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Filing date: **05/04/2007**

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

Proceeding	91176468
Party	Defendant August Ventures, Inc. August Ventures, Inc. 258 W. 71 Street, Suite 1A New York, NY 10023
Correspondence Address	AUGUST VENTURES INC 258 W 71ST ST STE 1A NEW YORK, NY 10023-3709 gary@culliss.com
Submission	Answer
Filer's Name	Gary Culliss
Filer's e-mail	gary@culliss.com
Signature	/Gary Culliss/
Date	05/04/2007
Attachments	2007-05-04 Opposition Response - August Ventures.pdf (31 pages)(5408637 bytes)

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

August Capital Management, L.L.C.	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No.: 91176468
	)	
August Ventures, Inc.	)	Serial No.: 78936327
	)	
Applicant.	)	
	)	

REPLY TO OPPOSITION

Opposer, August Capital Management, L.L.C., has opposed the registration of the mark "August Ventures," by August Ventures, Inc. in international class 042 for "Computer software development."

In response to the opposition under sections 2(d) and 2(a) of the Lanham Act, the Applicant hereby respectfully submits the following:

1. A likelihood of confusion determination under Section 2(d) must be based on an analysis of all of the probative facts in evidence that are relevant to the factors set forth in *In re E. I. du Pont de Nemours and Co.*, 476 F.2d 1357, 177 USPQ 563 (CCPA 1973). In considering the evidence of record on these factors, "[t]he fundamental inquiry mandated by §2(d) goes to the cumulative effect of differences in the essential characteristics of the goods and differences in the marks." *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 192 USPQ 24, 29 (CCPA 1976).

2. The first *du Pont* factor requires examination of "the similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation and commercial impression." *Du Pont*, 476 F.2d at 1361. It is well settled that marks must be considered in their entireties because the commercial impression of a mark on an ordinary consumer is created by the mark as a whole, not by its component parts. This principle is based on the common sense observation that the commercial impression is created by the purchaser's general reaction to a mark in the marketplace, not from a meticulous comparison of it to others to assess possible legal differences or similarities. See 3 J. Thomas McCarthy, *McCarthy on Trademarks and Unfair Competition*, §23:41 (4th ed. 2005). See also, Dassler KG v. Roller Derby Skate Corp., 206 USPQ 255 (TTAB 1980).

3. While it is not clear if Opposer is even still using their registered mark "August" in commerce anymore, the Applicant's mark, "August Ventures," is markedly different from both Opposer's registered mark, "August," as well as their trade name "August Capital." See Exhibit A for a screen capture of Opposer's extensive use of the trade name "August Capital."

4. Specifically, the Applicant's mark, "August Ventures," adds an additional word, "Ventures," to the Opposer's registered mark, and completely avoids using the word "Capital" in their trade name "August Capital." As such, the Applicant's use of the word "Ventures" serves to clearly distinguish the mark from both Opposer's registered mark, "August," and their trade name "August Capital."

5. In addition, the term "Capital" in the Opposer's mark connotes investment and financing activities, whereas the term "Ventures" connotes an operating enterprise. While Opposer may attempt to argue that they operate in an investment area sometimes referred to as "Venture Capital," the word "capital" is still clearly necessary to distinguish this area from the "enterprises" or "ventures" themselves that are operating companies as opposed to investment vehicles.

6. Accordingly, when considered as a whole, the Applicant's mark "August Ventures" is clearly different and distinguishable from the Opposer's registered mark "August" and their trade name "August Capital" in sound, appearance, meaning, connotation and overall commercial impression.

7. Indeed, it is quite common for two registered marks (even within the same class) to share a common leading word and differ by only a single word in this manner. Compare, for example, the registered mark "Boston Capital" (3200817) with the mark registered to a different holder for "Boston Ventures" (2873058), both of which are registered within the same international class 036. See Exhibit B for a copy of these registrations.

8. The second *du Pont* factor involves a comparison of the goods or services offered. When evaluating the issue of likelihood of confusion in Board proceedings regarding the registrability of marks, the Board is constrained to compare the services as identified in the application with the services as identified in the registration. See *Octocom Systems Inc. v. Houston Computer Services Inc.*, 918 F.2d 937, 16 USPQ2d 1783 (Fed. Cir. 1990); and *Canadian Imperial Bank v. Wells Fargo Bank*, 811 F.2d 1490, 1 USPQ2d 1813 (Fed. Cir. 1987). Accordingly, the identification of goods/services statement in the registration must frame the issue.

9. Here, Applicant's corporation was expressly formed for the purposes of "New product research and development" and Applicant has been developing new products using computer software. Accordingly, the Applicant's registration for the mark "August Ventures" is made within international class 042 for "Computer software development."

10. In contrast, the Opposer's registered mark "August" is within international class 036 for "capital financing services." While Opposer will likely argue that they provide capital to technology companies, and that Applicant's use of the mark within the area of "computer software development" is a related channel, the commercial activity of "capital financing services" is very different from the development of computer software within international class 042.

11. Specifically, the Opposer's line of business, "capital financing services," involves raising funds from investors and investing those funds in operating companies. Opposer makes no claim that they develop computer software or otherwise do anything other than invest in other companies. The Opposer's business is in investing, not software or new product development.

12. Accordingly, the Opposer clearly uses their registered mark "August" and their trade name "August Capital" within a different channel of trade, i.e. financing and investing, as opposed to Applicant, who clearly operates in the distinct and separate area of new computer software products and development. As such, this *du Pont* factor weighs heavily in the favor of Applicant's registration.

13. The fourth *du Pont* factor examines the conditions under which, and to whom, sales are made. *Du Pont*, 467 F.2d at 1361. Purchaser sophistication may tend to minimize likelihood of confusion. Conversely, impulse purchases of inexpensive items may tend to have the opposite effect. *Recot, Inc. v. M.C. Becton*, 214 F.3d 1322, at 1329 (Fed. Cir. 2000).

14. Here, the Opposer is clearly marketing their services to institutional and high-net worth investors when they are seeking to raise money for their funds. These small groups of specialized investors are extremely sophisticated and take a significant amount of time to meet with and understand the investment history and capabilities of the Opposer before committing their funds.

15. Similarly, the Opposer also places these invested funds with a small number of privately-held companies. These companies are also extremely sophisticated because of their need to understand the type of investor they are partnering with, the complex financing documents and other considerations that go along with selling a portion, but not all, of a private company to an investor.

16. Accordingly, all of the parties in the Opposer's trade channels and markets are extremely sophisticated, and their interactions with the Opposer are characterized by a significant amount of time, consideration, face-to-face meetings, documentation and other high-touch interactions. As such, it would be virtually impossible for the Opposer's target market, both investors and companies, to confusingly engage the Opposer's services from someone else other than the Opposer. Again, this *du Pont* factor also weighs heavily in the favor of Applicant's registration.

17. The fifth *du Pont* factor requires us to consider evidence of the fame of Opposer's "August" mark, and to give evidence of such fame, if present, additional weight in a likelihood of confusion analysis. *See Bose Corp. v. QSC Audio Products Inc.*, 293 F.3d 1367, 63 USPQ2d 1303 (Fed. Cir. 2002); *Recot Inc. v. M.C. Becton*, 214 F.3d 1322, 54 USPQ2d 1894 (Fed. Cir. 2000); and *Kenner Parker Toys, Inc. v. Rose Art Industries, Inc.*, 963 F.2d 350, 22 USPQ2d 1453 (Fed. Cir. 1992). In this case, there is no evidence to support the proposition that Opposer's mark is famous for purposes of this fifth *du Pont* factor.

18. The sixth *du Pont* factor considers "the number and nature of similar marks in use on similar goods." *Du Pont*, 467 F.2d at 1361. Evidence of third-party use of similar marks on similar goods is relevant to show that a mark is relatively weak and entitled to only a narrow scope of protection. *General Mills, Inc. v. Kellogg Co.,* 824 F.2d 622, 626-27 (8th Cir. 1987); J. Thomas McCarthy, 2 *McCarthy on Trademarks and Unfair Competition* § 11:88 (4th ed. 2001). Further, the probative value of third-party trademarks depends entirely upon their usage. E.g., *Scarves by Vera, Inc. v. Todo Imports, Ltd.*, 544 F.2d 1167, 1173 (2d Cir. 1976) ("The significance of third-party trademarks depends wholly upon their usage. Defendant introduced no evidence that these trademarks were actually used by third parties.").

19. As shown in Exhibit C, there are at least 22 additional companies who have been actively using the word "August" in their trade names. These names include the following:

August	In August Productions
August Ash	August Partners
August Technologies	August Advisors
August Consulting	August Corporation
August Equity Trust	August Productions
August Equity Group	August Schell
August Software	August Press
August Mortgage	August Sound Coalition
August Investments, Inc.	August Sander
August Investments, LLC	August.net
August Development Corporation	August Technology

20. Indeed, one of these companies, August Technology, was until recently listed as a publicly traded company under the ticker symbol "AUGT." See the last page in Exhibit C.

21. As such, the Applicant respectfully asserts that the word "August" is an extremely commonly used word within both the financing and technology trade channels, and therefore subject only to a narrow scope of protection.

22. Finally, Opposer further contends that Applicant's Mark, "August Ventures," violates section 2(a) of the Lanham Act by claiming that Applicant's Mark will "falsely

suggest a connection" with Opposer. In *University of Notre Dame du Lac v. J. C. Gourmet Food Imports Co., Inc.*, 703 F.2d 1372, 217 USPQ 505 (Fed. Cir. 1983), the Court of Appeals for the Federal Circuit stated that to succeed on a Section 2(a) false suggestion of a connection ground, the Opposer must demonstrate that the name or equivalent thereof claimed to be appropriated by another must be unmistakably associated with a particular personality or "persona" and must point uniquely to the Opposer. Given the large number of technology and financial businesses using the name "August" or variations or extensions thereof that are shown in Exhibit C, the Opposer has clearly failed to establish these facts. Indeed, the Opposer has not provided any support for the broad elements of this claim.

23. In refining the principles set forth in *Notre Dame*, the Board, in *Buffett v. Chi-Chi's, Inc.,* 226 USPQ 428 (TTAB 1985) required that an Opposer asserting a claim of a false suggestion of a connection demonstrate 1) that the Applicant's mark is the same or a close approximation of Opposer's previously used name or identity; 2) that the mark would be recognized as such; 3) that the Opposer is not connected with the activities performed by the Applicant under the mark; and 4) that the Opposer's name or identity is of sufficient fame or reputation that when the Applicant's mark is used on its goods or services, a connection with the Opposer would be presumed. In addition to the broad elements articulated in *Notre Dame*, the Opposer also has not provided any support for these more specific elements of their section 2(a) claim.

24. Accordingly, it is respectfully asserted that Opposer also has failed to establish the elements for succeeding on a false suggestion of a connection claim under section 2(a).

WHEREFORE, Applicant respectfully requests that the Opposition be denied and that the application for the registration of Applicant's mark will be allowed.

Respectfully Submitted,

August Ventures, Inc.

By: _____

Gary Culliss
August Ventures, Inc.
258 W. 71 Street, Ste. 1A
New York, NY 10023
(212) 595-5215

Applicant

Exhibit A

Welcome to August Capital - Mozilla Firefox

File Edit View Go Bookmarks Tools Help

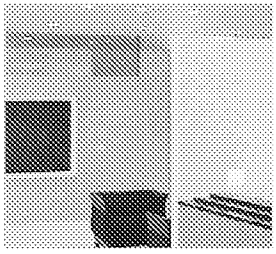
http://augustcap.com/index.shtml

AUGUST CAPITAL

HOME | ABOUT AUGUST | THE TEAM | THE PORTFOLIO | NEWS | CONTACT US

April 29, 2007

Welcome to August Capital



Recent News

- August Capital Announces $550 Million August IV Fund »
- Qualcomm Acquires Iridigm »
- Monster Worldwide Acquires Tickle »
- Shopping.com Announces Initial Public Offering »
- Atheros Communications Announces Initial Public Offering »

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Founded in 1995, August Capital is a leading venture capital firm actively investing in entrepreneurial teams throughout the information technology market spectrum.

Building Significant Information Technology Companies
With more than 75 years of combined venture capital experience and dozens of successful IPOs and public company board relationships, our partners have financed technology companies with an aggregate market capitalization of over $400 billion. These companies generate $75 billion in annual revenue and employ 240,000 people around the world.

Including the most recent August fund which was formed in Q1 2005, August has raised four funds and has over $1.3 billion of capital under management.

Creating Sustainable Market Value
At August Capital, we operate with a longer-term view towards our portfolio companies. We look for companies that have the potential to be important, interesting businesses with the "legs" to be around a long time.

In particular, August Capital's portfolio companies demonstrate sustained, profitable growth - and prove that they can define technology and market standards.

Simply put, our portfolio companies are characterized by their ability to create and sustain real shareholder value over time.

Copyright © 1995-2004 August Capital

Done

Exhibit B

Registration for "Boston Capital"

Word Mark	**BOSTON CAPITAL**
Goods and Services	IC 035. US 100 101 102. G & S: Promoting public awareness of the benefits and methods of affordable housing programs, real estate syndication programs, and tax credit programs. FIRST USE: 19870808. FIRST USE IN COMMERCE: 19870808
	IC 036. US 100 101 102. G & S: Real estate acquisition and management services; providing equity partnerships in real estate to others; consultation on real estate investment; real estate syndication; consultation on tax credit funds and programs, real estate syndication, real estate securities, real estate investment funds, real estate investment trusts, and real estate investment; providing information on tax credit funds and programs, real estate syndication, real estate securities, real estate investment funds, real estate investments trusts and real estate investment. FIRST USE: 19870000. FIRST USE IN COMMERCE: 19870000
	IC 041. US 100 101 107. G & S: Educational services, namely conducting seminars and workshops on tax credit programs and investments, affordable housing programs, real estate investment, and business asset management. FIRST USE: 19870000. FIRST USE IN COMMERCE: 19870000
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Design Search Code	
Serial Number	78689583
Filing Date	August 10, 2005
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	November 7, 2006
Registration Number	3200817
Registration Date	January 23, 2007
Owner	(REGISTRANT) Boston Capital Corporation CORPORATION MASSACHUSETTS One Boston Place Boston MASSACHUSETTS 02108
Attorney of Record	Michelle A. Massicotte, Esq.
Prior Registrations	3048438
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CAPITAL" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL-2(F)
Live/Dead Indicator	LIVE

Exhibit B, Continued

Registration for "Boston Ventures"

Word Mark	**BOSTON VENTURES**
Goods and Services	IC 036. US 100 101 102. G & S: financial services namely, providing information and expertise to others to make investment decisions including in the fields of media, communications and telecommunications; financial investment in the fields of media, communications and telecommunications. FIRST USE: 19830800. FIRST USE IN COMMERCE: 19830800
Mark Drawing Code	(1) TYPED DRAWING
Design Search Code	
Serial Number	76025513
Filing Date	April 13, 2000
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	May 25, 2004
Registration Number	2873058
Registration Date	August 17, 2004
Owner	(REGISTRANT) Boston Ventures Management, Inc. CORPORATION MASSACHUSETTS One Federal Street Boston MASSACHUSETTS 02110
	(LAST LISTED OWNER) BOSTON VENTURES MANAGEMENT, LLC CORPORATION DELAWARE ONE FEDERAL STREET, 23RD FLOOR BOSTON MASSACHUSETTS 02110
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	A. W. BREINER
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "VENTURES" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL-2(F)
Live/Dead Indicator	LIVE

Exhibit C

Other Commercial Uses of the Word "August"

August homepage - Mozilla Firefox

File Edit View Go Bookmarks Tools Help

http://www.bostream.nu/johanb/august/

Welcome to the August homepage! August is a free html editor for the UNIX platform. It's a non-wysiwyg editor - like Aswedit or Hotdog. It's written with the TcI/TK scripting language and graphical toolkit. It's distributed as a single tcl script, which means that if you know Tcl/Tk you can very easily customize August yourself. It is currently in Beta, but these have been reasonably stable and bug free so far. I'm not a professional programmer, in fact August is my first programming project, and if you take a look at the code I think that will show...

Screenshots

Main window

Insert image dialog

Options dialog

News

2001-04-16 August 0.63b released. **2001-03-25** Updated "Plans and goals" section of the website. **2000-10-31** August 0.62b released. **2000-07-30** August 0.61b released. **2000-06-22** August 0.60b released. **2000-05-21** August 0.53 released. **2000-01-12** August 0.52 released. **1999-11-30** August 0.50 released. **1999-11-27** Another site update. **1999-11-15** Updated this site. **1999-09-12** August 0.42 released + some additions to this site. **1999-08-08** August 0.40 released. **1999-07-18** August 0.37 released. **1999-05-23** August 0.35 released. **1999-05-09** August 0.30 released. **1999-05-02** Updated this site with some info. about future developments. **1999-03-14** August 0.27 released.

Comments, contributions and bug reports...

...send them to: jb@goteborg.bostream.se

August documents

Done

Exhibit C, Continued

Other Commercial Uses of the Word "August"

Exhibit C, Continued

Other Commercial Uses of the Word "August"

August Technologies - Mozilla Firefox

File Edit View Go Bookmarks Tools Help

http://www.august-tech.net/US/Default.aspx

Go

august TECHNOLOGIES

You are in USA [Change]

Home | Services | Offices | Company | Careers | Contact Us

Empower your Business Through *August*

Adobe Solution PARTNER

About Our Services..

August Technologies is a consulting ,technology services and outsourcing company.At August Technologies we focus on helping customers leverage technology in achieving real business benefits..

At August Technologies , we are focused not just on giving you solutions and services that solve problems, but customizing and adapting them to your highly specific business priorities and business environment, we ensure that your processes, technology, relationships and resources are optimized and enriched, giving you the agility to cope with change and the strength to flourish in the harshest of conditions...

Who We Are

We're building the most competitive consulting firm, delivering high quality business consulting and disciplined technology implementation - at an extremely competitive price.

Join the Team

August Technologies realizes that our employees are the assets of the company, and does provide the best of the industry resources in advancing the needs of our professionals.

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Done

Exhibit C, Continued

Other Commercial Uses of the Word "August"

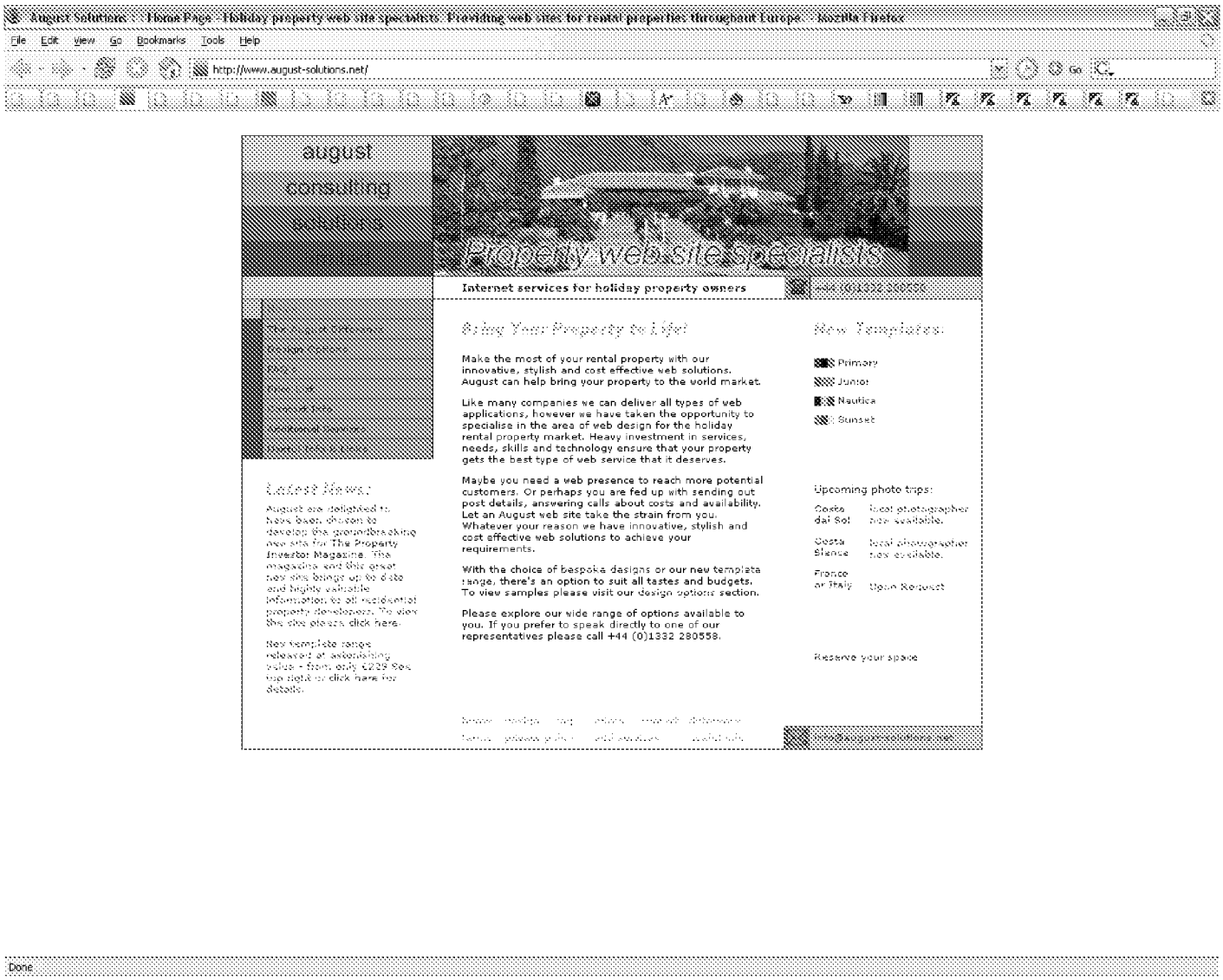

Exhibit C, Continued

Other Commercial Uses of the Word "August"

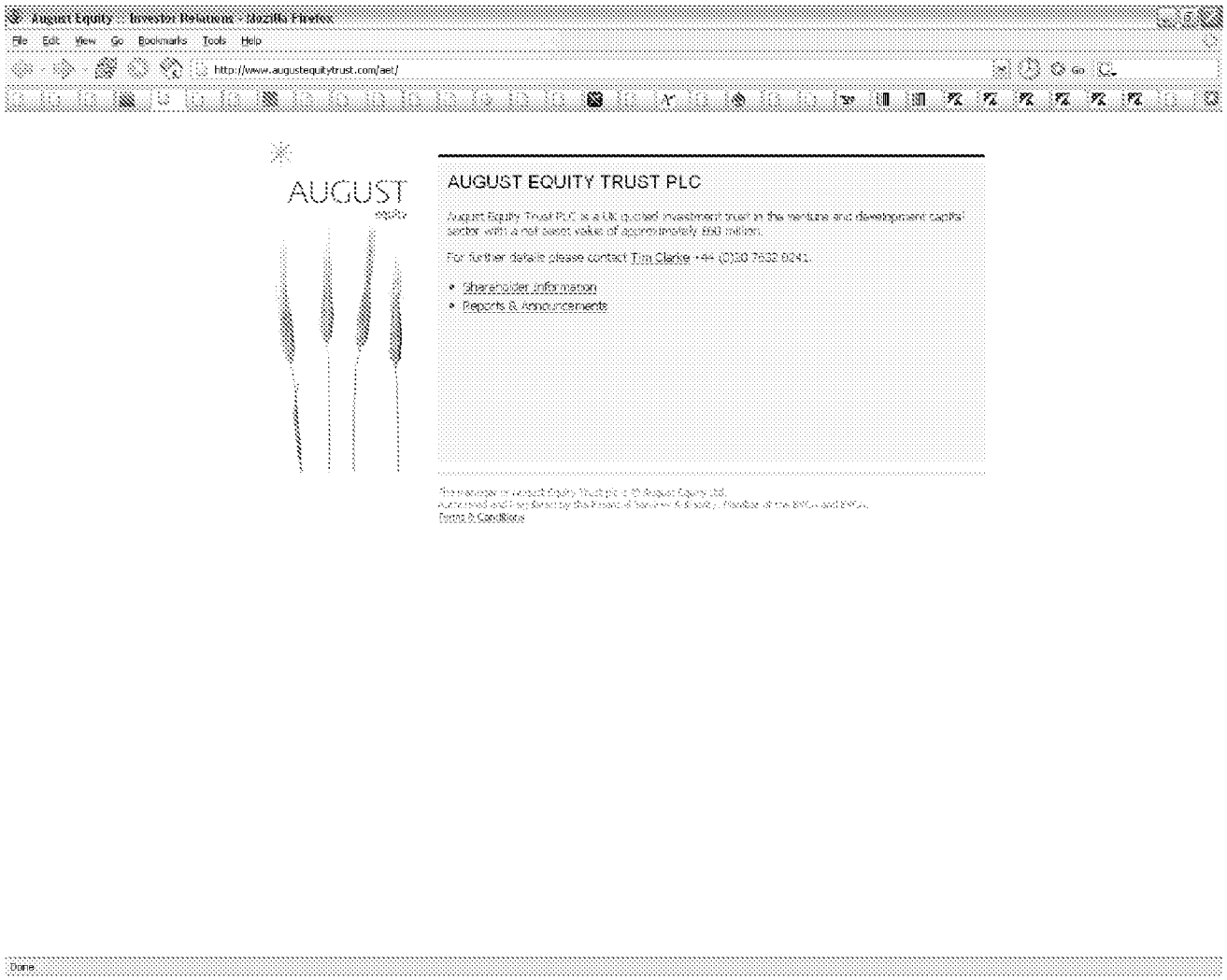

Exhibit C, Continued

Other Commercial Uses of the Word "August"

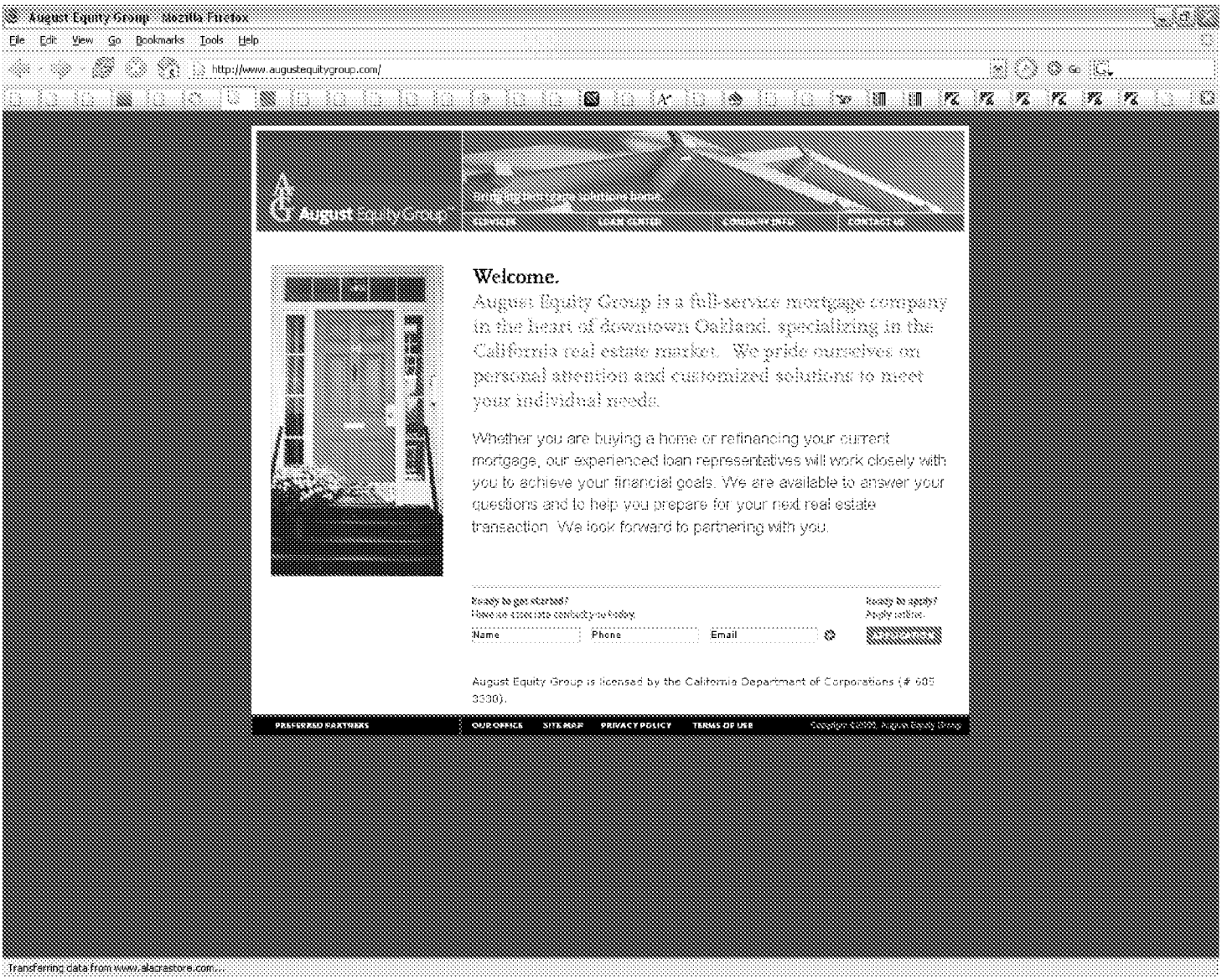

Exhibit C, Continued

Other Commercial Uses of the Word "August"

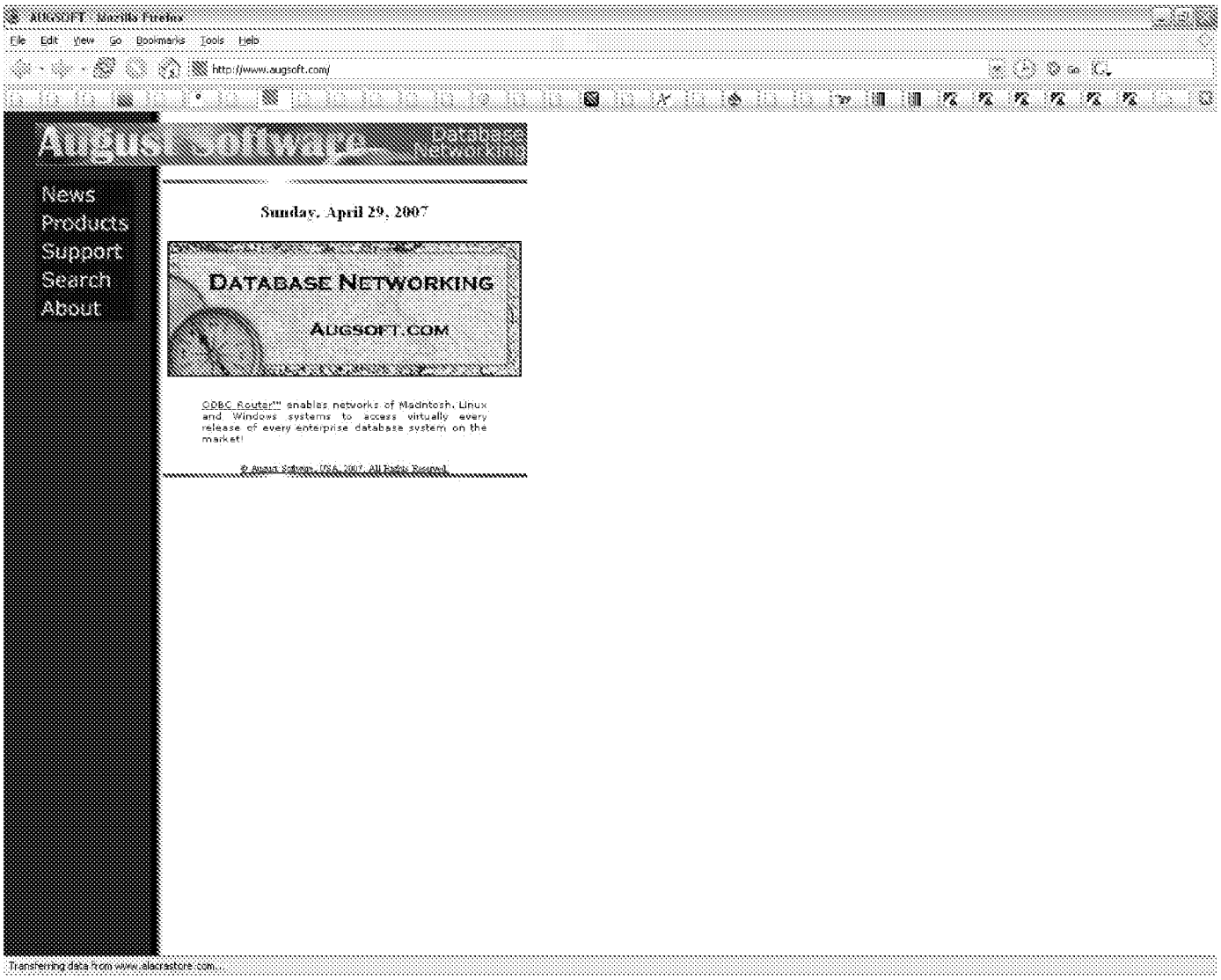

Exhibit C, Continued

Other Commercial Uses of the Word "August"

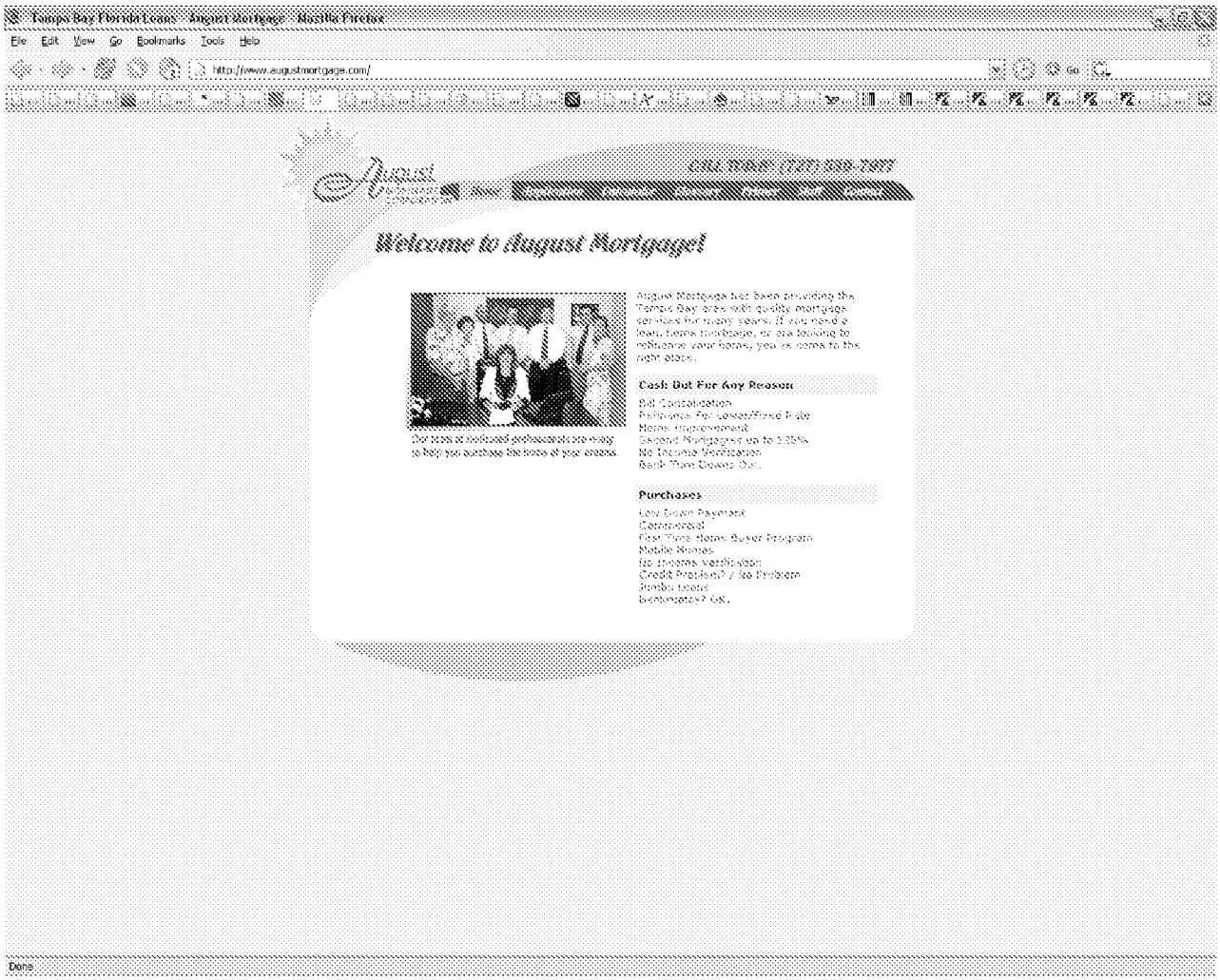

Exhibit C, Continued

Other Commercial Uses of the Word "August"

August Investments, Inc. - Mozilla Firefox

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http://www.augustinvestmentsinc.com/

August Investments, Inc.

Professional A/R Management & Recovery

Services Offered | Collection Strategies | Contact Us | Benefits | FAQ | About Us

Success in today's economy requires a business partner that offers innovative solutions that are essential in your business. Solutions that are customized for your business needs and requirements that are designed to improve cash flow and customer relations.

August Investments, Inc., specializes in a unique recovery method with each industry sector we serve, all facing unique challenges to effectively manage their accounts receivables and keep customer relationships. You need a business partner that understands your needs, industry trends and processes. August Investments, Inc professional departments include financial, healthcare, commercial, utility and government. August Investments, Inc., worldwide network will provide the staff to meet your requirements anywhere, virtually overnight. August Investments, Inc., solutions are based on improving cash flow and customer relationships at each stage of your revenue cycle. Every service is designed to help you achieve your objectives for improved financial recovery and maintain, even in some cases restore customer relationships.

August Investments, Inc., with our full commitment to you our client, our unique and professional manner of dealing with all types of situations to recover your debts with respect and satisfaction to all parties concerned we offer the most expedient and tailored made system in our industry.

KNOWLEDGE INTEGRITY PROFESSIONALISM

These are the hallmarks of August Investments, Inc., as an experienced full service legal recovery firm specializing in commercial claims, we deliver superior results and peace of mind that your business interests are professionally represented. Our focus is to be the market leader in commercial collections for large and mid-sized businesses by utilizing proven receivables management solutions.

August Investments, Inc. takes a professional approach to business debt collections. All collection accounts are assigned to our attorneys for legal demand. Our management team is experienced in business credit and collections matters and assists collection counsel with investigation, dispute resolution and administrative support to get accounts paid. We specialize in commercial (business-to-business) debt recovery and focus on resolving the issues causing slow and no-pay accounts. Whenever appropriate, we work to maintain your continuing business relationship with customers.

Done

Exhibit C, Continued

Other Commercial Uses of the Word "August"

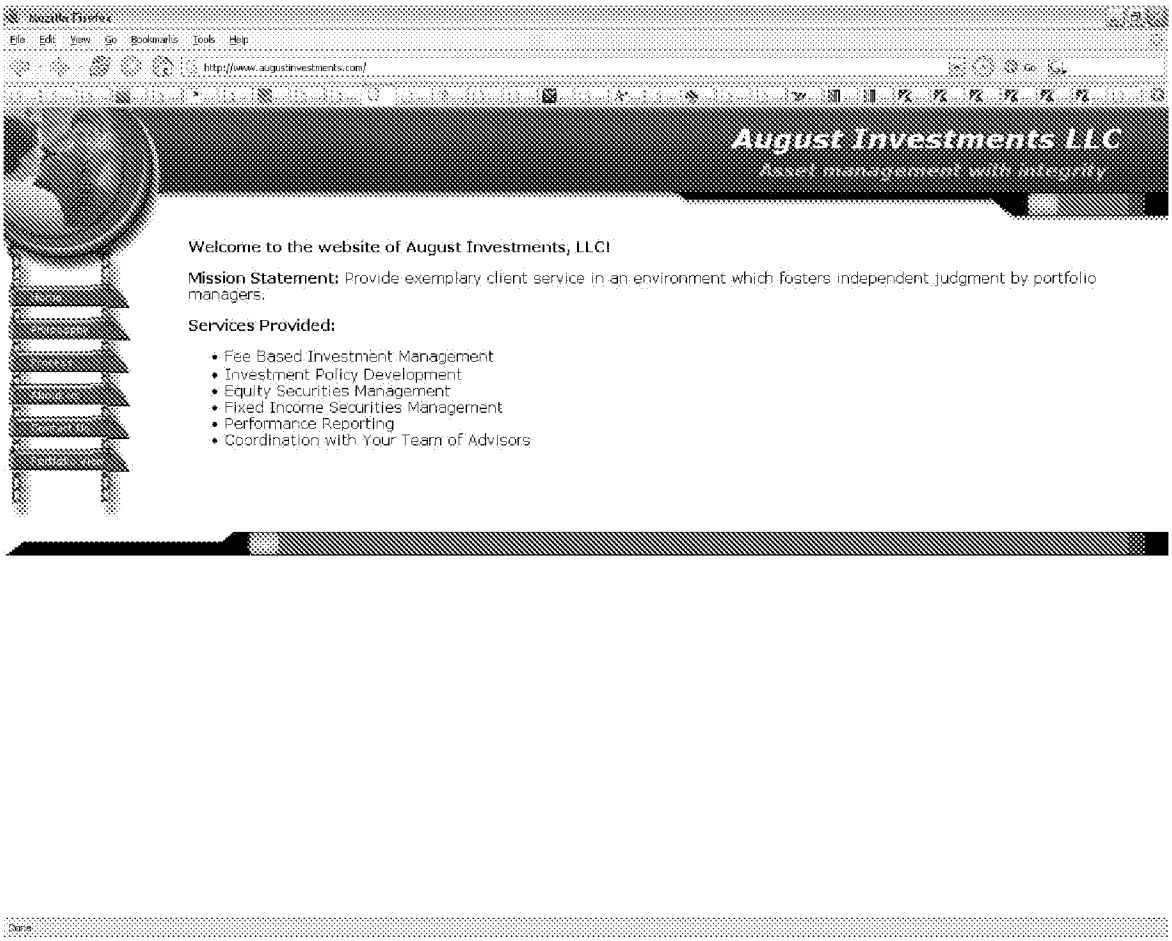

Exhibit C, Continued

Other Commercial Uses of the Word "August"

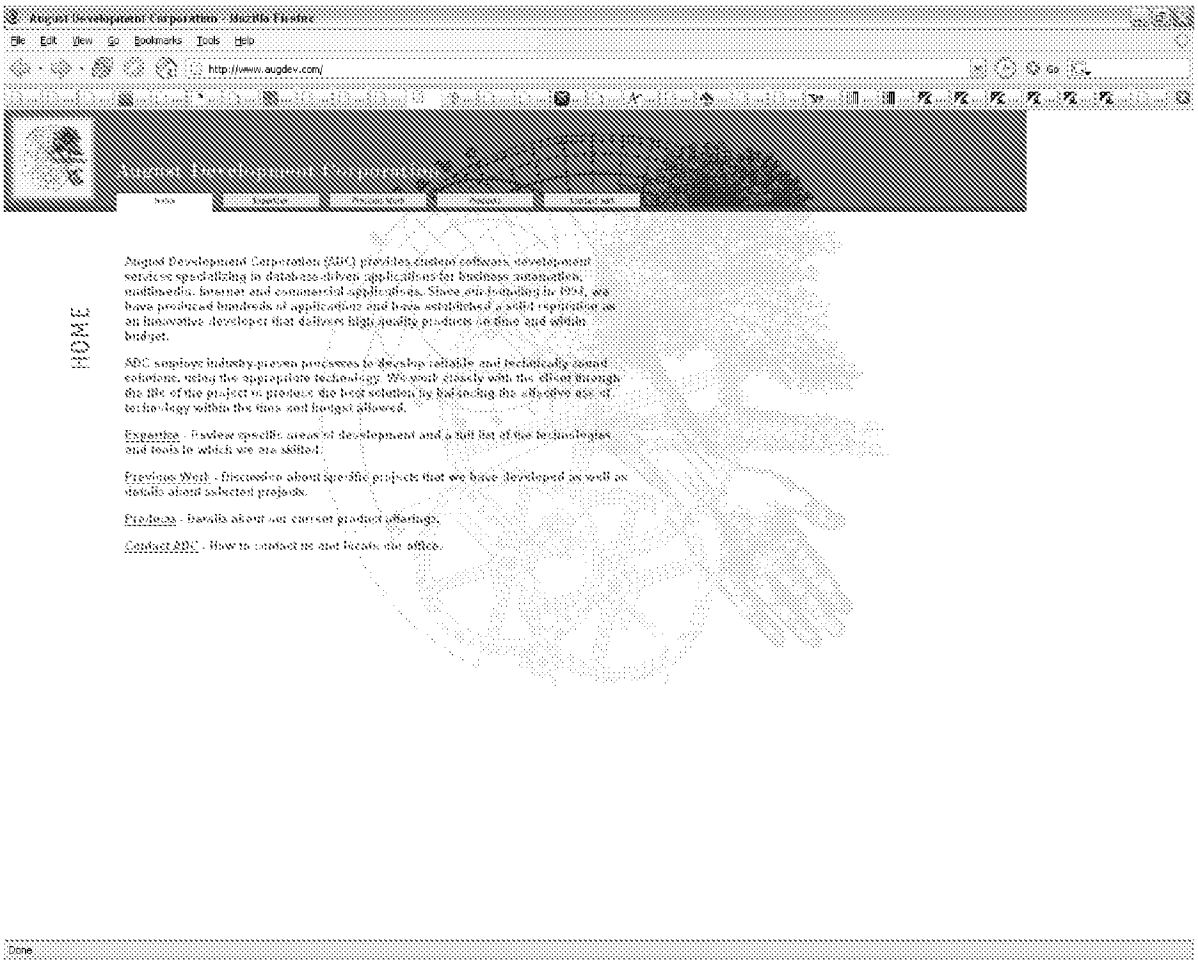

Exhibit C, Continued

Other Commercial Uses of the Word "August"

In August Productions, Inc. - In August Productions - Mozilla Firefox

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http://inaugust.com/

small text normal text large text

IN AUGUST Productions

search

home news people account management webmail

you are not logged in

you are here: home

navigation

Home

Services

About Us

In August Productions

Open and free cooperation is the cornerstone of our creative heritage. Without it, we would be cold, dark and uneducated. Without building on the works of others, we wouldn't have the works of Shakespeare or Euripides. Without using what came before us, we wouldn't have any of the software that we use to run our lives today.

Software and Art

Computer software is art, not engineering. Like theatre, a good piece of software comes about through creative inspiration and open collaboration amongst a group of talented peers.

Art, like computer software, is vital to our lives, and requires rigorous dedication, intention and dedication to produce. Without art we don't grow as a society; our souls become crippled. Without software our society would literally be crippled.

We believe in a healty interplay between software and art.

Last modified 2005-05-04 03:45 AM

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This site conforms to the following standards:

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Exhibit C, Continued

Other Commercial Uses of the Word "August"

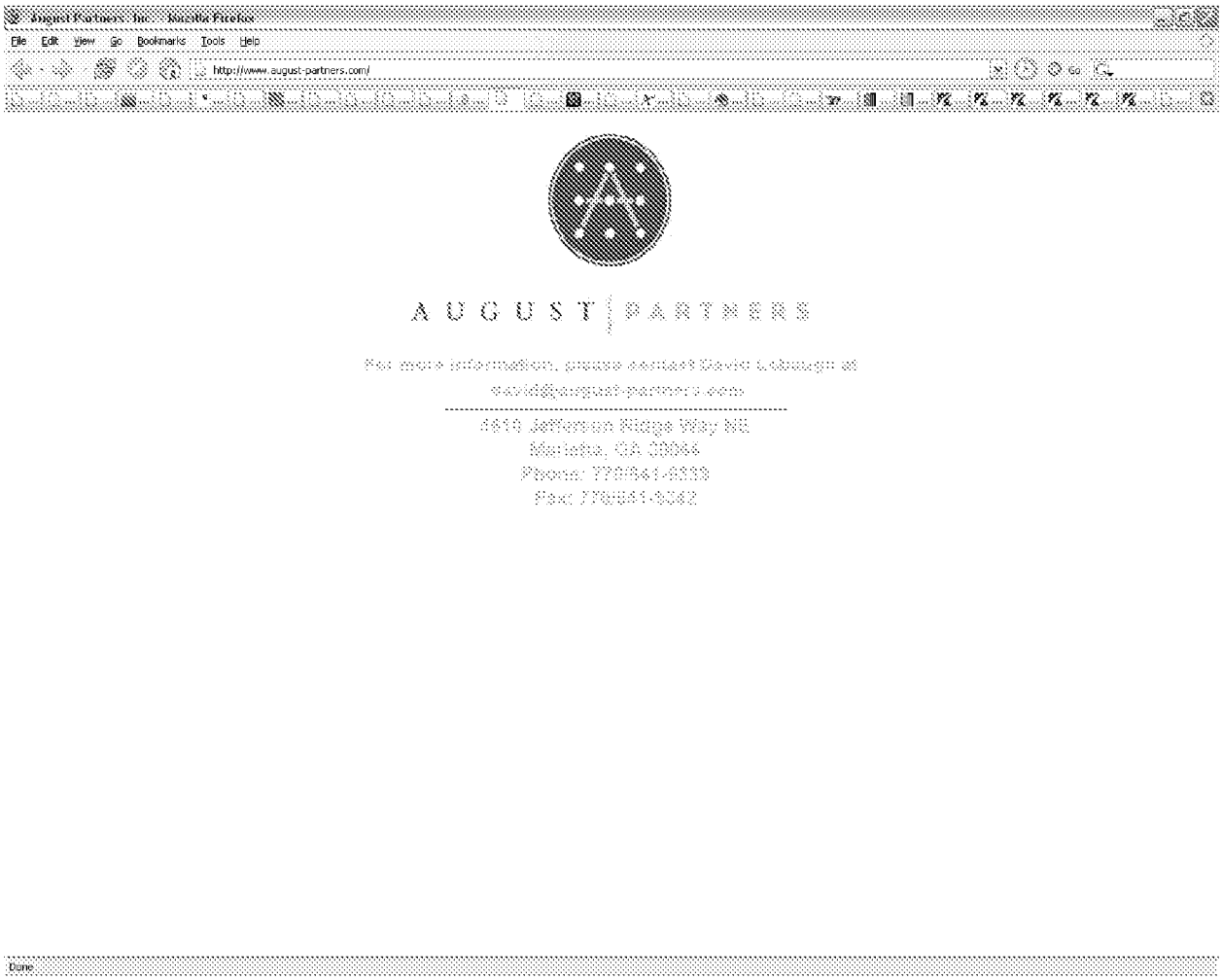

Exhibit C, Continued

Other Commercial Uses of the Word "August"

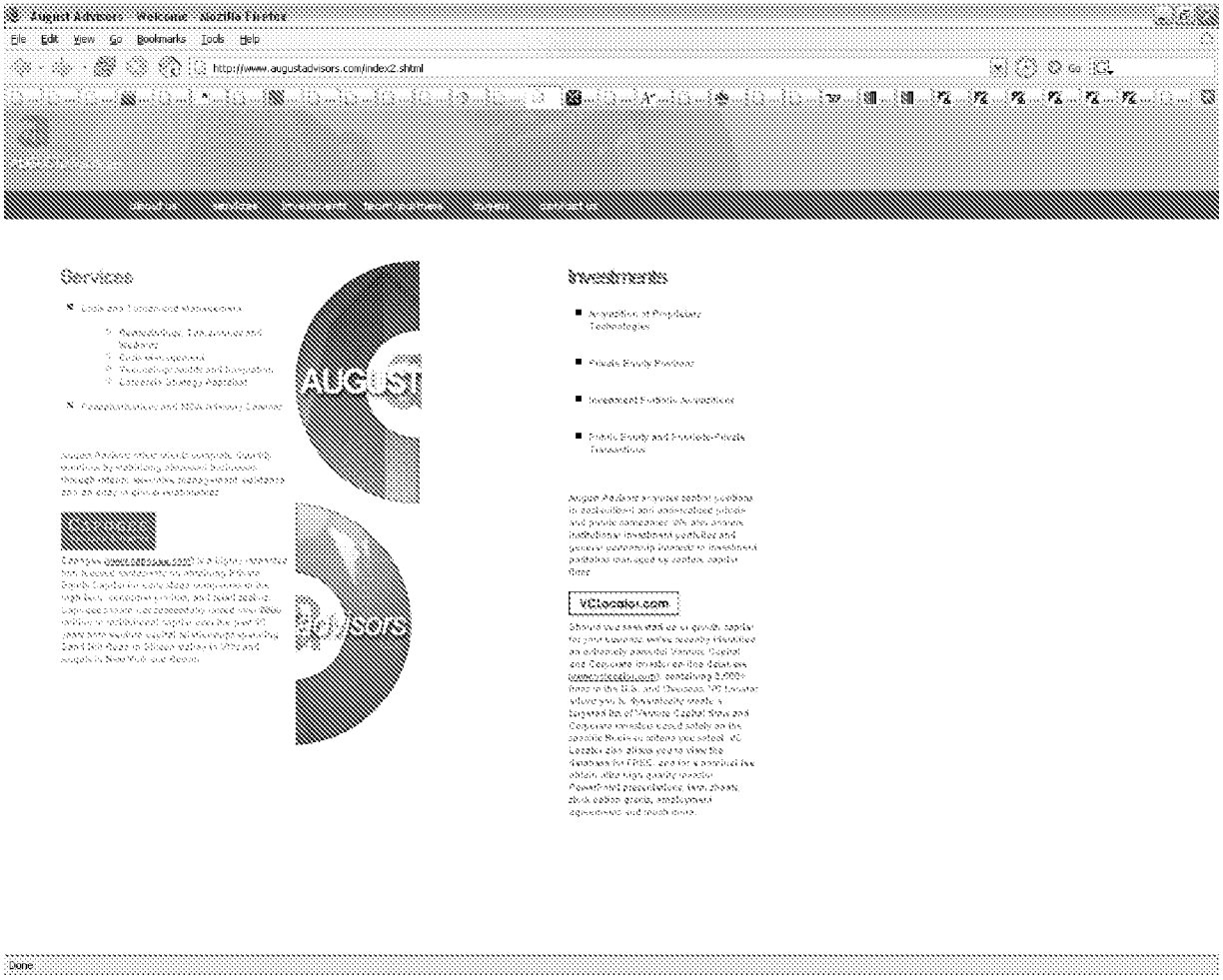

Exhibit C, Continued

Other Commercial Uses of the Word "August"

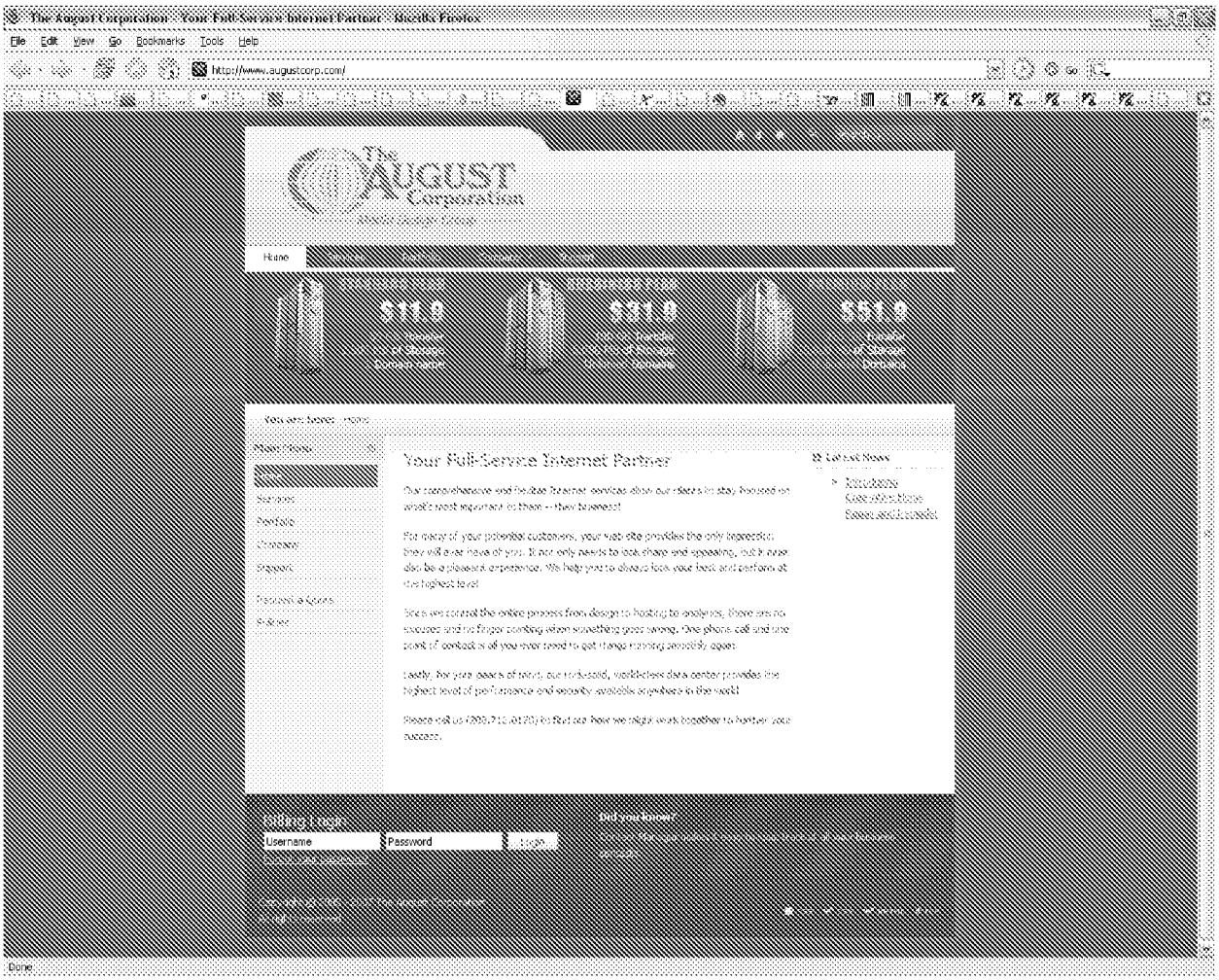

Exhibit C, Continued

Other Commercial Uses of the Word "August"

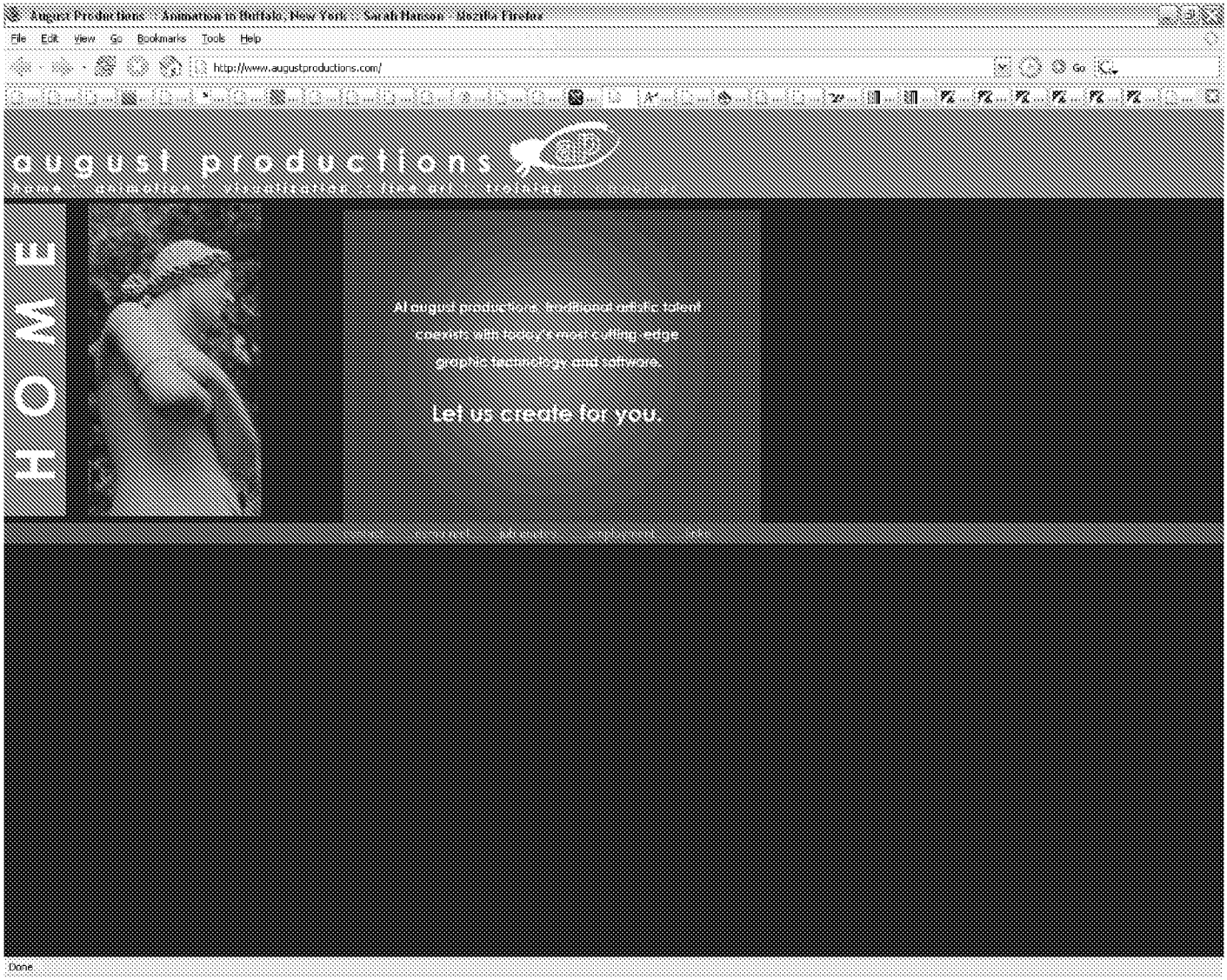

Exhibit C, Continued

Other Commercial Uses of the Word "August"

Exhibit C, Continued

Other Commercial Uses of the Word "August"

Exhibit C, Continued

Other Commercial Uses of the Word "August"

The August Sound Coalition | - Mozilla Firefox

File Edit View Go Bookmarks Tools Help

http://radio.socialtechnology.net/

The August Sound Coalition

an experiment in participatory radio

home | books | forums | search

Navigation

- recent posts

Past Events

Past events include:
2004 election coverage

Radio Free Toronto

Republican National Convention.

We also participate in the monthly Critical Mass Radio broadcasts.

User login

Username:

Password:

Log in

- Create new account
- Request new password

The August Sound Coalition is a group of independent sound/transmission artists, journalists, and musicians who loosely converged to create A-Noise, an autonomous media project collocated with the Republican National Convention and protests in New York City. August Sound Coalition survives as a collective based in New York, and will continue bringing our unique broadcasts to the public. Over the course of the next year we will work towards the development of new independent community radio stations for Brooklyn and lower Manhattan.

Canonical List of Web/Radio/Sound Links

Submitted by tk@[illegible] on Sat, 2006-10-07 10:41

RADIO RESOURCES, PROFESSIONAL PROJECTS, INDEPENDENT PRODUCERS, ETC.

Transom--http://www.transom.org - I recommend checking this out!! you can post work here!
http://tvandradiojobs.com/cgi-bin/classifieds/classifieds.cgi (not sure about this one...)
radio4all: http://www.radio4all.net/
WBAI: www.wbai.org
Wakeup Call: www.wakeupcallradio.org
Soundprint--http://www.soundprint.org/
WFMU! http://wfmu.org/
LastFM http://www.last.fm/
Hearing Voices--http://www.hearingvoices.com/
Sound Portraits/Story Corps--http://soundportraits.org/
Democracy Now! http://www.democracynow.org/
Radio Diaries: http://www.radiodiaries.org/

» 0.0 comments | read more

Brad Will Memorial St. Marks November 11 2006

Submitted by tk@[illegible] on Sat, 2006-11-11 19:04 no comments

We are broadcasting the memorial at St. Marks today for Brad Will. 1:30-4:30. Live.

Here are recordings from the event:

Segment 1 Link
John Wright "Hobo's Lullabye" (partial)
Frank Morales Introduction
Simon discusses current situation in Oaxaca
"Brad's Song" by Stephanie Rogers
Brandon Jourdan
Dyan Neary + video

Done

Exhibit C, Continued

Other Commercial Uses of the Word "August"

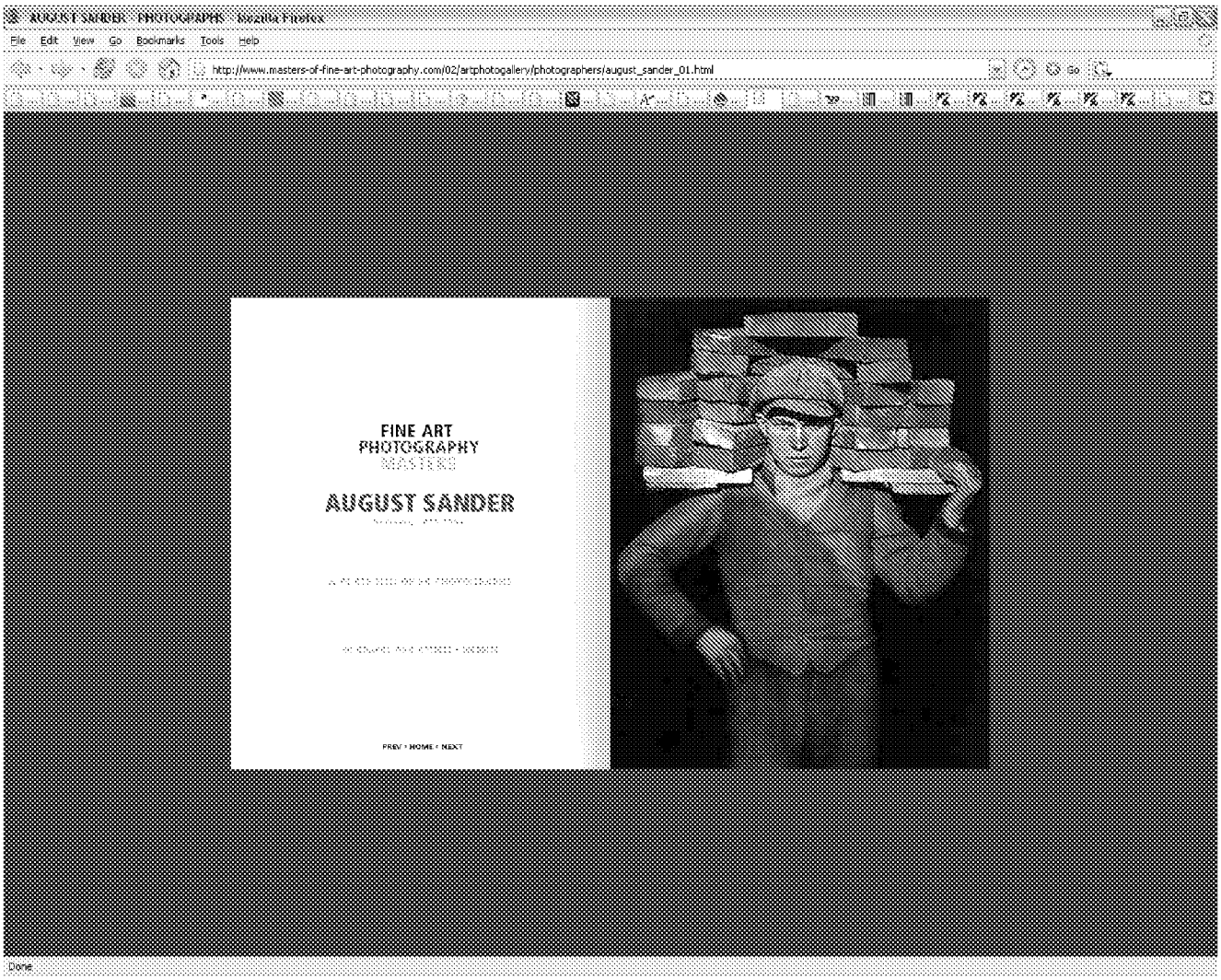

Exhibit C, Continued

Other Commercial Uses of the Word "August"

August.Net - Mozilla Firefox

File Edit View Go Bookmarks Tools Help

http://web.archive.org/web/20060128183613/http://www.august.net/index.php

Daily Tasks Daily Blogs Weekly Blogs New Blogs I'm Watching Share on Tumblr Open Items Traffic Search Gawlk Widgets Videos Funny or Die Bookmarklets Server Funds

augustnet

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Who We Are

August.Net is a Texas based Internet Service Provider operated by IP network engineers and is an industry leader in providing business-grade internet connectivity. August delivers professional network services such as T-1, DS-3, ISDN, ADSL, Server Co-location, and Domain Hosting. We are a professionally managed, service oriented company and we will work hard for you to earn and keep your business.

Clean Bandwidth

August.Net purchases expensive, reliable backbone bandwidth for our customers. We purchase connections to both Internap and Level(3), and peer directly with Yahoo Broadcast for blazing fast multimedia content for our customers. Our network core is ringed and completely redundant, including redundant vendors for each high-speed leg between each of our data operation centers in Dallas, Texas. Our network is designed to protect against fiber-cuts as well as vendor insolvency.

Superior Service

August.Net is committed to providing the best technical support in the industry. You won't have to talk to teenagers reading a script if you call for help. The people at August.Net that take your support calls are the same network engineers that build our network infrastructure, each with years of real-world experience handling a wide range of technical issues from bgp routing to dns. Ever talk to a support person who knew less than you did? Not at August. Chances are that if you call for support the first person you speak with will be able to help.

Read what August.Net customers have to say about us at http://www.BroadbandReports.com, or if you already use August.Net services please share your experience with others!

Done

Exhibit C, Continued

Other Commercial Uses of the Word "August"

Wafer Manufacturing Inspection and Metrology - Mozilla Firefox

File Edit View Go Bookmarks Tools Help

http://web.archive.org/web/20060101044201/http://www.augusttech.com/

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Inspection, Metrology and Data Analysis Solutions

AUGUST TECHNOLOGY

Driving Down Cost and Time-to-Market

APPLICATIONS PRODUCTS SUPPORT COMPANY NEWS & EVENTS CAREERS INVESTORS CONTACTS HOME

Upcoming Events

Semicon Korea
February 8-10, 2006
Seoul, Korea
Booth 473

SPIE's Microlithography
February 21-22
San Jose, CA
Booth 304

- December 9, 2005
  August Technology Announces Amendment of Merger Agreement with Rudolph Technologies
- November 15, 2005
  Inotera Gives Number One Rank to August NSX7 Inspection Tool
- November 10, 2005
  August Technology Awarded Wafer Edge Surface Inspection Patent
- November 9, 2005
  August Technology Reports Increased Revenues, Orders and Operating Income in Third Quarter 2005 Results

NSX-9000. High-speed, 100% 2D and 3D bump and wafer defect inspection.

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Sitemap Terms and Conditions

Done

Exhibit C, Continued

Other Commercial Uses of the Word "August"

AUGT: Summary for AUGUST TECH CP - Yahoo! Finance - Mozilla Firefox

File Edit View Go Bookmarks Tools Help

http://finance.yahoo.com/q?s=AUGT

Daily Tasks Daily Blogs Weekly Blogs New Blogs I'm Watching Share on Tumblr Open Items Traffic Search Gawlik Widgets Videos Funny or Die Bookmarklets Server Funds

YAHOO! FINANCE

Web Search

U.S. Markets closed.

HOME NEWS & OPINION PERSONAL FINANCE MY PORTFOLIOS

Enter Symbol(s) GET QUOTES Symbol Lookup Finance Search

AUGUST TECH CP (AUGT)

On Feb 15: 10.55 0.00 (0.00%)

Quotes
Summary
Historical Prices
Charts
Basic Chart
Technical Analysis
News & Info
Financial Blogs
Company
SEC Filings
Analyst Coverage
Analyst Opinion
Research Reports
Ownership
Financials

AMERITRADE

5.05% APY

Scottrade

Streaming Quotes: ON | OFF

AUGUST TECH CP (NasdaqGS:AUGT) Delayed quote data Edit

Last Trade:	10.55	Day's Range:	N/A - N/A
Trade Time:	Feb 15	52wk Range:	N/A
Change:	0.00 (0.00%)	Volume:	0
Prev Close:	10.55	Avg Vol (3m):	N/A
Open:	N/A	Market Cap:	N/A
Bid:	N/A	P/E (ttm):	N/A
Ask:	N/A	EPS (ttm):	N/A
1y Target Est:	N/A	Div & Yield:	N/A (N/A)

New! Try our new Charts in Beta

Chart Not Available

1d 5d

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