entire agreement between the parties in relation to this subject matter and supersede all other terms including any of your purchase order terms. If the event of any conflicts in the terms of this form and the Service Order Disclaimer form, the terms of this form shall control.

CALIFORNIA RESIDENTS ONLY: An estimate as required (Section 9844 of California Business and Professions Code) for repairs shall be given to the customer by the service dealer in writing, and the service dealer may not charge for work done or parts supplied in excess of the estimate without prior consent of the customer. Where provided in writing, the service dealer may charge a reasonable fee for services provided in determining the nature of the malfunction in preparation of a written estimate or repair. For more information, contact the Bureau of Electronic and Appliance Repair, Department of Consumer Affairs, Sacramento, CA 94814. California Master Registration Number: E 81713. Best Buy Stores, L.P., d/b/a Geek Squad, 7601 Penn Avenue South, Richfield, MN 55423-3645. Contact Geek Squad at 1-800-GEEK SQUAD (433-5778).

Print Client Name: Artem Sulester Date: 11/9/08

Client Signature: [Signature]

Revised November 16, 2006 10:00 (DL)

© 2005 GEEK SQUAD

VERSION: 9.302.005

DO NOT EAT THIS COMMUNIQUE AFTER READING

GEEKSQUAD.COM

1 800 GEEK SQUAD

EXHIBIT
2-PLMIC
rlm 11/9/08

Geek Squad Data Recovery/Backup Services Request Form & Agreement

STAR Service #: _____ Client Name: Jason Sleski

Geek Squad Agent: _____ Unit - Laptop Desktop Ext. HDD Int. HDD

Requested Data - Please describe in as much detail as possible the data you wish to have backed up or recovered.

File -or- Folder Name(s)	File Type	Last Known Location	Approx. Number of Files	Priority (L, M, H)
<u>I-clients/</u>		<u>C:\</u>	<u>NA</u>	↓
<u>LCS</u>		<u>C:\</u>	<u>NA</u>	
<u>PLMIC</u>		<u>C:\</u>	<u>NA</u>	
		<u>Submission</u>		
<u>web</u>	<u>Submission</u>	<u>ATEX - HTML raw data</u>		
		<u>Apex - HTML raw data</u>		
<u>etc. and re applications cannot be recovered</u>				
<u>Backup up drive to the best of our ability</u>				<u>CC</u>

Data Return Media Type: External HDD (Additional Costs Apply) DVD CD Other - Describe in comment box

Computer Specifications

Manufacturer: Dell Model: 8200

Hard Disk Drive Specifications:

Manufacturer: _____ Model: _____ Serial Number: _____

Interface: _____ Size: _____

Last known backup date: ____/____/____

Comments: ("What could have caused this failure? What happened right before loss of data? Any recent changes made to the system? Any other information deemed necessary")

Most files are adobe, word, docs, Excel, image, etc.

FlexPLM™

Search: flex flex-plm flexplm -> Before May 2005

NOTICE TO CONSUMER: PLEASE READ AND SIGN IMPORTANT INFORMATION ON FOLLOWING PAGE.
Revised November 16, 2006 10:00 (DL)





BEST BUY ATTLEBORO MA
337 S WASHINGTON ST
NORTH ATTLEBORO, MA 02760
508) 699-5800

Customer Information:

JASON SILVESTRI
28 NOONAN ST,
MANSFIELD, MA 02048-1325
Primary Phone: (774) 284-4133
Alternate Phone:

Product Information:

Product Type: Desktop PC
Model: Generic Desktop
SKU: 0
Labor Coverage: COD
Parts Coverage: COD
SP Number:
Inst. Approval: \$99.00

Brand: Dell
Serial #: 5G3JD11
Date Of Purchase: 9/4/2003
Labor/Parts End Date: 9/4/2003 9/4/2003
PSP Expiration Date:
Deposit Expected: \$0.00
Estimated Completion Date: 10/2/2007

Condition: DIRTY
Status:

Symptoms: Customer is wanting a data backup.
Follow the sheet -SH

Accessories: None

Service Order Disclaimer

- I understand that a non-refundable deposit is required on all repairs not covered under a product warranty or service contract. Without being notified, I agree to pay up to the minimum approval amount stated on the service order. I understand Geek Squad/Best Buy will notify me for approval of all repairs that will exceed the minimum approval amount stated on the service order before my product is repaired. If I do not approve of the estimate, the product will be returned to the drop off location unrepaired.
- I understand that Geek Squad/Best Buy will strive to meet the Estimated Completion Date, but that date may be changed by Geek Squad/Best Buy.
- Replacement parts will be new or rebuilt parts that perform to the factory operational specifications of the product.
- I agree that Geek Squad/Best Buy technicians may repair all apparent defects unless otherwise requested. Geek Squad/Best Buy may install software, utilize remote access and/or send my product to a regional service center, vendor or third party service, which may be out of state, in order to complete the repair.
- I understand and accept that for software installs, Geek Squad/Best Buy may accept end user licence agreements on my behalf.
- For no additional charge, Geek Squad/Best Buy will correct any hardware defects in workmanship of the repair services provided they are reported to Geek Squad/Best Buy within 90-days from the date of pick up. This provision does not apply to virus/spyware removal or software repairs.
- I understand I must report any physical damage (i.e., dents or scratches) of my product(s) at time of pick up/delivery or I waive any claims I may have related to such physical damage.
- UNCLAIMED GOODS.** I understand that this service form must be presented when picking up my completed product. When my product is complete, Geek Squad/Best Buy will attempt to notify me via U.S. certified mail if they cannot contact me via telephone. Geek Squad/Best Buy accepts no responsibility for any product not picked up within 30 days after Geek Squad/Best Buy obtains a receipt indicating delivery or attempted delivery of the certified letters we made. I agree that Geek Squad/Best Buy may dispose of any unclaimed goods and hereby release Geek Squad/Best Buy and waive any claims regarding such disposal.
- By signing below, I agree to a minimum labor charge for troubleshooting my product in the event that such labor charges are not covered by my product warranty or service contract. I agree that charges for parts and labor may apply to the repair services I request if not covered by a product warranty or service contract, and I must refer to the terms and conditions of my product warranty or service contract for information about coverage and applicable charges. For example, problems with products that may not be covered by a warranty of service contract might include damage that is the result of acts of nature (i.e., lightning, floods, infestations, etc.); cleanings, customer adjustments or instructions (i.e., fine-tuning, a VCR or TV).
- I AGREE THAT I MUST BACK UP MY DATA AND REMOVE ALL MEDIA FROM MY PRODUCT.** Geek Squad/Best Buy will NOT back up any data on my computer or other product unless I specifically request Geek Squad/Best Buy to do so for an applicable fee prior to the performance of any repair or service. I, THE UNDERSIGNED, AGREE THAT PRIOR TO DELIVERING MY PRODUCT TO GEEK SQUAD/BEST BUY FOR REPAIRS OR SERVICING IT IS MY RESPONSIBILITY: (1) TO BACK UP THE DATA ON MY PRODUCT; AND (2) TO REMOVE ALL MEDIA FROM MY PRODUCT. FURTHER, I AGREE THAT WHETHER OR NOT I REQUEST GEEKS SQUAD/BEST BUY TO BACK UP ANY DATA, IN NO EVENT SHALL GEEK SQUAD/BEST BUY AND/OR ITS THIRD PARTY SERVICE PROVIDER BE LIABLE UNDER ANY CIRCUMSTANCES FOR ANY LOSS, ALTERATION OR CORRUPTION OF ANY DATA, OR LOSS OF ANY MEDIA FROM MY PRODUCT.
- I verify that I have read this Service Order Disclaimer and that the name, address and phone number listed above in the Customer Information section is accurate.

WELCOME TO BEST BUY #441
ATTLEBORO, MA 02760
(508) 699-5800

Keep your receipt!

0441 056 7381 09/29/07 18:45 0566549

SALE

7860059 GEEK SQUAD ONE TIME BACKUP / TRANSFER 9
7250903 RZ JOIN 0.00
REWARD ZONE JOIN
SERIAL # 2151881354

SUBTOTAL	99.00
TAX	0.00
TOTAL	99.00
CASH	100.00
CHANGE CASH	0.00

YOUR CUSTOMER SERVICE PIN IS 0441-056-7381-092907
***** CUSTOMER COPY *****

Steven H

BEST BUY VALUES YOUR FEEDBACK!
TAKE OUR SURVEY AND ENTER FOR A CHANCE TO
WIN A \$10,000 BEST BUY SHOPPING SPREE!

Visit <http://www.bestbuycare.com>
Questionario en Español disponible

enter the following codes:

Group A: 494017
Group B: 5069
Group C: 723885

NO PURCHASE NECESSARY. Must be legal resident of 50 US states or older. 2
2 Drawing Periods: 9/2-12/1/07 & 12/2/07
3/1/08. Limit 3 entries per Drawing Period
For free entry & other details, see
Official Rules at website or store.
Void where prohibited.



Visit www.flexplm.com for ongoing up-to-date use
FlexPLM™ Advertising Solutions
FlexPLM™ Logo Recognition Solution
FlexPLM™ Interface Adapter

TDR Home

This document may be displayed as a PDF file containing images without text. You may view online or save the entire document by clicking on the file download icon in the upper right corner of this page. [required PDF viewer]

FAQ: Are you seeing only the first page of this PDF document?

If you need help:

- **General trademark information:** Please e-mail TrademarkAssistanceCenter@uspto.gov, or telephone either 571-272-9250 or 1-800-786-9199.
- **Technical help:** For instructions on how to use TDR, or help in resolving **technical** glitches, please e-mail TDR@uspto.gov. If outside of the normal business hours of the USPTO, please e-mail [Electronic Business Support](mailto:ElectronicBusinessSupport@uspto.gov), or call 1-800-786-9199.
- **Questions about USPTO programs:** Please e-mail [USPTO Contact Center \(UCC\)](mailto:USPTOContactCenter@uspto.gov).

NOTE: Within any e-mail, please include your telephone number so we can talk to you directly, if necessary. Also, include the relevant serial number or registration number, if existing.

EXHIBIT
3-PLMIC
rlm 11/7/08

FlexPLMSM Advertising Solutions

- Home
- All FlexPLMSM Advertising Solutions
- Resource Index
- Logo Recognition
- Interface Adapter
- PLM Virtual Showcase

EXHIBIT
 4-PLMIC
 rlm 11/9/08

FlexPLMSM Advertising Solution Notice:

Even though we greatly appreciate the loads of traffic from businesses looking to advertise their products and services on the PLMIC websites, the PLMIC[™] provides advertising solutions for **PLM related material ONLY**.

The PLMIC[™] is a flexible, switchboard like resource center developing new ways for PLM huntsman to retrieve the necessary information to select, compare, and research PLM consultants and product vendors across the Internet. Selling PLM products and consultant services has become quite an effort these days in the PLM industry. The PLMIC[™] provides FlexPLMSM Advertising Solutions for clients to quickly advertise their PLM products & services within 48-72 hours. Clients with or without a website can utilize our FlexPLMSM Advertising Solutions to advertise their PLM products, supporting products, consulting services, seminars, simulcasts, web casts, and any other product, service or publication relative to PLM.

As an added advantage to our FlexPLMSM Advertising Solutions, the PLMIC[™] promotes only PLM related material, filtering out irrelevant research results the web generally brings. The PLMIC[™] has also become successful in being the most actively visited directory for PLM resources currently on the internet. The PLMIC[™] needs little Pay-Per-Click assistance but will sometimes take part in spontaneous search engine marketing campaigns using Yahoo! Search Marketing, Google Adwords, and Microsoft's MSN Ad Center. This push of self promotion saves hundreds, even thousands of dollars in online marketing costs for all PLMIC[™] Advertisers. Take advantage of our flexible PLM advertising solutions today!

FlexPLMSM Resource Index Solution:

Take advantage of our FlexPLMSM Resource ability to simultaneously market your PLM b Outlets in the form of ad. This ad is display every PLM Index Outlet.

FlexPLMSM Logo Recognition Solution:

Take advantage of our FlexPLMSM Logo Recognition ability to simultaneously market your PLM b Outlets in the form of a logo ad. This logo ad FlexPLMSM Resource Index advertisers.

FlexPLMSM Interface Adapter Solution

Use the FlexPLMSM Interface Adapter to market events across multiple PLM Index Outlets and leverage over both FlexPLMSM Resource Index

FlexPLMSM Virtual Showcase Solution:

Our FlexPLMSM Virtual Showcase Solution is website structure, built unique to the PLM Advertiser right from the PLMIC website(s). Appearing on all PLMIC Outlets, web page, and directory on all PLMIC Outlets overpowers all other forms of PLM Advertising

[All FlexPLM Advertising Solutions](#) | [FlexPLM Resource Index](#) | [FlexPLM Logo Recognition](#) | [FlexPLM Interface Adapter](#) | [FlexPLM Virtual Showcase](#)

[Advertise](#) | [Inside the PLMIC[™]](#) | [PLM Product Vendors](#) | [PLM Consultants](#) | [PLM Tools & AID](#) | [PLM Events](#) | [PLM & Related Articles](#) | [FlexPLM Virtual Showcase Center](#)
[Home](#) | [PLM Job Offerings & Opportunities](#) | [Site Map](#) | © 2006 PLMIC, LLC.

PLM RESOURCES

Inside the PLMIC™

PLM Consultants

PLM Product Vendors

PLM Tools & AID

PLM Events

PLM & Related Articles

PLM Job Offerings & Opportunities

FlexPLMSM Advertising Solutions

- [FlexPLMSM Resource Index](#)
- [FlexPLMSM Logo Recognition](#)
- [FlexPLMSM Interface Adapter](#)
- [FlexPLMSM PLM Virtual Showcase](#)

Site Map

FlexPLMSM Advertising Solutions

[Home](#) [All FlexPLMSM Advertising Solutions](#) [Resource Index](#) [Logo Recognition](#) [Interface Adapter](#) [PLM Virtual Showcase](#)

FlexPLMSM Advertising Solution Notice:
 Even though we greatly appreciate the loads of traffic from businesses looking to advertise their products and services on the PLMIC websites, the PLMIC[™] provides advertising solutions for **PLM related material ONLY**.

FlexPLMSM Resource Index Solution:
 Take advantage of our FlexPLMSM Resource Index ability to simultaneously market your PLM business in PLM Index Outlets in the form of an ad. This ad is displayed on every PLM Index Outlet.

The PLMIC[™] is a flexible, switchboard like resource center developing new ways for PLM hunters to retrieve the necessary information to select, compare, and research PLM consultants and product vendors across the Internet. Selling PLM products and consultant services has become quite an effort these days in the PLM industry. The PLMIC[™] provides FlexPLMSM Advertising Solutions for clients to quickly advertise their PLM products & services within 48-72 hours. Clients with or without a website can utilize our FlexPLMSM Advertising Solutions to advertise their PLM products, supporting products, consulting services, seminars, simulcasts, web casts, and any other product, service or publication relative to PLM.

FlexPLMSM Logo Recognition Solution:
 Take advantage of our FlexPLMSM Logo Recognition ability to simultaneously market your PLM business in PLM Index Outlets in the form of a logo ad. This logo ad is displayed on every FlexPLMSM Resource Index advertiser.

As an added advantage to our FlexPLMSM Advertising Solutions, the PLMIC[™] promotes only PLM related material, filtering out irrelevant research results the web generally brings. The PLMIC[™] has also become successful in being the most actively visited directory for PLM resources currently on the internet. The PLMIC[™] needs little Pay-Per-Click assistance but will sometimes take part in spontaneous search engine marketing campaigns using Yahoo! Search Marketing, Google Adwords, and Microsoft's MSN Ad Center. This push of self promotion saves hundreds, even thousands of dollars in online marketing costs for all PLMIC[™] Advertisers. Take advantage of our flexible PLM advertising solutions today!

FlexPLMSM Interface Adapter Solution
 Use the FlexPLMSM Interface Adapter to market your PLM business across multiple PLM Index Outlets simultaneously. This provides your PLM business with leverage over both FlexPLMSM Resource Index and FlexPLMSM Logo Recognition.

FlexPLMSM Virtual Showcase Solution:
 Our FlexPLMSM Virtual Showcase Solution is a unique website structure, built unique to the PLM Advertiser, right from the PLMIC website(s). Appearing in PLM Index Outlets, web page, and directory on all PLMIC Index Outlets overpowers all other forms of PLM Advertising.

[All FlexPLM Advertising Solutions](#) | [FlexPLM Resource Index](#) | [FlexPLM Logo Recognition](#) | [FlexPLM Interface Adapter](#) | [FlexPLM Virtual Showcase](#)

[Advertise](#) | [Inside the PLMIC[™]](#) | [PLM Product Vendors](#) | [PLM Consultants](#) | [PLM Tools & AID](#) | [PLM Events](#) | [PLM & Related Articles](#) | [FlexPLM Virtual Showcase Center](#)
[Home](#) | [PLM Job Offerings & Opportunities](#) | [Site Map](#) | © 2006 PLMIC, LLC.

FlexPLM™ Advertising Solutions

PLMIC™ - The Home of Flexible PLM Resources™

[All Advertising](#) |
 [Resource Index](#) |
 [Logo Recognition](#) |
 [Interface Adapter](#) |
 [PLM Virtual Showcase](#)

The PLMIC™ provides FlexPLM™ (Flexible Product Life Cycle Management) advertising solutions for clients to quickly advertise their PLM products & services. Clients interested in advertising their PLM products and services, may also promote PLM supporting products, seminars, consulting services, white papers and/or any other product, service or publication relative to PLM.

As some added advantage of our FlexPLM™ advertising solutions, the PLMIC™ promotes only PLM related material, filtering out irrelevant research results the web generally brings when looking for specific information, in this case PLM or its common child sub services PDM, MLM, EDM & CM. Although the new PLMIC™ has a rich saturation of search ranking in most search engines around the world, starting March 21st, 2006 the PLMIC™ will be launching a strong search engine campaign across Yahoo, Google, MSN and their affiliate partner search engines and well known establishments. This push of self promotion will in turn save hundreds, even thousands of dollars in online marketing costs for all PLMIC™ advertisers.

FlexPLM™ Resource Index Solution:

Take advantage of our FREE (Until March 6th, 2006) FlexPLM™ Resource Index Solution. The PLMIC™ will add your PLM company to our resource index that thousands of visitors flock to, looking for the most prominent and cost effective PLM solutions.

FlexPLM™ Logo Recognition Solution:

Take advantage of our flexible and affordable, FlexPLM™ Logo Recognition Solution. The PLMIC™ will add your PLM company logo to our resource index, increasing ad visibility over standard Index Resource ads.

FlexPLM™ Interface Adapter:

Use the FlexPLM™ Interface Adapter to market several POM (Posts of Material) at once, creating an added leverage over Index and Logo advertisers.

FlexPLM™ PLM Virtual Showcase:

The FlexPLM™ PLM Virtual Showcase is the latest and greatest of PLM advertising solutions we have to offer! Market your PLM products, services, seminars, job offerings, white papers and featured articles relative to your PLM deployment, all in unique PLM section of the PLMIC™, stripped of FlexPLM™ PLM advertisement solutions and relative content throughout our website.

[All Advertising](#) |
 [FlexPLM™ Resource Index](#) |
 [FlexPLM™ Logo Recognition](#) |
 [FlexPLM™ Interface Adapter](#) |
 [FlexPLM™ PLM Virtual Showcase](#)

[Advertise](#) |
 [Inside PLMIC™](#) |
 [Product Vendors](#) |
 [PLM Consultants](#) |
 [Affiliate Projects](#) |
 [PLM Seminars](#) |
 [PLM & Related Articles](#)

[Home](#) |
 [PLM Job Offerings & Opportunities](#) |
 [Site Map](#) |
 PLMIC™ © 2006

PLM RESOURCES

Inside the PLMIC™

PLM Consultants

PLM Product Vendors

PLM Tools & AID

PLM Events

PLM & Related Articles

PLM Job Offerings & Opportunities

FlexPLMSM Advertising Solutions

- [FlexPLMSM Resource Index](#)
- [FlexPLMSM Logo Recognition](#)
- [FlexPLMSM Interface Adapter](#)
- [FlexPLMSM PLM Virtual Showcase](#)

Site Map

FlexPLMSM Advertising Solutions

[Home](#) |
 [All FlexPLMSM Advertising Solutions](#) |
 [Resource Index](#) |
 [Logo Recognition](#) |
 [Interface Adapter](#) |
 [PLM Virtual Showcase](#)

The PLMIC™ has several means of advertising, all of which can be purchased by credit card, mail in check or money order. It is recommended Solutions we have to offer before purchasing. Each FlexPLMSM Advertising Solution has its own purpose and flexibility.

Send Money Order or Checks Billable to:

PLMIC™
 PO Box 748
 Middleboro, MA 02346

Please Include as separate material:

- Business Name
- Your Full Name
- Billing Address
- Billing City
- Billing - State, Province, Region, or Territory
- Billing Zip Code
- Phone
- Fax (Optional)
- Email (Optional)

Credit Card Processing:



Credit card information is not accepted by email.

To purchase one of our advertising solutions by way of credit card, please call:

US & Canada Toll Free: **888-GO-PLMIC (467-5642)**

Local & International: **508-947-7655**

We process Visa, MasterCard, Discover & American Express

Please have ready when calling:

- Business Name on Card (if applicable)
- Card Holder Name
- Card Number
- Expiration Date
- Security Code
- Billing Address
- Billing City
- Billing - State, Province, Region, or Territory
- Billing Zip Code
- Business Phone (If required - should be phone number of Card Holder)
- Fax (Optional)
- Email (Optional)

Do you have questions before purchasing any of our FlexPLMSM Advertising Solutions?

If you any questions, please do not hesitate to contact us.

US & Canada Toll Free: **888-GO-PLMIC (467-5642)**

Local & International: **508-947-7655**

MDE - Most Direct Email: **flexplm@plmic.com**

[View All FlexPLMSM Advertising Solutions](#)

[All FlexPLM Advertising Solutions](#) | [FlexPLM Resource Index](#) | [FlexPLM Logo Recognition](#) | [FlexPLM Interface Adapter](#) | [FlexPLM Virtual Showcase](#)

[Advertise](#) | [Inside the PLMIC™](#) | [PLM Product Vendors](#) | [PLM Consultants](#) | [PLM Tools & AID](#) | [PLM Events](#) | [PLM & Related Articles](#) | [FlexPLM Virtual Showcase Center](#)

[Home](#) | [PLM Job Offerings & Opportunities](#) | [Site Map](#) | © 2006 PLMIC, LLC.

PLM RESOURCES

Inside the PLMIC™

PLM Consultants

PLM Product Vendors

PLM Tools & AID

PLM Events

PLM & Related Articles

PLM Job Offerings & Opportunities

FlexPLMSM Advertising Solutions

- [FlexPLMSM Resource Index](#)
- [FlexPLMSM Logo Recognition](#)
- [FlexPLMSM Interface Adapter](#)
- [FlexPLMSM PLM Virtual Showcase](#)

Site Map

FlexPLMSM Interface Adapter Advertising Solution

[Home](#) |
 [All FlexPLMSM Advertising Solutions](#) |
 [Resource Index](#) |
 [Logo Recognition](#) |
 [Interface Adapter](#) |
 [PLM Virtual Showcase](#)

Use the FlexPLMSM Interface Adapter to market several PLM products, services, and/or events across multiple **PLM Index Outlets** simultaneously. Hold a dominant marketing leverage over both FlexPLMSM Resource Index and Logo Recognition Advertisers.

FlexPLMSM Interface Adapter Costs: Limited Time:

\$299.95 USD	Per Month	- Dropped from \$355.64
\$1,124.24 USD	Per Quarter	- Save 6%
\$3,059.49 USD	Per Year	- Save 15%

The figure to the right (**Figure 1**) shows how the FlexPLMSM Interface Adapter allows you to present key links to your business website topics/web pages. This is exceptionally useful for when you are trying to promote specific PLM material such as a new PLM service or product release. Notice the visibility of the ad over standard results, even when positioned at the bottom of the PLM Index Outlet.

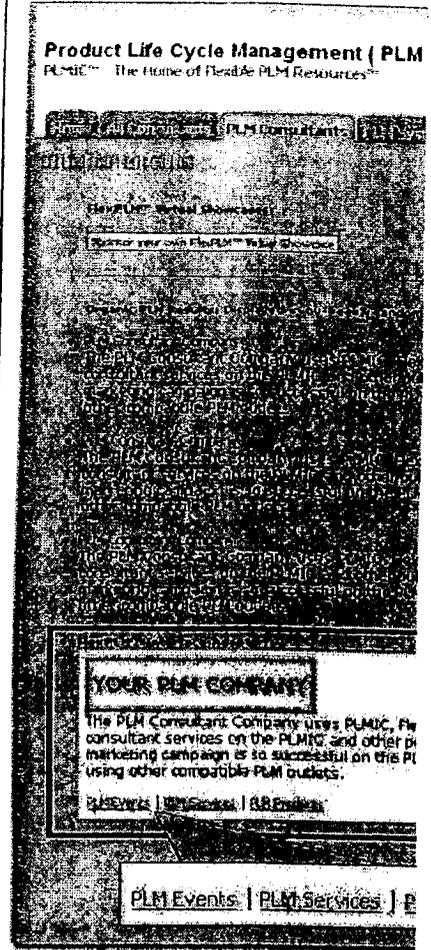
Interface Adapter Ad Display Features:

- Business Logo
- For businesses with websites; a hyperlink to the business logo is provided. Businesses without a website, please review the information below.
- 300 character business description relevant to your PLM material
- 1 Free PLM Event Posting -- Simulcast, Seminar or Webcast
- With every FlexPLMSM Interface Adapter ad, we provide a default set of links called 'PLM Events', 'PLM Services', & 'PLM Products' which in turn, connect directly to relative web pages/topics on your PLM business website.

Figure 1:
FlexPLMSM Interface Adapter Solution/PLM Con

[See LIVE PLM Consultants Outlet](#)

Purchase the FlexPLMSM Interface Adapter Solution Now!



Interested in the FlexPLMSM Interface Adapter Advertising Solution but do not have a

In the case of the FlexPLMSM Interface Adapter, a website is required. The whole purpose of a FlexPLMSM Interface Adapter is to market PLM products, services, and/or events using website connectivity from your PLM business website, to the FlexPLMSM Interface Adapter and visa versa.

We do offer a FlexPLMSM Virtual Showcase Solution. In short, a FlexPLMSM Virtual Showcase is a website structure, built unique to the PLM Ad right from the PLMIC™ website(s). If you do not see yourself marketing several PLM products, services, and/or events on a regular basis, I offer primitive FlexPLMSM Advertising Solutions. The FlexPLMSM Resource Index Solution and FlexPLMSM Logo Recognition Solution allows you to post your address, and/or email address in place of a website URL. If you choose to post this type of information in place of a website URL, please let us know so we can direct thousands of visitors to the PLMIC™ website every month.

How does the FlexPLMSM Interface Adapter Solution Work?

The whole purpose of a FlexPLMSM Interface Adapter is to market several PLM products, services, and/or events using website connectivity from your PLM business website, to the FlexPLMSM Interface Adapter and visa versa. Once configured, the Interface Adapter is then placed across every relative PLM Index Outlet

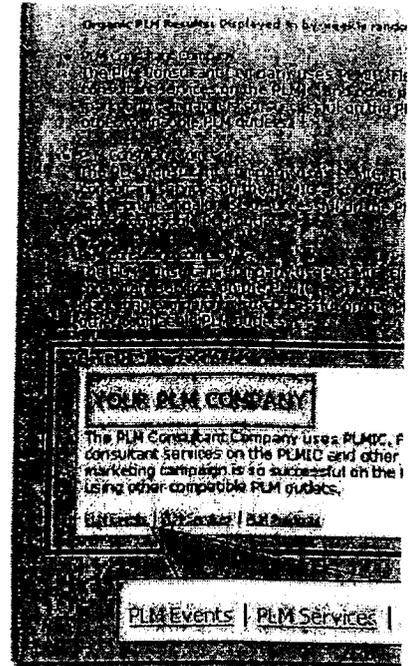
PLM services, products, product releases and events are good examples of the types of PLM material you would most likely market using the FlexPLMSM Interface Adapter ad, we provide a default set of links called 'PLM Events', 'PLM Services', & 'PLM Products' which in turn, are placed on your PLM business website. Two additional customized links of your choosing (15-25 characters in length, 800 character hyperlink path) to your PLM business website may also be provided. In the case of PLM Events; linking active PLM event(s) hosted on the PLMIC™ website(s) to your PLM business website may also be provided.

If you are familiar with the FlexPLMSM Resource Index and Logo Recognition Solutions, you probably know that you can utilize them both a

tools or simultaneously counter market your PLM posts of material using combinations of the two organic solutions across multiple PLM Inc consistent with the Interface Adapter and we do allow the same marketing abilities throughout all of our PLM Index Outlets.

Beneficial FlexPLMSM Marketing Tip 1

Just because you can use the same grid-like principals with the FlexPLMSM Interface Adapter Solution as you can with the FlexPLMSM Resource Index and Logo Recognition Solutions, doesn't mean you should? In fact, it becomes somewhat inefficient for cost effective purposes. Why? Let's declare you a PLM Consultant for this example. You have a PLM System Integration service you are trying to promote but it is not high on the priority list. However, you have a PLM service you actively practice which in fact brings in most of your sales. To use the FlexPLMSM Resource Index Solution to advertise your low-priority PLM System Integration service and to use the Logo Recognition Solution to advertise your higher-priority PLM service is quite normal and is the most cost effective way to utilize the two organic solutions. You still can use one or many FlexPLMSM Interface Adapters this same way and some PLM Advertisers still use the FlexPLMSM Interface Adapter this way, even with the use of other organic FlexPLMSM Solutions. One FlexPLMSM Interface Adapter should be fine. It is totally capable of marketing multiple PLM posts of material. We believe the reason some FlexPLMSM Advertisers utilize all three organic FlexPLMSM solutions is to strategically maximize their PLM website visibility, without the quarter of a year commitment the PLM Virtual Showcase requires.



Beneficial FlexPLMSM Marketing Tip 2 - Why use the FlexPLMSM Interface Adapter Solu

Why use the FlexPLMSM Interface Adapter Solution over our more primitive FlexPLMSM Advertising Solutions? Our studies show, 7 out of 11 interact with a confined collection of useful bits of information, then they would by scanning through a somewhat repetitive, even more dir

Do you have questions before purchasing the FlexPLMSM Interface Adapter Solution?

It is recommended that you review all FlexPLMSM Advertising Solutions we have to offer before purchasing. Each FlexPLMSM Advertising Solution you have questions regarding the FlexPLMSM Interface Adapter before purchasing, please do not hesitate to contact us.

US & Canada Toll Free: **888-GO-PLMIC (467-5642)**
 Local & International: **508-947-7655**
 MDE - Most Direct Email: flexplm@plmic.com

Purchase the FlexPLMSM Interface Adapter Solution Now!

All FlexPLM Advertising Solutions | FlexPLM Resource Index | FlexPLM Logo Recognition | **FlexPLM Interface Adapter** | FlexPLM Virtual Showcase

Advertise | Inside PLMIC™ | PLM Product Vendors | PLM Consultants | PLM Tools & AID | PLM Events | PLM & Related Articles | FlexPLM Virtual Showcase Center

Home | PLM Job Offerings & Opportunities | Site Map | © 2006 PLMIC, LLC.

FlexPLM™ Interface Adapter Advertising Solution

PLMIC™ - The Home of Flexible PLM Resources™

[Home](#) | [All Advertising](#) | [Resource Index](#) | [Logo Recognition](#) | [Interface Adapter](#) | [PLM Virtual Showcase](#)

Use the FlexPLM™ Interface Adapter to market several POM (Posts of Material) at once, creating an added leverage over Index and Logo advertisers. Using the Interface Adapter gives an incomparable increase of ad visibility throughout the PLMIC™ website.

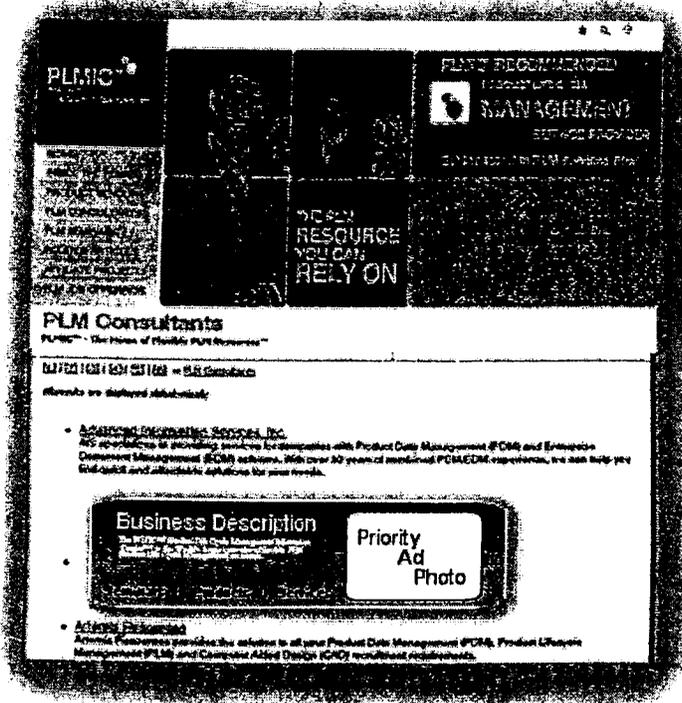
~~\$355.64~~ **\$64** Per Month

The figure to the right shows how a PLM consultant would be indexed. The same style and representation of the ad is similar in all advertising sections.

Features:

- 1 Free seminar registration and connection to FlexPLM™ Interface Adapter
- Website hyperlinks relative to PLM products and/or services connected to FlexPLM™ Interface Adapter
- Priority Ad Photo
- 300 character business description to a relevant advertising material

[View Purchasing Options](#)



[All Advertising](#) | [FlexPLM™ Resource Index](#) | [FlexPLM™ Logo Recognition](#) | [FlexPLM™ Interface Adapter](#) | [FlexPLM™ PLM Virtual Showcase](#)

[Advertise](#) | [Inside PLMIC™](#) | [PLM Product Vendors](#) | [PLM Consultants](#) | [PLM Tools & AID](#) | [PLM Seminars](#) | [PLM & Related Articles](#)

[Home](#) | [FlexPLM™ Virtual Showcases](#) | [PLM Job Offerings & Opportunities](#) | [Site Map](#) | [PLMIC™ © 2006](#)

PLM RESOURCES

Inside the PLMIC™

PLM Consultants

PLM Product Vendors

PLM Tools & AID

PLM Events

PLM & Related Articles

PLM Job Offerings & Opportunities

FlexPLMSM Advertising Solutions

- [FlexPLMSM Resource Index](#)
- [FlexPLMSM Logo Recognition](#)
- [FlexPLMSM Interface Adapter](#)
- [FlexPLMSM PLM Virtual Showcase](#)

Site Map

FlexPLMSM Logo Recognition Advertising Solution

[Home](#) |
 [All FlexPLMSM Advertising Solutions](#) |
 [Resource Index](#) |
 [Logo Recognition](#) |
 [Interface Adapter](#) |
 [PLM Virtual Showcase](#)

Take advantage of our FlexPLMSM Logo Recognition Solution. The PLMIC™ gives you the ability to simultaneously market your PLM business across every one of our [PLM Index Outlets](#) in the form of a logo ad. This logo ad increases ad visibility over standard FlexPLMSM Resource Index advertisers.

FlexPLMSM Logo Recognition Costs: Limited Time:

\$69.95 USD	Per Month	- Dropped from \$151.98
\$263.02 USD	Per Quarter	- Save 6%
\$713.49 USD	Per Year	- Save 15%

Our FlexPLMSM Logo Recognition Solution gives an increase of ad visibility over standard FlexPLMSM advertisements. The figure to the right (**Figure 1**) shows this taking place within the PLM Product Vendors Outlet.

Logo Recognition Ad Display Features:

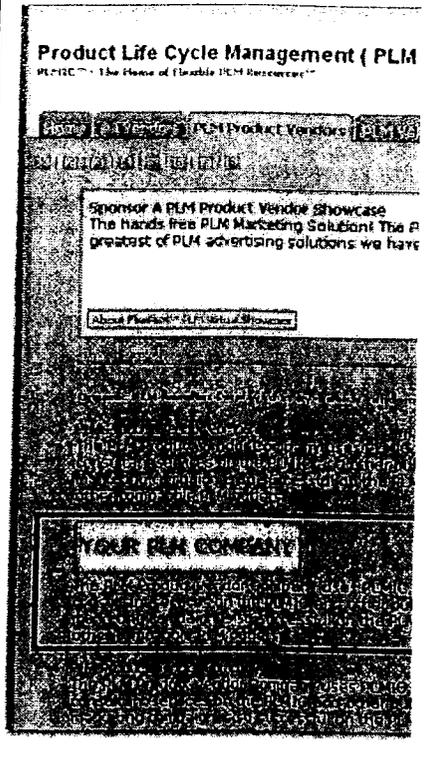
- Business Logo
- For businesses with websites; a hyperlink to the business logo is provided. PLM businesses without a website may use a phone number, physical address, and/or email address in place of a website URL.
- 300 character business description relevant to your business and logo

[Purchase the FlexPLMSM Logo Recognition Solution Now!](#)

Figure 1:

FlexPLMSM Logo Recognition Solution/PLM Product Ven

See LIVE PLM Product Vendors Outlet



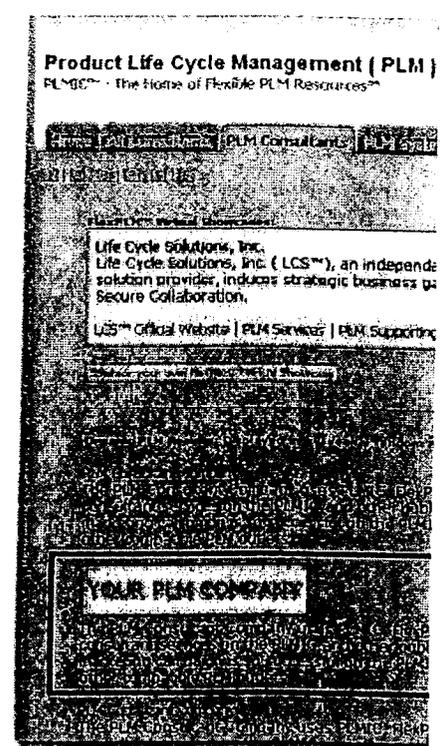
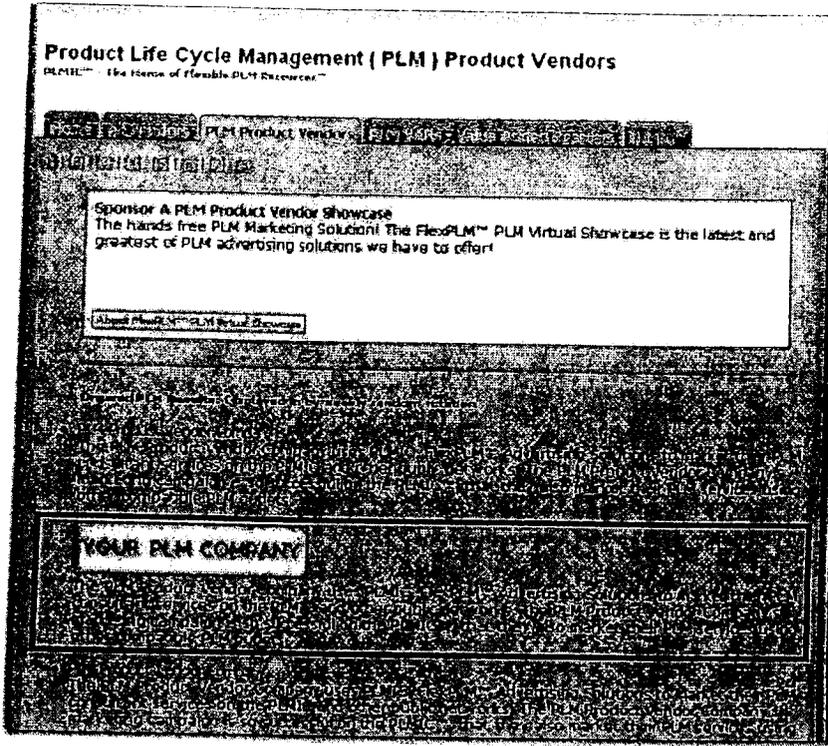
How does the FlexPLMSM Logo Recognition Solution Work?

If you have read about our FlexPLMSM Resource Index Solution, this material is very similar with the exception that the FlexPLM to increase ad visibility over standard FlexPLMSM Resource Index Advertisements.

Shown in Figure 1 above, we introduce an example of how a PLM business would appear within the PLM Product Vendors Outlet. For each ability to market your PLM business using our FlexPLMSM Logo Recognition Solution. Some examples would be; if you are a PLM Product Vendor the PLM Product Vendors Outlet (Figure 2.1). Similarly, if you are a PLM Consultant, you have the ability to advertise within the PLM Consultants Outlet (Figure 2.2). Similarly, if you are a PLM Consultant, you have the ability to advertise within the PLM Consultants Outlet & PLM Product Vendors Outlet simultaneously.

Figure 2.1 - PLM Product Vendors Outlet

Figure 2.2 - PLM Consultants Outlet



ALSO SEE - The Ability to Use Multiple FlexPLMSM Advertising Solutions, Across Multiple PLM Index Outlets Simultaneously

Do you have questions before purchasing the FlexPLMSM Logo Recognition Solution?

It is recommended that you review all FlexPLMSM Advertising Solutions we have to offer before purchasing. Each FlexPLMSM Advertising So you have questions regarding the FlexPLMSM Logo Recognition Solution before purchasing, please do not hesitate to contact us.

US & Canada Toll Free: **888-GO-PLMIC (467-5642)**
 Local & International: **508-947-7655**
 MDE - Most Direct Email: **flexplm@plmic.com**

Purchase the FlexPLMSM Logo Recognition Solution Now!

[All FlexPLM Advertising Solutions](#) | [FlexPLM Resource Index](#) | [FlexPLM Logo Recognition](#) | [FlexPLM Interface Adapter](#) | [FlexPLM Virtual Showcase](#)

[Advertise](#) | [Inside PLMIC™](#) | [PLM Product Vendors](#) | [PLM Consultants](#) | [PLM Tools & AID](#) | [PLM Events](#) | [PLM & Related Articles](#) | [FlexPLM Virtual Showcase Center](#)
[Home](#) | [PLM Job Offerings & Opportunities](#) | [Site Map](#) | © 2006 PLMIC, LLC.

FlexPLM™ Logo Recognition Advertising Solution

PLMIC™ - The Home of Flexible PLM Resources™

- [Home](#)
- [All Advertising](#)
- [Resource Index](#)
- [Logo Recognition](#)
- [Interface Adapter](#)
- [PLM Virtual Showcase](#)

Take advantage of our flexible and affordable, FlexPLM™ Logo Recognition Solution. The PLMIC™ will add your PLM company logo to our resource index, increasing ad visibility over standard Index Resource ads.

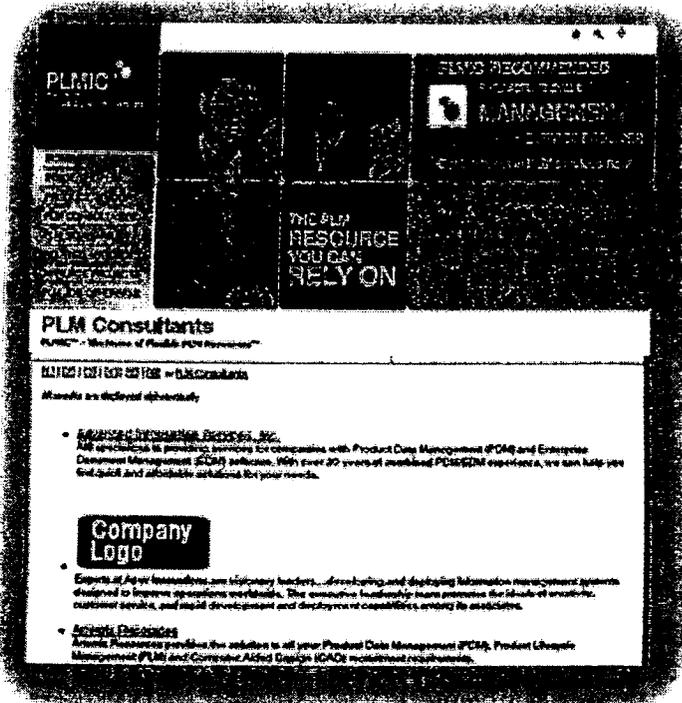
\$151.98 Per Month

The figure to the right shows how a PLM consultant would be indexed. The same style and representation of the ad is similar in all advertising sections.

Features:

- Business logo:
- Website hyperlink relative to PLM section linked to business logo.
- 300 character business description to a relevant advertising material.

View Purchasing Options



[All Advertising](#) | [FlexPLM™ Resource Index](#) | [FlexPLM™ Logo Recognition](#) | [FlexPLM™ Interface Adapter](#) | [FlexPLM™ PLM Virtual Showcase](#)

[Advertise](#) | [Inside PLMIC™](#) | [PLM Product Vendors](#) | [PLM Consultants](#) | [PLM Tools & AID](#) | [PLM Seminars](#) | [PLM & Related Articles](#)

[Home](#) | [FlexPLM™ Virtual Showcases](#) | [PLM Job Offerings & Opportunities](#) | [Site Map](#) | [PLMIC™ © 2006](#)

PLM RESOURCES

Inside the PLMIC™

[PLM Consultants](#)

[PLM Product Vendors](#)

[PLM Tools & AID](#)

[PLM Events](#)

[PLM & Related Articles](#)

[PLM Job Offerings & Opportunities](#)

FlexPLMSM Advertising Solutions

- [FlexPLMSM Resource Index](#)
- [FlexPLMSM Logo Recognition](#)
- [FlexPLMSM Interface Adapter](#)
- [FlexPLMSM PLM Virtual Showcase](#)

[Site Map](#)

FlexPLMSM Advertising Solutions - PLM Outlets

[Home](#) ||
 [All FlexPLMSM Advertising Solutions](#) ||
 [Resource Index](#) ||
 [Logo Recognition](#) ||
 [Interface Adapter](#) ||
 [PLM Virtual Showcase](#)

What is a PLM Outlet and how are FlexPLMSM Advertising Solutions used within them?

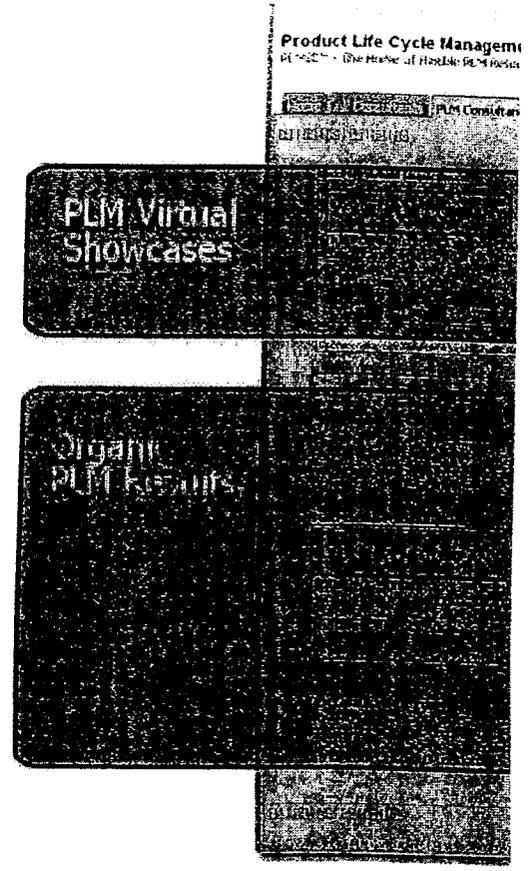
Much like a search engine directory or index, a PLM Outlet is a PLMIC™ developed directory-like structure, made up of strictly PLM business information and resources. Each PLM Outlet corresponds to specific PLM Industry trades.

The most prominent PLM Outlets for FlexPLMSM Advertising at this time are:

- [PLM Consultants Outlet](#)
- [PLM System Integrators Outlet](#)
- [PLM Product Vendors Outlet](#)
- [PLM VARs Outlet](#)

[Back to Corresponding FlexPLMSM Advertising Solution](#)

[View All FlexPLMSM Advertising Solutions](#)



The Ability to Use Multiple FlexPLMSM Advertising Solution, Across Multiple PLM Outlet

As you probably know by now, you have the ability to advertise within any given PLM Outlet, using any one FlexPLMSM Advertising Solution. As a PLM Consultant, you have the ability to advertise within the PLM Consultants Outlet. Similarly, if you are a PLM Product Vendor, you have the ability to advertise within the PLM Product Vendors Outlet. In fact, if you are a PLM Product Vendor and you offer PLM consulting services, you also have the ability to simultaneously advertise within the PLM Consultants Outlet & PLM Product Vendors Outlets.

Have you thought of this one? To invoke a real-life business case scenario, we will use a PLM Product Vendor for this example. Let's say as a PLM Product Vendor, your service sales are doing better than your PLM product purchasing sales. Your need to market your PLM consulting services is important, but your product purchasing sales are also important. As shown below, we give you the ability to use the FlexPLMSM Logo Recognition Solution to market your PLM products at a decreased visibility rate (Figure 3.2), also at a lower cost.

What if you are not a PLM Product Vendor at all? The same methodology can still be used if you are a PLM Consulting firm with a team of PLM Consultants. The PLM Consultant & PLM System Integrator Outlets would both be applicable PLM Outlets to advertise in.

Figure 3.1 - PLM Product Vendors Outlet - Logo Recognition

Figure 3.2 - PLM Consultants Outlet - Normal FlexPLMSM Advertising Solution

Product Life Cycle Management (PLM) Product Vendors
 PLMIC™ - The Home of Flexible PLM Resources™

Home | [About Us](#) | [PLM Product Vendors](#) | [PLM Tools & AID](#) | [PLM Events](#) | [PLM & Related Articles](#) | [FlexPLM Virtual Showcase Center](#)

Home | [About Us](#) | [PLM Product Vendors](#) | [PLM Consultants](#) | [PLM Tools & AID](#) | [PLM Events](#) | [PLM & Related Articles](#) | [FlexPLM Virtual Showcase Center](#)

Sponsor A PLM Product Vendor Showcase
 The hands free PLM Marketing Solution! The FlexPLM™ PLM Virtual Showcase is the latest and greatest of PLM advertising solutions we have to offer.

[About FlexPLM™ PLM Virtual Showcases](#)

WELCOME PLM CONSULTANT

Product Life Cycle Management (PLM)
 PLMIC™ - The Home of Flexible PLM Resources™

Home | [About Us](#) | [PLM Product Vendors](#) | [PLM Consultants](#) | [PLM Tools & AID](#) | [PLM Events](#) | [PLM & Related Articles](#) | [FlexPLM Virtual Showcase Center](#)

Home | [About Us](#) | [PLM Product Vendors](#) | [PLM Consultants](#) | [PLM Tools & AID](#) | [PLM Events](#) | [PLM & Related Articles](#) | [FlexPLM Virtual Showcase Center](#)

FlexPLM™ Virtual Showcases!

Life Cycle Solutions, Inc. (LCS™), an independent solution provider, induces strategic business of Secure Collaboration.

[LCS™ Official Website](#) | [PLM Services](#) | [PLM Supporting](#)

[Sponsor your own FlexPLM™ Virtual Showcase!](#)

[Back to Corresponding FlexPLMSM Advertising Solution](#)

[View All FlexPLMSM Advertising Solutions](#)

Do you have questions before purchasing the FlexPLMSM Resource Index Solution?

It is recommended that you review all FlexPLMSM Advertising Solutions we have to offer before purchasing. Each FlexPLMSM Advertising Solution you have questions pertaining to the FlexPLMSM Resource Index Solution before purchasing, please do not hesitate to contact us.

US & Canada Toll Free: **888-GO-PLMIC (467-5642)**

Local & International: **508-947-7655**

MDE - Most Direct Email: flexplm@plmic.com

[View All FlexPLMSM Advertising Solutions](#)

[All FlexPLM Advertising Solutions](#) | [FlexPLM Resource Index](#) | [FlexPLM Logo Recognition](#) | [FlexPLM Interface Adapter](#) | [FlexPLM Virtual Showcase](#)

[Advertise](#) | [Inside the PLMIC™](#) | [PLM Product Vendors](#) | [PLM Consultants](#) | [PLM Tools & AID](#) | [PLM Events](#) | [PLM & Related Articles](#) | [FlexPLM Virtual Showcase Center](#)
[Home](#) | [PLM Job Offerings & Opportunities](#) | [Site Map](#) | © 2006 PLMIC, LLC.

PLM RESOURCES

Inside the PLMIC™

PLM Consultants

PLM Product Vendors

PLM Tools & AID

PLM Events

PLM & Related Articles

PLM Job Offerings & Opportunities

FlexPLMSM Advertising Solutions

- [FlexPLMSM Resource Index](#)
- [FlexPLMSM Logo Recognition](#)
- [FlexPLMSM Interface Adapter](#)
- [FlexPLMSM PLM Virtual Showcase](#)

Site Map

FlexPLMSM Resource Index Advertising Solution

[Home](#) |
 [All FlexPLMSM Advertising Solutions](#) |
 [Resource Index](#) |
 [Logo Recognition](#) |
 [Interface Adapter](#) |
 [PLM Virtual Showcase](#)

Take advantage of our FlexPLMSM Resource Index Solution. The PLMIC™ gives you the ability to simultaneously market your PLM business across every one of our **PLM Index Outlets** in the form of an ad. This ad is displayed using a by-weekly random rotation within every PLM Index Outlet.

FlexPLMSM Resource Index Costs: Limited Time:

\$32.95 USD	Per Month	- Dropped from \$64.95
\$123.89 USD	Per Quarter	- Save 6%
\$336.09 USD	Per Year	- Save 15%

The figure to the right (**Figure 1**) shows an example of how a PLM Business would appear as a PLM Index Outlet Result (also know as an Organic PLM Result) within the PLM Consultants Outlet. The same style and representation of your advertisement is similar with all PLM Index Outlets.

Resource Index Ad Display Features:

- Business Name
- For businesses with websites; a hyperlink to the business name is provided. PLM businesses without a website may use a phone number, physical address, and/or email address in place of a website URL.
- 300 character business description relevant to your business name

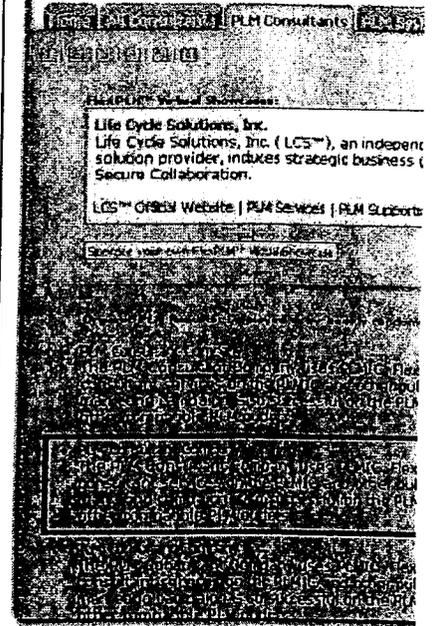
[Purchase the FlexPLMSM Resource Index Solution Now!](#)

Figure 1

FlexPLMSM Resource Index Solution/PLM Consultants (

See LIVE PLM Consultants Outlet

Product Life Cycle Management (PLM)
PLMIC™ - The Home of Flexible PLM Resources™

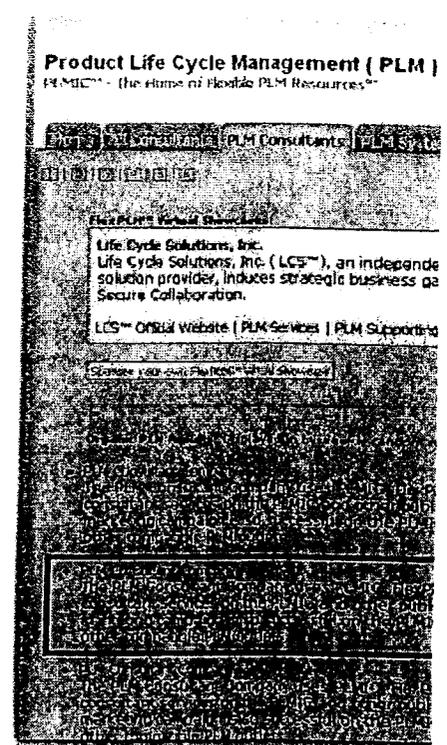
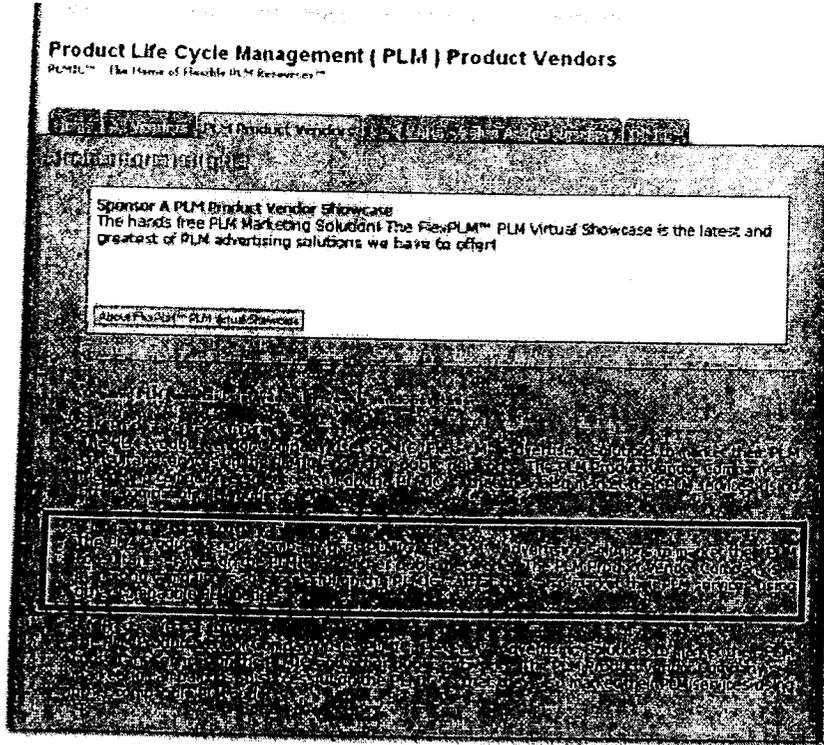


How does the FlexPLMSM Resource Index Solution Work?

Shown in **Figure 1** above, we introduce an example of how a PLM business would appear within the PLM Consultants Outlet. For each PLM to market your PLM business using our FlexPLMSM Resource Index Solution. Some examples would be; if you are a PLM Product Vendor, you can market your PLM business using our FlexPLMSM Resource Index Solution. Similarly, if you are a PLM Consultant, you have the ability to advertise within the PLM Consultant PLM Product Vendor and you happen to offer PLM consulting services in addition to your PLM products, you have the ability to use our Flex your business across both the PLM Consultants Outlet & PLM Product Vendors Outlet simultaneously.

Figure 2.1 - PLM Product Vendors Outlet

Figure 2.2 - PLM Consultants Outlet



ALSO SEE - The Ability to Use Multiple FlexPLMSM Advertising Solutions, Across Multiple PLM Index Outlets Simultaneously

Do you have questions before purchasing the FlexPLMSM Resource Index Solution? We

It is recommended that you review all FlexPLMSM Advertising Solutions we have to offer before purchasing. Each FlexPLMSM Advertising Solution you have questions regarding the FlexPLMSM Resource Index Solution before purchasing, please do not hesitate to contact us.

- US & Canada Toll Free: **888-GO-PLMIC (467-5642)**
- Local & International: **508-947-7655**
- MDE - Most Direct Email: **flexplm@plmic.com**

Purchase the FlexPLMSM Resource Index Solution Now!

Please Note: Any PLM advertiser ads posted on or before January 1st 2006, were permanently grandfathered into all applicable PLM Index Outlets using our FlexPLMSM Resource Index Solution advertisements, please refer to the information above.

[All FlexPLM Advertising Solutions](#) | [FlexPLM Resource Index](#) | [FlexPLM Logo Recognition](#) | [FlexPLM Interface Adapter](#) | [FlexPLM Virtual Showcase](#)

[Advertise](#) | [Inside the PLMIC™](#) | [PLM Product Vendors](#) | [PLM Consultants](#) | [PLM Tools & AID](#) | [PLM Events](#) | [PLM & Related Articles](#) | [FlexPLM Virtual Showcase Center](#)
[Home](#) | [PLM Job Offerings & Opportunities](#) | [Site Map](#) | © 2006 PLMIC, LLC.

FlexPLM™ Resource Index Advertising Solution

PLMIC™ - The Home of Flexible PLM Resources™

- [Home](#)
- [All Advertising](#)
- [Resource Index](#)
- [Logo Recognition](#)
- [Interface Adapter](#)
- [PLM Virtual Showcase](#)

Take advantage of our FlexPLM™ Resource Index Solution. The PLMIC™ will add your PLM company to our resource index that thousands of visitors flock to, looking for the most prominent and cost effective PLM solutions.

~~\$64.95~~ Per Month

The figure to the right shows how a PLM consultant would be indexed. The same style and representation of the ad is similar in all advertising sections.

Features:

- Business title:
- Website hyperlink relative to PLM section linked to business title.
- 300 character business description to a relevant advertising material.

View Purchasing Options

Product Life Cycle Management (PLM) Consultants

PLMIC™ - The Home of Flexible PLM Resources™

Life Cycle Solutions, Inc.
Life Cycle Solutions, Inc. (LCS™), an independent Product Life Cycle Management (PLM) solution provider, induces strategic business gains through Business Process Transformation & Secure Collaboration.

[LCS™ Online Website](#) | [PLM Services](#) | [PLM Supporting Features](#) | [2006 PLM Solution Series™](#)

Sponsored with FlexPLM™ Virtual Showcase

[All Advertising](#) | [FlexPLM™ Resource Index](#) | [FlexPLM™ Logo Recognition](#) | [FlexPLM™ Interface Adapter](#) | [FlexPLM™ PLM Virtual Showcase](#)

[Advertise](#) | [Inside PLMIC™](#) | [PLM Product Vendors](#) | [PLM Consultants](#) | [PLM Tools & AID](#) | [PLM Seminars](#) | [PLM & Related Articles](#)

[Home](#) | [FlexPLM™ Virtual Showcases](#) | [PLM Job Offerings & Opportunities](#) | [Site Map](#) | [PLMIC™ © 2006](#)

PLM RESOURCES

Inside the PLMIC™

PLM Consultants

PLM Product Vendors

PLM Tools & AID

PLM Events

PLM & Related Articles

PLM Job Offerings & Opportunities

FlexPLMSM Advertising Solutions

- [FlexPLMSM Resource Index](#)
- [FlexPLMSM Logo Recognition](#)
- [FlexPLMSM Interface Adapter](#)
- [FlexPLMSM PLM Virtual Showcase](#)

Site Map

FlexPLMSM Virtual Showcase Advertising Solution

[Home](#) |
 [All FlexPLMSM Advertising Solutions](#) |
 [Resource Index](#) |
 [Logo Recognition](#) |
 [Interface Adapter](#) |
 [PLM Virtual Showcase](#)

[FlexPLMSM Virtual Showcase Costs & Features](#) |
 [Most common PLM Virtual Showcase Entry Points](#) |
 [How the PLM Virtual Showcase is Developed](#)

Identical to the FlexPLMSM Interface Adapter in ad display appearance within **PLM Index Outlets**, the FlexPLMSM Virtual Showcase is something much more advanced. Our FlexPLMSM Virtual Showcase Solution is a hands free PLM marketing solution! A website structure, built unique to the PLM Advertiser; designed, hosted, and marketed right from the PLMIC website(s). Appearing at the top of every applicable PLM Index Outlet, web page, and directory on all PLMIC websites, the PLM Virtual Showcase overpowers all other forms of PLM Advertising.

FlexPLMSM Virtual Showcase Costs: Limited Time:

\$2,499.95 USD Per Quarter - Dropped from \$3,328.76
\$8,499.83 USD Per Year - Save 15%

The figure to the right (**Figure 1**) shows how the FlexPLMSM Virtual Showcase ad appears at the top of every PLM Index Outlet. Here the FlexPLMSM Virtual Showcase ad presents key links to your **physical showcase**.

PLM Virtual Showcase Ad Display Features:

- Business Logo
- Hyperlinked URL structure that connects directly to your physical showcase topics relative to the PLM Index Outlet presenting the ad.
- 300 character business description relevant to your PLM material

Purchase the FlexPLMSM Virtual Showcase Solution Now!

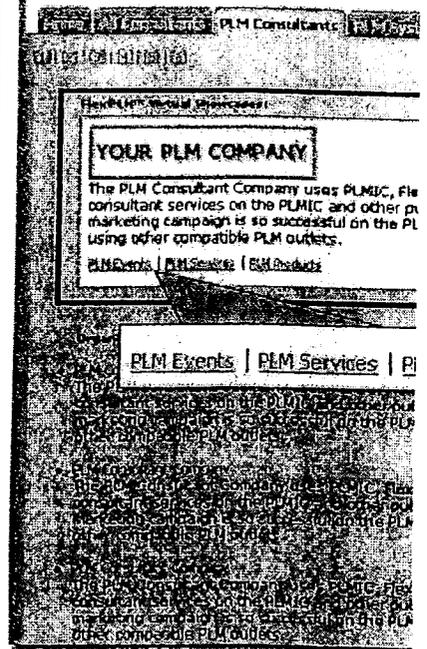
Figure 1:

FlexPLMSM Virtual Showcase ads are displayed at the top of PLM Consultants Outlet:

See LIVE PLM Consultants Outlet

Product Life Cycle Management (PLM)

PLMIC™ The Home of Flexible PLM Resources™



Virtual Showcase Added Features:

- In addition to appearing at the top of every applicable PLM Index Outlet; your PLM Showcase can also be reached by visitors clicking on the Virtual Showcase Splash Ad, located at the top of every web page on the PLMIC™.

The figure to the right (**Figure 2**) shows how the FlexPLMSM Virtual Showcase Splash Ad appears. Once clicked, visitors enter the PLM Virtual Showcase Center where all PLM Virtual Showcases are housed. To read more about the various entry points visitors use to reach your PLM Showcase, please see the information below.

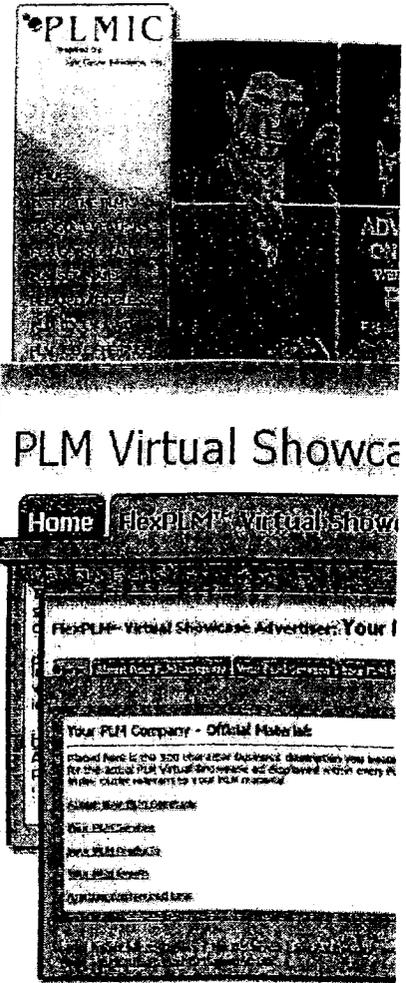
- A unique, multi-section showcase (website) environment is designed, hosted, and marketed right from the PLMIC™ website(s). No PLMIC advertisements of any form reside within your showcase.
- You are provided 4 PLM job offering slots that can be continuously refilled as job offers are acquired. The refilling of your job offering slots last for the life of the PLM Virtual Showcase.
- You are provided 2 PLM event slots that can be continuously refilled as PLM events come and go. Typical PLM events would be simulcasts, webcasts, and seminars. The refilling of the PLM event slots last for the life of the PLM Virtual Showcase.
- Continuous content updates for the life of your PLM Virtual Showcase. This includes image updates, articles, link structures and even the expansion of the PLM Virtual Showcase environment itself.
- All PLM Virtual Showcases come with a PLMIC™ Related Section. This section provides a site map to all PLMIC related material you may have posted on the PLMIC such as PLM articles, job offerings, news updated, and/or events listings; all of which are connected to your showcase.

Purchase the FlexPLMSM Interface Adapter Solution Now!

Figure 2:

The PLM Virtual Showcase Center's splash ad is also displayed on the PLM Virtual Showcase Center where all PLM Virtual Event Directory:

See **LIVE** how the PLM Virtual Showcase Spl



How the FlexPLMSM Virtual Showcase Solution Works

Our FlexPLMSM Virtual Showcase Solution (the physical result of the solution is often called a PLM Virtual Showcase), is a hands free PLM m unique to the PLM Advertiser; designed, hosted, and marketed right from the PLMIC website(s). Appearing at the top of every applicable PL PLMIC websites, the PLM Virtual Showcase overpowers all other forms of PLM Advertising.

FlexPLMSM Virtual Showcase Client Commitments

There are some minor commitments we ask of clients when utilizing our FlexPLMSM Virtual Showcase Solution:

1. The development of the PLM Virtual Showcase is relatively quick but the changes to images and content however are ongoing. Depending the revising of a showcase could occur more times than anticipated before it reaches marketing. In order for the PLMIC™ to agree to such a clients to agree to at least a quarterly payment plan in order to utilize the FlexPLMSM Virtual Showcase Solution.
2. Appearing at the top of every applicable PLM Index Outlet, web page, and directory on all PLMIC™ websites, the PLM Virtual Showcase o So much so, we only allow one PLM Virtual Showcase per business. This also means that any FlexPLMSM Advertising Solution you may cure forward with the development of a PLM Virtual Showcase.

Most common PLM Virtual Showcase Entry Points

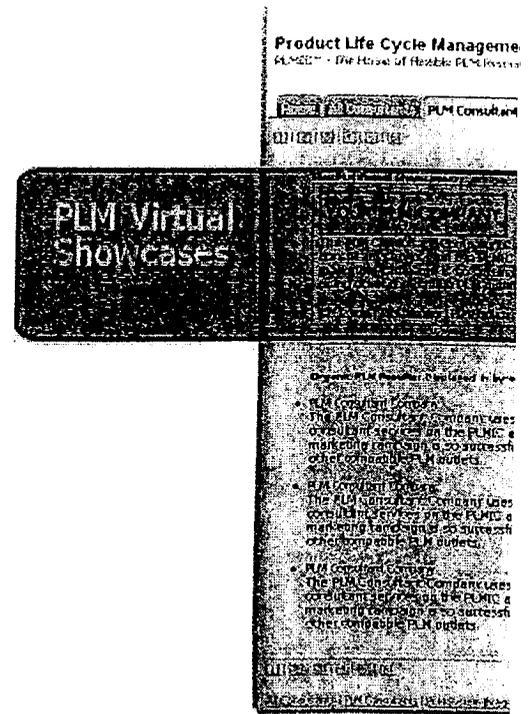
Key Entry Point - Advantage Over Organic PLM Results

The FlexPLMSM Virtual Showcase Solution gives PLM Advertisers extended visibility over our more primitive FlexPLMSM Advertising Solutions and on many different levels. Each solution has its own way of being presented within PLM Index Outlets. The FlexPLMSM Resource Index, Logo Recognition, and Interface Adapter solutions display ads as Organic PLM Results. These results are intertwined with each other, randomly changing position in a by-weekly rotation. The PLM Virtual Showcase however has its own set of results. Still randomly changing position in a by-weekly rotation, the PLM Virtual Showcase results appear directly above Organic PLM Results. This is shown in the figure to the right (Figure 3.A).

If your material is relevant to the PLM Index Outlet, your showcase will become visible at the top of the PLM Outlet. An example would be; if you are PLM Consultant and your showcase contains relevant material such as PLM consulting services, your showcase would appear in the PLM Consultants Outlet.

Purchase FlexPLMSM Virtual Showcase Solution Now!

(Figure 3.A)



Key Entry Point - PLM Virtual Showcase Center

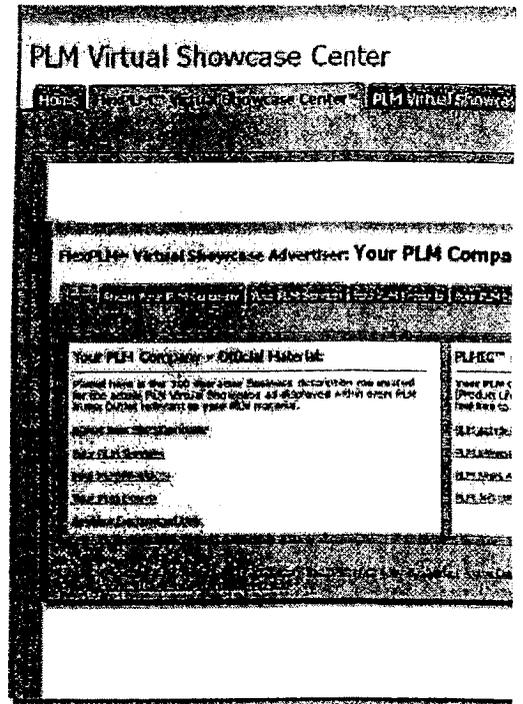
The figure to the right (Figure 3.B) shows in more detailed what the PLM Virtual Showcase Center looks like. Every web page, directory and PLM Index Outlet on the PLMIC has a Showcase Splash Ad on the top of the page and a hyperlink at the bottom of the page. Once either link set is clicked, visitors enter the PLM Virtual Showcase Center where all PLM showcases are housed.

This entry point presents PLM Virtual Showcases using the same random by-weekly rotation mechanism PLM Index Outlets use.

To learn more about the architecture of the PLM Virtual Showcase and how you can best utilize the structure, please see [How the PLM Virtual Showcase is Developed](#).

Purchase FlexPLMSM Virtual Showcase Solution Now!

(Figure 3.B)



Key Entry Point - Popular Search Engines

How you came to the PLMICTM is most likely the direct result of a search engine search. Search engines are another key entry point in which visitors actively come to the PLMICTM website for the sole purpose of researching PLM Products

(Figure 3.C)

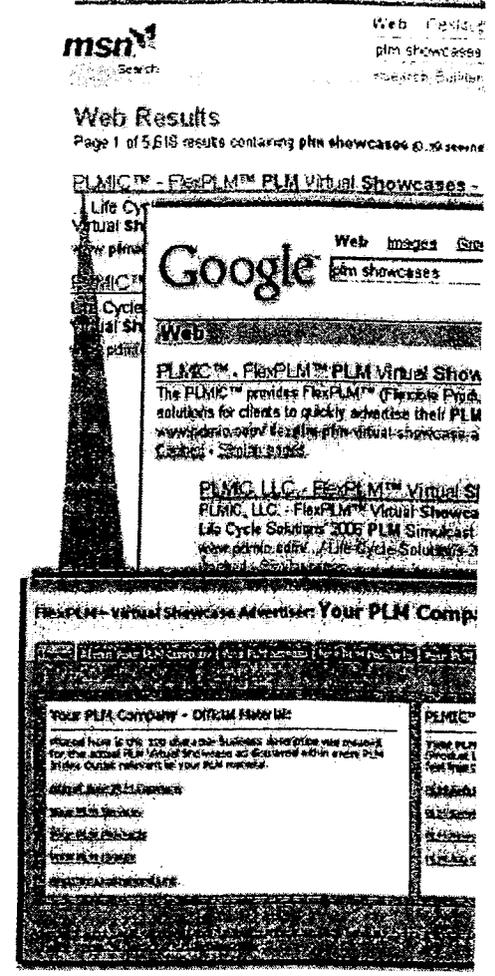
and Services. The PLMIC™ is successful in being the most actively visited directory for PLM resources currently on the internet.

Before advertising, the PLMIC™ encourages visitors to experiment with search and find us on the internet. Use high density search terms such as PLM products, PLM product vendors, PLM consultants, PLM events, PLM articles, PLM job offers and/or any other high density PLM search term you can think of. It's an easy way to prove the advantage of advertising with the PLMIC™ especially for advertisers looking into a PLM Virtual Showcase.

The figure to right (**Figure 3.C**) shows how search engines consider PLM Virtual Showcases a rich source for PLM. The same care we take in exploiting search engines for our own self promotion is used in the development of every showcase.

PLMIC needs little Pay-Per-Click assistance but does take part in spontaneous search engine marketing campaigns using Yahoo! Search Marketing, Google Adwords, and Microsoft's MSN Ad Center. This push of self promotion saves hundreds, even thousands of dollars in online marketing costs for all PLMIC™ advertisers.

Purchase FlexPLMSM Virtual Showcase Solution Now!



Do you have questions before purchasing the FlexPLMSM Virtual Showcase Solution?

It is recommended that you review all FlexPLMSM Advertising Solutions we have to offer before purchasing. Each FlexPLMSM Advertising Solution you have questions regarding the FlexPLMSM Virtual Showcase before purchasing, please do not hesitate to contact us.

US & Canada Toll Free: **888-GO-PLMIC (467-5642)**
 Local & International: **508-947-7655**
 MDE - Most Direct Email: flexplm@plmic.com

Purchase the FlexPLMSM Virtual Showcase Solution Now!

[FlexPLM Virtual Showcase Costs & Features](#) | [Most common PLM Virtual Showcase Entry Points](#) | [How the PLM Virtual Showcase is Developed](#)

[All FlexPLM Advertising Solutions](#) | [FlexPLM Resource Index](#) | [FlexPLM Logo Recognition](#) | [FlexPLM Interface Adapter](#) | [FlexPLM Virtual Showcase](#)

[Advertise](#) | [Inside the PLMIC™](#) | [PLM Product Vendors](#) | [PLM Consultants](#) | [PLM Tools & AID](#) | [PLM Events](#) | [PLM & Related Articles](#) | [FlexPLM Virtual Showcase Center](#)
[Home](#) | [PLM Job Offerings & Opportunities](#) | [Site Map](#) | © 2006 PLMIC, LLC.

FlexPLM™ PLM Virtual Showcase Advertising Solution

PLMIC™ - The Home of Flexible PLM Resources™

[Home](#) | [All Advertising](#) | [Resource Index](#) | [Logo Recognition](#) | [Interface Adapter](#) | [PLM Virtual Showcase](#)

The hands free PLM Marketing Solution™! The FlexPLM™ PLM Virtual Showcase is the latest and greatest of PLM advertising solutions we have to offer. Market your PLM products, services, seminars, job offerings, white papers and featured articles relative to your PLM deployment all in one unique PLM section on the PLMIC™! Funnel PLM traffic from the PLMIC™ website directly into your unique showcase.

Provided below are just some of the favoring features provided to clients when purchasing a FlexPLM™ PLM Virtual Showcase. The FlexPLM™ Virtual Showcase advertising solution is a forever evolving feature of the PLMIC™ and it is considered still in its BETA stages of production. For some PLM Advertisers, the FlexPLM™ Virtual Showcase is a snap in idea and immediately jump to the opportunity. Others find the showcase quite difficult to understand without a formal session of review.

To schedule a free telephone conference or WebEX session, to discuss the layout, features and future plans for FlexPLM™ Virtual Showcases, it is encourage that you contact flexplm@plmic.com at your earilest convenience and a PLMIC Rep with assist you further.

\$832.19 Per Month

Features:

- Unique, multi-section showcase environment stripped of all PLMIC™ advertisements
- Immediate exposure in the PLM Virtual Showcase section of the PLMIC™ website, advertised on every webpage of the PLMIC™.
- 4 job offering slots that can be continuously refilled as job offerings close. The refilling of job offering slots last for the life of the PLM Virtual Showcase.
- Consultant service showcase to market up to 4 priority services
- Product showcase to market up to 4 priority products
- 2 seminar slots that can continuously be refilled as seminars come and go. The refilling of the seminar slots last for the life of the PLM Virtual Showcase.
- FlexPLM™ Interface Adapter - Giving an incomparable increase of ad visibility throughout the PLMIC™ website. The FlexPLM™ Interface Adapter appears in every relevant advertising section pertaining to the material hosted in your PLM Virtual Showcase.
- 5 second display in soon to be released FlexPLM™ Ad Rotator that can be found at the top of every advertising section of the PLMIC™.
- Continuous content updates for the life of PLM Virtual Showcase.

View Purchasing Options

[View FlexPLM™ PLM Virtual Showcase Example](#)

Have Additional Questions?

Do you have questions pertaining to our FlexPLM™ Advertising Solutions? If so, please send an email to flexplm@plmic.com and a PLMIC™ representative will assist you further.

[All Advertising](#) | [FlexPLM™ Resource Index](#) | [FlexPLM™ Logo Recognition](#) | [FlexPLM™ Interface Adapter](#) | [FlexPLM™ PLM Virtual Showcase](#)

[Advertise](#) | [Inside PLMIC™](#) | [PLM Product Vendors](#) | [PLM Consultants](#) | [PLM Tools & AID](#) | [PLM Seminars](#) | [PLM & Related Articles](#)

[Home](#) | [FlexPLM™ Virtual Showcases](#) | [PLM Job Offerings & Opportunities](#) | [Site Map](#) | PLMIC™ © 2006

PLM RESOURCES

Inside the PLMIC™

PLM Consultants

PLM Product Vendors

PLM Tools & AID

PLM Events

PLM & Related Articles

PLM Job Offerings & Opportunities

FlexPLMSM Advertising Solutions

- [FlexPLMSM Resource Index](#)
- [FlexPLMSM Logo Recognition](#)
- [FlexPLMSM Interface Adapter](#)
- [FlexPLMSM PLM Virtual Showcase](#)

Site Map

FlexPLMSM Virtual Showcase Advertising Solution

[Home](#) |
 [All FlexPLMSM Advertising Solutions](#) |
 [Resource Index](#) |
 [Logo Recognition](#) |
 [Interface Adapter](#) |
 [PLM Virtual Showcase](#)

[FlexPLM Virtual Showcase Costs & Features](#) |
 [Most common PLM Virtual Showcase Entry Points](#) |
 [How the PLM Virtual Showcase is Developed](#)

The Building Blocks of a PLM Virtual Showcase - How we retrieve your

The cost for development of a PLM Virtual Showcase is included. This also includes continuous content updates for the life of your PLM Virtual Showcase structures and even the expansion of the PLM Virtual Showcase environment itself are considerable forms of content updating. A template is provided for the material you may have to market. Website or not, the PLMIC™ goes about retrieving content from you for the showcase in two direct ways:

If you are a PLM Advertiser without a Website

If you are a PLM company without a website; the PLMIC™ will develop a showcase based on information you provide us via electronic communication upload/download. Specifics on the material that would be expected from you such as logo colors and size, button configuration, among any other information upon request.

If you are a PLM Advertiser with a Website

You do not need a website as mentioned above. There are traffic benefits however by providing the PLMIC direct links to PLM products, services and your showcase. The PLMIC generally populates showcase information with content relative to existing content on your website. Often it is targeted so once a visitor comes, they stay on your website. Regardless of your choices of website connectivity, the PLMIC will develop a showcase via electronic communications such as emails or ftp upload/download. Specifics on the material that would be expected from you such as logo and any other starter information will be asked of you at your own leisure upon request.

How the PLM Virtual Showcase is Developed

Your PLM Virtual Showcase Button Menu:

You may provide a physical character description for your showcase menu buttons. Each menu button represents a section within your showcase that goes off to your website services and products, images may be posted, articles and various other pieces of material relevant to your PLM Showcase. The best character lengths to work with while naming your menu buttons would be:

5 buttons; 14 - 22 characters in length - If you choose not to submit custom menu button descriptions, the PLMIC™ will create default buttons.

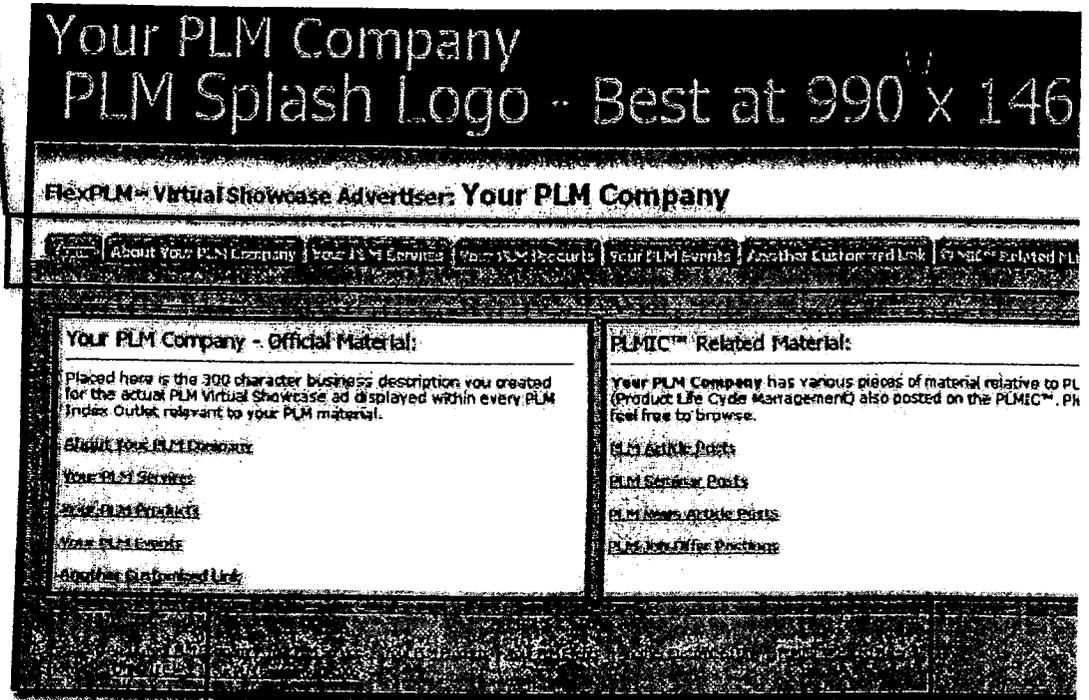
The "Home" and "PLMIC™ Related Materials" buttons are mandatory. The "Home" button is for users to easily navigate back to your showcase. The "PLMIC™ Related Materials" is used to house all references to PLMIC™ related material you may have. If you choose to use Job Offering postings, the "PLMIC™ Related Materials" section will be used to house them.

Mandatory



Your PLM Virtual Showcase Splash logo:

You may provide a physical logo splash image that can span up to a 990 x 330 resolution. It is best to provide a splash image with a resolution of 990 x 146. PLMIC™ will take snapshots of your showcase to present them in various places throughout the PLMIC as the PLM Virtual Showcase Center logo is too big, information will be left out of the snapshot you may want visible to visitors. The more noticeable your showcase is the better template around your splash logo will be tailored to match your colors as best as possible.



Your PLM Virtual Showcase Link Housing:

Your PLM Virtual Showcase home page will consist of two major sections: *Your PLM Company's Official Material* and *PLMIC™ Related*

Your PLM Company's Official Material

Your PLM Company's Official Material will be direct links to the material hosted in your showcase. As mentioned above, each menu button represents one of those links will be what makes up your PLM Company Official Material.

PLMIC™ Related Material

The PLMIC™ Related Material section of your home page will simply house all PLMIC™ related material you have or will be posting on the PL



Your PLM Company - Official Material:

Placed here is the 300 character business description you created for the actual PLM Virtual Showcase ad displayed within every PLM Index Outlet relevant to your PLM material.

[About Your PLM Company](#)

[Your PLM Services](#)

[Your PLM Products](#)

[Your PLM Events](#)

[Another Customized Link](#)



PLMIC™ Related Material:

Your PLM Company has various PLM (Product Life Cycle Manager) PLMIC™. Please feel free to browse.

[PLM Article Posts](#)

[PLM Seminar Posts](#)

[PLM News Article Posts](#)

[PLM Job Offer Postings](#)

Do you have questions before purchasing the FlexPLMSM Virtual Showcase Solution?

It is recommended that you review all FlexPLMSM Advertising Solutions we have to offer before purchasing. Each FlexPLMSM Advertising Solution you have questions regarding the FlexPLMSM Virtual Showcase before purchasing, please do not hesitate to contact us.

US & Canada Toll Free: **888-GO-PLMIC (467-5642)**
 Local & International: **508-947-7655**
 MDE - Most Direct Email: **flexplm@plmic.com**

[Purchase the FlexPLMSM Virtual Showcase Solution Now!](#)

[FlexPLM Virtual Showcase Costs & Features](#) | [Most common PLM Virtual Showcase Entry Points](#) | [How the PLM Virtual Showcase is Developed](#)

[All FlexPLM Advertising Solutions](#) | [FlexPLM Resource Index](#) | [FlexPLM Logo Recognition](#) | [FlexPLM Interface Adapter](#) | [FlexPLM Virtual Showcase](#)

[Advertise](#) | [Inside the PLMIC™](#) | [PLM Product Vendors](#) | [PLM Consultants](#) | [PLM Tools & AID](#) | [PLM Events](#) | [PLM & Related Articles](#) | [FlexPLM Virtual Showcase Center](#)
[Home](#) | [PLM Job Offerings & Opportunities](#) | [Site Map](#) | © 2006 PLMIC, LLC.

Trademark/Service Mark Application, Principal Register

Serial Number: 78835516

Filing Date: 03/13/2006

The table below presents the data as entered.

MARK SECTION	
MARK	FlexPLM
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	FlexPLM
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
OWNER SECTION	
NAME	Silvestri, Jason P
STREET	27R Doherty Ave.
CITY	Avon
STATE	Massachusetts
ZIP/POSTAL CODE	02322
COUNTRY	United States
PHONE	508-580-5020
FAX	508-580-5023
EMAIL	jasons@plmic.com
AUTHORIZED EMAIL COMMUNICATION	Yes
LEGAL ENTITY SECTION	
TYPE	INDIVIDUAL
COUNTRY OF CITIZENSHIP	United States
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	035
DESCRIPTION	Cooperative advertising and marketing of products and services by way of solicitation, customer service and providing marketing information via websites on a global computer network
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 07/13/2003
FIRST USE IN COMMERCE DATE	At least as early as 07/20/2004

EXHIBIT
5-PLMIC
 rlm 11/8/08

SPECIMEN FILE NAME(S)	\\TICRS\EXPORT6\IMAGEOUT6 788\355\78835516\xml1\AP P0003.JPG
SPECIMEN DESCRIPTION	Human and computer software controlled advertising services used by companies to market and manage all information and activity involved in the full life cycle of products and services produced by those companies.
SIGNATURE SECTION	
SIGNATURE	/Jason Silvestri/
SIGNATORY NAME	Jason Silvestri
SIGNATORY DATE	03/13/2006
SIGNATORY POSITION	my self
PAYMENT SECTION	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	325
TOTAL AMOUNT	325
PAYMENT METHOD	CC
CORRESPONDENCE SECTION	
NAME	Silvestri, Jason P
STREET	27R Doherty Ave.
CITY	Avon
STATE	Massachusetts
ZIP/POSTAL CODE	02322
COUNTRY	United States
EMAIL	jasons@plmic.com
AUTHORIZED EMAIL COMMUNICATION	Yes
FILING INFORMATION	
SUBMIT DATE	Mon Mar 13 13:05:31 EST 2006
TEAS STAMP	USPTO/BAS-2421821070-2006 0313130531549137-78835516 -20032dfafbc7f3e3ba92d1f3 2967652cf6-CC-1882-200603 13130328729071

Trademark/Service Mark Application, Principal Register**Serial Number: 78835516****Filing Date: 03/13/2006**

To the Commissioner for Trademarks:

MARK: (Standard Characters, see mark)

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The literal element of the mark consists of FlexPLM.

The applicant, Jason P Silvestri, a citizen of United States, residing at 27R Doherty Ave., Avon, Massachusetts, United States, 02322, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

The applicant, or the applicant's related company or licensee, is using the mark in commerce, and lists below the dates of use by the applicant, or the applicant's related company, licensee, or predecessor in interest, of the mark on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

International Class 035: Cooperative advertising and marketing of products and services by way of solicitation, customer service and providing marketing information via websites on a global computer network

In International Class 035, the mark was first used at least as early as 07/13/2003, and first used in commerce at least as early as 07/20/2004, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Human and computer software controlled advertising services used by companies to market and manage all information and activity involved in the full life cycle of products and services produced by those companies..

Specimen - 1

The USPTO is authorized to communicate with the applicant or its representative at the following email address: jasons@plmic.com.

A fee payment in the amount of \$325 will be submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Jason Silvestri/ Date: 03/13/2006

Signatory's Name: Jason Silvestri

Signatory's Position: my self

Mailing Address:

Silvestri, Jason P

27R Doherty Ave.

Avon, Massachusetts 02322

RAM Sale Number: 1882

RAM Accounting Date: 03/13/2006

Serial Number: 78835516

Internet Transmission Date: Mon Mar 13 13:05:31 EST 2006

TEAS Stamp: USPTO/BAS-2421821070-2006031313053154913

7-78835516-20032dfafbc7f3e3ba92d1f329676

52cf6-CC-1882-20060313130328729071

FlexPLM

Visit www.flexplm.com for ongoing up-to-date use.

FlexPLM™ Advertising Solutions

FlexPLM™ Logo Recognition Solution

FlexPLM™ Interface Adapter

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

PARAMETRIC TECHNOLOGY CORPORATION,
Opposer
v.
PLMIC, LLC
Applicant

Opp. No. 91174641
Serial No. 78835516

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

1. (A) Please state the name and address, and business title and business address, of each individual answering these Interrogatories, specifying which Interrogatories he or she answered.

ANSWER: Jason Silvestri, Owner & Head of Operations, PLMIC, LLC, 28 Noonan St.,
Mansfield, MA 02048

(B) Is the information given in answering each of these Interrogatories within the personal knowledge of the individual answering?

ANSWER: Yes

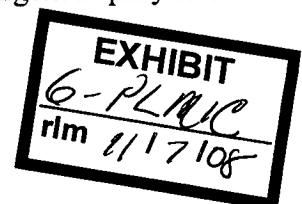
(C) If not, please specify the pertinent Interrogatories; and for each such Interrogatory, please give the name and address, and business title and business address, of every individual for whom the information is a matter of personal knowledge.

ANSWER: N/A

(D) Please state the name and address, and business title and business address, of each person consulted by the individual answering these Interrogatories, specifying on which Interrogatories the person was consulted.

ANSWER: No one other than counsel.

2. Before answering these Interrogatories, has Applicant PLMIC, LLC (hereinafter "PLMIC") caused a diligent search to be made of all of its documents and ESI (as defined in the companion First Request for Production of Documents), and also caused a diligent inquiry to be



made of all of its representatives, agents, and employees, with a view to eliciting all information available in order to answer these Interrogatories accurately and completely?

ANSWER: Yes. However, much of the pertinent information has been lost because my old computer crashed. Attempts to repair it yielded less than 10% of the stored information.

3. What was the date of PLMIC's or its predecessor's first use of the mark FLEXPLM in connection with Cooperative advertising and marketing of products and services by way of solicitation, customer service and providing marketing information via websites on a global computer network?

ANSWER: Depending on how one views the use, as early as July 20, 2004, and certainly no later than March 2005.

(A) What was the nature of the use?

ANSWER: As to July 20, 2004, I, as the sole proprietor of Top of the Food Chain, purchased and registered a website domain www.flexplm.com.

As to March 2005, I, as the sole proprietor of Top of the Food Chain, posted on the Internet the availability of certain services, including FlexPLM Advertising Solutions.

(B) Where did it occur?

ANSWER: The July 20, 2004 purchase and registration of the website domain www.flexplm.com occurred via an Internet Networking Connection from Avon, MA to Torrance, CA, using a registration process serviced by Omnis Network.

The March 2005 posting of the availability of certain services, such as FlexPLM Advertising Solutions occurred over the Internet via the website www.flexplm.com.

(C) Please provide the name and address of every person involved in such use on such date on behalf of PLMIC or its predecessor.

ANSWER: Jason Silvestri, then residing at 27R Doherty Ave., Avon, MA 02322. See also the Answer to 1A.

(D) Please provide the name and address of every other person who has

knowledge of such use on such date.

ANSWER: As to the July 20, 2004 use: Omnis Network, 3665 Torrance Blvd., Suite 230, Torrance, CA 90503.

As to the March 2005 use: J. Graeme Noseworthy, Marketing Manager - Staffing, Monster Worldwide, 5 Clock Tower Place, Suite 500, Maynard, MA (then working for Aim/Net of Hollister, MA).

4. What was the date of PLMIC's or its predecessor's **first use** of the mark FLEXPLM in connection with any other goods or services?

ANSWER: None.

(A) What was the nature of the use?

ANSWER: N/A

(B) Where did it occur?

ANSWER: N/A

(C) Please provide the name and address of every person involved in such use on such date on behalf of PLMIC or its predecessor.

ANSWER: N/A

(D) Please provide the name and address of every other person who has knowledge of such use on such date.

ANSWER: N/A

5. What was the date of PLMIC's or its predecessor's **first use in commerce** of the mark FLEXPLM in connection with Cooperative advertising and marketing of products and services by way of solicitation, customer service and providing marketing information via websites on a global computer network?

ANSWER: See the Answer to 3.

(A) What was the nature of the use?

ANSWER: See the Answer to 3(A).

(B) Where did it occur?

ANSWER: See the Answer to 3(B).

(C) Please provide the name and address of every person involved in such use on such date on behalf of PLMIC or its predecessor.

ANSWER: See the Answer to 3(C).

(D) Please provide the name and address of every other person who has knowledge of such use on such date.

ANSWER: See the Answer to 3(D).

6. What was the date of PLMIC's or its predecessor's **first use in commerce** of the mark FLEXPLM in connection with any other goods or services?

ANSWER: None.

(A) What was the nature of the use?

ANSWER: N/A

(B) Where did it occur?

ANSWER: N/A

(C) Please provide the name and address of every person involved in such use on such date on behalf of PLMIC or its predecessor.

ANSWER: N/A

(D) Please provide the name and address of every other person who has knowledge of such use on such date.

ANSWER: N/A

7. To the fullest extent of PLMIC's information, please describe in detail every use made by PLMIC or its predecessor of the mark FLEXPLM in or before May 2005.

ANSWER: See the Answer to 3.

8. (A) Please give the date upon which PLMIC or its predecessor received registrations for the following domains: www.plmic.com and www.flexplm.com.

ANSWER: As to www.plmic.com, the rights and ownership to this were transferred to Jason Silvestri by Life Cycle Management on April 14, 2006, effective as of January 1, 2006.

As to www.flexplm.com, July 20, 2004.

(B) Please identify the Internet Service Provider from whom the above referenced domains were obtained.

ANSWER: Omnis Network, 3665 Torrance Blvd., Suite 230, Torrance, CA 90503.

9. (A) Please state the "go-live" date for the website currently known as www.plmic.com.

ANSWER: As used by me, sometime between December 2005 and February 2006, shortly after Life Cycle Management stopped using it.

(B) Please identify the web hosting provider for the above referenced site.

ANSWER: Omnis Network

10. Please give the name and address of every person known to PLMIC who is likely to have discoverable information concerning the following:

(A) Facts which support or reasonably relate (*see* Fed. R. Civ. P. 26(b)(1)) to any of PLMIC's or its predecessor's allegations or contentions in its application to register the mark FLEXPLM (Serial Number 78/835516).

ANSWER: Jason Silvestri, Owner & Head of Operations, PLMIC, LLC, 28 Noonan St., Mansfield, MA 02048; J. Graeme Noseworthy, Marketing Manager - Staffing, Monster Worldwide, 5 Clock Tower Place, Suite 500, Maynard, MA; Omnis Network, 3665 Torrance Blvd., Suite 230, Torrance, CA 90503; Alex Cooper, President, The Management Roundtable, 92 Crescent Street, Waltham, MA 02453.

(B) Facts which support or reasonably relate (*see* Fed. R. Civ. P. 26(b)(1)) to any of PLMIC's allegations or contentions in its Opposition to PTC's application to register the mark FLEXPLM (Serial Number 76/662967).

ANSWER: See the Answer to 10A

(C) Facts which support or reasonably relate (*see* Fed. R. Civ. P. 26(b)(1)) to any of PLMIC's responses as set out in its Answer in Opposition No. 91174641.

ANSWER: See the Answer to 10A

(D) Facts that support or reasonably relate (*see* Fed. R. Civ. P. 26(b)(1)) to PLMIC's registrations, including the dates thereof, for the domains www.plmic.com and www.flexplm.com.

ANSWER: See the Answer to 10A

(E) Facts that support or reasonably relate (*see* Fed. R. Civ. P. 26(b)(1)) to Applicant's go-live date for the website currently known as www.plmic.com.

ANSWER: See the Answer to 10A

11. For each person identified in the answer to the preceding interrogatory, and in terms of each of the five categories there specified, please fully and specifically describe the facts of which PLMIC claims such person has knowledge.

ANSWER: See the Answers to the preceding Interrogatories.

12. Describe in detail the circumstances in which PLMIC's predecessor selected the term FLEXPLM to use as a service mark for his services, including the names of all people who participated in the selection, and the date when the selection was made.

ANSWER: Jason Silvestri alone selected the term FLEXPLM as a service mark for his sole proprietorship, Top of the Food Chain. He selected it in early summer 2004, sometime before July 20, 2004.

AFFIRMATION UNDER OATH

I, Jason Silvestri, affirm under oath that, to the best of my knowledge and belief, the answers to these interrogatories are the truth, the whole truth, and nothing but the truth.

Date: Oct 19, 2007

Jason Silvestri

STATE OF Ma
COUNTY OF Bristol

Subscribed and sworn to before me this 19~~th~~ day of Oct, 2007.

Carol Dingivan
Justice of the Peace/Notary Public



CAROL DINGIVAN
NOTARY PUBLIC
Commonwealth of Massachusetts
My Commission Expires
September 27, 2013

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

PARAMETRIC TECHNOLOGY CORPORATION,
Opposer
v.
PLMIC, LLC
Applicant

Opp. No. 91174641
Serial No. 78835516

APPLICANT'S RESPONSES TO OPPOSER'S FIRST REQUEST
FOR PRODUCTION OF DOCUMENTS

Applicant responds as follows to Opposer's First Request for Production of Documents, each response being in boldface following the related request:

1. All documents and ESI evidencing the **date** of PLMIC's or its predecessor's first use of the mark FLEXPLM in connection with:

1.1 Cooperative advertising and marketing of products and services by way of solicitation, customer service and providing marketing information via websites on a global computer network. **The first date of such use was March 2005. The records were electronically stored in Mr. Silvestri's old computer, which crashed. Attempts to repair it yielded less than 10% of the stored information, none of which related to the first use in March 2005.**

1.2 any other goods or services. **None.**

2. All documents and ESI evidencing the **date** of PLMIC's or its predecessor's first use in commerce of the mark FLEXPLM in connection with:

2.1 Cooperative advertising and marketing of products and services by way of solicitation, customer service and providing marketing information via websites on a global computer network. **See the response to 1, above.**

Exhibit
7-PLMIC
DM 11/7/08

2.2 any other goods or services. **None.**

3. All documents and ESI on which PLMIC relies in support of its contention that, as stated in Answer No. 1 contained in PLMIC's Answer to Opposition:

Mr. Silvestri first used FLEXPLM in commerce at least as early as July 20, 2004, and used it in connection with "Cooperative advertising and marketing of products and services by way of solicitation, customer service and providing marketing information via websites on a global computer network."

The above answer is mistaken. Mr. Silvestri in fact first so used the mark in March 2005. His use of the mark as of July 20, 2004 was in the form of the purchase and registration of the website domain www.plmic.com. See the response to 1, above.

4. All documents and ESI that evidence and/or relate to the date upon which PLMIC or its predecessor obtained registrations for the following domains: www.plmic.com and www.flexplm.com. **See the response to 1, above. As to www.plmic.com, see the attached documents.**

5. All documents and ESI that evidence and/or relate to the "go-live" date for the website currently known as www.plmic.com. **See the response to 1, above, and the attached documents.**

6. All documents and ESI on which PLMIC relies in support of its Opposition to PTC's application to register the mark FLEXPLM (Serial Number 76/662967). **See the response to 1, above, and the attached documents.**

7. All documents and ESI which, though not relied on by PLMIC, reasonably relate (see Fed. R. Civ. P. 26(b)(1)) to its Opposition. **See the response to 1, above, and the attached documents.**

8. All documents and ESI on which PLMIC relies in support of its answers to PTC's Interrogatories of this date. **See the response to 1, above, and the attached documents.**

9. All documents and ESI which, though not relied on by PLMIC, reasonably relate (*see* Fed. R. Civ. P. 26(b)(1)) to any of its answers to PTC's Interrogatories of this date. **See the response to 1, above, and the attached documents.**

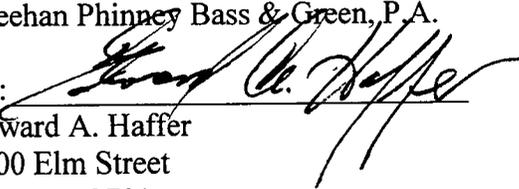
10. All documents relating to the selection of the mark FLEXPLM by PLMIC or its predecessor. **None.**

11. All documents relating to the "extensive decommissioning process" with its "legacy website environment" by PLMIC as reported on the plmic.com website. **See the attached documents.**

12. All documents relating to the relationship between PLMIC and Life Cycle Solutions, Inc. **See the attached documents.**

October 19, 2007

Respectfully submitted,
PLMIC, LLC,
By its attorneys,
Sheehan Phinney Bass & Green, P.A.

By: 
Edward A. Haffer
1000 Elm Street
P.O. Box 3701
Manchester, NH 03105-3701
T: 603-627-8115
F: 603-641-2352
E: ehaffer@sheehan.com