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

Proceeding	91181448
Party	Defendant Patriot Guard Riders, Inc.
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Submission	Motion for Summary Judgment
Filer's Name	David J. Marr
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Signature	/David J. Marr/
Date	01/22/2009
Attachments	Motion.pdf (3 pages)(48710 bytes) Memorandum.pdf (25 pages)(822874 bytes) Exhibit 1.pdf (92 pages)(2985748 bytes) Exhibit 2.pdf (17 pages)(402649 bytes) Exhibit 3.pdf (16 pages)(427888 bytes) Exhibit 4.pdf (25 pages)(621633 bytes) Exhibit 5.pdf (77 pages)(1633224 bytes) Exhibit 6.pdf (47 pages)(1410227 bytes) Exhibit 7.pdf (3 pages)(69174 bytes) Exhibit 8.pdf (40 pages)(1441102 bytes) Exhibit 9.pdf (22 pages)(433324 bytes) Exhibit 10.pdf (18 pages)(510470 bytes) Exhibit 11.pdf (7 pages)(134868 bytes) Exhibit 12.pdf (6 pages)(101827 bytes) Exhibit 13.pdf (10 pages)(360960 bytes) Exhibit 14.pdf (13 pages)(260637 bytes) Exhibit 15.pdf (13 pages)(245006 bytes) Exhibit 16.pdf (4 pages)(96517 bytes) Exhibit 17.pdf (4 pages)(59446 bytes) Exhibit 18.pdf (2 pages)(62471 bytes)

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

JEFF BROWN,)	
)	
Opposer,)	
	)	Opposition No. 91181448
v.)	
	)	Application No. 77/040,379
PATRIOT GUARD RIDERS, INC.,)	
)	
Applicant.)	

**APPLICANT’S MOTION FOR SUMMARY JUDGMENT
AND FOR SUSPENSION OF THESE PROCEEDINGS**

Applicant, Patriot Guard Riders, Inc., by and through its counsel, hereby moves for Summary Judgment pursuant to Fed. R. Civ. P. 56 maintaining that the Opposition filed by Opposer, Jeff Brown, should be dismissed as a matter of law, there being no genuine issue as to any material fact.

Applicant also requests that, pursuant to Rule 2.127(d), the Board suspend these proceedings pending determination of its Motion For Summary Judgment as of the date of submission of this motion. In the event the Board denies Applicant’s Motion For Summary Judgment, Applicant hereby requests that the testimony periods be reset no sooner than sixty (60) days after disposition of this motion.

This Motion is made on the grounds that Applicant can establish that there are no genuine issues of material fact on Opposer’s pleaded Section 2(d) claim or on Opposer’s pleaded fraud claim, such that Applicant is entitled to judgment as a matter of law on each of these claims.

Applicant’s Motion is supported by “Applicant’s Memorandum in Support of its Motion for Summary Judgment”, including Exhibits 1-18 attached thereto.

This Motion is being filed prior to the beginning of Opposer's 30-day Trial Period, which is scheduled to end on February 23, 2009.

Wherefore, Applicant respectfully prays that its Motion For Summary Judgment be granted, that the Opposition be dismissed, and that the subject trademark application proceed to registration.

Date: 1/22/09

Respectfully submitted

By: 

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 22, 2009, true and correct copies of the following documents:

1. *“Applicant’s Motion For Summary Judgment And For Suspension Of These Proceedings”*,
2. *“Applicant’s Memorandum In Support Of Its Motion For Summary Judgment”*, and
3. Exhibits 1-18 in support of *“Applicant’s Memorandum In Support Of Its Motion For Summary Judgment”*,

were sent via electronic delivery and mailed, with proper postage thereon, to:

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

JEFF BROWN,)	
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Opposer,)	
)	Opposition No. 91181448
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)	Application No. 77/040,379
PATRIOT GUARD RIDERS, INC.,)	
)	
Applicant.)	

APPLICANT'S MEMORANDUM
IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT

Applicant, Patriot Guard Riders, Inc., is entitled to summary judgment because there are no genuine issues as to any material facts relating to the grounds pleaded by Opposer, Jeff Brown. Accordingly, the Trademark Trial and Appeal Board should summarily rule in favor of Applicant and allow the subject trademark application to proceed to registration.

INTRODUCTION

Applicant, Patriot Guard Riders, Inc., is a nationally renowned "not-for-profit" corporation whose volunteers (largely veterans) attend funeral services across the nation for fallen soldiers of the United States Armed Forces, many of whom have died in Iraq and Afghanistan. The volunteers attend these funeral services in order to honor the soldiers' service to our country and in order to shield mourners attending the funeral services from possible protesters, specifically those who are associated with the Westboro Baptist Church (hereinafter the "WBC") who believe that the deaths of United States' soldiers is God's way of punishing America for its tolerance of homosexuality.

The Patriot Guard Riders was formed as an Internet-based nationwide association (hereinafter "the PGR association") in early November of 2005 and later became a not-for-profit corporation (hereinafter "the PGR corporation" or "the Applicant") in February of 2006 (sometimes collectively referred to as the "PGR"). Incredibly, within about one year from its inception, PGR's number of

volunteers skyrocketed into the 100,000's.

The Opposer, Jeff Brown (hereinafter "Brown" or "Opposer") was a founder of the PGR association and was the first President and Executive Director of the PGR corporation. Brown took it upon himself to start the "PGR Store" soon after the formation of the PGR association, and led the vast majority of PGR's volunteers and supporters to believe that the "PGR Store" was run by the PGR, and further to believe that all of the profits from the "PGR Store" were used to cover expenses and to support the PGR's missions.

In October of 2006, however, it became publicly known that Brown was operating the "PGR Store" as a for-profit entity and that all of the profits derived from the "PGR Store" went directly to Brown, rather than to the PGR. The fact that Brown was the leader of a "not-for-profit" corporation who was not supposed to profit, either directly or indirectly, from his involvement in the PGR corporation, led the PGR corporation's Board of Directors (hereinafter the "Board") to threaten to remove Brown from his positions of authority in the PGR corporation unless he agreed to close the "PGR Store" and honorably resign. Brown agreed to resign and, in his resignation letter to the PGR, indicated that he would be closing the "PGR Store" once his inventory was depleted.

Upon Brown's departure from the PGR corporation, the new leadership of the PGR corporation determined that, contrary to Brown's prior assertions, the PGR's name and logo had not been trademarked. As such, the PGR corporation promptly filed a United States Trademark Application in order to protect its logo for use in connection with the services provided by the PGR.

After posting his resignation letter on PGR's website, Brown changed his mind and elected to keep the "PGR Store" up and running. Brown, though, realized that he needed to do something to ensure that he could continue to sell merchandise through the "PGR Store" now that he was not in a leadership position in the PGR and, as such, just two days after resigning, he filed a United States Trademark Application in an attempt to protect the "Patriot Guard Rider" name, claiming that he, *as an individual*,

rather than the PGR, had the right to use the “Patriot Guard Rider” name for use in connection with the sale of merchandise, and also in connection with “association services”.

When Brown’s trademark application was rejected in view of the PGR corporation’s trademark application, Brown filed the present Opposition and has taken the position that under Trademark Section 2(d) he is, and always was, the owner, the *individual prior* user, and the licensor of the PGR’s logo. Brown has further alleged that the PGR corporation’s trademark application was fraudulently filed because it was filed by an officer/Board member of the PGR corporation who Brown claims did not have the proper authorization to file it.

STATEMENT OF UNDISPUTED FACTS

I. Applicant’s Trademark Application

The PGR corporation filed United States Trademark Application No. 77/040,379 on November 9, 2006 for the following mark (hereinafter “the Logo Mark”):



in connection with the following services: “organizing and conducting support groups in the field of military and military family support”, alleging a date of first use as November 11, 2005 and a date of first use in commerce as June 1, 2006.

II. Opposer’s Trademark Application

Brown filed United States Trademark Application No. 77/041,061 on November 9, 2006

(approximately 9.5 hours after the PGR corporation filed its trademark application for the Logo Mark) for the following mark (hereinafter “the Word Mark”):

PATRIOT GUARD RIDER

in connection with the following services: “association services, namely, promoting the interests of families of deceased military members and families of deceased veterans”, alleging a date of first use as October 27, 2005 and a date of first use in commerce as November 9, 2005. The specimen provided by Brown to prove his individual use of the Word Mark in connection with these services was a photograph described as a “mark displayed by supporter at funeral of deceased member of the military”. Brown admitted that the picture did not show himself using the Word Mark. (*See* Deposition of Jeff Brown, attached hereto as Exhibit 1, at 31:22-33:7).

Brown also alleged use of the Word Mark in connection with various goods, with the first alleged use of the Word Mark anywhere or in commerce in connection with any of the various goods being November 29, 2005 (as amended).

III. Notice of Opposition

Brown alleged in the Notice of Opposition that his application reflected “his earlier use of the mark in commerce, at least as early as 2005” and that he “had prior use of the mark not only on the organization’s services but also on merchandise that he produced using the name.” During his deposition, Brown stated that the “mark” as that term is used in the Notice of Opposition included the Word Mark, as well as the Logo Mark. (Ex. 1 at 23:17-24). Accordingly, Brown has essentially asserted that his use of both the Word Mark and the Logo Mark (hereinafter collectively the “Marks”), in his *individual* capacity, was prior to the PGR’s use of the Logo Mark.

Brown also asserted fraud on the United States Patent and Trademark Office in connection with PGR’s filing of the trademark application for registration of the Logo Mark. Specifically, Brown asserted, in pertinent part:

The application filed by PGR was initiated by an individual . . . who filed the application without authorization and with full knowledge of Mr. Brown's prior rights in the mark. PGR, Inc. was well aware that Mr. Brown had founded the organization, still in its infancy at that point, and that Mr. Brown had prior use of the mark not only on the organization's services, but also on merchandise that he produced using the name. The affidavit that PGR, Inc. knew of no other party entitled to use the mark PATRIOT GUARD RIDERS was fraudulent.

IV. Occurrences Prior To The Formation Of The PGR Association

In 2005, a group of American Legion members from Kansas who rode motorcycles and, therefore, called themselves American Legion Riders (hereinafter the "Kansas ALR"), began attending funeral services for fallen United States' soldiers in order to honor the fallen soldiers and in order to keep WBC protestors from disrupting the funeral services. (See Declaration of Terry Houck, attached hereto as Exhibit 2, at ¶¶4-17; see also "Petitioner's Answer To Applicant's First Set Of Interrogatories", attached hereto as Exhibit 3, at ¶12). On October 27, 2005, the Kansas ALR and others honored United States Army Spc. Lucas Frantz in Tonganoxie, Kansas at his funeral service. (Ex. 2 at ¶20). While attending this funeral service, a member of the Kansas ALR first publicly announced the name "Patriot Guard" at every pre-staging stop and at the final staging area in connection with all of the riders' presence at the funeral services. (Ex. 2 at ¶¶21-22).

On November 2, 2005, the Kansas ALR and others attended the funeral service of United States Army Sgt. Evan S. Parker in South Haven, Kansas. (Ex. 2 at ¶23). Brown attended this funeral service and asked members of the Kansas ALR about how they handled matters relating to their attendance at funeral services and, further, Brown signed a "Patriot Guard" sign-up sheet and requested that a "Patriot Guard" patch be sent to him. (Ex. 2 at ¶¶24-26). Brown, however, during his deposition stated that he had never heard of a group identifying itself as the "Patriot Guard". (Ex. 1 at 88:16-92:22).

Thereafter, on November 8, 2005, a funeral service was held for United States Army Pfc. David Jeffrey Martin in Edmund, Oklahoma. (Ex. 2 at ¶28). Prior thereto, Brown had heard about this funeral

service and that the WBC was planning to protest at it, but Brown was unable to find any further details about the time or location of the funeral service. (Ex. 3 at ¶12). Thus, Brown resorted to using the WBC's website to obtain the information. (Ex. 3 at ¶12). In view thereof, during Brown's trip to attend the funeral service, Brown thought of the idea to use the Internet to set up a nationwide network and information center designed to alert other bikers and veterans of upcoming military funerals. (Ex. 3 at ¶12). Upon arriving at the funeral service, Brown located members of the Kansas ALR and discussed his idea with them. (Ex. 2 at ¶29; Ex. 3 at ¶12).

V. Formation Of The PGR Association

After returning home from the funeral service of United States Army Pfc. David Jeffrey Martin, on November 8, 2005, Brown alleges that he drafted and sent an e-mail to various motorcycle and veterans organizations across the country in order to test his idea to "use the Internet to setup a nationwide network and information center designed to alert other bikers and veterans of upcoming military funerals in an effort to increase participation and to express to the families of the service members that their loss was shared and appreciated."¹ (Ex. 3 at ¶12). Feedback to the idea was positive. (Ex. 3 at ¶12). On November 9, 2005, Brown sent a separate email to Jason Wallin (hereinafter "Wallin") stating that he was putting Wallin on the "PGR notification list" pursuant to a request from an individual identified as "Preacher". (See Declaration of Jason D. Wallin, attached hereto as Exhibit 5, at ¶5). This e-mail further requested Wallin to encourage others to join in a "Patriot Guard Ride" in order to honor fallen soldiers and to support their families. (Ex. 5 at ¶5). In response to this e-mail, and without any prompting by Brown, Wallin registered the domain name www.patriotguard.org on November 9, 2005 and advised Brown that he would host it for free. (Ex. 5 at ¶¶7-9). Then, on November 10, 2005, Brown

¹ Brown has not produced a copy of this alleged e-mail to the PGR and, therefore, the PGR can neither confirm nor deny whether this alleged e-mail did, in fact, go out on November 8, 2005. If Brown had a copy of this alleged e-mail in his possession, custody or control, it clearly should have been produced in accordance with PGR's document production requests. (See Declaration of William H. Richart, II, attached hereto as Exhibit 4, at ¶¶13-14).

advised other individuals who expressed interest in Brown's idea that the domain name had been reserved and that Wallin had graciously donated web hosting for "us" such that it was his hope to have the website (hereinafter "the PGR's website") up soon. (Ex. 5 at Exhibit D thereto).

Brown and Wallin were considered to be the founders and leaders of the PGR association. (*See* "Petitioner's Response to Applicant's First Request For Admission", attached hereto as Exhibit 6, at ¶¶3 and 5; *see also* e-mail from Brown dated May 15, 2006, attached hereto as Exhibit 7). Brown has further admitted that the PGR association was not a sole proprietorship that was run and administered solely by Brown, as an individual. (Ex. 6 at ¶13). Wallin and Hugh Knaus built and launched the PGR's website and Brown acknowledged same. (Ex. 5 at ¶¶10-11). Wallin was the primary individual (as opposed to Brown) who was responsible for the maintenance of the PGR's website and its online forums from the time that the PGR website was created until the end of Wallin's involvement with the PGR. (Ex. 5 at ¶12; *see also* "Opposer's Responses To Applicant's Second Set Of Interrogatories", attached hereto as Exhibit 8², at ¶29(e)). Accordingly, on or around November 9, 2005, the PGR association was formed.

A. *Development Of A Logo For The PGR Association*

Individuals who had indicated interest in Brown's idea began discussing the possibility of wearing or carrying "Patriot Guard Riders" items with them to funeral services and, in view thereof, Brown designed and created the logo which is the subject of the Logo Mark. (Ex. 2 at ¶31; Ex. 5 at ¶13). On November 10, 2005, Brown e-mailed these individuals to advise them that he had designed the Logo Mark, which he attached to the e-mail, and further advised them that he was working with a company to produce products bearing the Logo Mark as he believed that such products would "enhance our presence at any service without taking anything from the other organizations you may belong to."

²After serving this document, Opposer served a separate document entitled "Opposer's Amended Responses To Applicant's Second Set Of Interrogatories" which included identical substantive responses, but which also included Brown's Declaration/Verification of same. This separate document is also included in Exhibit 8.

(Ex. 2 at ¶31; Ex. 5 at ¶13). Upon receiving the Logo Mark from Brown's e-mail, Wallin put the Logo Mark up on the PGR's website as an image placeholder without asking for, or receiving, Brown's permission to do so. (Ex. 5 at ¶¶14-15). Further, Brown did not object to this, or advise Wallin of any conditions on the placement of the Logo Mark on the PGR's website. (Ex. 5 at ¶16).

B. *The PGR Association's First Use Of The Logo Mark At A Funeral Service For A Fallen Soldier*

On November 9, 2005, Wallin sent an e-mail to Brown advising that he and others would be attending a funeral service on November 11, 2005 in Greeley, Colorado. (Ex. 5 at ¶6). In preparation for attending this funeral service, Wallin and some of his co-riders printed out the PGR Logo and displayed it on the windshields of their motorcycles. (Ex. 5 at ¶19). Wallin and his co-riders then rode to the funeral service via an Interstate Highway where they attended the funeral service for United States Army Private 1st Class Tyler Ryan Mackenzie on November 11, 2005 in Greeley, Colorado and protected the mourners from WBC protestors. (Ex. 5 at ¶20). While attending the funeral service, Wallin and his co-riders displayed the PGR Logo and advised others that they were Patriot Guard Riders and members of a new nationwide association, and further explained their purpose for being at the funeral service. (Ex. 5 at ¶21). Wallin and his co-riders, along with their motorcycles, were further shown in a television news clip that aired later that day on a local news broadcast. (Ex. 5 at ¶22). Brown did not attend this funeral service. (Ex. 5 at ¶20). Brown did, however, send out an e-mail that day to advise other individuals of Wallin's presence at the funeral service on behalf of the nationwide association. (Ex. 5 at ¶23; *see also* Declaration of Bonnie Perry, attached hereto as Exhibit 9, at ¶6). Shortly thereafter, Brown admitted in an interview that this funeral service was the first one that the PGR association had attended. (Ex. 5 at ¶24).

C. *Development Of A Mission Statement For The PGR Association*

On November 11, 2005, Brown sent out another e-mail to interested individuals and asked for

their input regarding any problems and/or suggestions for PGR's Mission Statement. (Ex. 2 at ¶32; Ex. 5 at ¶25; Ex. 9 at ¶5). Later that day, Brown modified the Mission Statement in order to include changes/suggestions made by some of the interested individuals and sent an e-mail to Wallin asking him if he could put the modified Mission Statement³ up on the PGR's website, which Wallin did that night. (Ex. 5 at ¶¶26-27). The next day, November 12, 2005, Brown sent out yet another e-mail to the interested individuals in order to advise them that the Mission Statement had been met with approval after some modification and to advise them that the Mission Statement was posted on the PGR's website. (Ex. 2 at ¶33; Ex. 5 at ¶28; Ex. 9 at ¶7).

VI. Formation Of The PGR Corporation

On February 21, 2006, the PGR association became a not-for-profit corporation in the State of Oklahoma. (Ex. 5 at ¶39; *see also* Declaration of Kurt Mayer, attached hereto as Exhibit 10, at ¶7). Brown, Wallin and Kurt Mayer ("Mayer") were identified as the incorporators, directors and officers of the PGR corporation with Brown being identified as the President, Mayer the Secretary, and Wallin the Treasurer. (Ex. 1 at 81:14-82:15; Ex. 5 at ¶¶40-43; Ex. 6 at ¶127; Ex. 10 at ¶¶8-11). Brown signed the incorporation papers on behalf of the PGR corporation in his capacity as the President. (Ex. 1 at 82:13-15). The incorporation papers signed by Brown stated, in part, that "[t]his corporation is not for profit, and as such the corporation does not afford pecuniary gain, *incidentally or otherwise*, to its members" (Emphasis added). (Ex. 1 at 80:21-81:6).

³The modified Mission Statement read as follows: "The Patriot Guard Riders is an amalgamation of riders from across the nation. We have one thing in common besides motorcycles. We have an unwavering respect for those who risk their very lives for America's freedom and security. If you share this respect, please join us. We don't care what you ride, what your political views are, or whether you're a 'hawk' or a 'dove'. It is not a requirement that you be a veteran. It doesn't matter where you're from or what your income is. You don't even have to ride. The only prerequisite is Respect. Our mission is to attend the funeral services of fallen American military heroes. Each mission we undertake has two basic objectives. 1. Show our sincere respect for our fallen heroes, their families, and their communities. 2. Protect the mourning family and friends from interruptions created by any protestor or group of protestors. We accomplish the latter through strictly legal and non-violent means." (Ex. 5 at Exhibit H thereto).

VII. Alleged License

Brown has admitted that a written agreement never existed between himself and the PGR whereby Brown granted permission to the PGR to use either of the Marks. (Ex. 6 at ¶¶12, 18 and 116). Brown, however, alleged in his initial discovery responses that he had given an oral license to the PGR association to use the Marks for non-commercial purposes and that he told several unnamed individuals that he considered himself to have exclusive rights to use the Marks for commercial purposes. (Ex. 3 at ¶10; Ex. 6 at ¶¶11 and 17). When asked to clarify what he meant by “non-commercial purposes”, Brown stated that the term “non-commercial purposes” related to Brown’s oral license to the PGR association to use the Marks in a “non-commercial” manner, such as use of the Marks on the PGR’s website, provided that such use did not result in fiscal gains, and provided that the PGR association agreed that it lacked the authority to transfer or permit usage of the Marks by any other party. (Ex. 8 at ¶25).

However, when asked for details about the alleged oral license during his deposition, Brown was completely clueless and could not identify any specifics or terms of the alleged oral license (even those previously identified in his responses to PGR’s discovery requests). (Ex. 1 generally at 62:16-78:17). For instance, Brown admitted that no volunteers of the PGR association approached him about obtaining a license (Ex. 1 at 70:5-12); he could not recall any terms about the license (Ex. 1 at 72:4-6); he could not recall any discussions or negotiations regarding the license (Ex. 1 at 72:7-9); he could not recall any discussions regarding the PGR association maintaining a consistent level of quality in its use of the Marks (Ex. 1 at 76:4-21); and, contrary to his Response to Interrogatory No. 25 (*see* Ex. 8), Brown even stated that he didn’t think far enough ahead to include a provision in this oral license regarding whether the oral license could be transferred by the PGR association to another party (Ex. 1 at 74:22-75:10). All that Brown could proffer regarding the alleged oral license was that he designed the Logo Mark and thought to himself, “Jeff, why don’t you use that.” (Ex. 1 at 73:3-74:21).

Brown alleges that his permission for the PGR association to use the Logo Mark was when the

PGR's website was launched and he said, "Here, put the logo up", likely in an e-mail to Wallin. (Ex. 1 at 70:13-71:11). He later stated that Wallin may have stated "Hey, I got it" in order to acknowledge the PGR association's acceptance of this alleged oral license. (Ex. 1 at 75:23-76:3). Brown further stated that this alleged oral license was initially intended for the PGR association, and then that it also applied to the PGR not-for-profit corporation upon incorporation. (Ex. 1 at 65:14-67:18). Brown, however, upon incorporation of the PGR corporation, failed to inform either of his co-incorporators about the existence of this alleged oral license. (Ex. 1 at 82:4-7; Ex. 5 at ¶44; Ex. 10 at ¶14).

During cross-examination, and after a break, Brown stated that he was the leader of the PGR association at the time he gave the PGR association permission to use the Marks. (Ex. 1 at 119:18-22). Brown further stated, in response to a leading question by his attorney, that he had taken off his "individual hat" (where he was the owner of the Marks) and put on his "PGR hat" and given the PGR association permission to use the Logo Mark. (Ex. 1 at 119:23-120:5). Brown also stated that he considered himself to be the owner of the Logo Mark and that he was the executive director of the association, so he "could have stopped using it or terminated it, depending on which hat [he] had on at any time." (Ex. 1 at 120:6-15).

Then, after his deposition, Brown amended his response to Request for Admission No. 17 to state that he gave a license to the PGR association to use the Marks for non-commercial purposes, which he intended would also apply to the PGR corporation. (See "Opposer's Amended/Supplemental Responses To Certain Of Applicant's Requests For Admission", attached hereto as Exhibit 11, at ¶17(a)). Brown then also supplemented his Response to Interrogatory No. 10 in order to identify Wallin, Bill Lines (hereinafter "Lines"), Ronny Awtry (hereinafter "Awtry") and possibly others, as having knowledge of the oral license, and to state that simultaneously with or soon after the creation of the PGR's website, that he gave Wallin permission to place the Marks on the PGR's website. (See "Opposer's Amended/Supplemental Responses To Certain Of Applicant's First Set Of Interrogatories, attached

hereto as Exhibit 12, at ¶10). During Brown's deposition, he did not provide any proof that any of the aforementioned individuals had knowledge of the alleged oral license, but rather only made allegations.

Contrary to Brown's allegations, Awtry explicitly stated during his deposition that he was unaware of the existence of any oral license granted by Brown to the PGR. (*See* Deposition of Ronny Roy Awtry, attached hereto as Exhibit 13, at 84:9-14). Wallin and Lines have further stated that they were unaware of the existence of any oral license granted by Brown to the PGR. (Ex. 5 at ¶¶15-18, 44 and 59; *see also* Declaration of Bill Lines, attached hereto as Exhibit 14, at ¶16). Other high-ranking personnel of the PGR also have stated that they were not aware of the existence of any such oral license. (Ex. 9 at ¶17; Ex. 10 at ¶15).

VIII. Circumstances Leading To Brown's Resignation

In October of 2006, it became collectively apparent to the leaders of the PGR corporation, as well as to a number of volunteers, that Brown had not been up front and honest about how the profits from the "PGR Store" were used. (Ex. 5 at ¶45; Ex. 9 at ¶8; Ex. 13 at 81:6-9 and 21-23; Ex. 14 at ¶6; *see also* Declaration of Edwin R. Mueller, attached hereto as Exhibit 15, at ¶4). Once confronted on this issue, Brown made a statement on the public forums of PGR's website which admitted that the "PGR Store" was a *for-profit* entity in which all of the profits derived from the "PGR Store" went directly to Brown, but that he, in turn, then used a portion of this money (the amount of which was determined by him in his sole discretion) in order to support the PGR in its missions. (*See* Post by Brown dated October 6, 2006, attached hereto as Exhibit 16). Brown further alleged that this had always been public knowledge but could never provide proof of same. (Ex. 8 at ¶29; Ex. 16). The fact that Brown was the leader of a "not-for-profit" corporation who had a duty to not profit, "incidentally or otherwise" from the PGR corporation, led the PGR corporation's Board to threaten to remove Brown from his leadership positions in the PGR corporation unless he agreed to close the "PGR Store" and honorably resign. (Ex. 5 at ¶46; Ex. 9 at ¶9; Ex. 14 at ¶7; Ex. 15 at ¶15). Brown agreed to resign and, in his resignation letter to

the PGR, indicated that he would be closing the “PGR Store” once his inventory was depleted. (Ex. 4 at ¶9; Ex. 5 at ¶46; Ex. 9 at ¶10; Ex. 14 at ¶8; Ex. 15 at ¶15).

IX. PGR’s Filing Of The Trademark Application For Its Logo Mark

After Brown’s resignation, the Board became aware of the fact that applications for federal registration of the Marks had not, in fact, been filed (contrary to earlier indications provided by Brown to others, including members of the Board). (Ex. 4 at ¶10; Ex. 5 at ¶¶47-48; Ex. 9 at ¶¶11-12; Ex. 14 at ¶¶10-11; Ex. 15 at ¶¶6-7). While the members of the Board were aware that Brown was a founder of the PGR association, the Board members did not have any knowledge or belief that Brown had either prior or superior rights in the Logo Mark as compared to the PGR. (Ex. 5 at ¶¶57-61; Ex. 9 at ¶¶15-19; Ex. 13 at 84:19-85:2; Ex. 14 at ¶14-18; Ex. 15 at ¶¶10-13). Brown had never specifically informed any of the Board members that he believed himself to be the owner of either of the Marks. (Ex. 5 at ¶¶57-59; Ex. 9 at ¶¶15-17; Ex. 14 at ¶¶14-16; Ex. 15 at ¶¶10-11). The Board members believed that any actions that Brown had taken with regard to the use of the Marks in connection with the services provided by the PGR were done by Brown on behalf of the PGR in his capacity as a founder, leader, officer and Board member of the PGR. (Ex. 5 at ¶60; Ex. 9 at ¶18; Ex. 14 at ¶17; Ex. 15 at ¶12). Further, none of the Board members were aware of the oral license that Brown has alleged existed. (Ex. 5 at ¶¶15-18, 44 and 59; Ex. 9 at ¶17; Ex. 13 at 84:9-14; Ex. 14 at ¶16). Also, the Board members were aware that the merchandise bearing the Marks was not sold until after the PGR had begun to use the Logo Mark in connection with the services it provided. (Ex. 5 at ¶61; Ex. 9 at ¶19; Ex. 14 at ¶18; Ex. 15 at ¶13). Brown consistently acted in a manner that indicated the Marks were owned by the PGR and even advised others, where he was clearly acting on behalf of the PGR, that the Marks were owned by the PGR. (*See e.g.*, three e-mails sent out by Brown, attached hereto as Exhibit 17). Furthermore, neither PGR’s

website nor the “PGR Store”⁴ gave any indication in any way that the Marks were owned by Brown as an individual. (Ex. 4 at ¶¶11-12; Ex. 5 at ¶¶31-35; Ex. 9 at ¶¶21-22; Ex. 14 at ¶¶19-20; Ex. 15 at ¶¶14-15).

Brown also issued the following statement:

A couple of people have asked about having a friend offer to duplicate some of *our* stuff for free to help the cause. *Our* PGR name and log [sic] is copyrighted for a reason. The revenue generated from the sale of PGR products enables *us* to operate this site and continue to grow the organization without any dues, donations or fees. *We* also have other plans down the road. *All associations have their own stores (VFW, AL, RFTW, etc.)* and do not allow reproductions for the same reasons. *We’ve* also tried to keep *our* pricing lower than comparable products through other associations. I hope you understand and support this policy. Best regards, Jeff “Twister” Brown. (Emphasis added).

(Ex. 6 at ¶78).

Accordingly, during a telephonic meeting on November 8, 2006, the members of the Board at the time, namely Bill Lines, Bonnie Perry (nee Cutler), Ronny Awtry, Ed Mueller and Wallin, unanimously approved the filing of a United States Trademark Application for the Logo Mark in connection with the services performed/provided by the PGR, and further agreed that Wallin would file this United States Trademark Application on behalf of the PGR corporation in his capacity as Treasurer of the PGR corporation. (Ex. 5 at ¶¶49-50; Ex. 9 at ¶¶13-14; Ex. 13 at 60:18-61:9; Ex. 14 at ¶¶12-13; Ex. 15 at ¶¶8-9). Wallin proceeded to file the trademark application for the Logo Mark on behalf of the PGR corporation on November 9, 2006. (Ex. 5 at ¶51). In the trademark application, Wallin identified the services as “organizing and conducting support groups in the field of military and military family support” (which were later amended), and understood this identification to mean organizing volunteers of the PGR in connection with attending the funeral services of fallen soldiers and carrying out the goals of PGR’s Mission Statement at the funeral services. (Ex. 5 at ¶55).

⁴The “PGR Store” was accessible via a hyperlink on the homepage of the PGR’s website. (Ex. 5 at ¶29). The “PGR Store” was originally hosted by the PGR’s website on the subpage www.patriotguard.org/PGRStore, but later was hosted by a separate website, namely www.patriotguardstore.org. (Ex. 5 at ¶¶30 and 36-38).

X. Continuous Use Of The Logo Mark

From November 11, 2005, when the Logo Mark was first used, until at least the date that the PGR corporation filed its trademark application for the Logo Mark, the Logo Mark was continuously used on the PGR's website, as well as in other mediums, in connection with the services identified in the PGR corporation's trademark application. (Ex. 5 at ¶54). During this time, the Logo Mark was also used by individuals across the country during missions in order to denote themselves as being volunteers of the PGR. (Ex. 5 at ¶56).

ARGUMENT

I. Standard For Summary Judgment

Summary judgment is an appropriate method of disposing of cases in which there are no genuine issues of material fact in dispute, thus leaving the case to be resolved as a matter of law. *See Fed. R. Civ. P. 56(c)*. A party moving for summary judgment has the burden of demonstrating the absence of any genuine issue of material fact, and that it is entitled to summary judgment as a matter of law. *See Celotex Corp. v. Catrett*, 477 U.S. 317 (1986). The nonmoving party must be given the benefit of all reasonable doubt as to whether genuine issues of material fact exist, and the evidentiary record on summary judgment, and all inferences to be drawn from the undisputed facts, must be viewed in the light most favorable to the nonmoving party. *See Opryland USA, Inc. v. Great American Music Show, Inc.*, 970 F.2d 847, 23 USPQ2d 1471 (Fed. Cir. 1992).

“When the moving party's motion is supported by evidence sufficient to indicate that there is no genuine issue of material fact, and that the moving party is entitled to judgment, the burden shifts to the nonmoving party to demonstrate the existence of specific genuinely-disputed facts that must be resolved at trial. The nonmoving party may not rest on the mere allegations of its pleadings and assertions of counsel, but must designate specific portions of the record or produce additional evidence showing the existence of a genuine issue of material fact for trial.” *Florida Engineered Construction Products*

Corporation v. Cast-Crete Inc., Opposition No. 91159554, 2006 WL 1087855, at *6 (TTAB Apr. 13, 2006).

As demonstrated herein and supported by the record, no genuine issues as to any truly material facts relating to the properly pleaded⁵ grounds remain. Accordingly, the Trademark Trial and Appeal Board should summarily rule in favor of the PGR and allow the subject trademark application to proceed to registration.

II. Opposer's Section 2(d) Claim

A Section 2(d) claim can properly be resolved on summary judgment. *See Aktieselskabet AF 21. November 2001 v. Fame Jeans, Inc.*, 77 USPQ2d 1861 (TTAB 2006). In order for Brown to prevail on his asserted Section 2(d) claim, he must establish: (1) that he has standing to maintain the proceeding; (2) that he is the prior user of his pleaded mark; and (3) that contemporaneous use of the parties' respective marks on their respective services would be likely to cause confusion, mistake or to deceive consumers. *See Mario Diaz v. Servicios de Franquicia Pardo's S.A.C.*, 83 USPQ2d 1320, 1323-24 (TTAB 2007); *see also Hornblower & Weeks, Inc. v. Hornblower & Weeks, Inc.*, 60 USPQ2d 1733 (TTAB 2001).

A. Opposer Has Established That He Has Standing To Maintain This Proceeding

For the purposes of this summary judgment motion, the PGR corporation concedes that Brown has standing to maintain this proceeding.

B. Opposer Cannot Establish That He Is The Prior User Of His Pleased Mark

An "association" is defined as "an organization of persons having a common interest". (*See* Definition of "association" from the Merriam-Webster Online Dictionary, attached hereto as Exhibit 18).

As stated hereinabove, Wallin sent an e-mail to Brown on November 9, 2005 in order to advise Brown

⁵As stated in the PGR corporation's "Answer and Affirmative Defenses (Amended)", Brown's unnumbered, two-paragraph Complaint fails to comply with Section 309.09(a)(2) "Elements of Complaint – In General" of the Trademark Trial and Appeal Board Manual of Procedure.

that he had registered the domain name www.patriotguard.org. (See “Undisputed Facts” Sec. IV *infra*)⁶. By so doing, Wallin took an active step in order to associate himself with Brown in the “common interest” of executing Brown’s plan to “use the Internet to setup a nationwide network and information center designed to alert other bikers and veterans of upcoming military funerals in an effort to increase participation and to express to the families of the service members that their loss was shared and appreciated.” Thus, according to the evidence of record, including Brown’s own statement from an interview he gave, the PGR association was formed on November 9, 2005.

1. *First Use Of The Marks Occurred On November 11, 2005*

The November 9-10, 2005 e-mails of record do not establish first use of the Marks. First “use” of the Marks, however, both in intrastate and interstate commerce, can be proven to have occurred on November 11, 2005. On that day, Wallin and others displayed the Logo Mark (and thus the Word Mark as the Logo Mark includes the Word Mark in substantially identical form) on their motorcycles as they rode via an Interstate Highway on their way to the funeral services for a fallen soldier in Greeley, Colorado. (See Sec. V(B) *infra*). During the funeral service, the Logo Mark was displayed while Wallin and the others protected the mourners from WBC protestors who were picketing the funeral service. (See Sec. V(B) *infra*). Wallin and the others also explained to other individuals, including persons who were attending the funeral service, who they were, what they were doing, and why. (See Sec. V(B) *infra*). Wallin and the others, including their motorcycles, were also videotaped on a news clip that aired on a television station later that day. (See Sec. V(B) *infra*). Such “use” clearly denotes use of the Logo Mark in intrastate and interstate commerce. See *e.g.*, *In re Gastown, Inc.*, 326 F.2d 780 (C.C.P.A. 1964).

Also on November 11, 2005, Wallin put the modified Mission Statement up on the PGR’s website along with the Logo Mark which was put up the day before as an image placeholder. (See Secs. V(A) and V(C) *infra*). Such display of the Logo Mark on the Internet, along with the Mission Statement

⁶All references to the “Undisputed Facts” will hereinafter be referenced by Section number.

which clearly sets forth the services that the Logo Mark is associated with, also clearly denotes “use” of the Logo Mark both in intrastate and interstate commerce. *See Planned Parenthood Federation of America, Inc. v. Bucci*, 42 USPQ2d 1430 (S.D.N.Y. 1997), *aff’d*, 152 F.3d 920 (2d Cir. 1998), *cert. denied*, 525 U.S. 834 (1998) (explaining that use of a mark on a website constitutes proper use of a mark in commerce).

Thus, the evidence of record proves that the first use of the Marks in both intrastate and interstate commerce took place on November 11, 2005.

2. *First Use of the Marks Was By the PGR Association*

As the PGR association came into existence on November 9, 2005, the first use of the Logo Mark (and thus the Word Mark) was clearly by the PGR association. Wallin and the others were acting on behalf of the PGR association when they rode to and attended the funeral service in Greeley, Colorado. Wallin was also acting on behalf of the PGR association when he put the Logo Mark and the Mission Statement up on the PGR’s website.

As discussed above, there is no evidence of record that either of the Marks were used by anyone prior to the formation of the PGR association. With the formation of the PGR association occurring on November 9, 2005, it is clear that any actions taken by Brown thereafter, which in any way related to the PGR association, were done by Brown on behalf of the PGR association in his capacity as a founder and leader of the PGR association. Brown has admitted that he was a founder and leader of the PGR association, and further admitted that the PGR association was not a sole proprietorship that was run and administered solely by Brown, as an individual. (*See Sec. V infra*). Thus, Brown’s actions that related to the PGR association were necessarily done by Brown on behalf of the PGR association.

Regardless of whether Brown coined the Word Mark or designed and created the Logo Mark, such actions do not confer any ownership rights in the Marks to Brown as an individual, as only use of the Marks in commerce confers trademark rights. *See Hanover Star Milling Co. v. Metcalf*, 240 U.S.

403, 412, 416 (1916); *see also Corporate Document Services Inc. v. I.C.E.D. Management Inc.*, 48 USPQ2d 1477, 1479 (TTAB 1998) (“It is well-established that rights in and to a trademark are created by use of the mark in either intrastate or interstate commerce.”).

3. *Opposer Never Claimed Individual Ownership, Acted As An Individual Owner, Nor Licensed Use Of The Marks In Connection With The Services To Applicant*

It is clear from the evidence of record that, prior to Brown’s filing of his trademark application, Brown never informed any of the top ranking personnel of the PGR about his claim of personal ownership of the Marks. (*See Secs. VII and IX infra*). To the contrary, Brown consistently acted in a manner that indicated that the Marks were owned by the PGR. (*See Sec. IX infra*). For example, nothing on the PGR’s website, or the “PGR Store” indicated in any way that the Marks were owned by Brown as an individual. (*See Sec. IX infra*). Users were given no reason whatsoever to believe that the Marks were not owned by the PGR. (*See Sec. IX infra*). In fact, Brown continually advised others that the PGR name and logo were protected such that the PGR could not allow certain uses thereof. (*See Sec. IX infra*). When these advisements were made, Brown either identified himself as a leader of the PGR or in some other way indicated that he was giving this advisement on behalf of the PGR. (*See Sec. IX infra*). The “PGR Store” website that Brown was operating while acting as the President and Executive Director of the PGR corporation further advised that the PGR name and logo were protected and that “all associations have their own stores” and do not allow reproductions. (*See Sec. IX infra*).

Moreover, prior to the PGR corporation’s filing of its trademark application, Brown never claimed that a license ever existed between Brown and the PGR whereby the PGR could only use the Marks in connection with the services it performed. (*See Secs. VII and IX infra*). With regard to Brown’s allegation that an oral license existed, Brown has provided absolutely no evidence of same and has repeatedly changed his story regarding the existence and terms of this alleged oral license. (*See Sec. VII infra*). Brown even admitted that he did not advise his co-incorporators of the PGR corporation

about the existence of this license. (*See Sec. VII infra*). Every single person who was ever a founder, officer and/or Board member of the PGR from its formation until the time of the PGR corporation's filing of its trademark application, other than Brown, has denied having any knowledge about the existence of such an oral license. (*See Secs. VII and IX infra*).

In light of the facts described above, it appears the only logical and legal conclusion is that Brown's present claim of individual ownership of the Marks is nothing more than an afterthought that should not now be given credence by awarding Brown ownership.

There is no doubt that sales and revenues from the "PGR Store" would have significantly suffered had the general membership of the PGR known that Brown was claiming individual ownership of the Marks as a basis for keeping the profits which, to the knowledge of the general rank and file, were being used only to support the PGR cause. (*See Sec. IX infra*). Therefore, even if Brown subjectively believed himself to be the owner of the Marks, his conduct demonstrates that his intent was meant to conceal this claim for fear that his personal profits would have suffered.

Accordingly, whether Brown subjectively believed himself to have individual rights in the Marks, the principles of equity alone should prevail to prevent him from being awarded ownership of the Marks.

4. *The First Sale Of Goods Bearing The Marks Was After The First Use Of The Marks In Connection With Services Provided*

The evidence of record clearly shows that the first sale of goods bearing the Marks was *after* the first use of the Marks in connection with the services provided. As such, Brown's allegation in the Notice of Opposition that his sale of goods bearing the Marks was prior to the PGR association's first use of the Marks in connection with services provided is not only incorrect, it is also irrelevant.

5. *Applicant's Allegation of First Use of the Mark is Proper*

From the foregoing, it is indisputable that, on November 11, 2005, Wallin and others displayed

the Logo Mark on their ride to, and during, a funeral service for a fallen soldier, and that the Logo Mark was on the PGR's website along with the PGR association's Mission Statement, which identifies the services to be performed by the PGR association. (See Secs. V(B) and V(C) *infra*). Thus, "at least as early as November 11, 2005" is properly identified as the date of first use of the Logo Mark by the PGR as identified in PGR's trademark application. While PGR's trademark application also cites a date of first use in commerce as being "at least as early as June 1, 2006", it is clear that it has been determined through discovery that the first use in commerce of the Logo Mark is more appropriately identified as being at least as early as November 11, 2005 based on the display of the Logo Mark on the ride to, and attendance of, a fallen soldier's funeral service, as well as the use of the Logo Mark on PGR's website.⁷

6. *Opposer's Allegation of First Use of the Marks Based on His Trademark Application is Erroneous and Not Supported By The Evidence*

From the foregoing, it is indisputable that Brown did not have prior use of the Marks before the PGR because the first use of the Marks in connection with the identified "association services" was done by, or on behalf of, the PGR, as Brown never specifically distinguished that his use was being done in his individual capacity, rather than in his capacity as a founder and leader of the PGR. Moreover, as an individual, Brown necessarily could not have performed "association services" as at least two people are required to have an "association". Therefore, any use of the Marks by Brown necessarily inured to the benefit of the PGR.

Furthermore, Brown's alleged dates of first use of these "association services" are clearly not supported by the evidence of record and are contrary to Brown's answer to PGR's discovery requests. (Ex. 6 at ¶¶150, 156 and 160). Brown alleged October 27, 2005 as being his date of first use of the Word Mark. The record, however, clearly shows that Brown's first thought of even forming an association

⁷It is the PGR corporation's intent, upon a favorable resolution in this Notice of Opposition, to amend its application accordingly in order to reflect this earlier proof of use of the Logo Mark in commerce.

which might perform the services identified in his trademark application was on November 8, 2005 (twelve days later), upon his return from the funeral service for United States Army Pfc. David Jeffrey Martin in Edmund, Oklahoma. (See Sec. IV *infra*). Brown's allegation of first use of the Word Mark in commerce as being November 9, 2005 is also not supported by the record. The record is clear that the first use of the Word Mark as well as the first use of the Word Mark in commerce, both in connection with the stated services, was on November 11, 2005, the date upon which Wallin and others displayed the Logo Mark on their motorcycles on a ride to attend a funeral service for a fallen soldier, and the date when the Logo Mark, along with the Mission Statement that detailed the services to be provided by the PGR association, were both available for viewing by the public on the PGR's website. Therefore, Brown's asserted date of first use of October 27, 2005 and his asserted date of first use in commerce of November 9, 2005, are unsupported by the evidence of record.

C. *Opposer Cannot Establish that Contemporaneous Use of the Parties' Respective Marks on their Respective Services would be Likely to Cause Confusion, Mistake or to Deceive Consumers*

From the foregoing, it is clear that Brown cannot establish that contemporaneous use of the parties' respective marks on their respective services would be likely to cause confusion, mistake or to deceive customers.⁸ The reason for this is simple, all use of the Marks in connection with the identified services was done *on behalf of the PGR*, and not separately by Brown in his *individual* capacity. Without proof of individual use of the Marks, Brown cannot prove that he is the prior user of the pleaded Marks and, therefore, cannot prove that there was any "contemporaneous use of the parties' respective marks" as is required.

⁸PGR has consistently maintained its position throughout these proceedings that Brown did not properly plead likelihood of confusion in his Notice of Opposition. PGR, however, in the interests of seeking a quick resolution to this matter, has informed Brown that in the unlikely event that the Trademark Trial and Appeal Board determines that Brown was the prior user of his pleaded mark, that the parties would have contemporaneous use of their respective Marks on their respective services, such that the contemporaneous use would be likely to cause confusion, mistake or to deceive customers.

The PGR corporation has thus established that there is no genuine issue of material fact on the issue of Brown's Section 2(d) claim and that the PGR corporation is entitled to judgment as a matter of law.

III. Opposer's Fraud Claim

A fraud claim can properly be resolved on summary judgment. *See Aktieselskabet AF 21. November 2001 v. Fame Jeans, Inc.*, 77 USPQ2d 1861 (TTAB 2006). In order for Brown to prevail on his asserted fraud claim, he "must prove the alleged fraud by clear and convincing evidence." *L.D. Kichler Co. v. Davoil, Inc.*, 192 F.3d 1349, 1351 (Fed. Cir. 1999). Nothing can be left to speculation, conjecture, or surmise. *Hachette Filipacchi Presse v. Elle Belle LLC*, 85 USPQ2d 1090, 1093 (TTAB 2007). To be fraudulent, a statement not only has to be proven false, but there must be no doubt left that the false statement was *knowingly* inaccurate. *Torres v. Cantine Torresella S.r.l.*, 808 F.2d 46, 48 (Fed. Cir. 1986). Unless there is a willful intent to deceive proven by clear and convincing evidence, fraud will not be found. *Kemin Industries, Inc. v. Watkins Products, Inc.*, 192 USPQ 327, 329 (TTAB 1976). Brown cannot meet his heavy burden and, therefore, the PGR corporation is entitled to judgment as a matter of law on Brown's fraud claim.

A. Applicant Authorized The Filing Of The Trademark Application For The Logo Mark

The evidence of record clearly shows that Wallin was authorized by the PGR corporation to file the trademark application for the Logo Mark on behalf of the PGR corporation in his capacity as the Treasurer of the PGR corporation. (*See Sec. IX infra*). The members of the Board at the time of authorizing the filing of the trademark application consisted of five persons, namely Bill Lines, Bonnie Perry, Ronny Awtry, Ed Mueller and Wallin. (*See Sec. IX infra*). Each one of these persons has stated that they collectively agreed that the trademark application should be filed and that Wallin would file the trademark application on the PGR corporation's behalf. (*See Sec. IX infra*).

B. *Applicant Did Not Have Any Knowledge Or Belief That Opposer Had Any Prior Or Superior Rights In The Logo Mark At The Time The Application Was Filed*

While the Board Members were aware that Brown was a founder of the PGR association, the evidence of record is clear that the Board members did not have any knowledge or belief that Brown had either prior or superior rights in the Logo Mark as compared to the PGR. (*See Sec. IX infra*). Brown had never specifically informed any of the Board members that he believed himself to be the owner of either of the Marks. (*See Sec. IX infra*). The Board members believed that any actions that Brown had taken with regard to the use of the Marks in connection with the services provided by the PGR were done by Brown on behalf of the PGR in his capacity as a founder, leader, officer and Board member of the PGR. (*See Sec. IX infra*). Further, none of the Board members were aware of the oral license that Brown has alleged existed and, as such, they did not need to seek or obtain Brown's consent or approval before filing the trademark application. (*See Secs. VII and IX infra*). Also, the Board members were aware that the merchandise bearing the Marks was not sold until after the PGR had begun to use the Logo Mark in connection with the services it provided. (*See Sec. IX infra*).

C. *The Declaration Forming Part Of The Trademark Application Was Executed Truthfully*

In view of the foregoing, Wallin's signature on the verified declaration forming a part of the application for registration was made honestly and in good faith. Wallin and the other members of the Board did not believe that Brown had obtained any rights in the Marks that were superior to PGR's rights in the Logo Mark. (*See Sec. IX infra*). *See Kelly Services Inc. v. Greene's Temporaries Inc.*, 25 USPQ2d 1460, 1463 (TTAB 1992) (explaining that it had previously been held that an Applicant "that believes its right to register a mark is superior to that of another user of the same or similar mark will not be held to have committed fraud by signing an application with the statutorily prescribed ownership statement.").

D. *Opposer Cannot Prove By Clear And Convincing Evidence That Fraud Existed*

Brown has offered no evidence to the contrary to support his allegations of fraud and has elected not to depose any of Wallin, Lines or Mueller during the discovery phase of this Proceeding⁹. In response to an Interrogatory regarding his fraud claim, Brown amazingly even stated the following:

Opposer states, upon information and belief and after reasonable investigation, that Jason D. Wallin acted on his own and without direct instruction from the Board, and that Wallin's duties as Treasurer did not include the filing of any trademark application(s). Opposer cannot state whether there are others who have similar knowledge and/or beliefs.

(Ex. 8 at ¶26). Clearly, the evidence of record completely contradicts the foregoing. Accordingly, Brown is left with only mere assertions of fraud, and it is well-established that mere assertions cannot create a genuine issue of material fact. *See Hachette*, 85 USPQ2d at 1093. Conversely, the PGR corporation has established that there is no genuine issue of material fact on the issue of Brown's fraud claim and that the PGR corporation is entitled to judgment as a matter of law.

CONCLUSION

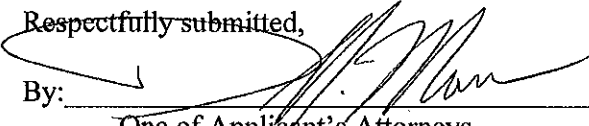
The PGR corporation respectfully requests summary judgment rejecting the Opposition because, as a matter of law, Brown cannot prove that there are any genuine issues of material fact which support either his Section 2(d) claim or his fraud claim.

Dated: _____

1/22/09

Respectfully submitted,

By: _____


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⁹Perry was deposed pursuant to the PGR corporation designating her as a 30(b)(6) witness.

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

JEFF BROWN,)	
)	
Opposer,)	
	)	Opposition No. 91181448
v.)	
	)	Application No. 77/040,379
PATRIOT GUARD RIDERS, INC.,)	
)	
Applicant.)	

EXHIBIT 1

of

“Applicant’s Memorandum In Support of Its Motion for Summary Judgment”

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

JEFF BROWN,)	
)	
Opposer and)	
Petitioner,)	
)	
vs.	)	Opposition No. 91181448
)	
PATRIOT GUARD RIDERS, INC.,	)	Serial No. 77/040,379
)	
Applicant and)	
Respondent.)	

THE DEPOSITION OF JEFF BROWN,
produced as a witness on behalf of the Applicant and
Respondent, in the above-styled and numbered cause,
taken on the 14th day of October 2008, in the City of
Tulsa, County of Tulsa, State of Oklahoma, before me,
Marlene Percefull, Certified Shorthand Reporter, duly
certified under and by virtue of the laws of the State
of Oklahoma.

A P P E A R A N C E S

FOR THE OPPOSER
AND PETITIONER:

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FOR THE APPLICANT
AND RESPONDENT:

Mr. David J. Marr
Mr. James A. O'Malley
Attorneys at Law
105 W. Adams St.
Suite 3600
Chicago, IL 60603

ALSO PRESENT:

Mr. Bill Richart

1 Patriot Guard Riders application?

9:36AM

2 A Well, the name is used on whatever page, one, two,
3 three, four, five, six, on the seventh page of this
4 particular exhibit.

5 Q But does that include the logo that you identified
6 as the mark?

9:36AM

7 A No. The name and the logo are on the next page on
8 Word production of the license plate or photograph scan
9 or whatever.

10 Q Okay.

9:37AM

11 A The following page on a lapel pin. The following
12 page on a windshield banner. The following page on a
13 flag. Following page on a cap. The following page on
14 a T-shirt. The following page on a vest patch. And
15 the final page just shows riders with various PGR
16 products.

9:37AM

17 Q Okay. So is the mark, the logo, the triangular
18 logo that you described that includes the words
19 "Patriot Guard Rider Riding with Respect" and the stars
20 and the triangular pattern, is it just the words
21 "Patriot Guard Rider" or is it both?

9:37AM

22 MS. BRU: Object to the extent that it
23 calls for a legal conclusion, but you can answer.

24 A My opinion, it's either/or.

25 Q Okay. Could you refer again, please, to your

9:38AM

1 Q Okay. And you testified that the association
2 services -- the mark was used on association services
3 in connection with the PGR organization Web site?

9:48AM

4 MS. BRU: I'm going to object to this
5 whole line of questioning, calls for a legal
6 conclusion. And that's a standing objection as long
7 as we're talking about the relevance of any date on
8 this application which Jeff testified he did not
9 file.

9:49AM

10 MR. MARR: That's fine. But he did
11 testify that he had input into this.

9:49AM

12 MS. BRU: That's correct.

13 Q So I'll ask again. How did -- how was the mark
14 used on association services in connection with
15 association services as recited in your application?

9:49AM

16 MS. BRU: Same objection. Go ahead.

17 A I mean, I'm not quite sure what you're asking.

18 Q Okay.

19 A It was used on the Web site. Once Mr. Wallin
20 built the Web site, it was used on the Web site. It
21 may have been used in e-mails that were sent out.

9:50AM

22 Q Okay. Can you please -- on this same exhibit,
23 would you please refer to the bottom of that block that
24 we were just referring to, which lists goods or
25 services International Class 35. Do you see the last

9:50AM

1 block in that section that says specimen description? 9:50AM

2 A Yes, sir.

3 Q Okay. Could you read what it says there for me,
4 please?

5 A Mark displayed by supporter at funeral of deceased 9:50AM
6 member of the military.

7 Q Okay. And could you then turn to the very last
8 page of this application, and I'll ask you, is that an
9 example of the mark being displayed by a supporter at a
10 funeral of a deceased member of the military? 9:51AM

11 A I would assume so. It certainly, from the
12 picture, looks like the Patriot Guard Rider banner and
13 a decal, and it appears to be at a funeral.

14 Q Is that -- can you identify the person on the
15 motorcycle that bears the Patriot Guard Riders name and 9:51AM
16 logo?

17 A No, sir.

18 Q It's not you?

19 A No.

20 MS. BRU: Are we talking about the rider 9:51AM
21 in the forefront?

22 Q Talking about the rider that is riding the
23 motorcycle that bears the mark Patriot Guard Rider.

24 A There's two.

25 MS. BRU: There's two motorcycles. Are 9:52AM

1 you talking about the one with the windshield banner 9:52AM
2 or the one with some other form of the mark on the
3 right-hand back?

4 MR. MARR: In the forefront.

5 A No, sir, that's not me. 9:52AM

6 Q How about the one in the background?

7 A No, sir.

8 Q Could you please refer back to the notice of
9 opposition, which is Petitioner's Exhibit 16 and
10 Respondent's Exhibit 2. And could you please read for 9:52AM
11 me the third sentence in the first paragraph?

12 MS. BRU: On Page 3?

13 Q On Page 3.

14 A I'm sorry. Which sentence again?

15 Q Third sentence in the first paragraph. 9:53AM

16 A "The application filed by PGR, Inc., was initiated
17 by an individual who is no longer an officer or member
18 of the board of directors of that group, and who filed
19 the application without authorization and full
20 knowledge of Mr. Brown's -- or without authorization 9:53AM
21 and with full knowledge of Mr. Brown's prior rights in
22 the mark."

23 Q Who is the individual identified in that sentence?

24 A The only individual identified is Mr. Brown.

25 MS. BRU: Let's go back. Clearly he 9:53AM

1 MS. BRU: No. Interrogatory No. 10 and
2 the substantive Interrogatory No. 10 has been
3 amended. You asked about an Interrogatory 25, so we
4 had to respond to Interrogatory 25.

11:24AM

5 MR. MARR: Was there a supplementation to
6 25?

11:24AM

7 MS. BRU: I don't believe so.

8 MR. MARR: Okay. All right. Thanks.

9 (Following a short recess at 11:24 a.m.,
10 proceedings continued on the record at 11:31 a.m.)

11:31AM

11 Q I'm going to introduce Respondent's Exhibit 6,
12 which is Opposer's Responses to Applicant's Second Set
13 of Interrogatories. Do you recognize this document,
14 Mr. Brown?

15 A Yeah. I think so, yeah.

11:32AM

16 Q Okay. Could you refer back to Respondent's
17 Exhibit 4, which we discussed earlier, and specifically
18 to Interrogatory No. 10, which appears on Page 7 of
19 that document.

20 A Number 4, Interrogatory No. 10.

11:32AM

21 Q Correct.

22 A Okay.

23 Q And in light of the break, could you please read
24 again Interrogatory No. 10 for me?

25 A Answer to Interrogatory No. 10.

11:32AM

1 Q Excuse me. Just read the interrogator first. 11:32AM

2 A I'm sorry. "Interrogatory No. 10, state whether
3 opposer ever licensed, either orally or in writing, or
4 otherwise acquiesced to, applicant's use of any one of
5 the marks, and, if so, identify all persons having 11:33AM
6 knowledge of the license and/or acquiescence and the
7 circumstances surrounding the same, such as the date
8 and terms of the license and/or acquiescence and all
9 documents relating to same."

10 Q Okay. Can I ask you to read the answer to that 11:33AM
11 interrogatory, please?

12 A "Answer to Interrogatory No. 10. Petitioner
13 recalls discussing with several individuals associated
14 with applicant, that applicant could use the marks in a
15 noncommercial manner for the benefit of the applicant. 11:33AM
16 Petitioner does not recall whether this was ever made
17 in writing."

18 Q Could you read the last sentence again,
19 Petitioner?

20 MS. BRU: Objection. 11:33AM

21 Q He left out a word.

22 A Oh. "Petitioner does not recall whether this
23 license was ever made in writing."

24 Q Thank you. Now, could you refer to Respondent's
25 Exhibit No. 6 and the second page. Do you see where it 11:34AM

11:34AM

1 says "Responses to Interrogatories"?

2 A Yes.

3 Q Could you read what it says under Interrogatory
4 No. 25?

11:34AM

5 A "Provide a detailed explanation as to what opposer
6 meant and petitioner's response to applicant's first
7 request for admission, and in petitioner's answer to
8 applicant's first set of interrogatories with regard to
9 the term "noncommercial purposes" versus the term
10 "commercial purposes." See, for example, Opposer's
11 Responses to Request for Admissions Numbers 11 and 17
12 and Opposer's Answer to Interrogatory No. 10, and
13 include in the detail explanation examples of purposes
14 that would fall under the category of noncommercial
15 purposes and commercial purposes." 11:35AM

16 Q And the answer to Interrogatory No. 25?

17 A "Opposer states that the use of the term
18 'commercial purposes' relates to the use of opposer's
19 marks on any merchandise or items for sale by
20 Consumers, including, without limitation, merchandise 11:35AM
21 or items sold by or on behalf of PGR, Inc., the
22 original PGR store, any subsequent PGR store and/or
23 Twister's PGR store, as those terms are defined in
24 applicant's definitions. The use of the term
25 'noncommercial purposes' relates to the opposer's oral 11:35AM

1 license to PGR, Inc., to use the mark in a 11:35AM
2 noncommercial manner, such as use of the opposer's mark
3 on the Web site www.patriotguard.org, provided such
4 used does not resulted in physical gains, and provided
5 that PGR, Inc., agrees that it lacks authority to 11:36AM
6 transfer or permit usage of the mark or marks by any
7 other party."

8 MS. BRU: Dave, to the extent that you're
9 going to need a copy of these or more of these, we
10 would be willing to stipulate to the substantive 11:36AM
11 content of any interrogatory answer as they appear
12 in the exhibit.

13 MR. MARR: Okay.

14 Q So it's your position that you orally licensed the
15 PGR to use the mark for noncommercial purposes, is that 11:36AM
16 correct?

17 MS. BRU: Objection to the extent that it
18 calls for a legal conclusion, and I'm going to
19 instruct Jeff not to answer to the extent that it
20 would involve an attorney/client privilege 11:36AM
21 communication.

22 Q You can answer the first. You cannot disclose
23 attorney/client privilege information, but you can
24 answer my question. Is it your position that you
25 licensed the mark for noncommercial purposes to the PGR 11:37AM

1 organization?

11:37AM

2 A Yes.

3 Q Okay. And by "organization," I mean the
4 preincorporation organization.

5 A Yes.

11:37AM

6 Q Okay. And did you also give a separate license to
7 the corporation once the PGR was incorporated to use
8 the mark for noncommercial purposes?

9 MS. BRU: Objection, relevance. You can
10 answer.

11:37AM

11 A A separate, no.

12 Q So your position is that you licensed the
13 organization prior to its incorporation to use the mark
14 for noncommercial purposes?

15 A Verbally, yes.

11:38AM

16 Q But that you -- that you did not license the
17 corporation PGR Corporation?

18 A No. I did not issue a separate license.

19 Q Okay. In your opinion, did the same license that
20 you granted orally to the organization permit the
21 corporation to use the mark for noncommercial purposes?

11:38AM

22 MS. BRU: Objection. That's a legal
23 conclusion. You can answer only if you know the
24 answer.

25 A Well, I don't know what the legal definition of

11:38AM

1 commercial is. It is what's in this amended answer to 11:38AM
2 that interrogatory.

3 Q That defines commercial versus noncommercial,
4 correct?

5 A Right. 11:39AM

6 Q My question to you was: Was the PGR corporation
7 licensed, orally licensed, to use the mark for
8 noncommercial purposes?

9 MS. BRU: Same objection.

10 A Yes. 11:39AM

11 Q And was it the same oral license that permitted
12 the organization to use the mark for noncommercial
13 purposes and the corporation to use the mark for
14 noncommercial purposes?

15 MS. BRU: Same objection. 11:39AM

16 A Yes.

17 Q Okay. With one license, not two?

18 A Right.

19 Q Did the PGR organization approach you about the
20 possibility of obtaining a license to use the mark for 11:40AM
21 noncommercial purposes?

22 A For noncommercial purposes?

23 Q Yes.

24 A I don't believe so. I can't think if anyone
25 approached me regarding -- 11:40AM

1 Q Did they approach you regarding a license for 11:40AM
2 commercial purposes?

3 A Yes.

4 Q When did that occur?

5 A If I remember correctly, it would have been after 11:41AM
6 my resignation and after Jason Wallin filed the
7 trademark.

8 Q Okay. Recall that I'm using the term "PGR
9 organization" to refer to the preincorporation
10 association. 11:41AM

11 A Oh, I'm sorry.

12 Q Okay.

13 A Then, no.

14 MS. BRU: Can you ask that question again?

15 Q Sure. Did the PGR organization approach you about 11:41AM
16 the possibility of obtaining a license to use the mark
17 first for commercial purposes? That's my first
18 question.

19 A Preincorporation?

20 Q Yes. 11:42AM

21 A And the answer is no.

22 Q Okay. Does your answer change if I ask you
23 whether they approached you to use the mark for
24 noncommercial purposes?

25 MS. BRU: I don't like that question. I'm 11:42AM

1 going to ask you to ask it differently.

11:42AM

2 Q Did the PGR organization, preincorporation,
3 approach you about the possibility of obtaining a
4 license so that they could use the PGR mark for
5 noncommercial purposes?

11:42AM

6 A No, not that I can remember.

7 Q Your testimony -- you testified that you orally
8 licensed PGR, Incorporated, to use the mark for
9 noncommercial purposes, correct?

10 A Yes.

11:42AM

11 MS. BRU: I'm not sure he did testify to
12 that.

13 MR. MARR: I think he did.

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

11:43AM

16 Q I want to clarify the question that just occurred
17 here, so I'll ask the final questions again.

18 Mr. Brown, did you license the PGR
19 organization to use the mark for noncommercial
20 purposes?

11:43AM

21 A Yes.

22 Q Okay. Did you license PGR, Incorporated, to use
23 the mark for noncommercial purposes?

24 A Yes.

25 Q And the oral license which you're referring to

11:43AM

1 with regard to the organization and the corporation was 11:43AM
2 one and the same, is that correct?

3 A Yes. Let me -- if I may, my understanding of an
4 oral license is grant permission, which I did.

5 Q Okay. Do you recall whether any members of the 11:44AM
6 organization or the corporation approached you about
7 permission to use the mark?

8 MS. BRU: Asked and answered. You can
9 answer, Jeff.

10 A Commercially or noncommercially? 11:44AM

11 Q Noncommercially.

12 A Noncommercially, no.

13 Q You testified that the license, the oral license
14 you granted to the PGR organization for use of the mark
15 for noncommercial purposes was made. Therefore, could 11:44AM
16 you tell me approximately what time and/or -- and the
17 circumstances surrounding the grant of the oral license
18 that occurred, keeping in mind that the corporation was
19 formed in April?

20 MS. BRU: February. 11:45AM

21 Q February of '06.

22 A Well, from a layman's viewpoint, it would have
23 been when we launched the Web site and I said, "Here,
24 put the logo up."

25 Q Your act of saying, "Here put the logo up," was, 11:45AM

1 by your definition, a grant of the oral license to use 11:45AM
2 the mark for noncommercial purposes to the
3 organization?

4 A Yes. I don't know if I used those specific words.

5 Q Do you remember what individuals were present when 11:46AM
6 you made that statement?

7 A Well, again, I don't know if I made that exact
8 statement, but I would have -- there would have been no
9 one present. I would have, in all probability,
10 e-mailed it to Jason Wallin, who was building the Web 11:46AM
11 site. I'm sorry, I'm losing my voice.

12 Q It's all right.

13 MS. BRU: Need some water, coffee, break?

14 A I'll just get some water. So it wasn't that
15 someone -- 11:46AM

16 MS. BRU: Hang on, Jeff.

17 Q Tell me when you're ready.

18 A I'm ready.

19 Q Okay. Do you recall any other terms of the
20 license that you granted? 11:47AM

21 A To whom?

22 Q You testified that you granted a license?

23 A Are you talking organization or after
24 incorporation?

25 Q Organization. You testified that you granted an 11:47AM

1 oral license to PGR organization to use the mark for 11:47AM
2 noncommercial purposes, correct?

3 A Yes.

4 Q Do you recall any terms that were included in that
5 oral license? 11:48AM

6 A No.

7 Q Do you recall any discussions or negotiations that
8 took place prior to your granting of that license?

9 A No.

10 Q Did the organization have an attorney representing 11:48AM
11 it, or did you have an attorney representing it?

12 A No.

13 Q Was John Jacobs involved during --

14 A No.

15 Q Did you or the PGR organization seek legal advice 11:48AM
16 from an attorney before negotiating the license?

17 MS. BRU: I think he said there were no
18 negotiations.

19 Q Sorry. Strike that. Did you or the PGR
20 organization seek advice from an attorney before you 11:48AM
21 granted the oral license to the organization?

22 A No.

23 Q Why was the license oral and not written?

24 MS. BRU: Objection, relevance. You can
25 answer. 11:49AM

1 A At that time, I was the organization. 11:49AM

2 Q You, as an individual, were the organization?

3 A I founded the organization and came up with the

4 logo and said, Jeff, why don't you use that.

5 Q You said it to yourself, Jeff? 11:49AM

6 A Well, I'm being facetious, but --

7 Q There were no other members of the organization at

8 the time that you granted the oral license?

9 A At the time that I came up with the logo, I don't

10 know that anyone else had joined. 11:49AM

11 Q What about at the time that you granted the oral

12 license to the organization for use on noncommercial

13 purposes?

14 A Well, it would have been Jason Wallin that put it

15 on the Web site. 11:50AM

16 Q Was he a member of the organization at that time?

17 A Yes.

18 Q So you weren't the only individual in the

19 organization at the time that you granted the oral

20 license? 11:50AM

21 A No, I was not the only member when I sent it to

22 Jason Wallin, obviously, but at the time that I came up

23 with the logo, I very possibly could have been the only

24 member.

25 Q That's fine. I understand that. I'm asking you 11:50AM

1 questions about at the time that you granted the oral 11:50AM
2 license.

3 A If I designed the logo, and I said to myself, I'm
4 going to put this -- this is going to be the logo for
5 the organization, that is, in my mind, granting 11:50AM
6 permission, even if it's to me. I don't know what
7 you're asking me, Mr. Marr.

8 Q Let me break it down. Was there or was there not
9 an organization in place at the time that you granted
10 the oral license for noncommercial purposes to the 11:51AM
11 organization?

12 A Well, again, if I designed the logo, I don't
13 remember whether anyone else had already joined when I
14 did that or not. I cannot remember.

15 Q And you don't remember any other terms or 11:51AM
16 provisions in the oral license?

17 A No, other than it was strictly for noncommercial
18 use at the time I sent it over to be used on the Web
19 site, if that's what you're considering the time that
20 the license started or was issued. Other than it was 11:51AM
21 noncommercial, there were no other stipulations.

22 Q Was the license an exclusive license or
23 nonexclusive license?

24 MS. BRU: Objection. Calls for a legal
25 conclusion. If you want to define those terms. 11:52AM

1 Q Did you intend to permit only the PGR organization 11:52AM
2 to use the mark for noncommercial purposes, or did you
3 intend that you would grant other oral licenses to
4 other parties to use the mark?

5 A I don't think I really thought that far ahead on 11:52AM
6 it.

7 Q Could the oral license be transferred by the
8 organization to another party?

9 A I, again, don't think I thought that far ahead on
10 it. 11:52AM

11 Q Was there any restriction with regard to which
12 geographical area of the United States the corporation
13 could use the license?

14 MS. BRU: Objection to the extent it calls
15 for a legal conclusion. 11:53AM

16 Q You can answer the question.

17 A These are all questions that, in my mind, would
18 have required a great deal more preparation than I have
19 put into this.

20 Q Did you receive any consideration, money or 11:53AM
21 otherwise, for granting the oral license?

22 A No.

23 Q Did the PGR organization somehow acknowledge that
24 they had received the license to use the mark?

25 MS. BRU: Objection, relevance. You can 11:53AM

1 answer.

11:53AM

2 A Not that I recall. I mean, Jason may have said,
3 "Hey, I got it."

4 Q Did you dictate how and where the organization
5 used the mark? And I will specify again for
6 noncommercial purposes.

11:54AM

7 A I think later on I probably -- I can't think of a
8 circumstance, but I'm not quite sure. I feel like I
9 did, but I can't think of a specific instance.

10 Q Did the PGR organization agree to maintain a
11 consistent level of quality in its use of the mark for
12 noncommercial purposes?

11:54AM

13 MS. BRU: Objection, relevance.

14 Q And if so, what would that quality be?

15 MS. BRU: Same objection.

11:55AM

16 A They -- no.

17 Q Did you advise the organization that you would be
18 monitoring their use of the mark under the license?

19 MS. BRU: Objection, relevance. You can
20 answer.

11:55AM

21 A No.

22 Q You identified Jason Wallin as an individual who
23 would have knowledge of the oral license. Are there
24 any other individuals who would have knowledge of the
25 license?

11:55AM

1 A I would think anyone that went to the Web site and 11:55AM
2 saw the logo being used.

3 Q And you have no written documents evidencing the
4 oral license?

5 A No. 11:55AM

6 Q No other type of documentation or use, audio or
7 video recordings, nothing evidencing the oral license?

8 A Not that I can think of.

9 Q Was there a term on the license, that it lasts for
10 a certain period of time? 11:56AM

11 A At one point -- probably at more than one point,
12 but during preliminary negotiations after my
13 resignation with PGR corporate, I had put a one-year
14 term on use of the logo renewal annually.

15 Q That was a license you proposed after your 11:56AM
16 resignation from --

17 A Yes, those offers were not accepted.

18 Q With regard to the oral license for noncommercial
19 purpose that you did grant to the organization, which
20 is the same license you testified that was granted to 11:57AM
21 the corporation, were there any termination provisions?
22 Could either party end the license?

23 A No.

24 Q Were there any sort of notices that were to be
25 provided in connection with the license or a breach 11:57AM

1 thereof?

11:57AM

2 MS. BRU: Objection, relevance.

3 A I'm not sure I understand what you mean.

4 Q If, for example, the corporation decided they no

5 longer wanted to use the mark, did it have to provide 11:57AM

6 you notice that it no longer --

7 A No.

8 Q Do you understand the term "good will" as it

9 applies to trademarks?

10 MS. BRU: Objection to the extent it calls 11:58AM

11 for a legal conclusion. If you know, you can

12 answer.

13 A No.

14 Q When the PGR organization incorporated in February

15 of 2006, was there any sort of written acknowledgment 11:58AM

16 of the existence of the oral license?

17 A I don't know.

18 MR. MARR: Okay. Let's go off the record

19 for a second.

20 (Following a lunch recess at 11:58 a.m., 1:10PM

21 proceedings continued on the record at 1:11 p.m.)

22 Q I'd like to introduce Respondent's Exhibit No. 7,

23 take a quick look at those, Mr. Brown. It's a group of

24 documents that relate to the incorporation of the

25 Patriot Guard Riders. Do these documents look familiar 1:11PM

1 things of that nature.

1:14PM

2 Q Okay.

3 A And there was also some -- I guess some impetus to
4 become more structured.

5 Q Was the decision to incorporate yours?

1:14PM

6 A Well, I'm sure it wasn't mine alone.

7 Q Other individuals were involved?

8 A I'm sure.

9 Q Do you recall who?

10 A I would imagine Jason Wallin, probably Kurt Mayer. 1:14PM

11 Q Okay.

12 A I can't think of anyone else right offhand, but
13 there may have been.

14 Q Okay. Could you look at the third page of the

15 document I just handed you, Exhibit 7. And it's a 1:15PM

16 little bit hard to make out because of the photocopies.

17 But right about a fourth of the way down the page it

18 says "purpose." Do you see that in the shaded area?

19 A Yes, sir.

20 Q Can you read what it says there, please?

1:15PM

21 A "This nonprofit corporation is organized and

22 operated exclusively for charitable purposes,

23 including, for such purposes, the making of

24 distribution to organizations that qualify as exempt

25 organizations under Section 501(c)(3) of the Internal 1:15PM

1 Revenue Code or the corresponding section of any future 1:15PM
2 federal tax code. This corporation does not have the
3 authority to issue capital stock. This corporation is
4 not for profit and, as such, the corporation does not
5 afford the pecuniary gain, incidentally or otherwise, 1:16PM
6 to its members."

7 Q Thank you. In light of the fact that you appear
8 to be losing your voice a little bit, I'm going to try
9 to -- if it's all right with your counsel, I'm going to
10 try to read certain parts of this and other documents 1:16PM
11 that I still have to go here, and I'll ask you then
12 after I read it, whether that's correct.

13 A Okay. Thank you.

14 Q Towards the bottom of that page, there's a number
15 of names listed as incorporators, do you see that? 1:16PM

16 A Yes, sir.

17 Q And the first name is Jeffrey A. Brown. That's
18 you, correct?

19 A Yes, sir.

20 Q Kurt Mayer is the second name and Jason Wallin is 1:17PM
21 the third name?

22 A Yes.

23 Q And they're all listed as incorporators, correct?

24 A Yes.

25 Q Now, on the following page, there is a list of 1:17PM

1 three directors. Again, yourself, Kurt Mayer and Jason 1:17PM
2 Wallin, correct?

3 A Yes.

4 Q Okay. At the time of incorporation here, did you
5 advise Kurt Mayer and Jason Wallin of the oral license 1:17PM
6 that we discussed prior to lunchtime?

7 A No.

8 Q Okay. Did you sign this document on -- I'm sorry,
9 strike that. Could you turn to the last page of this
10 group of documents, which is identified as PGR 000694? 1:18PM
11 Do you see your signature at the bottom there?

12 A Yes.

13 Q So you signed it Jeffrey A. Brown as president of
14 Patriot Guards Incorporated, correct?

15 A Yes. 1:18PM

16 Q Okay. The store, the PGR store that we discussed
17 earlier --

18 MS. BRU: Is that a general use of that
19 term?

20 Q I apologize. The PGR store that was operated by 1:18PM
21 you, that was external to the PGR organization Web
22 site, do you understand which store I'm referring to?

23 A I think so.

24 Q We're going to call that the PGR store. Did there
25 come a time that you decided to incorporate that store? 1:19PM

1 quorum was present." Is that correct? 1:28PM

2 A Yes.

3 Q Did you ever make such a disclosure to the board
4 in connection with the incorporation of the PGR store,
5 LLC? 1:28PM

6 A No.

7 Q Did you feel that you were obligated to make such
8 a disclosure in light of the terms of this Article 11?

9 A No.

10 Q Why didn't you feel you had an obligation to 1:29PM
11 disclose your interests in the PGR store, LLC?

12 A Because it was not relative to it. Additionally,
13 the PGR store was set up as an LLC prior to this.

14 Q Okay.

15 A There was no conflict. There was no contract. 1:29PM

16 Q When did you attend your first group ride for a
17 fallen military member?

18 A With the Patriot Guard Riders or any?

19 Q Any.

20 A Sometime around -- if I'm not mistaken, sometime 1:30PM
21 around the middle of the year in 2005.

22 Q Okay. Was that mission organized by a group?

23 A Yes.

24 Q Do you recall the name of the group?

25 A Well, there was several groups represented there. 1:30PM

1 The people that seemed to have set it up or seemed to 1:31PM
2 be in charge, the American Legion Riders.

3 Q Was there a group there that was identifying
4 itself as the Patriot Guard?

5 A No. 1:31PM

6 Q Was there a group there that was identifying
7 itself as the Kansas Patriot Guard?

8 A No.

9 Q Did you ever attend a mission that was organized
10 by a group identifying themselves as the Patriot Guard? 1:31PM

11 A I think what you're referring to is about the
12 second, maybe the third one that I attended, and
13 someone said Kansas Patriot Guard, but they didn't say
14 that's the name of the group or anything else. It was
15 more of a description of what they were doing. 1:31PM

16 Q It wasn't the name of a group, it was merely a
17 description. Is that what you said?

18 A A description of what they were doing. We're here
19 to guard this family.

20 Q Would that have been the summer of '05 as well? 1:32PM

21 A Probably the fall.

22 Q The fall of '05?

23 A Yeah.

24 Q Okay. So you had heard the name Patriot Guard?

25 A Yes. 1:32PM

1 Q Before you coined the term "Patriot Guard Riders"? 1:32PM

2 A Yes. I had heard the words "Patriot Guard." It
3 was not used in the context of the name of an
4 organization or group or anything else.

5 Q But the location where you heard or the event -- 1:33PM
6 strike that. The event where you heard the term
7 "Patriot Guard" was at a military funeral?

8 A Well, it was at a funeral for a fallen soldier.

9 Q For a fallen soldier?

10 A Yes. 1:33PM

11 Q Okay.

12 A And it was Kansas Patriot Guard is what I heard.

13 Q Kansas Patriot Guard?

14 A Yeah.

15 Q All three words, not just Patriot Guard? All 1:33PM
16 three words?

17 A Yes.

18 Q Did you ever contact that group, the Kansas
19 Patriot Guard, with the idea of forming a national
20 movement? 1:33PM

21 A There was no group Kansas Patriot Guard. I
22 contacted the American Legion Riders out of Mulvane,
23 Kansas.

24 Q Out of --

25 A Mulvane, Kansas. 1:34PM

1 Q Okay.

1:34PM

2 A At a funeral in Edmond, Oklahoma. I met up with
3 them.

4 Q So your adoption of the term Patriot Guard into
5 the mark Patriot Guard Riders, in your opinion, did
6 that require the permission of the group, the Kansas
7 Patriot Guard?

1:34PM

8 A No, because there was no group Kansas Patriot
9 Guard. There was the American Legion Riders out of
10 Mulvane, Kansas.

1:35PM

11 Q And I don't understand. I'm not arguing with you.
12 I don't understand. When did you hear the term "Kansas
13 Patriot Guard"? To me, it seems like it identifies a
14 group.

15 MS. BRU: I think he's testified a couple
16 times there was no group. He testified -- the
17 transcript will show what he testified, but that is
18 not what he said.

1:35PM

19 Q Did you testify that the American Legion Riders
20 were using the term "Kansas Patriot Guard" to describe
21 their activities?

1:35PM

22 A I don't recall exactly what was said --

23 Q Uh-huh.

24 A -- but my impression was that I just had an
25 overall impression of it being a descriptive adjective

1:35PM

1 for what they intended to do, to guard the family from 1:36PM
2 the Westboro Baptist Church or any other protestors.

3 Q The guard portion of that word describes guarding,
4 the patriot portion of that phrase describes --

5 A I can't answer that. I'm not going to get into 1:36PM
6 the semantics.

7 Q I was just curious.

8 A I'm just telling -- I'm just telling you my
9 impression of it.

10 Q Yeah, I understand. I'm just trying to understand 1:36PM
11 why you would form that impression that -- so I'm
12 asking you what about what they were doing left you
13 with the impression that that described a
14 characteristic or a function of their involvement?

15 A I don't know. I can't -- but it was -- I 1:36PM
16 distinctly remember it was the American Legion Riders
17 out of Mulvane, Kansas. That's what they were called.
18 I was actually invited to ride up there, not by them,
19 but by Rolling Thunder.

20 Q Rolling Thunder? 1:37PM

21 A Out of Coweta. It just so happened that they met
22 with the group from Mulvane.

23 Q During your term as a corporate officer and
24 president of the Patriot Guard Riders, Incorporated,
25 did you claim that the organization was a 501(c)(3) 1:37PM

1 A I'm assuming he is. He purports to be.

3:25PM

2 Q Do you know if he's ever been on the board of
3 directors with PGR?

4 A I have no idea. Looks like here his name is Ray
5 instead of Ron.

3:25PM

6 Q I think that -- is that not Raymond and Pam
7 Russell?

8 A Oh, could be, yeah.

9 Q Who are Raymond and Pam Russell?

10 A PGR members, I'm assuming.

3:25PM

11 Q Okay. Do you have any formal training or
12 education about trademarks?

13 A No.

14 Q About licenses?

15 A No.

3:26PM

16 Q Are you a lawyer?

17 A No.

18 Q When you gave the organization as opposed to the
19 corporation -- when you gave the organization

20 permission to use the mark, the logo, who was the
21 leader of your organization at that time?

3:26PM

22 A I was.

23 Q Did you, as the individual owner of the logo,
24 grant yourself, as the leader of the organization, the

25 logo?

3:26PM

1 A Did I grant them?

3:26PM

2 Q Did you take off an owner hat, an individual hat,
3 and put on a PGR hat and give the organization
4 permission to use the logo?

5 A Yes.

3:27PM

6 Q Did you think that you could terminate the
7 permission to use the logo at any time the
8 organization -- let me rephrase that. Did you think
9 that you could terminate the organization's permission
10 to use the logo at any time?

3:27PM

11 A Well, at the time, I considered myself to be the
12 owner of the logo. I was the executive director of the
13 organization, so I could have stopped using it or
14 terminated it, depending on which hat I had on at any
15 time.

3:27PM

16 Q What was your intent in giving PGR organization
17 permission to use the logo for noncommercial purposes?

18 A It was just to be a symbol, a graphic symbol of
19 what the organization hopefully would become, so that
20 when people saw, they would know who we were.

3:28PM

21 Q Why did you resign from PGR, Incorporated?

22 A In a very brief capsulized reason, I had a
23 no-confidence vote from the board of directors and what
24 amounted to a three-to-two vote. I could have voted
25 and tied with Jason Wallin, controlled the servers and

3:28PM

SIGNATURE PAGE

I, Jeff Brown, do hereby certify that the foregoing deposition was presented to me by Marlene Percefull as a true and correct transcript of the proceedings in the above-styled and numbered cause, and I now sign the same as true and correct.

Witness my hand this 12/15/08 day of

_____, 2008.

[Handwritten Signature]

Jeff Brown

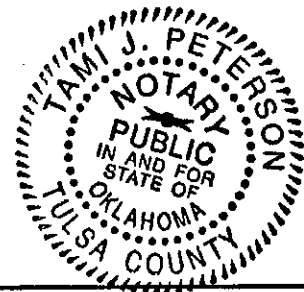
SUBSCRIBED AND SWORN TO before me

this 15th day of December, 2008.

[Handwritten Signature]

Notary Public

My Commission Expires: 11-8-10
#02018791



**CORRECTIONS TO THE DEPOSITION OF JEFF BROWN
OCTOBER 14, 2008**

Page No./Line No.	Correction
15/3	Change "deal" to "steal"
46/1	Change "Mr. Brown" to "Mr. Jacobs"

IN THE UNITED STATE PATENT & TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

JEFF BROWN,

Petitioner

v.

PATRIOT GUARD RIDERS, INC.,

Applicant

) CANCELLATION NO.: 91181448
)
) TRADEMARK: PATRIOT
) GUARD RIDERS AND DESIGN
)
) APPLICATION NO. 77/040379
)
) DATE FILED: NOVEMBER 9,
) 2006

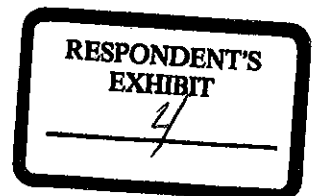
PETITIONER'S ANSWER TO APPLICANT'S FIRST SET OF INTERROGATORIES

Petitioner, Jeff Brown, submits his responses to Applicant Patriot Guard Riders First Set of Interrogatories.

Objections to Introductory Material, Definitions, and Instructions Contained in Applicant's First Set of Interrogatories.

1. Petitioner objects to the definitions and instructions contained in Applicant's First Set of Interrogatories to the extent those definitions and instructions seek to impose duties or obligations on Petitioner in addition to or different from those imposed or authorized by the Federal Rules of Civil Procedure the Patent and Trademark Board Rules of Practice. Furthermore, as written, those definitions and instructions are overly broad and unduly burdensome.

2. Petitioner will provide responses according to the Federal Rules of Civil Procedure and the Patent and Trademark Board Rules of Practice. Petitioner considers its obligations to be governed by those rules, and specifically disclaims the acceptance of any additional obligations imposed by your definitions and instructions. For example, Petitioner's



supplementation duties are governed by those rules. Petitioner objects to the supplementation instructions contained in your introductory matter and instructions.

3. Petitioner specifically objects to paragraph 1 of your Definitions insofar as it unreasonably expand the definition of the parties. For example, Rule 33(a) provides the basis for determining what information is available to a party. Petitioner objects to your definitions insofar as it would alter the meaning of Rule 33(a).

4. Petitioner specifically objects to paragraphs 17-20 of your Definitions insofar as, given the context of any particular interrogatory, there may be more appropriate and less burdensome manners to "identify" the requested information.

5. Petitioner specifically objects to paragraph 27 of your Instructions on the basis that the instruction is contrary to Rule 33. Petitioner will state its objections in compliance with Rule 33. Petitioner's privilege objections are governed by Rule 33 and Rule 26, in particular Rule 26(b)(5), as well as relevant case law interpreting those rules.

6. Petitioner specifically objects to producing any document or providing any information that discloses a confidential communication made for the purpose of facilitating the rendition of professional legal services. Petitioner objects to the extent any request seeks privileged information or information protected by the work product doctrine.

7. Petitioner will exercise the option to produce documents for inspection as they are kept in the usual course of business or organize or label them to correspond with the categories in the requests. See Rule 34(b). Any responsive documents which Petitioner has agreed to produce will be produced as agreed between the parties.

8. Petitioner specifically objects to producing any document that is not relevant to the claim or defense of any party, is not admissible at trial, and does not appear reasonably calculated to lead to the discovery of admissible evidence.

Each of these objections is incorporated in each particular response. This is primarily for brevity, since it adds nothing to the objection to reprint it on a subsequent page. Where more specific problems are presented by an interrogatory, an objection will be made that describes the additional problems presented by the interrogatory.

INTERROGATORY NO. 1: Identify all persons providing any information to answer these Interrogatories, as well as the nature of each person's knowledge relating to these Interrogatories.

ANSWER TO INTERROGATORY NO. 1: Petitioner responds as follows:

Jeff Brown c/o Tom Q. Ferguson and Rachel E. Blue Doerner, Saunders, Daniel & Anderson, L.L.P. 320 S. Boston Ave, Suite 500, Tulsa, OK 74103 (918)582-1211	Knowledge regarding the use and creation of the marks, communications between the parties; and other matters related to this dispute
---	--

INTERROGATORY NO. 2: Identify each consultant, advisor or expert who has been retained or specifically employed by Opposer, Opposer's attorney, or anyone acting on Opposer's behalf, with respect to any issue raised by the documents in this action, in anticipation of litigation, opposition with the Trademark Trial and Appeal Board, or preparation for trial and who is not expected to be called as a witness at trial.

ANSWER TO INTERROGATORY NO. 2: No such persons have been retained at this time.

INTERROGATORY NO. 3: State the alleged date(s) (*month, day and year*) that Opposer, individually, and not on behalf of Applicant, first selected and adopted one or more of the Marks and produce documentation to support same.

ANSWER TO INTERROGATORY NO. 3: Petitioner first selected and adopted the marks sometime after participating in the "Run for the Wall" event in 2005. Petitioner cannot recall the exact date he selected or adopted the marks.

INTERROGATORY NO. 4: State how Opposer, individually, and not on behalf of Applicant, performed "association services, namely, promoting the interests of families of deceased military members and families of deceased veterans", as declared in Opposer's trademark application.

ANSWER TO INTERROGATORY NO. 4: After attending two or three military funerals with other motorcycle riders and veterans groups, Petitioner decided a nationwide Internet site to disseminate information regarding the information about upcoming funerals would allow more people across the country to participate and show their appreciation for sacrifices made by American men and women who have paid the ultimate price in the defense of the country's freedom. Petitioner started an email campaign to recruit members of a new organization which would ultimately become the Patriot Guard Riders. Petitioner also worked with other new members to develop a website, and an organizational structure to promote the processing of data for the funerals. Over the next several months Petitioner designed, researched, funded and shipped various commercial products that gave the Patriot Guard Riders recognition all over the world and provided substantial financial support to the organization. Petitioner has ridden to well over 100 honor mission across the country to honor America's fallen heroes and continues to do so.

In August of 2006, Petitioner paid for most of the cost and worked with other Patriot Guard Riders members to set up and run "The Healing Fields" in Sturgis, South Dakota. Petitioner helped promote and covered most of the costs for the 2006 Gathering of the Guards in Claremore, Oklahoma. Petitioner purchased thousands of 3 X 5 foot American flags and poles that were distributed to Patriot Guard Riders members across the country to hold in flag lines at military funerals. Petitioner spent countless hours on the phone and in email correspondence with Patriot Guard Riders members, soldiers families, law enforcement officials and others involved in the missions. In May of 2006, Petitioner paid for himself and five other Patriot Guard Riders leaders and their wives to fly to Washington DC and meet with President Bush as his guests and attend the signing ceremony of the "Respect For America's Fallen Heroes Act." Petitioner designed and paid for the manufacturing and shipping of hundreds of plaques to be given to the families of fallen soldiers. Petitioner continues to promote the Patriot Guard Riders so that more people will join and pay tribute to American men and women in uniform.

INTERROGATORY NO. 5: Identify the corporation, organization, association or other entity that Opposer was the "Executive Director" of, as declared in the signature block of Opposer's trademark application.

ANSWER TO INTERROGATORY NO. 5: When Petitioner filed the application, he intended to file the application in his individual capacity, not as a formal representative of any entity. Petitioner was directed to refer to himself as Executive Director by counsel, nonetheless both counsel and Petitioner intended for the application to be filed in Petitioner's individual capacity.

INTERROGATORY NO. 6: Describe John Jacobs personal and/or professional relationship to Opposer and to Applicant from the time of the formation of the PGR organization until the time of the filing of the present Opposition.

ANSWER TO INTERROGATORY NO. 6: To the extent this interrogatory seeks information protected by the attorney/client privilege or the attorney work product doctrine, Petitioner objects. Without waiving this objection, Petitioner states that the relationship was that of attorney/client.

INTERROGATORY NO. 7: Describe the circumstances and relevant information surrounding Opposer's decision to file Opposer's trademark application.

ANSWER TO INTERROGATORY NO. 7: To the extent this interrogatory seeks information protected by the attorney/client privilege or the attorney work product doctrine, Petitioner objects. Without waiving this objection, Petitioner decided to file his trademark application to aid in the protection of his rights in the Marks.

INTERROGATORY NO. 8: Explain Opposer's basis for alleging in the Opposition that Opposer, individually, had earlier use of the mark PATRIOT GUARD RIDERS RIDING WITH RESPECT in commerce, as compared to Applicant's use of the mark PATRIOT GUARD RIDERS RIDING WITH RESPECT, and why Opposer's supposed earlier use, claimed in the Opposition to be "at least as early as 2005", did not inure to the benefit of, or was not on behalf of, Applicant.

ANSWER TO INTERROGATORY NO. 8: Petitioner objects to the extent this interrogatory seeks a legal conclusion. Without waiving this objection, Petitioner states that his use of the Marks was prior to the use of the Marks by the Applicant. Moreover, Petitioner created the marks and used them on his own behalf.

INTERROGATORY NO. 9: Explain Opposer's basis for alleging in the Opposition that the individual who filed Applicant's first trademark application had full knowledge of Opposer's prior, individual rights, in the mark PATRIOT GUARD RIDERS RIDING WITH RESPECT.

ANSWER TO INTERROGATORY NO. 9: Upon information and belief, Mr. Jason Wallin filed the Applicant's trademark application. Mr. Wallin was aware of Petitioner's ownership of the marks as Mr. Wallin and Petitioner had several discussions regarding Petitioner's ownership of the marks.

✕ **INTERROGATORY NO. 10:** State whether Opposer ever licensed, either orally or in writing, or otherwise acquiesced to, Applicant's use of any one of the Marks and, if so, identify all persons having knowledge of the license and/or acquiescence and the circumstances surrounding same, such as the date and terms of the license and/or acquiescence, and all documents relating to same.

ANSWER TO INTERROGATORY NO. 10: Petitioner recalls discussing with several individuals associated with Applicant that Applicant could use the Marks in a non-commercial manner for the benefit of Applicant. Petitioner does not recall whether this license was ever made in writing.

INTERROGATORY NO. 11: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the coining of the name "PATRIOT GUARD RIDERS", and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 11: Petitioner recalls hearing someone use the words "Kansas," "patriot" and "guard" to describe the efforts of individuals to show support at military funerals and to prevent the actions of protestors from interfering with the funerals.

Ultimately Petitioner decided "Patriot Guard Riders" would be an appropriate name for the organization Petitioner was forming.

INTERROGATORY NO. 12: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the forming of the Patriot Guard Riders organization, and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 12: After participating in the "Run for the Wall" event in 2005, Petitioner experienced a new sense of patriotism and pride in his status as a Vietnam era veteran. Some of Petitioner's associates from the Rolling Thunder Chapter 3 in Coweta, Oklahoma, ("Rolling Thunder Associates") contacted Petitioner and told him that there was a group from Topeka, Kansas that would be protesting at a soldier's funeral in Broken Arrow, Oklahoma. These Rolling Thunder Associates stated that they had been contacted by American Legion Riders in Mulvane, Kansas to join them in keeping the protestors from disrupting the funeral service. The Rolling Thunder Associates asked Petitioner to ride with them, which Petitioner did. After that event, Petitioner rode in a similar manner in two or three more funerals.

At a later date, after hearing about a similar protest planned at a funeral in Edmond, Oklahoma by the Westboro Baptist Church, Petitioner was unable to find any further details about the funeral services and resorted to using the Westboro Baptist Church website to obtain the information. During the trip to Edmond to attend the funeral, Petitioner decided to use the Internet to set up a nationwide network and information center designed to alert other bikers and veterans of upcoming military funerals in an effort to increase participation and to express to the families of the service members that their loss was shared and appreciated.

Upon arriving at the service in Edmond, Petitioner located members of the American Legion Riders from Mulvane, Kansas and discussed his idea with them. They indicated interest. After returning home that evening, Petitioner drafted an email detailing his plans and sent the email to various motorcycle and veterans organizations across the country. He received reply emails in support of his idea almost immediately.

One such reply came from Jason Wallin, who indicated that he was an IT specialist. Mr. Wallin offered to build and host a website. On November 11, 2005 Mr. Wallin indicated that he has registered the domain www.patriotguard.org and the website was registered in Petitioner's name.

INTERROGATORY NO. 13: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the registering and development of the website www.patriotguard.org, and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 13: Petitioner refers Applicant to Petitioner's Answer to Interrogatory No. 12.

INTERROGATORY NO. 14: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the formation of the original PGR store, and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 14: Shortly after receiving emails of support as described in Answer to Interrogatory No. 12, Petitioner received emails asking if Petitioner could design a PGR patch. Petitioner designed the patch and sent the design to the American Patch and Emblem Company for production quotes. Petitioner's wife, Bonnie Brown formed a new company to operate the store.

INTERROGATORY NO. 15: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the formation of PGR Store LLC, including why Opposer's wife was chosen to be the registered agent for PGR Store, LLC, instead of Opposer himself, and further including what role Opposer has had in the operation of PGR Store LLC, and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 15: Petitioner refers Applicant to Answer to Interrogatory No. 14. In addition, Petitioner's role in the operation of the store included the use of the couple's personal savings to finance the start-up of the store. Petitioner handled most of the original product design work with his wife's input. Together the couple did the packaging. Shipping and other administrative tasks.

INTERROGATORY NO. 16: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the formation of the subsequent PGR store, including the registering and development of the website www.patriotguardstore.org, and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 16: After receiving a request for a Patriot Guard Rider patch, in approximately November of 2005, Petitioner designed a patch, researched and chose a manufacturer and placed an initial order. Petitioner received a positive response and requests for other products, and accordingly created the store. Petitioner does not recall the creation date of the website. Mr. Jason Taucher created the website for Petitioner.

INTERROGATORY NO. 17: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the formation of Twister's PGR store, and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 17: The word "Twister's" was added to the original store to avoid confusion with the store run by Patriot Guard Riders, Inc.

INTERROGATORY NO. 18: Explain what statements or other indicia appeared on either the original PGR store or the subsequent PGR store that would indicate to visitors of either the original PGR store or the subsequent PGR store, that Opposer was operating the stores as an individual, and not as a part of either the PGR organization or the PGR corporation.

ANSWER TO INTERROGATORY NO. 18: There were several posts on the PGR forums stating that the store was a privately owned, for-profit business. Upon information and belief these posts have been deleted from the PGR website. Upon information and belief the website also contained language indicating ownership.

INTERROGATORY NO. 19: Explain what statements or other indicia appeared on either the original PGR store or the subsequent PGR store that would indicate to visitors of either the original PGR store or the subsequent PGR store, that Opposer, as an individual, rather than either the PGR organization or the PGR corporation, was the owner of one or more of the Marks.

ANSWER TO INTERROGATORY NO. 19: Upon information and belief, the website did indicate ownership, however Petitioner does not recall the exact language used.

INTERROGATORY NO. 20: Explain what statements or other indicia appeared on invoices received by customers of either the original PGR store or the subsequent PGR store that would indicate to the customers that Opposer was operating the stores as an individual, and not as a part of either the PGR organization or the PGR corporation.

ANSWER TO INTERROGATORY NO. 20: The invoices indicated that payments should be made payable to "Bonnie Brown."

INTERROGATORY NO. 21: Explain what statements or other indicia appeared on invoices received by customers of either the original PGR store or the subsequent PGR store that would indicate to the customers that Opposer, as an individual, rather than either the PGR organization or the PGR corporation, was the owner of one or more of the Marks.

ANSWER TO INTERROGATORY NO. 21: The invoices indicated that payments should be made payable to "Bonnie Brown."

INTERROGATORY NO. 22: State what type of entity Opposer believes the PGR organization to have been and what Opposer's role was in that entity, and provide all documentation to support same.

ANSWER TO INTERROGATORY NO. 22: The group originated as a network of individuals interested in acting as guards for veteran's funerals. Until the date of incorporation, the organization was an unincorporated entity. The organization was subsequently incorporated as a not-for-profit corporation. Petitioner's role has changed over the years from founder, to executive director to member.

INTERROGATORY NO. 23: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the forming of the Patriot Guard Riders corporation, and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 23: To the extent this interrogatory seeks information protected by the attorney/client privilege or the attorney work product doctrine, Petitioner objects. Without waiving this objection, incorporation of the entity progressed naturally from the rapid growth of the organization and from the desire of many individuals to make donations to the organization.

INTERROGATORY NO. 24: Provide a complete and thorough explanation as to why any use by Opposer of one or more of the Marks was not done of behalf of, or would not inure to the benefit of, Applicant.

ANSWER TO INTERROGATORY NO. 24: Petitioner objects to the extent this interrogatory seeks a legal conclusion. Without waiving this objection, Petitioner states that he created and used the marks prior to the incorporation or formalization of Patriot Guard Riders Inc. to identify himself as a source for the products he offered and the association services he created as an individual.

DOERNER, SAUNDERS, DANIEL
& ANDERSON, L.L.P.

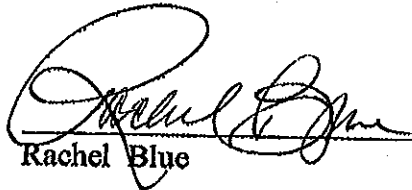
By: 

Tom Q. Ferguson, OBA No. 12288
Rachel Blue, OBA No. 16789
320 South Boston Avenue, Suite 500
Tulsa, Oklahoma 74103-3725
Telephone (918) 582-1211
Facsimile (918) 591-5360
tferguson@dsda.com
rblue@dsda.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 6th day of June, 2008, a true and correct copy of the above and foregoing Petitioners Answer to Applicant's First Set of Interrogatories was sent via electronic delivery to DMarr@trexlaw.com and mailed, with proper postage thereon, to:

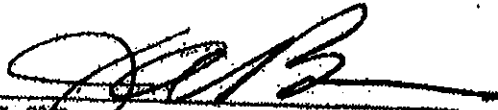
David J. Marr
James R. Foley
James A. O'Malley
TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.
105 West Adams Street, 36th Floor
Chicago, IL 60603


Rachel Blue

1021842.1

VERIFICATION

State of Oklahoma)
) ss:
County of Tulsa)

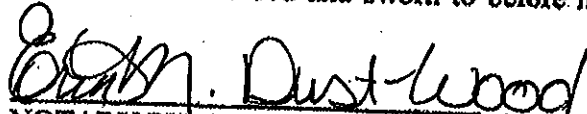


Jeff Brown

The above-named person being duly sworn on oath states that he has read the foregoing Answers to Interrogatories and provided the answers given therein.

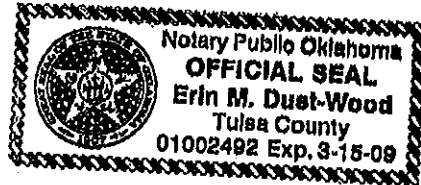
 The foregoing Answers to Interrogatories were subscribed and sworn to before me this day of June, 2008.

(seal)
My commission expires:



NOTARY PUBLIC

1021895.1



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

JEFF BROWN,

OPPOSER,

v.

PATRIOT GUARD RIDERS, INC.,

APPLICANT.

OPPOSITION NO. 91181448
SERIAL NO. 77/040,379

RECEIVED

AUG 25 2008

TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.

**OPPOSER'S RESPONSES TO
APPLICANT'S SECOND SET OF INTERROGATORIES**

Opposer Jeff Brown hereby submits his responses to Applicant's Second Set of Interrogatories.

General Objections

1. Opposer objects to the Definitions contained in Applicant's Second Set of Interrogatories to the extent those Definitions, and any instructions set forth therein, seek to impose duties or obligations on Opposer in addition to or different from those imposed or authorized by the Federal Rules of Civil Procedure and the Patent and Trademark Board Rules of Practice. Furthermore, as written, the Definitions, and any instructions set forth therein, are overly broad and unduly burdensome.

2. Opposer will provide responses according to applicable Federal Rules of Civil Procedure and Patent and Trademark Board Rules of Practice. Opposer considers its obligations to be governed by those Rules, and specifically disclaims the acceptance of any additional obligations imposed by the Applicant. Opposer specifically states that his duty to supplement is governed solely by these Rules.

RESPONDENT'S
EXHIBIT

6

3. Opposer specifically objects to paragraph 1 of the Definitions insofar as it unreasonably expands the identity of the Opposer, Jeff Brown.

4. Opposer specifically objects to paragraphs 17-20 of the Definitions insofar as, given the context of any particular Interrogatory, there may be a more appropriate and less burdensome manner in which to "identify" the requested information.

5. Opposer specifically objects to paragraph 27 of the Definitions on the basis that it contains an instruction that is contrary to the Federal Rules of Civil Procedure. Opposer will state his objections in compliance with Federal Rule 33. Opposer's privilege obligations are governed by Federal Rules 33 and 26, in particular Rule 26(b)(5), as well as relevant case law interpreting those Rules.

Responses to Interrogatories

INTERROGATORY NO. 25: Provide a detailed explanation as to what Opposer meant in "*Petitioner's Response to Applicant's First Request for Admission*" and in "*Petitioner's Answer to Applicant's First Set of Interrogatories*" with regard to the term "non-commercial purposes" versus the term "commercial purposes" (see, for example, Opposer's Responses to Request for Admission Nos. 11 and 17 and Opposer's Answer to Interrogatory No. 10); and include in this detailed explanation examples of purposes that would fall under the category of "non-commercial purposes" and "commercial purposes."

ANSWER TO INTERROGATORY NO. 25: Opposer states that the use of the term "commercial purposes" relates to the use of Opposer's mark(s) on any merchandise or items for sale by consumers, including, without limitation, merchandise or items sold by or on behalf of PGR, Inc., the "original PGR store," any "subsequent PGR store" and/or "Twister's PGR Store," as those terms are defined in Applicant's Definitions. The use of the term "non-commercial

purposes" relates to the Opposer's oral license to PGR, Inc. to use the mark in a "non-commercial" manner, such as use of the Opposer's mark(s) on the website www.patriotguard.org, provided such use does not result in fiscal gains, and provided that PGR, Inc. agrees that it lacks authority to transfer or permit usage of the mark(s) by any other party.

INTERROGATORY NO. 26: With regard to Opposer's Response to Request for Admission No. 99, provide a detailed explanation of *all* factual bases for Opposer's allegation that Mr. Jason D. Wallin did not have the authorization of the Board to file Applicant's first trademark application on behalf of the Patriot Guard Riders corporation, identify others who have knowledge of same, and provide all documents in support thereof.

ANSWER TO INTERROGATORY NO. 26: Opposer states, upon information and belief and after reasonable investigation, that Jason D. Wallin acted on his own and without direct instruction from the Board, and that Wallin's duties as Treasurer did not include the filing of any trademark application(s). Opposer cannot state whether there are others who have similar knowledge and/or beliefs. Opposer objects to the request for production of documents, as these Interrogatories are propounded under Federal Rule of Civil Procedure 33 only.

INTERROGATORY NO. 27: With regard to Opposer's Response to Request for Admission No. 100, provide a detailed explanation of Opposer's reasoning as to why Mr. Jason D. Wallin's dismissal from the Board after the filing of Applicant's first trademark application has any bearing on whether the Patriot Guard Riders corporation is entitled to have Applicant's first trademark application registered.

ANSWER TO INTERROGATORY NO. 27: Opposer states that Jason D. Wallin's dismissal from the Board after the filing of Applicant's first trademark application provides evidence that Wallin did, in fact, engage in unauthorized activity throughout his membership on

the Board. In addition, Wallin's dismissal from the Board has a tendency to prove that Wallin acted in a manner inconsistent with ownership.

INTERROGATORY NO. 28: With regard to Opposer's Response to Request for Admission No. 101 and Opposer's Answer to Interrogatory No. 5, provide a detailed explanation as to why Opposer's counsel directed Opposer to refer to himself as Executive Director in Opposer's trademark application when both Opposer and Opposer's counsel allegedly intended for Opposer's trademark application to be filed in Opposer's individual capacity.

ANSWER TO INTERROGATORY NO. 28: Opposer states that he has no specific recollection as to the reasons why Opposer's counsel directed Opposer to refer to himself as the Executive Director in Opposer's trademark application. Opposer further states that throughout the course of preparing the trademark application, Opposer consistently acted pursuant to the direction and advisement of Opposer's counsel.

INTERROGATORY NO. 29: With regard to Opposer's Answer to Interrogatory No. 18, provide a detailed explanation as to:

- a. Who made the alleged posts on the PGR forums stating that the store was a privately owned, for-profit business;
- b. The date when the alleged posts were made;
- c. The forum topic under which the alleged posts were made;
- d. The reasoning as to why the alleged posts were made;
- e. The reasoning as to why the information provided in the alleged posts was not disclosed in a more prominent place on the website www.patriotguard.org than in the PGR forums;

- f. The reasoning as to why the information provided in the alleged posts was not disclosed in a more prominent place on the website www.patriotguardstore.org than in the PGR forums.

ANSWER TO INTERROGATORY NO. 29:

- a. Opposer states that he made several posts in several online forums found at www.patriotguard.org regarding the ownership and nature of the “original PGR store” and/or the “subsequent PGR store,” and that these posts indicated that the store was a privately owned, for-profit business. In addition, Opposer states that other individuals made similar posts in these forums, but Opposer cannot recollect the names of each of these individuals. By way of example only, Opposer references the emails reflecting online forum posts attached hereto as “Exhibit A.”
- b. Opposer states that he cannot recollect the exact dates of these posts.
- c. Opposer states that he cannot recollect the exact forum topics under which these posts were made, but states generally that the forum topics related to the online store.
- d. Opposer states that he made the posts to ensure that the membership was aware that the store was a privately owned, for-profit business. Opposer has no knowledge as to why others made similar postings.
- e. Opposer states only that he was not responsible for the creation or maintenance of the website www.patriotguard.org or its online forums, and was therefore not responsible for the location or perceived prominence of any posts. Opposer also states that prominence of forum posts is amorphous, as the submission and/or

Original Message-----

m: Info@patriotguard.org [mailto:Info@patriotguard.org]

it: Tuesday, March 27, 2007 8:22 AM

David.Erickson@suddenlink.net

ject: PGR Forums - New Post RE: NEW PGR PATCHES

27 Mar 2007 8:21 AM a message was posted to a thread you were tracking.

: NEW PGR PATCHES
PDDGM

, I am not going to get into a pissing contest with anyone. I simply ask Ed to answer Twisters questions. I know
nie ask for this not to go where it went, but it did. As you say Steam, a good deal is a good deal, except when it is
publicly stated that the operator of the store is a friend of Ed's. At least with Twister we KNEW who owned the
re. As far as donations from Twister, it seems we have a conflict there, he says last month you say last year. All I ask
or everything to be above board and open for all to see. Zinobile, we must have open operation of the PGR and all
it's parts, profit is one thing, absolute rule and my way or the hiway ain't gonna cut it with me.

Smith

Mo Ride Capt

view the complete thread and reply, please visit:

<http://www.patriotguard.org/ALLForums/tabid/61/view/topic/postid/466183/ptarget/469096/Default.aspx>

u were sent this email because you opted to receive email notifications when someone responded to this thread. To
subscribe to this thread please visit your user profile page delete this post from your subscribed topics.
ank you, Patriot Guard Riders

From: Bill Miller [1badplg@insightbb.com]
Sent: Sunday, August 12, 2007 9:04 PM
To: EBaker1954@aol.com; monica@mnpatriotguard.org; blines@charter.net; bonnie@patriotguard.org
Cc: harly69g@bellsouth.net; inpgr@rcfpro.com; wva@patriotguard.org; jeffbrown@valornet.com; statecapthawaii@hawaii.rr.com; tony@danriverregion.com; leclairtodd@yahoo.com; desertdoc_idaho@yahoo.com; sandy_in_sc@yahoo.com; rmoyerjr@yahoo.com; ohiocaptains@patriotguard.org; maryland@patriotguard.org; RICHOP@aol.com; lindy75@patriotguard.org; pops01harley@yahoo.com; qgolden@worldpath.net; stealthscorpiolv@yahoo.com; kingshadow506@charter.net; morltz1111@hotmail.com; mike.a.long@us.army.mil; mav_58@hotmail.com; nc@patriotguard.org; Matterj012@cs.com; tohidu@cox.net; hellraiserusmc@patriotguard.org; tinman392@hotmail.com; JCurran516@aol.com; mnpatriotguard@gmail.com; Nuckles43@aol.com; cowboy@washingtonstatepatriotguardriders.org; norton@patriotguard.org; jake51@yahoo.com; sandersj26@aol.com; Jeffrey.lee.anderson@us.army.mil; kentucky@patriotguard.org; geraldgaines@windstream.net; gapolntman@gmail.com; ripgr@cox.net; waltaminit@patriotguard.org; wisefsafe@airmail.net; vstarrider03@msn.com; c.mahnken2003@yahoo.com; bear_pgr@yahoo.com; vtcvma@comcast.net; ca@patriotguard.org; charger@patriotguard.org; sig22@patriotguard.org; bob@careerresources.org; spocon@nac.net; missouri@patriotguard.org
Subject: RE: High Priority - Sorry

Take me off of all of your PGR mailing list.
I'm sick and tired of the cry babies about this and that BULLSHIT.
The problem is that everyone wants to be the CHIEF and there isn't enough Indians.

Bill Miller
(502) 773-4232

From: EBaker1954@aol.com [mailto:EBaker1954@aol.com]
Sent: Sunday, August 12, 2007 10:54 AM
To: monica@mnpatriotguard.org; blines@charter.net; bonnie@patriotguard.org
Cc: harly69g@bellsouth.net; inpgr@rcfpro.com; wva@patriotguard.org; jeffbrown@valornet.com; statecapthawaii@hawaii.rr.com; tony@danriverregion.com; leclairtodd@yahoo.com; desertdoc_idaho@yahoo.com; sandy_in_sc@yahoo.com; rmoyerjr@yahoo.com; ohiocaptains@patriotguard.org; maryland@patriotguard.org; RICHOP@aol.com; lindy75@patriotguard.org; pops01harley@yahoo.com; qgolden@worldpath.net; stealthscorpiolv@yahoo.com; kingshadow506@charter.net; morltz1111@hotmail.com; mike.a.long@us.army.mil; mav_58@hotmail.com; nc@patriotguard.org; Matterj012@cs.com; tohidu@cox.net; hellraiserusmc@patriotguard.org; tinman392@hotmail.com; JCurran516@aol.com; mnpatriotguard@gmail.com; Nuckles43@aol.com; cowboy@washingtonstatepatriotguardriders.org; norton@patriotguard.org; jake51@yahoo.com; sandersj26@aol.com; Jeffrey.lee.anderson@us.army.mil; kentucky@patriotguard.org; geraldgaines@windstream.net; gapolntman@gmail.com; ripgr@cox.net; waltaminit@patriotguard.org; wisefsafe@airmail.net; vstarrider03@msn.com; c.mahnken2003@yahoo.com; bear_pgr@yahoo.com; vtcvma@comcast.net; ca@patriotguard.org; charger@patriotguard.org; sig22@patriotguard.org; bob@careerresources.org; spocon@nac.net; missouri@patriotguard.org
Subject: High Priority - Sorry

Most of all "SORRY" but I've listened to you all now I ask you to hear me. I for one was always mystified about this whole deal of suddenly stepping down with little or no explanation. But I for the most part stayed out of it. Jeff is a big boy and he did what he thought he had to do at the time. A lot of you know me and I'm not one to walk away from a fight as some experienced last year, but that honestly is water under the bridge on my part. Anyway, Jeff stepped down and we moved on or so I thought. Way back before the crap hit the fan I knew that the store was a private enterprise and Jeff never hid that part. He was up front that it

as there to HELP support the PGR in it's endeavors. Nothing more, nothing less did I read into that. Yet when the crap hit, Many any people suddenly turned into fair weather friends of Jeff and flew the coop. That's a sorry statement of their character. I was a one mentioned in an earlier email or post on this whole mess that used Jeff's design to come up with a so called state PGR itch first. Jeff saw it at the first GOTH in 06 and asked me about it and gave me permission to use it to help cover expenses in lssissippi. He asked nothing in return. He didn't have to do that but his heart was in the right place. So this may be why I'm anding up for this man.

for Jason, I have had nothing but good dealings with the man when we have crossed paths and I will leave it at that. ow after the crap has hit the fan and "Let drag Jeff's butt through the mud "ONE MORE TIME" is going around I'm stepping up. ff, you're a better man than me. If I had been in your shoes and others tried to do to me what you state they did to you, the plans (I'm Cherokee) would have won this time. Anyone that knows me knows I'm not blowing hot air up your butt on that atement.

ter reading Jeff's email, one thing about Jeff that I have to say at this point is he didn't try to take anyone down with him when he ant So Jeff, I do respect you for that more than I can convey in this email. Your actions speaks volumes about your character. re of two things need to happen now. Either bury this dirty laundry now as some are trying to do or CLEAN HOUSE! Hold ALL ose accountable that were in the wrong and flx it so that the PGR can say we live by what we preach.

rap, I now, more than ever appreciate what you had to go through. You are without a doubt in my mind a "PEACEMAKER". You ive been pulled in many directions at once and yet you have tried to keep peace within the ranks though all this turmoil. But if at Jeff has stated is true, you need to step up for the man. At least let everyone know if what Jeff has stated is true or not. Will it the problem? No. But at least Jeff will get back some the respect due him.

AH DUHI All done.
f Baker, SC for the Great State of Mississippi

et a sneak peek of the all-new AOL at <http://discover.aol.com/memed/aolcom30tour>

From: Ugly Troll [uglytroll@comcast.net]
Sent: Wednesday, January 16, 2008 9:10 PM
To: Jeff Brown
Subject: Just to say hey!

Jeff, well, things seem to be getting a bit dicey lately! Here in Massachusetts, when I first signed up for PGR, we had a state captain who appeared to be the victim of a smear campaign by someone who coveted his position. This first captain, Harvey, seemed ok to me. I never met him, but spoke to him several times on the phone, and in fact, he's the guy who appointed me as a permanent ride captain for western Mass. When guy 2 came into the picture, he also began calling me, in an apparent attempt to get me to take his side.....I told both of them I would not get into their pissing contest and leave me out of it. They did. Approximately a year ago, the new state captain, informed me he was the target of some disgruntled individuals who wanted him out. This so irritated me I felt I could no longer continue and so sent him a msg informing him of my decision. I told him lots of things and ended by suggesting he look in the mirror and if he didn't like what was looking back at him he should "do the right thing!" I also sent msgs to the rest of the Mass leadership team informing them of my decision. The next day, I got msgs from everyone of them pleading with me not to resign. That evening, my wife and I talked things over and she suggested I should stay as my involvement with PGR had been very therapeutic for me. (first time since Viet Nam I really felt "good") So I slept on it and the next day when I got home from work I opened my email to let everyone know I had reconsidered and would stay on. Much to my surprise, I found that the entire Mass team had resigned enmasse, many of them quoting me from my notice of resignation.....now.....looks like I need to think about things again. Why can't people just leave things alone? Seems to me the original intent of the PGR was so pure.....it filled a void that has long been desperately needing something to fill it. I've stood the flag lines and cried time after time.....and come away feeling so much better, so much clearer in my life than I've been in a very long time.....I have hugged countless families and become so close with so many of them.....I've participated in many community events and parades at the direct invitation of veteran's groups and mayors.....now more political! I should have known better. The whole point of this is just to let you know you have at least one supporter out here. I have known you from the beginning since the first day I joined that your store was for profit. I never felt this was a "secret" or that you had made any attempt to deceive anyone. I don't understand how anyone could possibly think otherwise. As far as I can tell, you have always been aboveboard and straight with people. I still feel the same way. There are not a whole lot of people in this world I trust; you are one of those folks. For as long as I can last in this group, I will continue to do business with your store. Thanks

all

On Mon, 5/12/08, info@patriotguard.org <info@patriotguard.org> wrote:

From: info@patriotguard.org <info@patriotguard.org>
Subject: PGR Forums - New Post RE: Legal Defense Fund
To: bacritterrescue@yahoo.com
Date: Monday, May 12, 2008, 10:25 AM

At 12 May 2008 8:25 AM a message was posted to a thread you were tracking.

RE: Legal Defense Fund
by BryanL

Posted By Wescoot2 on 12 May 2008 8:59 AM
Kerri,

To further clarify.....and for those who did not look at the trademark link.....

5. PGR Established a website on November 9, 2005 to communicate its services, and sell merchandise to help support the cause.
6. PGR Merchandise could be purchased either on the main website, or at the "PGR Store", a separate website that was linked to the main website.
7. Opposer, Jeff Brown, operated the "PGR Store" website which sold merchandise associated with the PGR cause.

Where you may be getting confused. prior to the Plaintiff opening his own website, he used the National PGR website, to sell his items. When you clicked on the link to his store, it went to another page on the National website which listed the items he was selling.

Ed

I think paragraph 6 is what Kerri was referring to, and you may have just answered her question Ed. She was pointing out what could have been used as a technical error on a legal document. If the link would have gone to JB's store, and not to another page on the national website, then paragraph 6 would be technically incorrect. It would be something the lawyers need to look at.

To view the complete thread and reply, please visit:

<http://www.patriotguard.org/ALLForums/tabid/61/view/topic/postid/808674/ptarget/869999/Default.aspx>

You were sent this email because you opted to receive email notifications when someone responded to this thread. To unsubscribe to this thread please visit your user profile page delete this post from your subscribed topics.

Thank you, Patriot Guard Riders

a better friend, newshound, and know-it-all with Yahoo! Mobile. Try it now.

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Sunday, June 01, 2008 6:47 PM
To: Carroll, Elizabeth; Blue, Rachel
Subject: My posted resignation message

Ladies,
While Executive Director, I had one spot on the website "Jeff's Corner", where periodically I would post my thoughts on various things happening within the PGR. Below is my resignation post in "Jeff's Corner". At the time of posting, I believed the BoD had accepted my offer to close the store after selling my current inventory...after the posting I was told the BoD refused my offer and wanted me to close the store and eat the cost of my inventory. At any rate, this post may bite me in the butt. I've also included the follow up comments posted by members to give you an idea of the tone of the "real" PGR membership.

Thanks,
Jeff
###

JEFF'S FINAL CORNER

It's been an exhilarating, but an exhausting year. A year in which we have seen an awakening of the sleeping spirit of America, a rededication to the honor and dignity due all of those who serve our nation, and a uniting of those who have a desire to "do the right thing". Every PGR member should be justifiably proud of being a part of this.

Like all of you, I have taken a huge amount of time away from my family and business over this past year. It's time for me to heed my own words and "Pace Yourself". To this end, it is with a very heavy heart that I formally announce my resignation as Executive Director of the Patriot Guard Riders. This decision was also reached, in part, because a handful of very vocal people have expressed concerns over the possible conflict of interest in my owning the PGR Store and being the Executive Director. The business structure of the store has never been hidden and has been discussed "ad nausea", but in an effort to belay any further controversy that takes time and energy away from our missions, I have chosen to step down and close the PGR store after the current inventory is depleted.

This has been one of the most difficult decisions of my life. I can't begin to put into words how much pride I have in all of you and what this organization has become and will become in the future. I will always view the founding of the Patriot Guard Riders and having had the honor of being your leader during this formative year as one of the high point of my life. I will continue to be honored to ride with you and stand by you until the day there is no PGR. After a great deal of pressure, Bill "Snap" Lines has agreed to assume the position of Executive Director and the board has approved. Snap, thank you for stepping up to the plate, Brother. The PGR is in good hands and I am confident in its leadership. I'm not going anywhere Folks. I will work closely with National during this transition period and continue to serve the PGR in the capacity as an advisor to the National Board.

Thanks for listening and Salute,

Jeff
posted @ Tuesday, November 07, 2006 8:42 AM by Twister
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COMMENTS

Thank you Jeff for all you have done and continue to do. And congratulations Bill for accepting the position and responsibilities.

Joe "Jamyang"
posted @ Tuesday, November 07, 2006 8:48 AM by Jamyang

Jeff your departure will be felt. Thanks fo all you have done for the PGR. Glad to know you will still be hanging around.

RVN VET
posted @ Tuesday, November 07, 2006 8:56 AM by RVN VET

Members of the PGR,
I have watched my husband agonize over his decision to relinquish his executive role in the PGR. It is with much thought that he has decided to step down and his sacrifice should not be taken lightly. What only few know is that his desire to honor those who gave their all so we can enjoy freedom has been his vision for well over a year. He is setting aside his own calling now so that the PGR can continue to grow and be a motivation for those who share his desire to "do what is right". I am so very proud of his unwavering dedication to organize an entity that will honor those who serve. I will admit that the toll of constant calls all hours of the day and night will not be missed! The progress made in our courts on a local, state and national level has been awesome and a legacy to his untiring desire to his vision for our troops. Those few who found the store a conflict of his interest do not know my husband. His generosity of spirit, time and resources has been unlimited for any PGR member. Thank you darling for serving your country in such an unselfish way this past year. I pray for the continuance of your vision for the PGR that the membership will in turn do you proud.

Bonnie Brown
Lil' Twister
posted @ Tuesday, November 07, 2006 9:16 AM by Little Twister

Simply put -

THANKS AND SALUTE!

-bogie
McHenry County, IL
posted @ Tuesday, November 07, 2006 9:36 AM by bogiediver

Jeff - I'll probably never have the honor of meeting you, but you will always be considered a hero by me. What you've started, can NEVER be duplicated to the same level that you have taken us. They can try, but it will NEVER be the same. For those vocal few - shame on you. The garbage that was going on in the website was flat out embarrassing. If you don't like it, leave. If you can't say something nice, don't say anything. If you're going to throw around accusations, make sure you have ALL of your facts straight first. There is always someone available at National to answer questions, I could never figure out the need for airing what some would consider "dirty laundry" for everyone to see.

To the Brown family - thank you for sharing Jeff with us and allowing him to do all that he's done - and thanks for all of your help, too!

Kathi Kelly
"snonut"

User Support Team
posted @ Tuesday, November 07, 2006 10:10 AM by snonut

Jeff: You indeed are a Patriot!! You are what makes America great, and your stepping up to the plate a year ago, determined to ensure that the families of our fallen warriors would be shielded and that the memory of their loved ones would be honored and respected have been a turning moment in our nation's history. To have elicited the support from the smallest town to the President of the United States in providing protections for the families has got to be one of the greatest feats a citizen could ever have accomplished. I salute you, sir! It was an honor to meet you in Montgomery, Alabama, and I wish you the best. You are what "Americans Doing The Right Thing" is all about!!

ICV ANIMAL
National Pres. In Country Vets MC
Proud Patriot Guard Rider
posted @ Tuesday, November 07, 2006 10:24 AM by ICV Animal

Jeff, I probably will never meet you but thank you for all your hard work and sacrifice. I am very happy to hear that you will continue with us. I understand your decision to close the store, but I sincerely hope National will be able to continue the store. Thank you to ALL in this organization who give of their time and energy; please remember to be supportive of leadership and give constructive advice in a positive way when necessary. Jeff, you will be missed.

-riding in MO
posted @ Tuesday, November 07, 2006 10:35 AM by sv4sheri

Jeff My Friend,
I have grown to respect you as a leader, confidant, and friend. Your words have always been welcoming and a comfort. I will endeavor to move forward with the vision you had, and I will give my all to honoring the legacy that you have left us with. May you always ride in fair weather, and stand tall in the knowledge of your dreams reality.
posted @ Tuesday, November 07, 2006 11:04 AM by rrawtry

Jeff,
I have no words to express my sense of loss at your leaving nor my gratitude for allowing me to be a small part of what you have created. Take the time to read the letters of appreciation, they are a testimonial to your vision. look at the messages left on missions past and present, they define the character of those you have brought together. Look at the mission pictures and see all the lives you have touched. I am honored to call you brother and wish you the best as you move toward the future.

Salute
possek
Randy
posted @ Tuesday, November 07, 2006 11:09 AM by possek

Jeff thanks for all you did. I am glad that I got to meet you in Montgomery before you stepped down. I really hate to see you go but I know what you have been through. Snap is a good man and will do a fine job following in your footsteps. Again thanks for getting this magnificent organization off the ground and good luck.

JR
posted @ Tuesday, November 07, 2006 11:10 AM by J R

Every organization I've ever belonged to has included at least one "troublemaker" - somebody that's just not content to conform but has to stir the s_t. Not every organization I've ever belonged to has included individuals such as yourself - devoting endless hours of personal time in order to make things better and easier for the rest of us. The founders of

the PGR have every right to feel proud - over 63,000 members in less than a year - that's outstanding! It is an indication of the true spirit of America - love of country and pride in the sons and daughters who have defended her and who defend her still.

You (and the other founders) have done a tremendous job - and I'm sure it has taken its toll. Don't let the a_holes get you down though. They are a very minor percentage of the 63,000 that have stood up to follow you this past year. I'm sincerely happy that I was able to be one of them.

Semper Fi Twister. Keep safe.
posted @ Tuesday, November 07, 2006 11:17 AM by coltergeist

The nation owes you for awakening the patriot. Thank you for all you have given us as members. The work you have done for the Veterans, new and old, is a priceless gift.

We could not have asked for a better leader.....You will always be a hero to me and I have much respect for you and your wife....."b"
posted @ Tuesday, November 07, 2006 11:23 AM by bhopper1

THANKS FOR WAKING THIS SLEEPING COUNTRY IO JEFF!!!

AND RIDE SAFE TWISTER!
posted @ Tuesday, November 07, 2006 11:28 AM by robiam

JEFF thanks to what you started. Its an organization of people who only one goal, to honor those who gave us this freedom, and respect. you will be miss, hope to see in some mission. you came to and shake my hand and you told me I'm jeff. next time I see you ill give you a big salute.

romecay retired USAF 74-94
Midwest City Oklahoma
posted @ Tuesday, November 07, 2006 11:32 AM by romecay

Jeff, Dude I am shocked. I don't know what to say except I will see you at the next Gathering of the Guard and we will tip our cup together, for our Brothers, and our comrades.
See you soon. MR. lea
posted @ Tuesday, November 07, 2006 11:40 AM by leacrabb

Jeff, Thanks for all the help you've been to me since I started as a R/C and still today as the State Captain for Okla. I will look forward to seeing you at the Missions when we have them. I know where you live, so you can't hide. You and Bonnie take care and I'll talk to you later.
posted @ Tuesday, November 07, 2006 11:46 AM by jlake51

I for one am Proud to say That I know YOU I have stood beside you I have shook your hand & seen you put a smile on a Young Injured Marine's Face! Jeff, what you have accomplished this past year just right here in Oklahoma has been amazing! What you have done across this NATION along with the other National Board is Way Beyond Amazing! You all have awakened us to realize there is more than a handful of PATRIOTS left in the USA & even across the border at our neighbors-CANADA! Lil'Twister Thank you & the family for sharing & helping out...it takes a whole family to make a great thing like this happen! Enjoy the quiet...but enjoy the Rides along the way as well!
SALUTE TWISTER!
posted @ Tuesday, November 07, 2006 11:51 AM by BABluestarmom

Jeff I have never had the honor of meeting you and from those that have they will tell you that this is a rarity because i am speechless! Thank you with all my heart for all you have done. Ride safe and proud for all you have done!

SFC Jesse J Mercure
US Army 1982-2007

Iraq 2003-2004

PA/WV/OH PGR 2006 until the end!

posted @ Tuesday, November 07, 2006 12:15 PM by fxdwg03

Jeff, thank you. I wish you smooth roads and warm winds.

You're my hero, Twister, because you saw a need and did something about it.

America is better because of you and so are we.

MI Vet, North Carolina

posted @ Tuesday, November 07, 2006 12:18 PM by bikera

Jeff, I too have never had the honor of meeting you but I hope that someday I will still get that chance. You have been an inspiration to me as well as over 63,000 other Patriots in this country (including those overseas). Your accomplishments will go down in history because what we do here is historical and your vision to build a more unified and dignified way of honoring our countrymen and women is something that will be remembered and practiced long after you and I are gone. I salute you, Sir. Thank you for your time.

JayDub

posted @ Tuesday, November 07, 2006 12:23 PM by JayDub

Wow. I just don't know what to say. I can certainly understand the necessity to spend more time with family, not to mention you have to do what is right for you. I am so glad I had the opportunity to meet you in Winter Haven a couple of months ago. You are one in a million, and before I get too gushy and have to pull out the Puffs, let me just say, it's an honor. It was an honor to meet you, and an honor to continue your vision. Take care brother and I hope we meet again.

posted @ Tuesday, November 07, 2006 12:25 PM by misdirection

Jeff,

Thank you for your sacrifice and for your vision. I salute you my friend.

WalkingSlack

GA Ride Captain

posted @ Tuesday, November 07, 2006 12:32 PM by WalkingSlack

Jeff;

I'm really sorry to hear this- as a PGR "veteran" I've seen the PGR grow, until it is not the same organization you gave so much to. That being said, I'm out of here.

Best personal regards,

Don Armstrong

Rolling Thunder VA3

PGR VA7

posted @ Tuesday, November 07, 2006 12:44 PM by FreestateXL

Every "big" idea or sacrifice has usually come about from the vision of one person. And behind every man who accomplishes that vision, is a strong woman urging him on. You Jeff are that kind of person. History won't forget and neither will we.

posted @ Tuesday, November 07, 2006 12:47 PM by semper fi bulldog

Jeff,

I'm so sad that some so small can take so much from a soul so great as your own. I recently had a conversation with my 16 year old son who is soon off to Randolph-Macon Academy in VA to be able to study and live the life of the FJROTC, some people out there are not able to rise up to the standard you live by so they aim at dragging you down to the standard that they live by.

I had two children in Iraq at the same time, both now home safe. I have two children-in-law who have also been to Iraq, now home safe. Only the parent of a soldier can truly appreciate the sacrifice of a total stranger willing to stand up for their child as his own. You are one awesome man, I'm am

blessed and honored to have shaken your hand AND gotten a great hug from.
You can call on me any time, any day.....I'm there.

Thank you, thank you, THANK YOU!

Dene Dale
USAF Blue Star Mom
posted @ Tuesday, November 07, 2006 1:09 PM by BIKEROMA

Jeff,

Thanks for all you have done. I have never met you, but have spoken with you at length about several things and thoroughly enjoyed our conversations.

I know you did the Run For the Wall a year or two ago. Maybe we can ride together in 2007.

Don "Waitaminit" Bright
posted @ Tuesday, November 07, 2006 1:12 PM by Waitaminit

Lil' Twister.....Bonnie thank YOU, for sharing your wonderful husband!
posted @ Tuesday, November 07, 2006 1:19 PM by BIKEROMA

Jeff, I am sorry to hear this also. I also never had the chance to meet you but have heard great things about you over the past while. I hope to ride with you one great day.

Until then my hat is off to you as I salute you for all that you have done for all of our troops, both past and present.

posted @ Tuesday, November 07, 2006 1:19 PM by krzyabncanuck

I am trying not to dwell on the few who might have helped in your decision to step down. I will instead be comforted by the knowledge that you are still here; standing with the rest of us. Thank you and Bonnie for all of your time and effort. Hope you both get a rest!

Most Sincerely,

Debbie

RC Region 1

Western NY

posted @ Tuesday, November 07, 2006 1:30 PM by highwaygirl1078

Jeff and Bonnie...you have given us so much! There will never be words to express "thanks" as it should be done.

Those who had so much to say about the store probably never knew how much you gave away out of it. When one of Az's riders died, you sent all of us (captains) our Captains patches and bands so that everyone would know that he was loved and appreciated, and every captain showed up! Some people just never get it, and sadly they will most likely know what they have done. But, I have found that those who place themselves on the pedestal and suffer such righteousness generally fall from grace the hard way! Perhaps while they are patting themselves on the back...something their arm breaks off?

Jeff...I will miss you, miss you lots!

Louann

Az PGR State Captain

posted @ Tuesday, November 07, 2006 1:56 PM by louann

JEFF

I would like to thank you and your family for everything you have done I only wish you could have made a few million dollars on that store because you are deserving but most people with half a brain know you were not making much if any by the time you figure all your labor. The store is petty shit but the patriotism you awoke in this country is something you and yours can be proud of forever and I am proud to be a patriot. Thank You and your Family

Larry Root

posted @ Tuesday, November 07, 2006 2:02 PM by woodmaster

Jeff think you every much this has helped me more than you can think the P

G R can and will go along way are brothers and sisitores need all the help
they can get go nav air casper1
posted @ Tuesday, November 07, 2006 3:47 PM by casper1

Jeff,

Thank you for all you have done to get the PGR up and going. If it wasn't
for you and some others the PGR would never been formed or grown into
something so wonderful. May God bless you and your family as you have
blessed so many people with your hard work and dedication to the PGR. YOU
WILL BE MISSED!!!!!!!!!!!!!! I just want you to know I would be proud to
stand with you anytime or anywhere.

Tina DuBose
AZ PGR Ride Captain/HOTH
posted @ Tuesday, November 07, 2006 4:04 PM by Tina CMA

Jeff, you started something that shook and moved a nation. Thank you.

Leaving it over the store doesn't seam right, too petty. I am deeply
saddened but respect your decision.

I don't know if the PGR will be the same without you and Jason, or if it
will survive. I hope this war doesn't last longer than we do.

Till our paths cross again my friend, take care.
posted @ Tuesday, November 07, 2006 4:08 PM by JohnnyD

Jeff, I regret not having the opportunity to have meet you.
I hope you are right with this decision, because the next person is going to
have those that disagree and speak-out against them. This will just be
handed down to the next and the next etc. When you have a org. this big this
fast it just cant be helped.
There will always be those that are not happy, untill they have placed
themselves in the place of getting attention. I hope and Pray you are not
basing your descision soley on "them".....
I dont like your descision (I wish we could vote) I dont agree with your
descision,... but, I will Respect your descision. Thank you Jeff... Thank
you.

PS, It is sad we have to lose our PGR support gear.

Bryan.
posted @ Tuesday, November 07, 2006 4:33 PM by Hustler

Jeff,

I honestly hate to see you step down. I also wish we could vote but I will
back you 100% on what you feel you have to do. I also wish I could have met
you in person and I am sure, GOD willing, I will soon.

Ride Safe and we will meet soon.

Pete Waddell
South Central Region Captain
posted @ Tuesday, November 07, 2006 6:02 PM by dynagc

I stand with Louann, my Az State Captain, and Tina, Az Ride Captain, and all
of the Arizona members in gratitude to you, Jeff, and you Bonnie, for
working so hard and with such grace and humor, to start and build this
wonderful organization we have today. I am so sorry for the hurt that you've
endured at the hands of such a very few. You will always have my respect and
love not only for what you've accomplished but for who you are....a man of
vision and integrity. Thank you.
posted @ Tuesday, November 07, 2006 6:32 PM by Maggie45

While I am pretty much a newbie here. Having joined the night NBC News aired

a spot on the PGR. I can say that I am proud to be a part of such an organization. From such simple beginnings to honor and respect this Country's war HEROES. To a VOLUNTEER organization 63,000+ strong. I hope to one day be able to shake your hand and say thank you for all you have done. So for now I'll say it here Jeff and Bonnie I thank you caring for EVERY Veteran.

Ralph
posted @ Tuesday, November 07, 2006 6:43 PM by Drem

Jeff & Bonnie - You have shown so many of us a way to express our love of this wonderful country. I cannot find the words to express my gratitude to you for that.
God bless you always.

Ann
posted @ Tuesday, November 07, 2006 7:06 PM by

Jeff-Thanks for all you have done. You have inspired an entire Nation. You gave Veterans & non-Veterans a unique way to serve their Country. I Salute you SIR!!!!
posted @ Tuesday, November 07, 2006 7:08 PM by sneakysnake

What has Brown done for me!

Before the PGR I was the same as many 'Nam Vets that still had our pride and patriotism just didn't show it for fear of being stepped on once again. You changed all that and gave me a channel to funnel away that fear.

Twister, I have never met you or even spoken to you, still I consider you a Brother. Thank you for what you have already done and for what you have yet to accomplish. You stand legions among many for taking a small grassroots group of patriots and turning it into a National Organization 63,000+ strong. Without your vision and dedication it would not have happened. I will be always grateful for the opportunity you have given us.

'Lil Twister thanks for sharing your husband and family for the cause, at times it probably didn't feel it was worth the heartache and separation but it would not have been accomplished without your support.

Twister glad to see that you are stepping back and not away because you should share in what you have built even though you decided to give up the reins. Hope to meet you someday. Ride safe and Proud.

adccop (GOBB)
AZ Ride Captain
posted @ Tuesday, November 07, 2006 8:22 PM by adccop

Twister

I got to say your a class act and I hate to see you step down. Growing pains are tough on all. I got to say for the record you, Waldo, Gus and others of P.G.R. National & Healing Field Foundation made me and my wife feel like one of the P.G.R. team at Buffalo Chip in Sturgis S.D. this year. Where can a civilian couple be accepted into group of military families. I will cook for you and others anytime allowed. I'm sure you have others ready to move forward with the P.G.R. we hope we can assist as allowed. I think Snap will do a fine job. Maybe if we all get a chance to work Buffalo Chip again you can actually see some sights this time instead of working all the time like you did this year in Sturgis S.D. We will see you down the road for sure. Your a great inspiration for many of us, and we wish you good luck and hope you can have some time now for you and your Bonnie to rest some and enjoy life a little more for now. Keep that head shaved so i will know you the next time we (me & Barrie) have the pleasure and opportunity to see and cook for you.

Best Regards
Jim Cobb

Arkansas State Captain
Patriot Guard Riders
Riding With Respect
posted @ Tuesday, November 07, 2006 9:03 PM by 'Big Jim'

When we joined last year, we had no idea of what was ahead of us. History has been made and through the efforts of many and the leadership you gave us, PGR will stand. Thank you for heeding the call to this "mission that is greater than any of us". Now, I pray that you and Bonnie will be able to reclaim a normal life. From my heart I wish you both the best. We could not have come this far without you. Never forget the good.
With Care,

Epic
posted @ Tuesday, November 07, 2006 9:28 PM by Epicwoman

jeff and bonnie you both have my undying respect and honor for all that you have done for PGR. this country was woken up by this love of country. so many came with open and bleeding wounds from other times, other wars. and those wound have been healed by simple standing up and taking their place in a flag line of honor and respect for those that have fallen. please remember how much we care and love what we do. if we did not we would not be here. may the great spirit bless and protect you both.
THANK YOU FOR STARTING THE DREAM.
in respect, laurie jensen
posted @ Tuesday, November 07, 2006 9:37 PM by calamityjane

Jeff - - I have been a PGR for only 2 weeks now - but - how proud I am to be a part of this effort

I joined PGR's because of the heart I had witnessed during this past year. And, for the noble work this organization accomplishes.

I'm sorry you are stepping aside but I'm glad you will still be there riding and guiding when and where needed. - - You have certainly founded a fine, effective, high caliber organization.

I met Snap at 29 Dreams Motorcycle Resort this summer - - his enthusiasm was contagious.

Now, we'll get behind him and continue the work !!

Ride safely Jeff - - and with us !!

Garch
(Gary Archer)
Birmingham Alabama
posted @ Tuesday, November 07, 2006 9:45 PM by Garch

Jeff,
Your guidance and insight are etched in the mission statement and history of what could possibly be the the most important thing many of these wonderful members will ever be a part of. The mission is truly bigger than any one of us but were it not for you and so few others in the begining, the mission wouldn't be. You have always taken the high road and you will always be respected for that. Please stay as active in the PGR as your time allows. I hope someday I might have the chance to thank you in person for all you have given. God Speed and keep the sunny side up Jeff. Most Sincerely, Kevin
posted @ Tuesday, November 07, 2006 10:11 PM by Trog55

Well done, Jeff, well done indeed.

You know what comes next, of course.....you gotta write a BOOK!
posted @ Tuesday, November 07, 2006 10:15 PM by markwells

It is with a heavy and grateful heart that I say thank you Jeff. Heavy becuase I do not want to see you go and grateful for how you have helped to restore Patriotism to America. There are no words that can sufficiently

describe the change you and the Patriot Guard have had in my life. Every time I sent you an e-mail you returned one to me as if I was the most important person in the world to you. And obviously in that email I was. Like the e-mail I sent when my PGR flag had one side upside down, thank you!!! I will have that as a family treasure. What has amazed me about your leadership is that no matter what you have always stood to the line and always come through for America, our soldiers, and each of us Patriot Guard Members.

I can only imagine the stress that your family has had to endure and for that all of us say thank you to Bonnie, the family and friends of Jeff

"Twister" Brown!!!

"May God increase your borders... and may it not cause you any more pain..."

I think the way I can say thank you the best is to quote of my Hero's Jeff "Twister" Brown:

"It's very rare to have the opportunity to have a positive affect on the lives of thousands of people. We're living that opportunity right now. I urge you to continue the mission. We do make a difference. Most families will never remember the preacher's words or the Captain's accolades. In times of such overpowering grief, the family will not remember who was there or who sent flowers. But they remember the strangers who came on the bikes and in cars from miles away; the men and women who stood shoulder to shoulder to share in their sorrow and their pride. They remember and they are thankful. It matters.

Sir Winston Churchill once said, "It is not enough that we do our best, sometimes we have to do what is required." Thank you. Jeff"!!!

Thank you Jeff and Bonnie!!! I sure hope I get the opportunity to look you's in the eye and shake your hands. I will continually pray for you and your family. Ride Safe Brother, Leader, Friend and World Changer.

HGpreacherman

NE MI R/C

Sam

posted @ Tuesday, November 07, 2006 10:21 PM by HGPreacherman

Jeff-

Your efforts have had a positive influence on me. I'm one of the oldest riders in the PGR, and I want you to know how indebted I am to you, your family and friends. I'm blessed to have a God and wife that allow me to seldom miss a mission for a fallen military hero, a send off, or a welcome home ride. I want to continue this in a humble manner. I don't enjoy the press/media.....and I don't like egos. When I'm running on ego (I call it "Edging Out God")....I end up humiliating myself. Jeff, you know by now, there are some who have to frequently feed their ego. It's painful to see them self obsess when they are in a leadership position. My experience is that they will stumble and get humble. I'm seeing some of this in my area..... it's discomfoting and it is starting segregating factions to develop. Please be strong, keep it simple and follow your heart. You will experience goodness and clarity. You have done good things some of us only dream of. I will do my best to follow our mission statement as I believe you intended. You are a needed leader. That's a leader who doesn't feed on the need for constant pats on the back. I'll do my best to keep it simple, stay focused and show respect to the fallen military hero, family and community....period. It's my humble honor to suit up, ride and show up.....when asked by the family. I will speak up when I perceive a course correction is needed. Thanks Jeff. We will not forget your efforts, and your input will always be welcome. Best wishes for a happy and healthy day.

DW

posted @ Tuesday, November 07, 2006 10:39 PM by Anonymous

Jeff, I want to thank you for finding the PGR! I served 8 years in the Navy and got out just before Desert Storm. Although in my 8 years as a sailor, I knew I was making an important contribution to my country as a nuclear

welder! But I felt a bit empty in the following years...until January of this year! Now I feel important again, to my country, with my membership in the PGR! I can only IMAGINE how absolutely exhausted you must be! As we will NEVER forget our fallen military, we will never forget you, Jeff Brown! Thank you!

Steve Ryan

Bear, DE

posted @ Wednesday, November 08, 2006 4:00 AM by sdrpaintboy

This is a shame, I joined when there was a mere 8000 members and am in awe of the sheer #'s today. I joined for just 1 reason "the mission" period. I probably have as much PGR stuff as I have Harley stuff and no one made me buy either. Profits!!! I've been in the workplace for a long time and "Profit is not a dirty word" sure there is non-profit this and non-profit that but like so many have said before who's gonna foot the the bill for this thing as is has become, money has to come from somewhere, even the the big so called charitable organizations we all have donated at one time have profited some way or they couldn't exist.

Jeff, please don't close the store ..seperate it, profit from it if you wish, donate to the cause if you wish.....your call

Steve in Indy

posted @ Wednesday, November 08, 2006 5:12 AM by xskartman

Jeff, I can only echo what others have been saying. I do want to thank you for for all of your efforts and sacrifices. You are a great American!

Some day maybe fate will arrange for us to meet. Should that happen I will be proud and honored to shake your hand.

Mark

Central, MA

posted @ Wednesday, November 08, 2006 5:29 AM by misfire

Jeff, I met you and think you are an extraordinary person. I commend you on an outstanding job and the accomplishment of organizing such a terrific, meaningful and dedicated bunch of unselfish Americans. I do not think you should let a few jealous small minded individuals feel they have gained a victory in their effort to undermine and backstab the PGR.

If you must step down (and I wish you would not), ~~I would like to suggest~~ that you at least keep the PGR store up and running. If you still feel a need to discontinue the store, please consider turning it over to the PGR. The organization could really use the funds to help subsidize the many costs that incur in running an organization. Many members, such as yourself, gave cheerfully their money and their time, with no thought of reimbursement or pats on the back, to make things work for the good of all.

Many Thanks

Speed Bump - WRB

posted @ Wednesday, November 08, 2006 7:24 AM by SPEED BUMP - WRB

Jeff and Bonnie

Thank you for all you did

posted @ Wednesday, November 08, 2006 7:51 AM by wwr2

Jeff

Thank you. You know you are always welcome anywhere you go. You created a great thing, and are a well respected person. I will ride with you anytime.

posted @ Wednesday, November 08, 2006 7:56 AM by TheJediPimp

Thank you.....

posted @ Wednesday, November 08, 2006 8:45 AM by jherrick

To Jeff and Bonnie. Even though I have never had the privilage of meeting you, I'd like to take the time to thank you. I have seen this once before in another organization that I belonged to. The founder came under attack from

those within because of their own agendas and, in my opinion, jealousy. Like so many others here I have not had the honor to have been a member for that long a period of time. Like a first date, first kiss, or first love, I remember my first mission vividly. The showing of pride, respect, and patriotism left me speechless and blurry eyed. You have EARNED the respect, and touched more lives, than you can imagine. Like my brothers and sisters here, I stand tall and salute you. To Miss Bonnie, all I can say is that you must be a truly remarkable woman to be able to share your husband with us. I know how my small involvement has effected my wife and the support that she has shown me. A mere thank you seems so inadequate. Well done ma'am, well done.

posted @ Wednesday, November 08, 2006 10:55 AM by frontstuffers

Jeff - thanks for your vision and dedication in bringing so many patriots together. You may now rest easier, I'll support Snap and the rest of our leaders just as I supported you. I have a mission of showing respect for those who gave their lives for ME. That makes it so much more personal. Thanks for helping bring that mission to me!

posted @ Wednesday, November 08, 2006 10:56 AM by Wilderman

I CAN'T THINK OF ANYTHING MORE IMPORTANT RIGHT NOW THAN DOING WHAT WE DO. LAST SATURDAY WE PASSED A WOMAN ON THE STREET STANDING IN RESPECT HOLDING AN AMERICAN FLAG. AS WE ESCORTED A SOLDIER TO HIS RESTING PLACE. THREE DAYS AGO I SAW 3 MEN WHO WERE WALKING DOWN THE STREET AS WE PASSED BY THEY TURNED TO FACE US AND HELD THEIR HATS OVER THEIR HEARTS. I'VE NEVER SEEN ANYTHING LIKE THIS BEFORE. WITH OUT THE PGR IT WOULD HAVE BEEN JUST ANOTHER DAY.

JEFF YOU HAVE MADE A DIFFERENCE

CINCO

posted @ Wednesday, November 08, 2006 11:13 AM by CINCO

I can't thank you enough for all the hard work you have done. I am very proud to be a member of the PGR. It has helped so many families and hometowns. I am sorry to hear you will no longer head the PGR. Good luck and THANK YOU.

Riding in NH

posted @ Wednesday, November 08, 2006 11:42 AM by Softtail56

I am simply stunned by this news, and deeply saddened as well. The sorrow is for all of us at the PGR....it was your vision, your spirit that helped kindle the fire that burns in the heart of each and every one of us. It was your leadership that brought all this to fruition. Without you, there would have been no PGR. The new leadership has incredibly large boots to fill. And I for one...will stand with you in any flag line.....anywhere.....

Jeff Greiner

posted @ Wednesday, November 08, 2006 12:10 PM by jgreiner

Jeff, I've never had the pleasure of meeting you either but as a fairly new member to the PGR, I cant Thank You enough. I can only imagine the sacrifices you have made to keep this all running smooth. I for one, cant say enough about this group of people. If i had to sum it up with one word, it would have to be "RIGHTEOUS", and to see it grow in one short year to over 63000 members say's it all. Thank you so much for giving me proof that there are still good people in this country.

Again... Thanks for all you have sacrificed, I will stand proudly with you in any place at any time.

Standing by in NH

Bob I.

posted @ Wednesday, November 08, 2006 3:33 PM by RAY66FLH5903

Jeff, I first became aware of the PGR early this year, and I have watched with awe as the organization has grown exponentially since then. I believe your leadership was absolutely essential in how the PGR has developed. Your

writings (in my view) have been reasoned and reasonable, and I salute you for what you have been able to accomplish. Fine job, sir!
posted @ Wednesday, November 08, 2006 3:57 PM by Feets

Jeff,

I have never met you but you have done something to me and for me that I thought was lost. (PRIDE) Pride in my Country and myself. This origination is something this country and its citizens have needed for many years. When my Son-in-Law came back from the Sand Box last year I gave my wife money to get me out of jail should someone say or do anything to him as was done 40 years ago. You are to be commended for what you and all of the officers have done for this origination and this Nation. You have awakened a sleeping giant and I, for one, pray it never stops.

Good luck in all you do and may GOD bless and keep you and yours. I would be honored to stand with you at any time.

Ron Nelson
Madisonville, Republic of Texas
posted @ Thursday, November 09, 2006 1:23 PM by Anonymous

Jeff

Thank you for this wonderful organization that you started. It is a shame that some people have to find fault with something that has accomplished so much for so many. I, and i'm sure many others, appreciate your vision and dedication in making the PGR what it is. We must, and will carry on. Bonnie and Twister's family, Thank You for sharing this fine man with us. If we can keep the store, please do. I need some gear! Ride safe and free.

Denny
posted @ Friday, November 10, 2006 9:11 AM by Anonymous

Jeff thank you and all of the founding members of the Patriot Guard. Thanks to the ones who gathered for the first time to stand for the fallen. Thanks for 40 years of healing. Thanks for bringing the likes of Ancient1, Snap and too many others to mention together.

Thanks for waking up so many who had suppressed their feelings. God's speed in your future endeavors and I hope they include the Patriot Guard Riders.

Later
Mike
posted @ Thursday, November 09, 2006 6:26 AM by TennVic

Jeff and Bonnie,

Thank you for EVERYTHING - if you both live a hundred more years there will not be enough time for you to see all the good that has happened because of your vision and sacrifice.

I have a big family - but a year ago I got a much bigger FAMILY that grows by hundreds every day. The PGR, just like my family, has its issues but the good far outweighs the bad.

I hope the missions get fewer, and the homecomings increase, and I get to meet you both in person someday soon.

posted @ Tuesday, November 14, 2006 2:47 AM by Turquoise_Eyz

Well this goes to show you you cant please everybody and that everybody pays for a few views and theres allways someone that thinks they can do it better but never does this didnt get started for free and it does cost money to do any of it and i wonder what a persons time is worth to do what jeff has done for so many i have meet the man personally and you wont find a more honest and sincerly honerable man thank you jeff for standing up and making it work for our solders and us !!!!!!!!!!!!!

posted @ Friday, November 24, 2006 7:01 AM by frogman

Jeff,
I will simply say THANKS,
posted @ Thursday, November 09, 2006 8:06 AM by Gator

Jeff and Bonnie,

I haven't met either of you but I hope to one day. My hats off to you, thank you for what you have done for the PGR and continue to do. Anytime you get a group together there will be some sort of dissention. You can't please everybody all the time. You can only do as much as you can and you have done that.

Keep your head up and the rubber side down.

You are welcomed in De anytime.

Take care and be safe

SSgt Corey Targett
DE State Captain
USAF '93 - present (Currently deployed to Afghanistan)
posted @ Friday, December 22, 2006 6:05 AM by Buffcat

Dear Jeff & Bonnie ~ I'm speechless. And very sad. It breaks my heart that a few troublemakers have been stirring the pot enough to cause some great people to step down from the ranks of National. All of you guys at the National level were such a huge help to me more than a few times when I was worried that I wasn't doing "the right thing" just right. I can't thank you enough.

I wish you and your wife all the best. Bonnie, please give your wonderful husband a giant {{HUG}} from me. And thank you for sharing him with us. Our nation is indebted to you both.

Much LOVE and RESPECT,

~CleverLori, Seattle, WA

posted @ Wednesday, November 08, 2006 5:52 PM by CleverLori

BAIR HERE GOD BLESS MY FRIEND AND THANK YOU
posted @ Wednesday, November 08, 2006 6:31 PM by

Jeff

I am wondering. How do you thank an American Patriot for what you have done? You and the other founding members took a stand and said "No this will not happen again on my watch"! Last time I looked there were over 55,000 of us in line saying the same thing. I joined as member 2885. And each time I go on a mission, as I choke and tear up I will make that statement again. "No this will not happen again on my watch"! Ride on brother, next star and straight on until morning!

Rob

posted @ Wednesday, November 08, 2006 7:32 PM by CmdrRob

A simple thanks and job well done. Ride safe.

Mickey

posted @ Thursday, November 09, 2006 4:04 PM by Mickey

Jeff, the famous quote from Admiral Yamamoto on Dec. 8, 1941, comes to mind. After he was told that the Pearl Harbor raiding force had missed sinking the American carriers, he said, "I feel all we have done is to awaken a sleeping giant and fill him with a terrible resolve".

You and others awakened a sleeping giant beginning in October 2005. The potential for the PGR was there all along, but it took your vision and leadership to get us moving. Thank you.

Now that you'll have some time on your hands, consider this an invitation to come down to Texas and eat some tamales with catsup.

Thanks again,

Streaker

posted @ Thursday, November 09, 2006 11:50 AM by Streaker

Jeff,

Even though we never meet i do recall in the beginning a couple of phone calls and E-Mails we had with each other.

Brother Thanks for everything the Vision, desire, wiliness, Faith and Hope you had to direct this Organization to where we are Today.

Brother if I don't meet you here on Earth look me up in heaven I will be the Marine Standing at the gate to Welcome all my Brothers and Sisters Home.

Take Care My Brother,

Pegleg

posted @ Thursday, November 09, 2006 8:37 AM by Pegleg

Jeff sry to see this happen. thank you sir for all you have done.

It has been an honor to ride with you on a few missions.

I will see you on the next one brother.

posted @ Thursday, November 09, 2006 12:31 AM by ALL41_Wolf

Thanks Jeff-keep your powder dry and ride safe, man!

posted @ Thursday, November 09, 2006 7:37 AM by whitzoo

Hey Jeff and Bonnie, you lit the torch and carried it until all these candles were lit around this nation. Now we will all share the light, and no one can put it out! You can stand line knowing how much it means to so many. Well done!

Dave Kern

R/C Region 2 NY

posted @ Wednesday, November 08, 2006 8:14 PM by WizdmDave

Thankyou Jeff for all that you've done. I wish I could wave a magic wand and keep ya where we would love to see ya, at the helm of this great organization.

I agree with the shame shame on the vocal people, if you don't like it then you should be the ones to leave!!!! I bet there are close to 63,000 people that won't support you.

posted @ Thursday, November 09, 2006 4:16 AM by CaptKersh

Jeff I have been out of touch for a while moving and such. YOU will be missed by me and I know others also. You were the first PGR member I met and I didn't know who you were. You were so down to earth and unassuming. You didi not act like someone who held the position of executive director. You were just one of the guys. You were a major influence in my staying with and becoming as active as I have been. I am sorry to see you go but I know all the stress you have been under trying to keep the peace. Godspeed Brother and I will try and keep in touch.

posted @ Thursday, November 16, 2006 10:58 AM by

Jeff - I just want to say THANK YOU FOR A JOB WELL DONE !! You lit a small fire with a spark and it has grown into a passion with so many of us. You "DID THE RIGHT THING" so that we could all see the importance of that and share in honoring our heros as they should be. We couldn't continue (or be where we are at today) without the strong foundation that you have based the PGR on. Good luck with your other pursuits and we'll see you on the line!

posted @ Wednesday, November 08, 2006 7:31 PM by MNHeritagePatriot

Jeff, THANKS! You are the kind of leader I would follow, and did. I only talked to you twice on the phone, but I could tell by your demeanor you ARE a fine man. I would like to meet you someday. OH yeah, how can I buy some PGR

stuff before it's gone? respectfully, skeeter1540
posted @ Wednesday, November 08, 2006 6:59 PM by skeeter1540

THANKS for All You Have Gave & Done, I'm a Vietnam Era Veteran. Since my Honorable DisCharge from The USArmy I involved myself with anything Military related, but always came away emty HEARTED? Well the Gulf War came and gone; the Iraq War is still going on; Still Standing behind My Brothers/Sisters, Then Bam I open the paper in AthensGA about this group of individuals HonoringSGT. Flint! Guess what? Life has never been the same! Yes I joined the PGR & never looked back! These MISSION's give me a Warm Fussy Feeling that I haven't had since I was Saved in the SDA. My God Bless You/Family! SP/Philip C. Wall 2006 Veteran Day
posted @ Friday, November 10, 2006 10:37 AM by pwall2

Jeff, I first became aware of and joined the PGR in the spring of this year. Since then, I have watched in amazement as the numbers swelled and swelled again -- and the assignments/missions increased exponentially. I always enjoyed reading your reasoned, reasonable correspondence, and think that your hand behind the scenes was masterful. I salute you for the work you did. PGR members owe you a debt of gratitude for all the organizational set up you put into place. Well done, sir!
posted @ Wednesday, November 08, 2006 7:40 PM by Feets

Jeff never met you but would be proud to stand a flag line with you the place of honor would be to stand next to you and Bonnie for what you have done with this outfit. Best to you Blue Fox
posted @ Wednesday, November 08, 2006 5:06 PM by BLUE FOX

Jeff--

Joe and I were at the GOTG in Clarmore and did have the pleasure of meeting you...as we were talking to you, I remember thinking what a "regualr guy" you are and how friendly and open and passionate about the PGR you are. It was so good to be able to meet the man who took the vision and gave it life. We are sad to see you take a different role, but know that the fire you fanned is now a wildfire! THANK YOU for giving my husband, Joe, a VietNam vet, an organization to belong to that helps him deal with terrible scars he bears from that war and the way many Americans treated him after he came back. THANK YOU for giving me (and him) an avenue to "do the right thing". We are so patriotic and love our country and soldiers, but didn't have a way to put our feelings into action. You helped provide us with a way to touch our brave soldiers and their families. For this we owe you a debt of gratitude that we can not repay. The PGR has truly changed our lives...as I know it has thousands upon thousands of people's lives. As Ecclesiastes says, for everything there is a time, a season to everything under heaven. Thank you for the time you sacrificed so we could become the PGR. Now it seems you feel it is time for the torch to be passed on. We pray that our love and thanks will surround you and that you will know that even Jesus had people who criticized and accused Him, although He was perfect. In other words, you cant be "good " enough to avoid the things some people will always say. Hurtful, hateful and untrue remarks/criticism in no way mean you have done anything wrong...they merely say something about the people who speak these things.

We look forward to seeing you in '07 @ the GOTG...with our deep appreciation and support always. Liz and Joe from Lees Summit, MO
posted @ Sunday, November 12, 2006 6:35 PM by 3rd of the 60th

Jeff,

Walk tall. You have done all of us a great service in shepherding the PGR through it's formative stages and to the heights we have reached today. No one can doubt your dedication to the mission. Someday I'll shake your hand and thank you in person for the good things you have done. Until then just know that we think the world of you and the organization that has given so much, to so many people, in a variety of ways. 63,000 members. Who would have imagined the impact we would have on the entire country. I know we have been a blessing to so many families of the fallen. Rest easy, pass the baton and let the fresh troops carry the banner. I'll see you someday on the flag line. Best to you and your family. Dave Polett "HarleyDave747" PGR in CT.

posted @ Wednesday, November 08, 2006 11:12 PM by HarleyDave747

Thank you Jeff, for your vision and pioneering a venue for us to stand proud and honor fallen Americans. What an impact we've made in the last year! We're making a difference, and America is actually thanking US!

Here are a couple of recent examples from Austin, Texas...

Today, 12 Nov. 2006 has been declared "Patriot Guard Day" in Austin, by Mayor Will Wynn.

Back in August, we completed a mission for a local Marine, Sgt. George Ulloa, Jr. We were planeside when he came home and graveside when he was laid to rest. Yesterday, on Veteran's Day, the Austin group sent riders to San Antonio to escort another Marine, Luke Holler, to his final resting place at Ft. Sam. When we staged in Austin for the 70 mile ride to S.A., George Ulloa Sr. was there with his 2 other sons. He is now a PGR as well, although he doesn't ride- he drives the biggest damn pickup you're ever seen!

Once we got to the church in S.A. and assembled with the SA riders and another group from Houston, Senior asked to say a few words. He introduced himself and spoke of how we could in no way understand what it was like to have so much support from us, complete strangers. He choked back tears as he spoke, his loss is still so recent. He did manage to also tell us that he had an igloo full of water for all of us. US Flags were on his truck, a large USMC decal in the rear window, and he and his sons escorted in support the entire 150 mile round trip. He is a registered member, and a respected father to us in our local membership. We are proud to have him with us. What does one say to the family, freinds, police, media and active service members who thank us for being there? All I can say, if anything at all, is "Thank you for having us".

Lastly- and this is partially non- mission oriented, the waves and thank you's we get when being passed or seen in traffic to, from or during a mission. People notice, and they're becoming aware of our existence and what we stand for, and they appreciate it. I think that it has rekindled a spirit not only among riders, but to those who only wish THEY could belong to a similar group as well. Of course, you don't have to be a rider, it's simple and on the home page what the requirements are to be a member. The simplicity of membership is a beautiful thing! And I almost hate to see the earlier posting suggesting elections for our future leadership. I hate to think of us becoming politicized...

Anyway, my last thought- the non mission part, is that in addition to serving the families, we at the same time are even breaking down some stereotypes of our motorcycling community. You see at funerals- at first some of the family are a bit wary of our appearance. But at the end of the day they're feeling so much differently. They accept and appreciate us, and that can only help make all riders a little bit safer while on the road.

Thank you, Jeff- for helping me find a way to serve and to belong. I've never wanted to be a part of any motorcycle organization of any type, except HOG and the Ironbutt Association which are basically to me just AAA for Harley owners and a patch for my vest when I do a long ride. The Patriot Guard is one I can 100% belong to, believe in, be proud of, and support to the end.

As someone once wrote in these forums, I'm "riding for the PGR until the PGR rides for me". I'm in it for life. And damn proud to be.

Andy Lough
"Andyman"
Ride Captain/ Austin
posted @ Sunday, November 12, 2006 4:27 AM by Andyman

Jeff

Thank you for the PGR, It is the right thing for all of us to do. Our troops need to know that they are welcome back home, when they get here. I would like some day too meet you, but for now enjoy your family and life, put your knees to the breeze, and maybe we will meet on a flag line.

Shovelhead85

1
posted @ Thursday, November 09, 2006 7:44 PM by shovelhead85

Jeff,
I've only met you via phone (sorry, Bonnie), but I am proud to call you my friend. You have done an outstanding job! Stars in your crown. God Bless in your future endeavors.

Granny Red
posted @ Thursday, November 09, 2006 6:19 AM by Granny Red

Jeff--
I want to thank you. I wasn't aware of the PGR until this past May when my friend was killed in Iraq and the PGR stood with honor at his funeral. Thanks so much for everything.

Semper Fi!
posted @ Thursday, November 09, 2006 6:52 PM by wyowife72493

JEFF,
GOOD LUCK, RIDE SAFE, ENJOY YOUR FAMILY.

THANK YOU FOR THE PGR, IT WAS AND STILL IS THE RIGHT THING TO DO!

GOD BLESS YOU AND YOUR FAMILY.
posted @ Thursday, November 09, 2006 4:36 PM by CE1SeaBee

Jeff,
I'm afraid all of your time may now be taken up with reading all the posts of those of us who will miss you so very much. Thank-you and your wife and family for every thing. I think I speak for 99.999% of the Patriot Guard when I say ,We never doubted any thing you did or were doing. Shame on that little % of others. Volunteering for any organization takes a toll, Let alone an organization with 60,000 members.

Thanks from all of us Patriots!!!
God Bless you and your family.
Mary Anne Keough
posted @ Thursday, November 09, 2006 7:18 AM by AnnieM

I joined the PGR when there were 25,000 members or so. We are now 63,000 strong. Every one of us owes a huge debt of gratitude to Jeff and Bonnie. I wish them peace and happiness in their future pursuits. I have been involved in many organizations and have never been as proud as I am to be a member of the PGR. Thank you Jeff.

Oscar C. Blomgren
Green Oaks, IL
posted @ Thursday, November 09, 2006 8:26 AM by Tatonka69

Sorry, forgot to log in for that last post.
Denny (DXTRIDER)
Proud PGR Member
posted @ Friday, November 10, 2006 9:19 AM by DXTRIDER

Each of us has to take a look at our lives and decide on some hard facts. Some harder than others but the decisions still have to be made and only

one person can do that for themselves, no matter what those decisions bring in the future. You do for you and yours as best as you can and hope for the best, but only YOU can make the Life decisions for you yourself. My best wishes for your Life decisions and there outcome. One question, how would I go about ordering, form what stock you have left. Address, e-mail etc. etc. etc. Thanks again for your service. Tailgunner, in Salina, Ka.
posted @ Thursday, November 09, 2006 12:28 PM by LRRains

Jeff, I am new to the PGR and did not have the pleasure of meeting you. My loss I can see from your letter and comments from other PGR members. Thank you for all you have done and given to this group. I do hope after a bit of "R&R" you will be back stronger than ever and leading the way again. God Bless!
posted @ Monday, November 20, 2006 6:23 PM by Uffda

Jeff, I may never meet you and I will regret that because it will be a lost opportunity to meet a real Hero. I am a new member and a Viet Nam vet. I joined to have the privilage of making sure that no interferes with or upsets the family and friends attending the funeral of the young men and women who lost their lives for this great country. Until you spend time in another country and return home you can never truly realize how wonderful this country is. I will stand proudly to welcome home any all returning from a war zone because I understand what it's like to feel that no one cares what you went through. It may not mean much right now but I would like for you to know I had tears in my eyes when I first heard that someone was standing up for America and not letting a few misguided individuals harrass and slander our servicemen. And to do it in such an organized way, that never involved violence is a superhuman feat. Stand tall because you are one of my heros. In Viet Nam when something really bad happened to us we would stoically say 'It don't mean nothin' and that's what I think of anyone who would look beyond what you have done for this country and be so petty. Please stay involved you are the torch bearer for the 'silent majority'.

Bless You, Brother.
Black Horse.
posted @ Thursday, November 23, 2006 7:52 PM by Black Horse

Jeff, Our Founding Father of PGR, you are one awesome American Brother. Stepping back is not stepping down you are still going to be shoulder to shoulder with us and it is just as important. My first Mission was today in Monongahela, PA. A Viet-Nam Vet, yes, but just as important as one our Missions for a Soldier of the present conflict. Many of the men, who were also Nam Vets, I talked to today at the staging area, without words even said, gave me the impression that they are able to do some healing in being a PGR. I was a punk kid during that war 30-some years ago, but I knew in my heart that something better needed to be done for them upon their return to the Country they faught for to keep our Freedoms. You, Sir, are the man that started the fires burning in those Vets, and the rest of us, who are Honored to show our Respect for those who have made the Highest Sacrifice to keep us Free. My Father who served in WWII will have the PGR escort him to his final resting place one day at my request. As someone else said in these postings earlier, may our Missions be Welcome Home rides instead of funerals soon. Bless you, your family, and our new Leader of PGR. Peace and Love, Nancy
posted @ Saturday, November 18, 2006 3:54 PM by Gary and Nancy Schwartz

No virus found in this outgoing message.
Checked by AVG.
Version: 7.5.524 / Virus Database: 269.24.4/1476 - Release Date: 5/31/2008
12:25 PM



OKLAHOMA SECRETARY OF STATE
2300 N. LINCOLN BLVD., ROOM 101
OKLAHOMA CITY, OK 73105-4097

M. Susan Savage
Secretary of State

Brad Henry
Governor

02/27/2006

THOMAS J. WINTERS
ATTN: THOMAS J. WINTERS
2448 E. 81ST STREET, SUITE 5900
TULSA OK 74137
USA

RE: PATRIOT GUARD RIDERS, INC.

Document Number: 4616540002
Client Account Number: 23422409

Dear Secretary of State Customer:

The documents submitted have been filed in the Secretary of State's Office. Please find the enclosed documentation evidencing such filing.

I am pleased to announce that the Secretary of State's office is completing the final stages for the implementation of a new business system. Please allow me to introduce you to *SOONERACCESS*.

SOONERACCESS.....

- > Available at www.sos.state.ok.us, please visit our website during the next few weeks as services become available;
- > Available 24 hours a day, Monday through Saturday and from 6 a.m. to midnight on Sundays.
- > Submit the majority of business entity documents, trademarks/renewals, and notary public applications/renewals on-line;
- > Search business entity, trademark, and notary public information on-line;
- > Order and receive status certificates and certified and plain copies of documents on-line;
- > No additional charges, statutory fees will still be charged for on-line services. Detailed searches for business entities are available at a cost of three searches for \$5.00, however simple searches involving name, entity type, and registered agent are available free of charge.
- > On-line payment may be made by Electronic Fund Transfer at no charge or by credit card which is subject to a 4% convenience fee.

I believe *SOONERACCESS* will provide customers a welcome convenience, allowing their time to be spent on-line rather than in line. Please note your client account number at the top of the page for easy access to the new system. If you have any questions regarding the new procedures in the Secretary of State's office or *SOONERACCESS*, please do not hesitate to contact me.

Sincerely,

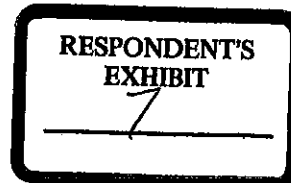
M. Susan Savage
Secretary of State

Enclosure

Office (405) 521-3911

<http://www.sos.state.ok.us>

Fax (405) 521-3771



PGR 000684

OFFICE OF THE SECRETARY OF STATE



**NOT FOR PROFIT
CERTIFICATE OF INCORPORATION**

WHEREAS, the Not For Profit Certificate of Incorporation of

PATRIOT GUARD RIDERS, INC.

has been filed in the office of the Secretary of State as provided by the laws of the State of Oklahoma.

NOW THEREFORE, I, the undersigned, Secretary of State of the State of Oklahoma, by virtue of the powers vested in me by law, do hereby issue this certificate evidencing such filing.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the Great Seal of the State of Oklahoma.



*Filed in the city of Oklahoma City this
21st day of February, 2006.*

M. Lizan Savage

Secretary of State

The name of the corporation is:
PATRIOT GUARD RIDERS, INC.

This nonprofit corporation is organized and operated exclusively for charitable purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

This corporation does not have authority to issue capital stock.

This corporation is not for profit, and as such the corporation does not afford pecuniary gain, incidentally or otherwise, to its members.

Effective Date:

Perpetual

Agent Name
Jeffrey A Brown
Address
8321 S. 8th Street
Broken Arrow, OK 74011 USA

Name	Title
Jeffrey A. Brown	Incorporator
Address	
8321 S. 8th Street	
Broken Arrow, OK 74011 USA	

Name	Title
Kurt Mayer	Incorporator
Address	
14830 Santa Lucia Drive	
Houston, TX 77063 USA	

Name	Title
Jason Wallin	Incorporator
Address	
312 Granite Court	
Windsor, CO 80550 USA	

Name
Jeffrey A Brown
Address
8321 S. 8th Street
Broken Arrow, OK 74011 USA

Title
Director

Name
Kurt Mayer
Address
14830 Santa Lucia Drive
Houston, TX 77063 USA

Title
Director

Name
Jason Wallin
Address
312 Granite Court
Windsor, CO 80550 USA

Title
Director

The Number of Directors to be Elected at the First Meeting: 3

File Label
Additional language

File Name and Path
G:\Paula\WPD\OK\FORMS\Additional Language.pdf

I hereby certify that the information provided on this form is true and correct to the best of my knowledge and by attaching the signature I agree and understand that the typed electronic signature shall have the same legal effect as an original signature and is being accepted as my original signature pursuant to the Oklahoma Uniform Electronic Transactions Act, Title 12A Okla. Statutes Section 15-101, et seq.

Dated - 2/21/2006

Corporation Name

Signature Name

Title

Jeffrey A. Brown

President

Kurt Mayer

Secretary

Jason Wallin

Treasurer

[End Of Image]

BYLAWS OF PATRIOT GUARD RIDERS, INC.

ARTICLE ONE OFFICES

The principal office of the corporation, hereinafter referred to as the "Corporation", shall be located at the address set forth in the Articles of Incorporation. The Corporation may have such other offices, either within or without the State of Incorporation, as the Board of Directors may determine from time to time.

ARTICLE TWO MEMBERSHIP

The Corporation shall have only one (1) class of membership, the Board of Directors, which shall be voting members.

ARTICLE THREE BOARD OF TRUSTEES

Section 1. General Powers. The affairs of the Corporation shall be managed by the Board of Directors whose members shall have a fiduciary obligation to the Corporation.

Section 2. Number, Term, and Qualifications. The number of Directors shall be no less than three (3) and no greater than five (5). The term of membership shall be for continuous one (1) year periods, unless removed. Those set forth in the original Articles of Incorporation shall comprise the original Board of Directors.

Section 3. Regular Meetings. A regular annual meeting of the Board of Directors shall be held each year, or more frequently as the Board of Directors may determine. The Board of Directors may provide, by resolution, the time and place for holding additional regular meetings without other notice than such resolution. Additional regular meetings shall be held at the principal office of the Corporation in the absence of any designation in the resolution.

Section 4. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of any two (2) Directors, and shall be held at the principal office of the Corporation or at such other place as the Directors may determine.

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PGR 000688

Section 5. Notice. Notice of the annual, regular or any special meeting of the Board of Directors shall be given by oral notice to each Director. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. The business to be transacted at the meeting need not be specified in the notice or waiver of notice of such meeting, unless specifically required herein or by law.

Section 6. Quorum. A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the Directors are present at any meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice.

Section 7. Board Decisions. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these Bylaws.

Section 8. Vacancies, Additions, Elections and Removal. Any vacancy occurring in the Board of Directors and any directorship to be filled by reason of an increase in the number of Directors, shall be filled by a two-third (2/3) majority vote of the Board of Directors. Directors shall be removed by a two-third (2/3) majority vote of the Board of Directors.

Section 9. Compensation. Directors, as such, shall not receive any salaries for their services.

ARTICLE FOUR OFFICERS

Section 1. Officers. The officers of the corporation shall be a president, a secretary, a treasurer, one or more vice-presidents and such other officers as may be elected in accordance with the provisions of this Article. The Board of Directors may elect or appoint such other officers, including one or more assistant secretaries and one or more assistant treasurers, as it shall deem desirable, such officers to have the authority and perform the duties prescribed, from time to time, by the Board of Directors. Any two or more offices may be held by the same person.

Section 2. Election and Term of Office. The officers of the Corporation shall be elected annually by the Board of Directors at the regular annual meeting of the Board of Directors. If the election of officers is not held at such meeting, such election shall be held as soon thereafter as is convenient. New offices may be created and filled at any meeting of the Board of Directors. Each officer shall hold office until his successor has been duly elected and qualified.

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Section 3. Removal. Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the Corporation would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the officer so removed.

Section 4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification, or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

Section 5. Powers of Officers.

(a) **The President:** The President shall be the chief executive officer of the Corporation. He shall be a continuing member of the Board of Directors. He shall have general management of the business of the Corporation and have general supervision of the other officers. He shall preside at all meetings of the Board of Directors and see that all orders and resolutions of the Board are carried into effect, subject, however, to the right of the Board to delegate to any other officer or officers of the Corporation any specific powers, other than those that may be conferred only upon the President. He shall execute in the name of the corporation all deeds, bonds, mortgages, contracts, and other documents authorized by the Board of Directors. He shall be ex-officio a member of all standing committees, and shall have the general powers and duties of supervision and management usually vested in the office of president of a corporation.

No person shall be invited to speak or teach at a meeting held by the Corporation without his approval. He shall be designated attorney-in-fact for the Corporation by virtue of his office. He shall have the authority to appoint and approve any assistants that would be necessary to properly carry on the work of the Corporation.

(b) **Vice-President:** The vice-president shall perform the duties and exercise the powers of the president in case of his temporary absence from the office of the Corporation, and shall perform such other duties as may from time to time be granted or imposed by the Board of Directors. He shall serve as an ex-officio member of the Board of Advisors; however, in the event of serving as president, he shall be a voting member of the Board of Advisors.

(c) **The Secretary:** The secretary shall attend all sessions of the Board held at the office of the Corporation and act as clerk thereof and record all votes and the minutes of all proceedings in a book to be kept for that purpose. He shall perform like duties for the executive and standing committees when required. He shall give, or cause to be given, notice of meetings of the Board of Directors when notice is required to be given under these Bylaws or by any resolution of the Board. He shall have custody of the seal to all authorized documents requiring a seal. He shall keep the membership rolls of the Corporation, and in general perform the duties usually incident to the office of secretary, and such further duties as shall from time to time be prescribed by the Board of Directors or the president.

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PGR 000690

(d) *The Treasurer: The treasurer shall keep full and accurate account of the receipts and disbursements in books belonging to the Corporation, and shall deposit all moneys and other valuable effects in the name and to the credit of the Corporation in such banks and depositories as may be designated by the Board of Directors, but shall not be personally liable for the safekeeping of any funds or securities so deposited pursuant to the order of the Board. He shall disburse the funds of the Corporation as may be ordered by the Board and shall render to the president and Directors at the regular meeting of the Board, and whenever they may require, accounts of all transactions as treasurer and of the financial condition of the Corporation. He shall perform the duties usually incident to the office of treasurer and such other duties as may be prescribed by the Board of Directors or by the president.*

(e) *Delegating Powers to Other Officers: In case of the absence of any officer of the Corporation, or for any other reason that may seem sufficient to the Board, the Board of Directors may delegate his duties and powers for the time being to any other officer, or to any Director.*

ARTICLE FIVE COMMITTEES AND BOARD OF ADVISORS

Section 1. Committees of Directors. *The Board of Directors, by resolution adopted by a majority of the Directors in office, may designate one or more committees, which committees, to the extent provided in such resolution, shall have and exercise the authority of the Board of Directors in the management of the Corporation; but the designation of such committees and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Directors, of any responsibility imposed on it or him by law.*

Section 2. Other Committees. *Other committees not having and exercising the authority of the Board of Directors in the management of the Corporation may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. The President shall appoint the members thereof. Any member thereof may be removed by the President whenever in his judgment the best interest of the Corporation shall be served by such removal.*

Section 3. Board of Advisors. *A Board of Advisors may be appointed as set forth below. It shall be the responsibility and privilege of the Board of Advisors to provide counsel to the president and the Board of Directors. Counsel shall be in organizational, financial, legal or other areas wherein the president determines professional counsel is needed and/or desirable. No minimum or maximum number of members of the Board of Advisors shall be established and the appointment to the Board of Advisors and tenure thereon shall be at the pleasure and in the complete discretion of the president.*

**ARTICLE SIX
CONTRACTS, CHECKS, DEPOSITS, AND FUNDS**

Section 1. Contracts. The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or may be confined to specific instances.

Section 2. Checks, Drafts or Orders. All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, agent or agents of the Corporation, and in such manner as shall from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments may be signed by either the treasurer or the President of the Corporation. The President of the Corporation shall be permitted to authorize execution of checks, drafts, or orders in the amount of \$1,500.00 or less without prior approval of the Board of Directors.

Section 3. Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

Section 4. Gifts. The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest or devise for any purpose of the Corporation.

**ARTICLE SEVEN
BOOKS AND RECORDS**

The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, Board of Directors, committees having and exercising any of the authority of the Board of Directors, and any other committee, and shall keep at the principal office a record giving the names and addresses of the Board of Directors members entitled to vote. All books and records of the Corporation may be inspected at any reasonable time.

**ARTICLE EIGHT
FISCAL YEAR**

The fiscal year of the Corporation shall be the calendar year.

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ARTICLE NINE DISSOLUTION

Upon the dissolution of the Corporation, the Board of Directors shall, after the payment of all the liabilities of the Corporation, dispose of all of the assets of the Corporation exclusively for the purposes of the Corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall qualify as an exempt corporation or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, (or by the corresponding section of any future Revenue Code of the United States of America) or (b) by a corporation, contributions of which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as amended (or the corresponding section of any future United States Revenue Law).

ARTICLE TEN INUREMENT

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its members, officers, Directors, or any person except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered. Notwithstanding any other provisions of the Articles of Incorporation or these Bylaws of the Corporation, the corporation shall not carry on any activity not permitted to be carried on by (a) a corporation exempt from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (or by the corresponding section of any future Revenue Code of the United States of America), or (b) a corporation contributions of which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as amended (or corresponding section of any future United States Revenue Law).

ARTICLE ELEVEN CONFLICT OF INTEREST

Any director, officer, or key employee who has an interest in a contract, salary negotiation, or other transaction presented to the Board of Directors or a committee thereof for authorization, approval, or ratification shall make a prompt and full disclosure of his interest to the Board of Directors or committee prior to its acting on such contract or transaction. Such disclosure shall include any relevant and material facts known to such person about the contract or transaction which might reasonably be construed to be adverse to the corporation's interest.

The body to which such disclosure is made shall thereupon determine, by a vote of seventy-five (75%) of the votes entitled to vote, whether the disclosure shows that a conflict of interest exists or can reasonably be construed to exist. If a conflict is deemed to exist, such person shall not vote on, nor exert his personal influence regarding, nor participate in (other than to present factual

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PGR 000693

information or to respond to questions) the discussions or deliberations with respect to such contract or transaction. Such person may be counted in determining whether a quorum is present but may not be counted when the Board of Directors or a committee of the Board takes action on the transaction. The minutes of the meeting shall reflect the disclosure made, the vote thereon, the abstention from voting and participation (where applicable), and whether a quorum was present.

ARTICLE TWELVE SEAL

The Board of Directors shall provide a corporate seal, which shall be as set forth below.

ARTICLE THIRTEEN AMENDMENT OF BYLAWS

These Bylaws may be altered, amended, or repealed, and new bylaws may be adopted by a two-thirds (2/3) majority vote of the Board of Directors at any regular or special meeting of the Board of Directors. At least seven (7) day written advance notice of said meeting shall be given to each member of the Board of Directors.

PATRIOT GUARD RIDERS, INC.

(SEAL)



Jeffrey A. Brown/President

02/04/02 (PAG)
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BYLAWS-7

PGR 000694

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

JEFF BROWN,

Opposer,

v.

PATRIOT GUARD RIDERS, INC.,

Applicant.

)
)
)
)
)
)
)
)
)
)

Opposition No. 91181448

Application No. 77/040,379

EXHIBIT 2

of

“Applicant’s Memorandum In Support of Its Motion for Summary Judgment”

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

JEFF BROWN,)	
)	
Opposer,)	
	)	Opposition No. 91181448
v.)	
	)	Application No. 77/040,379
PATRIOT GUARD RIDERS, INC.,)	
)	
Applicant.)	

DECLARATION OF TERRY HOUCK

I, Terry Houck, declare and state as follows:

1. I am over 21 years old, and I have personal knowledge of the facts of this Declaration and could testify competently to them if called upon to do so.
2. I have lived in Derby, Kansas since 1963.
3. I served in the United States Army from November 1968 through November 1974, serving in Viet Nam from April 1969 through June 1970
4. I have been a member of the American Legion since June 2004.
5. I have been a member of the American Legion Riders, a program of the American Legion established for American Legion members who are motorcycle enthusiasts, since June 2004.
6. I belong to the Kansas American Legion Riders, Post 136, out of Mulvane, Kansas (hereinafter "Kansas ALR").
7. My ride name is "Darkhorse".
8. On July 24, 2005, my wife, Carol, learned that a group of protestors from the Fred Phelps Westboro Baptist Church (hereinafter the "WBC") had disrupted a Newkirk, Oklahoma

soldier's funeral.

9. My wife and I then created a plan for riding to fallen soldiers' funerals in order to show our sincere respect to our fallen heroes, their families, and their communities.

10. I discussed this plan with other members of Kansas ALR and the group agreed to take action to preserve our fallen hero's memory and honor, and to provide support to their families who were being harassed by the WBC protestors.

11. During the August 7, 2005 meeting, the director of Kansas ALR appointed myself and others as committee members.

12. The committee established a mission purpose, procedures, and guidelines to honor the memory of our fallen soldiers and support the families who are subjected to the WBC protests.

13. I, along with other members of Kansas ALR, attended the Governors Conference at the Wichita Hilton in Wichita, Kansas, on August 27, 2005, in order to observe the WBC in action.

14. After attending the Governors Conference, we then: (1) established our Mission Statement and Mission Procedures for Fallen Soldier Funerals; (2) agreed that the mission was to stand guard for America's Fallen Soldiers who are Killed In Action or are Casualties of the current wars fighting terrorism; and (3) agreed that we must be invited guests of the families of the fallen soldiers.

15. When the committee heard that the WBC were going to protest at the funeral of United States Army Sgt. John Doles of Chelsea, Oklahoma, I contacted Sgt. Doles' family, and after I explained the WBC's intentions, Sgt. Doles' mother invited us to attend the funeral and

stand guard.

16. After receiving the invite from Sgt. Doles' mother, I then contacted the Chelsea Police Department to notify them of our invitation and intention to be present at the funeral.

17. I, along with some of my fellow members of Kansas ALR and others (including American Veterans M/C, CVMA, CMA, ABATE, BACA, Rolling Thunder, Carry the Flame, Run to the Wall, and other individuals who were not members of any organization or motorcycle clubs, who all came from Kansas, Missouri and Oklahoma), attended the funeral service of United States Army Sgt. John Doles of Chelsea, Oklahoma on October 11, 2005.

18. On October 18, 2005, the Kansas ALR committee met to discuss several possible names and then selected and voted to use the name "Patriot Guard" for the Fallen Soldiers funerals.

19. Thereafter, we then designed a patch (a rectangular one inch by three and one-half inch black patch edged in gold thread and bearing the words "Patriot Guard", also in gold thread) in order to represent the group and mission and ordered the patches at Flying Colors in Wichita, Kansas.

20. I, along with other members of Kansas ALR, as well as other individuals and groups, attended the funeral service of United States Spc. Lucas Frantz in Tonganoxie, Kansas on October 27, 2005.

21. On October 27, 2005, I announced at every pre-staging stop on the mission ride to Tonganoxie, Kansas that "all who participate at a fallen soldier funeral mission will be known as the 'Patriot Guard'".

22. On October 27, 2005, I again announced the "Patriot Guard" name to more than

one hundred riders present at the final staging area in Tonganoxie, Kansas and I further stated to all present (including American Veterans M/C, CVMA, CMA, ABATE, BACA, Rolling Thunder, Carry the Flame, Run to the Wall, and other individuals who were not members of any organization or motorcycle clubs, who all came from Kansas, Missouri, Oklahoma, Colorado and Nebraska) that many motorcycle organizations were represented at the funeral and that we were all supporting the same cause, such that, from that day forward, we would be known as the "Patriot Guard", and the name applied to Fallen Soldier Funeral missions.

23. I, along with other members of Kansas ALR, as well as other individuals and members of other motorcycle organizations and clubs, from Kansas, Missouri, Oklahoma and Colorado) attended the funeral service of United States Army Sgt. Evan S. Parker in South Haven, Kansas on November 2, 2005.

24. I met Jeff "Twister" Brown (hereinafter "Brown") in South Haven, Kansas on November 2, 2005 and he asked me for permission to start the Patriot Guard mission in Oklahoma and stated that he wanted to do the same thing in Oklahoma that we were doing in Kansas.

25. During my conversation with Brown in South Haven, Kansas, he asked me to send him our Mission Statement and our Mission Procedures, he quizzed several of the Kansas ALR's members and asked how we did the mission, who we contacted, how we selected staging areas, and other questions.

26. During the mission to South Haven, Kansas, I also announced to the riders present that we had Patriot Guard patches on order and that we would give one patch free of charge to everyone who attended and, therefore, we provided a sign-up sheet to allow attendees to provide

contact information so that we could distribute the patches; Brown signed the sheet. A true and correct copy of the sign-up sheet is attached hereto as Exhibit A.

27. After the Sgt. Evan Parker funeral mission, we received the patches we had ordered from Flying Colors and began distributing them in late November of 2005.

28. I, along with other members of Kansas ALR, as well as other individuals and groups, attended the funeral service of United States Army Pfc. David Jeffrey Martin in Edmond, Oklahoma on November 8, 2005.

29. At the funeral service of United States Army Pfc. David Jeffrey Martin, Brown first discussed his idea of using the Internet to set up a nationwide network and information center designed to alert other bikers and veterans of upcoming military funerals with me and other members of Kansas ALR, and we agreed that such a nationwide network and information center would likely be a good idea because many organizations were adding the Patriot Guard Funeral Missions to their mission agenda for their respective organizations, and the individuals who were not members of organizations needed a place to find the information.

30. The members of Kansas ALR were some of the first individuals to join the PGR association implemented by Brown after the funeral service of United States Army Pfc. David Jeffrey Martin.

31. I received an e-mail from Brown on November 10, 2005 in which he stated that he had designed a logo for the PGR association, which was attached to the e-mail, for the purpose of displaying same on products in order to enhance the PGR association's presence at any funeral service for a fallen soldier. A true and correct copy of this e-mail is attached hereto as Exhibit B.

32. I received an e-mail from Brown on November 11, 2005 in which Brown asked

for my, as well as others', input regarding a proposed Mission Statement for the PGR association. A true and correct copy of this e-mail is attached hereto as Exhibit C.

33. I received an e-mail from Brown on November 12, 2005 in which Brown advised me, as well as others, that the Mission Statement had been met with approval after some modification and that the Mission Statement was posted on the PGR association's website www.patriotguard.org. A true and correct copy of this e-mail is attached hereto as Exhibit D.

34. In January of 2006, I, along with my two Co-Captains, Cregg "Bronco 6" Hansen and Greg "Ebay" Hansen, wrote a brief history of the Patriot Guard for publication on the PGR association's website, www.patriotguard.org, in which we were referred to as the "Founding Fathers of the Patriot Guard".

35. Brown refused to publish the history as written and at first removed references to the truthful founding of the Patriot Guard and, in every revision he made, he included his account of the Sgt. Evan S. Parker mission in South Haven, Kansas which included his declaration that after attending the funeral he knew he "had to do more than just ride", so he "established the Patriot Guard Riders".

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/17/2009

Terry D. Houck
Terry Houck

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

JEFF BROWN,

Opposer,

v.

PATRIOT GUARD RIDERS, INC.,

Applicant.

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Opposition No. 91181448

Application No. 77/040,379

EXHIBIT A

of

"Declaration of Terry Houck"

Patriot Guard

02/11/05
(02-NOV-05)

PATRIOT GUARD SOUTH HAVEN

"Alone We Can Do So Little- Together We Can Do So Much"

If you would like to be included for updates and future protests of the WBC please list your name, ph # and e-mail

yes/no.

Patriot guard patches

Karen
2 patches
OK

Mase Cook	wesive@networksplus.net	YES	(1)
CHARLY ZELMET	7407 E Paces Rd Unit B	YES	(1)
CLARE MOORE	OK 74019		
AAT ALBISON	316-772-6812	YES	(1)
DOUG EVANS	620-628-4850	YES	(1)
Amy Forgie	316-721-8464 forgie64@cox.net	YES	(1)
Janet Atell	404A J pooh@yahoo.com	YES	(1)
Mike Harryman	316 2104356	YES	(1)
DEBBIE JOHNSON	RANDY BLAND 620-442-5306 DLJRJB@COX.NET	YES	(2) PATCHES
GARY MORRISON	am049@hotmail.com	YES	(1)
DOE LEACH	DLEACH2@COX.NET	YES	(1)
Tammy Johnston & Dana Tulk	t.johnston@cox.net	YES	(2)
S. S. SWEENEY	TSWEENEY@COX.NET	YES	(2)
TOM ZOKTZ	620-231-8628	YES	(1)
BYRON MCNARY	316-214-8907 bmcnary73@yahoo.com	YES	(1)
DEAN OVERBEY	DOVERBEY@Macksville.net		(2)
Matt James	M.James379@cox.net Arkansas City, Ks.		(2)
Belinda Simmons	BOLT1 South Haven Ks. daisyqueen@KANKIA.net		
BILL ETKINS & LINDA ETKINS			
JEAN HARRIS	JEAN@KERO.ORG		
MIKE PEARCE			
LAURIE JACKSON			
Don Barr	donald.barr@globalnet		(9)
Robert Weaver	601 N STA CAKEX KS		(3)
Wanda Jackson	WJ@kinston.net		(2)
John Judd	juddus@yahoo.com		(2)

(4)

Post 138
Post 20

Jim Jaska & Donna Toddwell 316-943-0469 2 Patches
 3409 W 16th St N. Wichita
 * DEE DEE DAVIN 316 773 2341-~~44~~ daldavin@cox.net
 SHAWN & SHERYFF RICE 785-577-1749 nalscribhw@cox.net
 Sherry Pierce, sherryes@cox.net 2 patches
 Dwight Miller 2 Patches
 JOHN HUMPHRIES jhumphriesjr@cox.net
 RICHARD MCKINNEY 620-429-3676
 Tommy Hill 316 5247477

* Rose Mans 316-684-6315 rose@gracepreschurch.org
 Larry Hammer 620-242-9163
 RON SCHUMER 316-522-3651 post 4
 Rena Yardley Army stores@yahoocom (2)
 Gary Gardner 303@SPC.Global.Net
 John Calloway 409-6543 807-8973 Johnand...@cox.net (2)
 Peter Shock 678-741-2027 LP.Shock@cox.net
 GARY LAUDER garylauder@YAHOO.COM 620 262-7984
 Bill Whooten 426 571449 GIDAG@RS 66743
 LARRY WILKINSON 8774 1425 RD WILKINSON 15 LAW@LAWND@HORMAN.COM
 Bill Cook "Sunny" 652-0980 4 patches please
 KELLY JAYNE 620-532-6944 (-) Kelly.jayne@cox.net NEED ALR PATCH
 CAROL JAYNE 620-532-2391 (H) Monica Needs ROCKERS
 1 patch
 Jim Lauterbach 316-299-6189 jim@scgleglecapital.com
 John Peters 620 399-8051 jpeters@SPC.Global.Net
 Michael Schwank 316-831-6130 mschwank@twitch.com
 Gilley @ CO
 Summer, KS. US

News media Channel 10?
 1 patch (Army - CO. Commander)
 JEFF BROWN JBROWN@VALORNET.COM - 1
 Mike Brothers midniteroad@yahoo.com 820-257-886
 Tony McLelland jkstrm@mpks.net
 Stan P... ppppp@shgglobal.net 316-722-1530 (2)
 Leonard Zech zech25e@hotmail.com 316-302-8222
 MITCH HANSEN
 C. M. S. HANSEN

From: Wallin Jason D. <jasonw@geoveritas.com>
Sent: Thursday, November 10, 2005 4:21 PM
To: Jeff Brown <jeffbrown@valornet.com>
Subject: RE: PGR Logo

FYI I threw up a placeholder @ www.patriotguard.org

Jason Wallin, CISSP
John Deere Agri Services
Fort Collins, CO

970-266-4525
jasonw@geoveritas.com

-----Original Message-----

From: Jeff Brown [<mailto:jeffbrown@valornet.com>]
Sent: Thursday, November 10, 2005 1:53 PM
To: William H. Sloan; Phil Mansker; Tom Connelly; Terry (Darkhorse)
Houck; Richard Keller; Eric C. Gagomiros; Preacher; Ralph and Susan;
LAnn Mullins; Kay Guynes; Keith Calloway; Wallin Jason D.; Knaus Hugh;
Chuck Thompson; Wayne Worthington; David Olson (STP); Craig Winkler;
Everett Free; Combat Veterans Motorcycle Association; CREGG HANSEN;
Bill Carr; Bill Law; Bill Bradley
Subject: PGR Logo

Several people have asked about a Patriot Guard Riders patches, decals,
arm
bands flags, etc. I like the idea and believe it will enhance our
presence
at any service without taking anything from the other organizations you
may
belong to.
I have designed a logo that I think works very well for us. I am
working
with a company to produce the stuff and will send out more information
as it
becomes available.
Also, Jason Wallin from Colorado has graciously donated web hosting for
us
and I hope to have a website up soon. The domain name reserved is:
patriotguard.org

I've attached the logo.

Thanks,
Jeff Brown "Twister"
Broken Arrow, OK

No virus found in this incoming message.
Checked by AVG.

Version: 7.5.524 / Virus Database: 269.24.1/1470 - Release Date: 5/28/2008 7:20 AM

BROWN008009

Perry, Bonnie

From: Preacher [preacher@carolina.rr.com]
Sent: Friday, November 11, 2005 9:30 PM
To: 'Jeff Brown'; 'Charles Yunker'; 'David Howery'; 'William H. Sloan'; 'Chuck Antollina'; 'Ben AKA The Whispanio'; 'Phil Mansker'; 'Art Van Engen "Moker"'; 'Tom Connolly'; 'Terry (Darkhorse) Houck'; 'Adam Taylor'; 'Shawn'; 'Ken McClellan'; 'Raymond Eade'; 'Richard Keller'; 'Eric C. Gagomiros'; 'Pete Schullen'; 'Ralph and Susan'; 'Ozarkmark'; 'R. L. Oscar Ingram'; 'John & Donna Rohloff'; 'Mark Brubaker'; 'LAnnmuilns'; 'Kay Guynes'; 'Keith Calloway'; 'John Sprague'; 'Jason Wallin'; 'Hugh Knaus'; 'Chuck Thompson'; 'Wayne Worthington'; 'David Olsen (STP)'; 'Craig Winkler'; 'Everett Freel'; 'Combat Veterans Motorcycle Association'; 'CREGG HANSEN'; 'Harry A. Elliott III'; 'Bill Carr'; 'Perry, Bonnie'; 'Bill Law'; 'Bill Bradley'
Subject: RE: PGR Mission Statement - Important!

I would suggest one change. "Fallen soldier, the soldier's family and community" would be a better phrase, gender neutral and all. We will be attending the funerals of the female soldiers as well.

Preacher
CVMA #671
<http://www.bastards.org/Bikes.htm>

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Friday, November 11, 2005 9:28 PM
To: Charles Yunker; David Howery; William H. Sloan; Ben AKA The Whispanio; Phil Mansker; Art Van Engen "Moker"; Tom Connolly; Terry (Darkhorse) Houck; Adam Taylor; Shawn; Ken McClellan; Raymond Eade; Richard Keller; Eric C. Gagomiros; David "Preacher" Slocum; Pete Schullen; Ralph and Susan; Ozarkmark; R. L. Oscar Ingram; John & Donna Rohloff; Mark Brubaker; LAnnmuilns; Kay Guynes; Keith Calloway; John Sprague; Jason Wallin; Hugh Knaus; Chuck Thompson; Wayne Worthington; David Olsen (STP); Craig Winkler; Everett Freel; Combat Veterans Motorcycle Association; CREGG HANSEN; Harry A. Elliott III; Chuck Antollina; Bill Carr; Bonnie Cutler; Bill Law; Bill Bradley
Subject: PGR Mission Statement - Important!

Hey Folks, I need to know if anyone has any problems with or suggestions for this as our PGR Mission Statement.
Your feedback ASAP would be greatly appreciated. This will be on our website.
Thanks,
Jeff Brown "Twister"
Broken Arrow, OK
Patriot Guard Rider
www.patriotguard.org

Patriot Guard Riders Mission Statement

The Patriot Guard Riders is an amalgamation of riders from across the nation. We have one thing in common besides motorcycles. We have an unwavering respect for those who risk their very lives for America's freedom and security. If you share this respect, please join us.

We don't care what you ride, what your political views are, or whether you're a "hawk" or a "dove". It is not a requirement that you be a veteran.
It

doesn't matter where you're from or what your income is. You don't even have to ride. The only prerequisite is Respect.

Our mission is to attend the funeral services of fallen American military heroes. Each mission we undertake has two basic objectives.

1. Show our sincere respect for our fallen hero, his family, and his community.
2. Protect the mourning family and friends from interruptions created by any protestor or group of protestors.

We accomplish the latter through strictly legal and non-violent means.

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No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.1.362 / Virus Database: 267.13.0/167 - Release Date:
11/11/2005

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No virus found in this outgoing message.
Checked by AVG Free Edition.
Version: 7.1.362 / Virus Database: 267.13.0/167 - Release Date:
11/11/2005

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

JEFF BROWN,

Opposer,

v.

PATRIOT GUARD RIDERS, INC.,

Applicant.

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Opposition No. 91181448

Application No. 77/040,379

EXHIBIT D

of

“Declaration of Terry Houck”

Perry, Bonnie

From: Jeff Brown [Jeffbrown@velornet.com]
Sent: Saturday, November 12, 2005 6:43 AM
To: Charles Yunker; David Howery; William H. Sloan; Ben AKA Tha Whispanic; Phil Mansker; Art Van Engen "Moker"; Tom Connelly; Terry (Darkhorse) Houck; Adam Taylor; Shawn; Ken McClellan; Michael and Kathleen Galtier; Raymond Eade; Richard Keller; Eric C. Gagomiro; David "Preacher" Slocum; Pete Schullen; Ralph and Susan; Ozarkmark; R. L. Oscar Ingram; John & Donna Rohloff; Mark Brubaker; LAnn Mullins; Kevin Wood; Key Guynes; Keith Calloway; John Sprague; Jason Wallin; Hugh Kraus; Chuck Thompson; Wayne Worthington; David Olsen (STP); Craig Winkler; Everett Freel; Combat Veterans Motorcycle Association; CREGG HANSEN; Harry A. Elliott III; Chuck Antolina; Bill Carr; Perry, Bonnie; Bill Law; Bill Bradley
Subject: Revised PGR Mission Statement

The PGR Mission Statement has met with approval after some modification. The statement was rewritten to be gender neutral. I realize the sacrifice and dedication of our women in service and did not mean to omit them. I appreciate everyone who caught that error and brought it to my attention. The revised mission statement is now up and running on our website. I owe you all an apology for an unintentional oversight on my part.

Sincerely,
Jeff Brown "Twister"
Broken Arrow, OK
Patriot Guard Rider
www.patriotguard.org

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

JEFF BROWN,

Opposer,

v.

PATRIOT GUARD RIDERS, INC.,

Applicant.

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Opposition No. 91181448

Application No. 77/040,379

EXHIBIT 3

of

“Applicant’s Memorandum In Support of Its Motion for Summary Judgment”

IN THE UNITED STATE PATENT & TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

JEFF BROWN,	)	CANCELLATION NO.:	91181448
)		
Petitioner	)	TRADEMARK:	PATRIOT
	)	GUARD RIDERS AND DESIGN	
v.)		
	)	APPLICATION NO.	77/040379
PATRIOT GUARD RIDERS, INC.,)		
	)	DATE FILED:	NOVEMBER 9,
Applicant	)	2006	

PETITIONER'S ANSWER TO APPLICANT'S FIRST SET OF INTERROGATORIES

Petitioner, Jeff Brown, submits his responses to Applicant Patriot Guard Riders First Set of Interrogatories.

Objections to Introductory Material, Definitions, and Instructions Contained in Applicant's First Set of Interrogatories.

1. Petitioner objects to the definitions and instructions contained in Applicant's First Set of Interrogatories to the extent those definitions and instructions seek to impose duties or obligations on Petitioner in addition to or different from those imposed or authorized by the Federal Rules of Civil Procedure the Patent and Trademark Board Rules of Practice. Furthermore, as written, those definitions and instructions are overly broad and unduly burdensome.

2. Petitioner will provide responses according to the Federal Rules of Civil Procedure and the Patent and Trademark Board Rules of Practice. Petitioner considers its obligations to be governed by those rules, and specifically disclaims the acceptance of any additional obligations imposed by your definitions and instructions. For example, Petitioner's

supplementation duties are governed by those rules. Petitioner objects to the supplementation instructions contained in your introductory matter and instructions.

3. Petitioner specifically objects to paragraph 1 of your Definitions insofar as it unreasonably expand the definition of the parties. For example, Rule 33(a) provides the basis for determining what information is available to a party. Petitioner objects to your definitions insofar as it would alter the meaning of Rule 33(a).

4. Petitioner specifically objects to paragraphs 17-20 of your Definitions insofar as, given the context of any particular interrogatory, there may be more appropriate and less burdensome manners to "identify" the requested information.

5. Petitioner specifically objects to paragraph 27 of your Instructions on the basis that the instruction is contrary to Rule 33. Petitioner will state its objections in compliance with Rule 33. Petitioner's privilege objections are governed by Rule 33 and Rule 26, in particular Rule 26(b)(5), as well as relevant case law interpreting those rules.

6. Petitioner specifically objects to producing any document or providing any information that discloses a confidential communication made for the purpose of facilitating the rendition of professional legal services. Petitioner objects to the extent any request seeks privileged information or information protected by the work product doctrine.

7. Petitioner will exercise the option to produce documents for inspection as they are kept in the usual course of business or organize or label them to correspond with the categories in the requests. See Rule 34(b). Any responsive documents which Petitioner has agreed to produce will be produced as agreed between the parties.

8. Petitioner specifically objects to producing any document that is not relevant to the claim or defense of any party, is not admissible at trial, and does not appear reasonably calculated to lead to the discovery of admissible evidence.

Each of these objections is incorporated in each particular response. This is primarily for brevity, since it adds nothing to the objection to reprint it on a subsequent page. Where more specific problems are presented by an interrogatory, an objection will be made that describes the additional problems presented by the interrogatory.

INTERROGATORY NO. 1: Identify all persons providing any information to answer these Interrogatories, as well as the nature of each person's knowledge relating to these Interrogatories.

ANSWER TO INTERROGATORY NO. 1: Petitioner responds as follows:

Jeff Brown c/o Tom Q. Ferguson and Rachel E. Blue Doerner, Saunders, Daniel & Anderson, L.L.P. 320 S. Boston Ave, Suite 500, Tulsa, OK 74103 (918)582-1211	Knowledge regarding the use and creation of the marks, communications between the parties; and other matters related to this dispute
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INTERROGATORY NO. 2: Identify each consultant, advisor or expert who has been retained or specifically employed by Opposer, Opposer's attorney, or anyone acting on Opposer's behalf, with respect to any issue raised by the documents in this action, in anticipation of litigation, opposition with the Trademark Trial and Appeal Board, or preparation for trial and who is not expected to be called as a witness at trial.

ANSWER TO INTERROGATORY NO. 2: No such persons have been retained at this time.

INTERROGATORY NO. 3: State the alleged date(s) (*month, day and year*) that Opposer, individually, and not on behalf of Applicant, first selected and adopted one or more of the Marks and produce documentation to support same.

ANSWER TO INTERROGATORY NO. 3: Petitioner first selected and adopted the marks sometime after participating in the "Run for the Wall" event in 2005. Petitioner cannot recall the exact date he selected or adopted the marks.

INTERROGATORY NO. 4: State how Opposer, individually, and not on behalf of Applicant, performed "association services, namely, promoting the interests of families of deceased military members and families of deceased veterans", as declared in Opposer's trademark application.

ANSWER TO INTERROGATORY NO. 4: After attending two or three military funerals with other motorcycle riders and veterans groups, Petitioner decided a nationwide Internet site to disseminate information regarding the information about upcoming funerals would allow more people across the country to participate and show their appreciation for sacrifices made by American men and women who have paid the ultimate price in the defense of the country's freedom. Petitioner started an email campaign to recruit members of a new organization which would ultimately become the Patriot Guard Riders. Petitioner also worked with other new members to develop a website, and an organizational structure to promote the processing of data for the funerals. Over the next several months Petitioner designed, researched, funded and shipped various commercial products that gave the Patriot Guard Riders recognition all over the world and provided substantial financial support to the organization. Petitioner has ridden to well over 100 honor mission across the country to honor America's fallen heroes and continues to do so.

In August of 2006, Petitioner paid for most of the cost and worked with other Patriot Guard Riders members to set up and run "The Healing Fields" in Sturgis, South Dakota. Petitioner helped promote and covered most of the costs for the 2006 Gathering of the Guards in Claremore, Oklahoma. Petitioner purchased thousands of 3 X 5 foot American flags and poles that were distributed to Patriot Guard Riders members across the country to hold in flag lines at military funerals. Petitioner spent countless hours on the phone and in email correspondence with Patriot Guard Riders members, soldiers families, law enforcement officials and others involved in the missions. In May of 2006, Petitioner paid for himself and five other Patriot Guard Riders leaders and their wives to fly to Washington DC and meet with President Bush as his guests and attend the signing ceremony of the "Respect For America's Fallen Heroes Act." Petitioner designed and paid for the manufacturing and shipping of hundreds of plaques to be given to the families of fallen soldiers. Petitioner continues to promote the Patriot Guard Riders so that more people will join and pay tribute to American men and women in uniform.

INTERROGATORY NO. 5: Identify the corporation, organization, association or other entity that Opposer was the "Executive Director" of, as declared in the signature block of Opposer's trademark application.

ANSWER TO INTERROGATORY NO. 5: When Petitioner filed the application, he intended to file the application in his individual capacity, not as a formal representative of any entity. Petitioner was directed to refer to himself as Executive Director by counsel, nonetheless both counsel and Petitioner intended for the application to be filed in Petitioner's individual capacity.

INTERROGATORY NO. 6: Describe John Jacobs personal and/or professional relationship to Opposer and to Applicant from the time of the formation of the PGR organization until the time of the filing of the present Opposition.

ANSWER TO INTERROGATORY NO. 6: To the extent this interrogatory seeks information protected by the attorney/client privilege or the attorney work product doctrine, Petitioner objects. Without waiving this objection, Petitioner states that the relationship was that of attorney/client.

INTERROGATORY NO. 7: Describe the circumstances and relevant information surrounding Opposer's decision to file Opposer's trademark application.

ANSWER TO INTERROGATORY NO. 7: To the extent this interrogatory seeks information protected by the attorney/client privilege or the attorney work product doctrine, Petitioner objects. Without waiving this objection, Petitioner decided to file his trademark application to aid in the protection of his rights in the Marks.

INTERROGATORY NO. 8: Explain Opposer's basis for alleging in the Opposition that Opposer, individually, had earlier use of the mark PATRIOT GUARD RIDERS RIDING WITH RESPECT in commerce, as compared to Applicant's use of the mark PATRIOT GUARD RIDERS RIDING WITH RESPECT, and why Opposer's supposed earlier use, claimed in the Opposition to be "at least as early as 2005", did not inure to the benefit of, or was not on behalf of, Applicant.

ANSWER TO INTERROGATORY NO. 8: Petitioner objects to the extent this interrogatory seeks a legal conclusion. Without waiving this objection, Petitioner states that his use of the Marks was prior to the use of the Marks by the Applicant. Moreover, Petitioner created the marks and used them on his own behalf.

INTERROGATORY NO. 9: Explain Opposer's basis for alleging in the Opposition that the individual who filed Applicant's first trademark application had full knowledge of Opposer's prior, individual rights, in the mark PATRIOT GUARD RIDERS RIDING WITH RESPECT.

ANSWER TO INTERROGATORY NO. 9: Upon information and belief, Mr. Jason Wallin filed the Applicant's trademark application. Mr. Wallin was aware of Petitioner's ownership of the marks as Mr. Wallin and Petitioner had several discussions regarding Petitioner's ownership of the marks.

INTERROGATORY NO. 10: State whether Opposer ever licensed, either orally or in writing, or otherwise acquiesced to, Applicant's use of any one of the Marks and, if so, identify all persons having knowledge of the license and/or acquiescence and the circumstances surrounding same, such as the date and terms of the license and/or acquiescence, and all documents relating to same.

ANSWER TO INTERROGATORY NO. 10: Petitioner recalls discussing with several individuals associated with Applicant that Applicant could use the Marks in a non-commercial manner for the benefit of Applicant. Petitioner does not recall whether this license was ever made in writing.

INTERROGATORY NO. 11: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the coining of the name "PATRIOT GUARD RIDERS", and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 11: Petitioner recalls hearing someone use the words "Kansas," "patriot" and "guard" to describe the efforts of individuals to show support at military funerals and to prevent the actions of protestors from interfering with the funerals.

Ultimately Petitioner decided "Patriot Guard Riders" would be an appropriate name for the organization Petitioner was forming.

INTERROGATORY NO. 12: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the forming of the Patriot Guard Riders organization, and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 12: After participating in the "Run for the Wall" event in 2005, Petitioner experienced a new sense of patriotism and pride in his status as a Vietnam era veteran. Some of Petitioner's associates from the Rolling Thunder Chapter 3 in Coweta, Oklahoma, ("Rolling Thunder Associates") contacted Petitioner and told him that there was a group from Topeka, Kansas that would be protesting at a soldier's funeral in Broken Arrow, Oklahoma. These Rolling Thunder Associates stated that they had been contacted by American Legion Riders in Mulvane, Kansas to join them in keeping the protestors from disrupting the funeral service. The Rolling Thunder Associates asked Petitioner to ride with them, which Petitioner did. After that event, Petitioner rode in a similar manner in two or three more funerals.

At a later date, after hearing about a similar protest planned at a funeral in Edmond, Oklahoma by the Westboro Baptist Church, Petitioner was unable to find any further details about the funeral services and resorted to using the Westboro Baptist Church website to obtain the information. During the trip to Edmond to attend the funeral, Petitioner decided to use the Internet to set up a nationwide network and information center designed to alert other bikers and veterans of upcoming military funerals in an effort to increase participation and to express to the families of the service members that their loss was shared and appreciated.

Upon arriving at the service in Edmond, Petitioner located members of the American Legion Riders from Mulvane, Kansas and discussed his idea with them. They indicated interest. After returning home that evening, Petitioner drafted an email detailing his plans and sent the email to various motorcycle and veterans organizations across the country. He received reply emails in support of his idea almost immediately.

One such reply came from Jason Wallin, who indicated that he was an IT specialist. Mr. Wallin offered to build and host a website. On November 11, 2005 Mr. Wallin indicated that he has registered the domain www.patriotguard.org and the website was registered in Petitioner's name.

INTERROGATORY NO. 13: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the registering and development of the website www.patriotguard.org, and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 13: Petitioner refers Applicant to Petitioner's Answer to Interrogatory No. 12.

INTERROGATORY NO. 14: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the formation of the original PGR store, and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 14: Shortly after receiving emails of support as described in Answer to Interrogatory No. 12, Petitioner received emails asking if Petitioner could design a PGR patch. Petitioner designed the patch and sent the design to the American Patch and Emblem Company for production quotes. Petitioner's wife, Bonnie Brown formed a new company to operate the store.

INTERROGATORY NO. 15: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the formation of PGR Store LLC, including why Opposer's wife was chosen to be the registered agent for PGR Store, LLC, instead of Opposer himself, and further including what role Opposer has had in the operation of PGR Store LLC, and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 15: Petitioner refers Applicant to Answer to Interrogatory No. 14. In addition, Petitioner's role in the operation of the store included the use of the couple's personal savings to finance the start-up of the store. Petitioner handled most of the original product design work with his wife's input. Together the couple did the packaging, Shipping and other administrative tasks.

INTERROGATORY NO. 16: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the formation of the subsequent PGR store, including the registering and development of the website www.patriotguardstore.org, and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 16: After receiving a request for a Patriot Guard Rider patch, in approximately November of 2005, Petitioner designed a patch, researched and chose a manufacturer and placed an initial order. Petitioner received a positive response and requests for other products, and accordingly created the store. Petitioner does not recall the creation date of the website. Mr. Jason Taucher created the website for Petitioner.

INTERROGATORY NO. 17: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the formation of Twister's PGR store, and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 17: The word “Twister’s” was added to the original store to avoid confusion with the store run by Patriot Guard Riders, Inc.

INTERROGATORY NO. 18: Explain what statements or other indicia appeared on either the original PGR store or the subsequent PGR store that would indicate to visitors of either the original PGR store or the subsequent PGR store, that Opposer was operating the stores as an individual, and not as a part of either the PGR organization or the PGR corporation.

ANSWER TO INTERROGATORY NO. 18: There were several posts on the PGR forums stating that the store was a privately owned, for-profit business. Upon information and belief these posts have been deleted from the PGR website. Upon information and belief the website also contained language indicating ownership.

INTERROGATORY NO. 19: Explain what statements or other indicia appeared on either the original PGR store or the subsequent PGR store that would indicate to visitors of either the original PGR store or the subsequent PGR store, that Opposer, as an individual, rather than either the PGR organization or the PGR corporation, was the owner of one or more of the Marks.

ANSWER TO INTERROGATORY NO. 19: Upon information and belief, the website did indicate ownership, however Petitioner does not recall the exact language used.

INTERROGATORY NO. 20: Explain what statements or other indicia appeared on invoices received by customers of either the original PGR store or the subsequent PGR store that would indicate to the customers that Opposer was operating the stores as an individual, and not as a part of either the PGR organization or the PGR corporation.

ANSWER TO INTERROGATORY NO. 20: The invoices indicated that payments should be made payable to “Bonnie Brown.”

INTERROGATORY NO. 21: Explain what statements or other indicia appeared on invoices received by customers of either the original PGR store or the subsequent PGR store that would indicate to the customers that Opposer, as an individual, rather than either the PGR organization or the PGR corporation, was the owner of one or more of the Marks.

ANSWER TO INTERROGATORY NO. 21: The invoices indicated that payments should be made payable to "Bonnie Brown."

INTERROGATORY NO. 22: State what type of entity Opposer believes the PGR organization to have been and what Opposer's role was in that entity, and provide all documentation to support same.

ANSWER TO INTERROGATORY NO. 22: The group originated as a network of individuals interested in acting as guards for veteran's funerals. Until the date of incorporation, the organization was an unincorporated entity. The organization was subsequently incorporated as a not-for-profit corporation. Petitioner's role has changed over the years from founder, to executive director to member.

INTERROGATORY NO. 23: Describe all circumstances and relevant information, including, but not limited to, people, dates and places, leading up to the forming of the Patriot Guard Riders corporation, and provide all documents relating to same.

ANSWER TO INTERROGATORY NO. 23: To the extent this interrogatory seeks information protected by the attorney/client privilege or the attorney work product doctrine, Petitioner objects. Without waiving this objection, incorporation of the entity progressed naturally from the rapid growth of the organization and from the desire of many individuals to make donations to the organization.

INTERROGATORY NO. 24: Provide a complete and thorough explanation as to why any use by Opposer of one or more of the Marks was not done of behalf of, or would not inure to the benefit of, Applicant.

ANSWER TO INTERROGATORY NO. 24: Petitioner objects to the extent this interrogatory seeks a legal conclusion. Without waiving this objection, Petitioner states that he created and used the marks prior to the incorporation or formalization of Patriot Guard Riders Inc. to identify himself as a source for the products he offered and the association services he created as an individual.

DOERNER, SAUNDERS, DANIEL
& ANDERSON, L.L.P.

By: 

Tom Q. Ferguson, OBA No. 12288

Rachel Blue, OBA No. 16789

320 South Boston Avenue, Suite 500

Tulsa, Oklahoma 74103-3725

Telephone (918) 582-1211

Facsimile (918) 591-5360


tferguson@dsda.com

rblue@dsda.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 6th day of June, 2008, a true and correct copy of the above and foregoing Petitioners Answer to Applicant's First Set of Interrogatories was sent via electronic delivery to DMarr@trexlaw.com and mailed, with proper postage thereon, to:

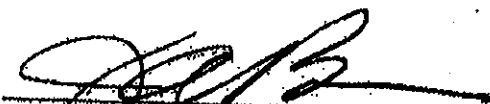
David J. Marr
James R. Foley
James A. O'Malley
TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.
105 West Adams Street, 36th Floor
Chicago, IL 60603


Rachel Blue

1021842.1


VERIFICATION

State of Oklahoma)
) ss:
County of Tulsa)

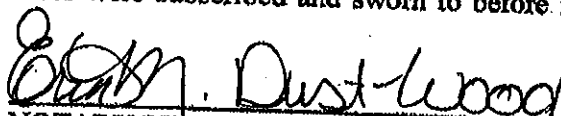


Jeff Brown

The above-named person being duly sworn on oath states that he has read the foregoing Answers to Interrogatories and provided the answers given therein.

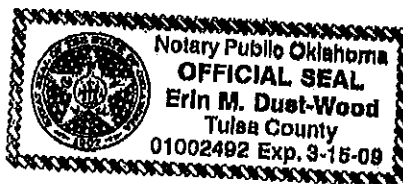
 The foregoing Answers to Interrogatories were subscribed and sworn to before me this day of June, 2008.

(seal)
My commission expires:



NOTARY PUBLIC

1021895.1



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

JEFF BROWN,)	
)	
Opposer,)	
	)	Opposition No. 91181448
v.)	
	)	Application No. 77/040,379
PATRIOT GUARD RIDERS, INC.,)	
)	
Applicant.)	

DECLARATION OF WILLIAM H. RICHART, II

I, William H. Richart, II declare and state as follows:

1. I am over 21 years old, and I have personal knowledge of the facts of this

Declaration and could testify competently to them if called upon to do so.

2. I served in the United States Air Force from April 1983 to August 1994.

3. I joined the PGR in approximately February/March of 2006.

4. My ride name is "Whirlwind".

5. I am currently the President and Executive Director of Patriot Guard Riders, Inc.

(hereinafter the "PGR corporation") and have held these positions since approximately February/March of 2008.

6. I am also currently the Director of Operations of the PGR corporation and have held this position since approximately September of 2007.

7. I have also had other leadership positions within the PGR corporation, including Vice-President of the PGR corporation (from approximately November of 2007 to February/March of 2008), Forum Administrator for the PGR corporation's website

www.patriotguard.org (hereinafter the "PGR's website") (from approximately October/November of 2006 to September of 2007), and Forum Moderator for the PGR's website (from approximately May of 2006 to October/November of 2006).

8. In view of the aforementioned positions that I have held, I would consider myself to be very knowledgeable regarding information provided on the PGR's website from approximately May of 2006 to present.

9. Jeff "Twister" Brown (hereinafter "Brown") announced his resignation as the President and Executive Director of the PGR corporation on November 7, 2006 via the PGR's website. A true and correct copy of Brown's resignation letter is attached hereto as Exhibit A.

10. Prior to Brown's resignation as the President and Executive Director of the PGR corporation, Brown had continually informed other officers/directors/members/volunteers of the PGR corporation that the PGR's name and logo had been trademarked.

11. To the best of my knowledge, prior to Brown's resignation, the PGR's website, including the PGR Store webpage, which was accessed from the "PGR Store" link on the home page of the PGR's website, did not give any specific indication to a user of the website that Brown and/or his wife was operating the PGR Store as a for-profit business.

12. To the best of my knowledge, prior to Brown's resignation, the PGR's website, including the PGR Store webpage, which was accessed from the "PGR Store" link on the home page of the PGR's website, did not give any indication to a user of the website that Brown as an individual, rather than the PGR corporation, owned any trademarks or service marks that were used by the PGR corporation or the PGR Store.

13. A true and correct copy of "PETITIONER'S RESPONSE TO APPLICANT'S

FIRST SET OF DOCUMENT PRODUCTION REQUESTS" is attached hereto as Exhibit B.

14. A true and correct copy of "OPPOSER'S RESPONSE TO APPLICANT'S SECOND SET OF DOCUMENT PRODUCTION REQUESTS" is attached hereto as Exhibit C.

15. Brown provided us with documents identified by BATES stamping "BROWN #####" in connection with the documents identified in Exhibits B & C, and some of these documents have been used as Exhibits in support of the PGR corporation's present Motion for Summary Judgment.

16. In response to Brown's Requests for Production of Documents, the PGR corporation provided Brown with documents identified by BATES stamping "PGR #####", and some of these documents have been used as Exhibits in support of the PGR corporation's present Motion for Summary Judgment.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 19 Jan 09

William H. Richart, II
William H. Richart, II

JEFF'S FINAL CORNER

It's been an exhilarating, but an exhausting year. A year in which we have seen an awakening of the sleeping spirit of America, a rededication to the honor and dignity due all of those who serve our nation, and a uniling of those who have a desire to "do the right thing". Every PGR member should be justifiably proud of being a part of this.

Like all of you, I have taken a huge amount of time away from my family and business over this past year. It's time for me to heed my own words and "Pace Yourself". To this end, it is with a very heavy heart that I formally announce my resignation as Executive Director of the Patriot Guard Riders. This decision was also reached, in part, because a handful of very vocal people have expressed concerns over the possible conflict of interest in my owning the PGR Store and being the Executive Director. The business structure of the store has never been hidden and has been discussed "ad nauseam", but in an effort to belay any further controversy that takes time and energy away from our missions, I have chosen to step down and close the PGR store after the current inventory is depleted.

This has been one of the most difficult decisions of my life. I can't begin to put into words how much pride I have in all of you and what this organization has become and will become in the future. I will always view the founding of the Patriot Guard Riders and having had the honor of being your leader during this formative year as one of the high points of my life. I will continue to be honored to ride with you and stand by you until the day there is no PGR. After a great deal of pressure, Bill "Snap" Lines has agreed to assume the position of Executive Director and the board has approved. Snap, thank you for stepping up to the plate, Brother. The PGR is in good hands and I am confident in its leadership. I'm not going anywhere Folks. I will work closely with National during this transition period and continue to serve the PGR in the capacity as an advisor to the National Board.

Thanks for listening and Salute,



Jeff

posted @ Tuesday, November 07, 2006 8:42 AM by Twister

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COMMENTS

BROWN009964

IN THE UNITED STATE PATENT & TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

JEFF BROWN,	)	CANCELLATION NO.:	91181448
)		
Petitioner	)	TRADEMARK:	PATRIOT
	)	GUARD RIDERS AND DESIGN	
v.)		
	)	APPLICATION NO.	77/040379
PATRIOT GUARD RIDERS, INC.,)		
	)	DATE FILED:	NOVEMBER 9,
Applicant	)	2006	

**PETITIONER'S RESPONSE TO APPLICANT'S FIRST SET OF DOCUMENT
PRODUCTION REQUESTS**

Petitioner, Jeff Brown, submits his responses to Applicant, Patriot Guard Riders, Inc.'s First Set of Requests for Production of Documents.

Objections to Introductory Material, Definitions, and Instructions Contained in Applicant's First Set of Requests for Production of Documents.

1. Petitioner objects to the definitions and instructions contained in Applicant's First Set of Requests to the extent those definitions and instructions seek to impose duties or obligations on Petitioner in addition to or different from those imposed or authorized by the Federal Rules of Civil Procedure and the Patent and Trademark Board Rules of Practice. Furthermore, as written, those definitions and instructions are overly broad and unduly burdensome.

2. Petitioner will provide responses according to the Federal Rules of Civil Procedure and the Patent and Trademark Board Rules of Practice. Petitioner considers its obligations to be governed by those rules, and specifically disclaims the acceptance of any additional obligations imposed by your definitions and instructions. For example, Petitioner's

supplementation duties are governed by those rules. Petitioner objects to the supplementation instructions contained in your introductory matter and instructions.

3. Petitioner specifically objects to paragraph 1 of your Definitions insofar as it unreasonably expand the definition of the parties. For example, Rule 34(a) provides the basis for determining what documents are subject to production. Petitioner objects to your definitions insofar as it would alter the meaning of Rule 34(a).

4. Petitioner specifically objects to Paragraph 16 of your Definitions insofar as it attempts to expand the definition of "document" beyond that contemplated by Rule 34(a).

5. Petitioner specifically objects to paragraph 22 of your Instructions on the basis that the instruction is contrary to Rule 34. Petitioner will state its objections in compliance with Rule 34. Petitioner's privilege objections are governed by Rule 34 and Rule 26, in particular Rule 26(b)(5) and L.Civ.R.26.4, as well as relevant case law interpreting those rules.

6. Petitioner specifically objects to producing any document or providing any information that discloses a confidential communication made for the purpose of facilitating the rendition of professional legal services. Petitioner objects to the extent any request seeks privileged information or information protected by the work product doctrine.

7. Petitioner will exercise the option to produce documents for inspection as they are kept in the usual course of business or organize or label them to correspond with the categories in the requests. See Rule 34(b). Any responsive documents which Petitioner has agreed to produce will be produced as agreed between the parties.

8. Petitioner specifically objects to producing any document that is not relevant to the claim or defense of any party, is not admissible at trial, and does not appear reasonably calculated to lead to the discovery of admissible evidence.

9. Petitioner specifically objects to producing any document or providing any information that discloses a trade secret or other confidential research, development, or commercial information.

10. A response to a specific document request that indicates Petitioner will allow inspection as requested, or will produce any such documents is not a representation that such documents do now or have ever existed, but is, instead, a representation that, to the extent such documents do exist, inspection shall be allowed as requested or production will be made.

11. Because of the overly broad nature of your requests, a document may be responsive to more than one Request for Production. Where a document is withheld for purposes of privilege or relevance with respect to a particular Request for Production, it should be deemed to have been withheld under claim of privilege or relevance with respect to all Requests for Production to which it might be responsive.

Each of these objections is incorporated in each particular response. This is primarily for brevity, since it adds nothing to the objection to reprint it on a subsequent page. Where more specific problems are presented by a request, an objection will be made that describes the additional problems presented by the request.

DOCUMENT PRODUCTION REQUEST NO.1 All documents and things identified in, or referenced in order to obtain, the answers to either "Applicant's First Set of Interrogatories to the "Opposer" or "Applicant's First Requests for Admission to the Opposer".

RESPONSE TO REQUEST FOR PRODUCTION NO. 1: Petitioner objects to Request No. 1 as being overly broad. Without waiving that objection, subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO.2 All documents and things referring to the preparation, filing and prosecution of Opposer's trademark application.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2: Petitioner objects to Request No. 2 as being overly broad. Without waiving that objection, subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO.3 All documents and things referring or relating to the dates of first use asserted in Opposer's trademark application.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3: Subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO.4 Samples of any and all documents and things used by Opposer employing one or more of the Marks, including but not limited to, packaging, brochures, advertisements, invoices and purchase orders since the opening of the original PGR store.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4: Petitioner objects to Request No. 4 as being overly broad. Without waiving that objection, subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced pursuant to a method to be agreed upon between the parties.

DOCUMENT PRODUCTION REQUEST NO.5 Samples of all products sold under one or more of the Marks by Opposer since the opening of the original PGR store.

RESPONSE TO REQUEST FOR PRODUCTION NO. 5: Petitioner objects to Request No. 5 as being overly broad. Without waiving that objection, subject to the standard

Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced pursuant to a method to be agreed upon between the parties.

DOCUMENT PRODUCTION REQUEST NO.6 Specimens of each and every label, packaging, tag, brochure, advertisement, promotional item, informational literature, price list, stationary, invoice and business card or facsimiles thereof on which one or more of the Marks appears for each year since the opening of the original PCR store.

RESPONSE TO REQUEST FOR PRODUCTION NO. 6: Petitioner objects to Request No. 6 as being overly broad. Without waiving that objection, subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced pursuant to a method to be agreed upon between the parties.

DOCUMENT PRODUCTION REQUEST NO.7 All documents which reflect the amount of goods sold under one or more of the Marks by the original PCR store.

RESPONSE TO REQUEST FOR PRODUCTION NO. 7: Petitioner objects to the extent this request seeks personal documents, such as Petitioner's individual tax returns, that contain no information relevant to this dispute and that are not reasonably calculated to lead to discoverable information. Without waiving this objection and subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO.8 All documents which reflect the amount of goods sold under one or more of the Marks by the subsequent PCR store.

RESPONSE TO REQUEST FOR PRODUCTION NO. 8: Petitioner objects to the extent this request seeks personal documents, such as Petitioner's individual tax returns, that contain no information relevant to this dispute and that are not reasonably calculated to lead to

discoverable information. Without waiving this objection and subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 9 All documents which reflect the amount of goods sold under one or more of the Marks by Twister's PGR store.

RESPONSE TO REQUEST FOR PRODUCTION NO. 9: Petitioner objects to the extent this request seeks personal documents, such as Petitioner's individual tax returns, that contain no information relevant to this dispute and that are not reasonably calculated to lead to discoverable information. Without waiving this objection and subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 10 All advertisements featuring one or more of the Marks, as well as all documents reflecting the cost of such advertisements.

RESPONSE TO REQUEST FOR PRODUCTION NO. 10: Petitioner objects to the extent this request seeks personal documents, such as Petitioner's individual tax returns, that contain no information relevant to this dispute and that are not reasonably calculated to lead to discoverable information. Without waiving this objection and subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 11 Profit and loss statements, year-end summaries and tax returns relating to sales of goods under one or more of the Marks for the original PGR store.

RESPONSE TO REQUEST FOR PRODUCTION NO. 11: Petitioner objects to the extent this request seeks personal documents, such as Petitioner's individual tax returns, that contain no information relevant to this dispute and that are not reasonably calculated to lead to discoverable information. Without waiving this objection and subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 12 Profit and loss statements, year-end summaries and tax returns relating to sales of goods under one or more of the Marks for the subsequent PGR store.

RESPONSE TO REQUEST FOR PRODUCTION NO. 12: Petitioner objects to the extent this request seeks personal documents, such as Petitioner's individual tax returns, that contain no information relevant to this dispute and that are not reasonably calculated to lead to discoverable information. Without waiving this objection and subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 13 Profit and loss statements, year-end summaries and tax returns relating to sales of goods under one or more of the Marks for Twister's PGR store.

RESPONSE TO REQUEST FOR PRODUCTION NO. 13: Petitioner objects to the extent this request seeks personal documents, such as Petitioner's individual tax returns, that contain no information relevant to this dispute and that are not reasonably calculated to lead to discoverable information. Without waiving this objection and subject to the standard Protective

Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 14 All documents which establish, refer or relate to the sale of goods under one or more of the Marks in interstate commerce.

RESPONSE TO REQUEST FOR PRODUCTION NO. 14: Subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 15 All documents which reflect or relate to any advertising of one or more of the Marks in interstate commerce, including but not limited to, expenses for advertisement or promotion of one or more of the Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 15: Subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 16 All documents referring or relating to Applicant.

RESPONSE TO REQUEST FOR PRODUCTION NO. 16: Petitioner objects to Request No. 16 as being overly broad. Without waiving that objection, subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 17 All documents referring, relating, supporting or refuting Opposer's statements made in the Opposition.

RESPONSE TO REQUEST FOR PRODUCTION NO. 17: Subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 18 Each and every document showing any possibility of confusion, mistake or deception as to the source of origin or sponsorship of any product or service identified in Opposer's trademark application with any product or service identified in Applicant's trademark applications.

RESPONSE TO REQUEST FOR PRODUCTION NO. 18: Subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 19 All documents that refer or relate to the corporate status of PGR Store, LLC, including, but not limited to, articles of incorporation, bylaws, and shareholders agreements.

RESPONSE TO REQUEST FOR PRODUCTION NO. 19: Subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 20 All documents that refer or relate to the date of first use by Opposer of one or more of the Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 20: Subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 21 All documents that refer or relate in any way to the adoption and/or design of one or more of the Marks by Opposer.

RESPONSE TO REQUEST FOR PRODUCTION NO. 21: Subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 22 All documents, including but not limited to website posts, online comments, e-mails, and minutes, that refer or relate to one or more of Opposer's trademark application, Applicant's trademark applications, or the present Opposition proceeding.

RESPONSE TO REQUEST FOR PRODUCTION NO. 22: Subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 23 All documents, including but limited to website posts, online comments, e-mails, and minutes, that refer or relate to any direction, suggestion or implication that products or other items should not be purchased from Applicant.

RESPONSE TO REQUEST FOR PRODUCTION NO. 23: Subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 24 All documents that refer or relate to Opposer's knowledge of Applicant's use of one or more of the Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 24: Subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 25 All documents that refer or relate to Opposer's belief that he, as an individual, instead of Applicant, was and/or is, the owner and sole entity entitled to use one or more of the Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 25: Subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 26 All documents that Opposer intends to enter as evidence in this matter.

RESPONSE TO REQUEST FOR PRODUCTION NO. 26: Subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 27 All documents that support or refute Opposer's claims in this matter.

RESPONSE TO REQUEST FOR PRODUCTION NO. 27: Subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOCUMENT PRODUCTION REQUEST NO. 28 All documents provided to any expert, advisor or consultant.

RESPONSE TO REQUEST FOR PRODUCTION NO. 28: Subject to the standard Protective Order, any such non-privileged, responsive documents that have not otherwise been objected to herein, will be produced.

DOERNER, SAUNDERS, DANIEL
& ANDERSON, L.L.P.

By: 

Tom Q. Ferguson, OBA No. 12288
Rachel Blue, OBA No. 16789
320 South Boston Avenue, Suite 500
Tulsa, Oklahoma 74103-3725
Telephone (918) 582-1211
Facsimile (918) 591-5360
tferguson@dnda.com
rblue@dnda.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 6th day of June, 2008, a true and correct copy of the above and foregoing Opposer's Response to Applicant's First Set of Document Production Requests was mailed, with proper postage thereon, to:

David J. Marr
James R. Foley
James A. O'Malley
TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.
105 West Adams Street, 36th Floor
Chicago, IL 60603


Rachel E. Blue

1018058.1

IN THE UNITED STATE PATENT & TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

JEFF BROWN,	)	CANCELLATION NO.:	91181448
)		
Petitioner	)	TRADEMARK:	PATRIOT
	)	GUARD RIDERS AND DESIGN	
v.)		
	)	APPLICATION NO.	77/040379
PATRIOT GUARD RIDERS, INC.,)		
	)	DATE FILED:	NOVEMBER 9,
Applicant	)	2006	

**OPPOSER'S RESPONSE TO APPLICANT'S
SECOND SET OF DOCUMENT PRODUCTION REQUESTS**

Opposer Jeff Brown submits these responses to Applicant's Second Set of Document Production Requests pursuant to Federal Rule of Civil Procedure 34, 37 C.F.R. § 2.120 and applicable provisions of the Trademark Trial and Appeal Board Manual of Procedure.

Objections to Introductory Material, Definitions, and Instructions Contained in Applicant's First Set of Requests for Production of Documents.

1. Opposer objects to the definitions and instructions contained in Applicant's Second Set of Document Production Requests to the extent those definitions and instructions seek to impose duties or obligations on Opposer in addition to or different from those imposed or authorized by the Federal Rules of Civil Procedure and the Patent and Trademark Board Rules of Practice. Furthermore, as written, those definitions and instructions are overly broad and unduly burdensome.

2. Opposer specifically objects to paragraph 1 of the Definitions insofar as it unreasonably expands the definition of Opposer Jeff Brown and seeks to compel production of documents beyond the scope of Federal Rules of Civil Procedure 26(b) and 34(a), the attorney-client privilege and the work-product doctrine.

3. Opposer specifically objects to Paragraph 16 of the Definitions insofar as it seeks to compel production of documents beyond the scope of Federal Rules of Civil Procedure 26(b) and 34(a).

4. Opposer specifically objects to paragraph 22 of the Definitions as contrary to Federal Rule of Civil Procedure 34. Opposer will state and preserve its claims of privilege or work-product protection in accordance with Federal Rule of Civil Procedure 26(b)(5) and interpretive case law.

5. Opposer specifically objects to producing any document or providing any information that discloses a confidential communication made for the purpose of facilitating the rendition of professional legal services in connection with the instant opposition.

6. In accordance with Federal Rule of Civil Procedure 34(b), Opposer will produce responsive, non-privileged documents for inspection as they are kept in the usual course of business or organize or label them to correspond with the categories in the requests. Any responsive documents which Petitioner has agreed to produce will be produced at the offices of Doerner, Stuart, Saunders, Daniel & Anderson, Suite 500, 320 South Boston Avenue, Tulsa, Oklahoma 74103 at a mutually acceptable time, unless agreed otherwise by the parties.

7. Opposer specifically objects to producing any document that is not relevant to the claim or defense of any party, is not admissible at trial, and does not appear reasonably calculated to lead to the discovery of admissible evidence.

8. Opposer specifically objects to producing any document or providing any information that discloses a trade secret or other confidential research, development, or commercial information.

9. A response to a specific document request that indicates Opposer will allow inspection as requested, or will produce any such documents is not a representation that such documents do now or have ever existed, but is, instead, a representation that, to the extent such documents do exist, inspection shall be allowed as requested or production will be made.

RESPONSES TO DOCUMENT PRODUCTION REQUESTS

DOCUMENT PRODUCTION REQUEST NO. 29: All documents sent from Opposer to John Jacobs.

RESPONSE TO DOCUMENT PRODUCTION REQUEST NO. 29: Opposer objects to this request to the extent that it is irrelevant and not calculated to lead to the discovery of admissible evidence. Subject to, and without waiving this objection and his general objections, Opposer will produce all non-privileged, responsive documents in his possession, custody and control.

DOCUMENT PRODUCTION REQUEST NO. 30: All documents sent from John Jacobs to Opposer.

RESPONSE TO DOCUMENT PRODUCTION REQUEST NO. 30: Opposer objects to this request to the extent that it is irrelevant and not calculated to lead to the discovery of admissible evidence. Subject to, and without waiving this objection and his general objections, Opposer will produce all non-privileged, responsive documents in his possession, custody and control.

DOCUMENT PRODUCTION REQUEST NO. 31: All documents in Opposer's possession which reference John Jacobs.

RESPONSE TO DOCUMENT PRODUCTION REQUEST NO. 31: Opposer objects to this request to the extent that it is irrelevant and not calculated to lead to the discovery of

admissible evidence. Opposer also objects to this request to the extent that it seeks production of privileged attorney-client or work-product communications between Opposer and his current legal counsel. Subject to, and without waiving this objection and his general objections, Opposer will produce all non-privileged, responsive documents in his possession, custody and control.

DOCUMENT PRODUCTION REQUEST NO. 32: All documents relating to the preparation, filing and/or prosecution of Opposer's trademark application.

RESPONSE TO DOCUMENT PRODUCTION REQUEST NO. 32: Opposer objects to this request to the extent that it is irrelevant and not calculated to lead to the discovery of admissible evidence. Opposer also objects to this request to the extent that it seeks production of privileged attorney-client or work-product communications between Opposer and his current legal counsel. Subject to, and without waiving this objection and his general objections, Opposer directs Applicant's attention to documents previously produced, and also states that he will produce any additional, non-privileged, responsive documents in his possession, custody and control.

DOERNER, SAUNDERS, DANIEL
& ANDERSON, L.L.P.

By: 

Tom Q. Ferguson, OBA No. 12288
Rachel Blue, OBA No. 16789
320 South Boston Avenue, Suite 500
Tulsa, Oklahoma 74103-3725
Telephone (918) 582-1211
Facsimile (918) 391-5360
tferguson@dnda.com
rblue@dnda.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 15th day of September, 2008, a true and correct copy of the above and foregoing Opposer's Response to Applicant's Second Set of Document Production Requests was mailed, with proper postage thereon, to:

David J. Marr
James R. Foley
James A. O'Malley
Trexler, Bushnell, Giangiorgi,
Blackstone & Marr, Ltd.
105 West Adams Street, 36th Floor
Chicago, IL 60603


Rachel Blue

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

JEFF BROWN,)	
)	
Opposer,)	
	)	Opposition No. 91181448
v.)	
	)	Application No. 77/040,379
PATRIOT GUARD RIDERS, INC.,)	
)	
Applicant.)	

EXHIBIT 5

of

“Applicant’s Memorandum In Support of Its Motion for Summary Judgment”

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

JEFF BROWN,)	
)	
Opposer,)	
	)	Opposition No. 91181448
v.)	
	)	Application No. 77/040,379
PATRIOT GUARD RIDERS, INC.,)	
)	
Applicant.)	

DECLARATION OF JASON D. WALLIN

I, Jason D. Wallin, declare and state as follows:

1. I am over 21 years old, and I have personal knowledge of the facts of this Declaration and could testify competently to them if called upon to do so.
2. I was one of the first individuals to join the nationwide association implemented by Jeff “Twister” Brown (hereinafter “Brown”) that would become known as the Patriot Guard Riders (hereinafter the “PGR association”).
3. I served in the United States Army from 1996 to 1998.
4. My ride name is “Waldo”.
5. On November 9, 2005, Brown sent out an e-mail, which I received, in which he stated the following:
 - a. he advised me that he was putting me on the “PGR notification list”;
 - b. he advised that if I knew others who were interested in getting involved so that he could put them on the “PGR notification list” as well;
 - c. he provided a list of funeral services at which the Westboro Baptist

Church (hereinafter the "WBC") would be picketing, which he had obtained from the WBC site;

- d. he asked that I pass this list of funeral services around to other riders in order to encourage them to join in a "Patriot Guard Ride" in order to honor our fallen heroes and to support their families; and
- e. he asked whether I lived around Beatrice, Nebraska in view of an upcoming funeral service for Army Spc. Darren D. Howe.

A true and correct copy of that e-mail is attached hereto as Exhibit A.

6. On November 9, 2005, I responded to Brown's e-mail in order to advise him that I lived near Greeley, Colorado and that I, along with other biker patriots, would be riding to, and attending, a different funeral service for a fallen United States soldier in Greeley, Colorado on November 11, 2005. A true and correct copy of that e-mail is attached hereto in Exhibit A.

7. On November 9, 2005, in view of Brown's e-mail, I registered the domain name www.patriotguard.org in order to set up a website to garner support and provide information regarding the new nationwide association (the PGR association) in accordance with Brown's plan.

8. I registered the domain name www.patriotguard.org on my own, without any instruction or request to do so by Brown.

9. On November 9, 2005, I sent an e-mail to Brown in order to advise him that I had registered the domain name www.patriotguard.org and that I could host it for free as I believed in the PGR. A true and correct copy of that e-mail is attached hereto as Exhibit B.

10. Thereafter, I, along with Hugh Knaus, built and launched the website

www.patriotguard.org (hereinafter the "PGR's website") for use by the PGR association.

11. On November 15, 2005, Brown sent out an e-mail, which I received, in which he advised other members of the PGR association that myself and Hugh Knaus were the PGR association's webmasters and that we had been burning the midnight oil in order to get the PGR's website up and running. A true and correct copy of that e-mail is attached hereto as Exhibit C.

12. I was the primary person who was responsible for the maintenance of the PGR's website and its online forums from its creation until the end of my involvement with the PGR and, as such, I consider myself to have been very knowledgeable regarding the content on the PGR's website during that time.

13. On November 10, 2005, Brown sent out an e-mail, which I received, in which he stated that he had designed a logo for the PGR association, which was attached to the e-mail, for the purpose of displaying same on products in order to enhance the PGR association's presence at any funeral service for a fallen soldier. A true and correct copy of that e-mail (but without the attachment) is attached hereto as Exhibit D.

14. On November 10, 2005, I put the logo up on the PGR's website as an image placeholder and I sent Brown an e-mail to that effect. A true and correct copy of that e-mail is attached hereto in Exhibit D.

15. Brown did not request that I put the logo up on the PGR's website, but rather I took it upon myself to put the logo up on the PGR's website.

16. At the time I put the logo up on the PGR's website, Brown did not object to my putting it up on the PGR's website or give me any indication that he considered the PGR

association's use of the logo on the PGR's website to be under any type of license agreement.

17. At the time I put the logo up on the PGR's website, I was unaware that Brown considered himself, as an individual, rather than the PGR association, to be the owner of the logo or that the PGR association would only be allowed to use the logo in connection with the services provided by the PGR association.

18. I do not believe, and have never believed, that my putting the logo up on the PGR's website constituted the PGR association entering into any type of a license agreement with Brown.

19. Prior to attending the funeral service for United States Army Private 1st Class Tyler Ryan MacKenzie in Greeley, Colorado on November 11, 2005, I, along with other biker patriots, printed out the logo and put it on 8.5" x 11" pieces of paper in order to display the logo on at least three bikes that had windshields.

20. After displaying the logo, I, along with these other biker patriots (none of whom were Brown), rode to the funeral service via Interstate Highway 85 on November 11, 2005 and then we attended the funeral service on behalf of the PGR association.

21. While I and my fellow biker patriots were attending the funeral service on November 11, 2005 on behalf of the PGR association, we displayed the logo and advised others in attendance that we were Patriot Guard Riders and members of the PGR association, and further explained our mission.

22. While at the funeral service, a local television station was filming a news clip regarding the funeral service, the protesting of the WBC, and the groups of motorcycle riders who were there in attendance; the news clip that was aired later that day included filming of our

group and our motorcycles which displayed the logo.

23. On November 11, 2005, Brown sent out an e-mail, which I received, in which he advised other volunteers of the PGR association that I, along with other biker patriots, attended the funeral service for Tyler Ryan MacKenzie earlier that day in Greeley, Colorado on behalf of the PGR association. A true and correct copy of that e-mail is attached hereto as Exhibit E.

24. For an article in Cycle Connections Magazine that was published on January 1, 2006, Brown gave an interview in which he stated that the PGR association conducted its first mission in Greeley, Colorado and that the PGR association had only been in existence at that time for maybe two days. A true and correct copy of that interview, as printed off of the website www.cycleconnections.com, is attached hereto as Exhibit F.

25. On November 11, 2005, Brown sent out an e-mail, which I received, in which he asked for my, as well as others', input regarding a proposed Mission Statement for the PGR association. A true and correct copy of that e-mail is attached hereto as Exhibit G.

26. On November 11, 2005, Brown sent out an e-mail, which I received, in which he asked me if I could put up a modified version of the Mission Statement on the PGR's website. A true and correct copy of that e-mail is attached hereto as Exhibit H.

27. On November 11, 2005, I sent an e-mail to Brown in order to advise him that I had put the modified Mission Statement up on the PGR's website. A true and correct copy of that e-mail is attached at Exhibit H.

28. On November 12, 2005, Brown sent out an e-mail, which I received, in which he advised me, as well as others, that the Mission Statement had been met with approval after some modification and that the Mission Statement was posted on the PGR's website. A true and

correct copy of that e-mail is attached at Exhibit I.

29. In late November of 2005, I added a hyperlink named "PGR Store" to the homepage of the PGR's website.

30. From late November of 2005 until approximately Spring of 2006, the "PGR Store" hyperlink would redirect a visitor to a subpage of the PGR's website, namely to www.patriotguard.org/PGRStore ("the original PGR Store"), as the information regarding the products being sold by the original PGR Store was handled by the same computer servers that handled information regarding the PGR association.

31. I was primarily responsible for putting up the information regarding the products being sold by the original PGR Store on the subpage www.patriotguard.org/PGRStore.

32. To the best of my knowledge, during the existence of the original PGR Store, the PGR's website, including the subpage www.patriotguard.org/PGRStore, did not give any specific indication to a user of the website that Brown and/or his wife was operating the original PGR Store as a for-profit business.

33. To the best of my knowledge, during the existence of the original PGR Store, the PGR's website, including the subpage www.patriotguard.org/PGRStore, did not give any indication to a user of the website that Brown as an individual, rather than the PGR, owned any trademarks or service marks that were used by the PGR or the original PGR Store.

34. On December 16, 2005, I authored a post on one of the forums of the PGR's website in which I requested that volunteers of the PGR association buy items from the online "PGR Store" and click on banner advertising on the website such that Brown and myself could use the money generated from the online "PGR Store" and the banner advertising in order help

cover some of the costs that each of us had incurred to get the website and the PGR association up and going. A true and correct copy of that post is attached as Exhibit J.

35. In my opinion, the post that I authored on December 16, 2005 did not give any indication to the volunteers of the PGR association that once costs were covered, that the profits from the online "PGR Store" would go exclusively to Brown, rather than to the PGR association.

36. In accordance with a request in an e-mail sent to me on March 27, 2006 by Brown, I put up a notice on the PGR's website regarding PGR's new online store being open. A true and correct copy of that e-mail is attached as Exhibit K.

37. In accordance with a request in an e-mail sent to me on March 27, 2006 by Brown, I changed the "PGR Store" hyperlink on the PGR's website such that it would redirect a visitor to a separate webpage, namely to www.patriotguardstore.org ("the subsequent PGR Store"), rather than to www.patriotguard.org/PGRStore. A true and correct copy of that e-mail is attached as Exhibit L.

38. At the time of putting the notice up on PGR's website and changing the "PGR Store" hyperlink, I was of the belief that one of the reasons why I was doing this was because it had previously been decided that the "PGR Store" needed to be hosted by separate computer servers in order to minimize the amount of web traffic on PGR's website since PGR's website had recently begun to crash when web traffic was high.

39. The PGR association was incorporated as a Not For Profit corporation in the State of Oklahoma on February 21, 2006 under the name Patriot Guard Riders, Inc. (hereinafter the "PGR corporation"). A true and correct copy of the incorporation papers are attached hereto as Exhibit M.

40. In the incorporation papers for the PGR corporation, I was one of the three named incorporators of the PGR corporation, along with Brown and Kurt "Ventura Cowboy" Mayer (hereinafter "Mayer"). *See Exhibit M*

41. In the incorporation papers for the PGR corporation, I was one of the three named directors of the PGR corporation, along with Brown and Mayer. *See Exhibit M.*

42. In the incorporation papers for the PGR corporation, I was one of the three named officers of the PGR corporation, along with Brown and Mayer. *See Exhibit M.*

43. In the incorporation papers for the PGR corporation, I was named the Treasurer. *See Exhibit M.*

44. Prior to the incorporation of the PGR corporation, Brown did not inform me that he considered himself to be the owner of the PGR's logo or that the PGR corporation would only be able to use the PGR's logo in connection with the services performed by the PGR, for instance by displaying same on the PGR's website.

45. In October of 2006, it first came to be collectively known by top ranking personnel of the PGR corporation that Brown and/or his wife was operating the PGR Store as a for-profit entity such that he retained profits generated from the PGR Store and, thereafter, at his discretion, he donated a portion of those profits back to either the PGR association or the PGR corporation.

46. In view of the foregoing, rather than be removed from his positions of authority in the PGR corporation, Brown announced his resignation via the PGR's website as the President and Executive Director of the PGR corporation on November 7, 2006 along with his intention to close the PGR Store. A true and correct copy of this resignation letter, as printed off of the

PGR's website, is attached as Exhibit N.

47. Prior to Brown's resignation as the President and Executive Director of the PGR corporation, Brown had continually informed other officers/directors/members/volunteers of the PGR that the PGR's name and logo had been trademarked.

48. Upon Brown's resignation as the President and Executive Director of the PGR corporation, it became known to myself and other top ranking personnel of the PGR corporation, that neither the PGR's name nor logo had been federally registered.

49. As such, on November 8, 2006, I, along with my fellow members of the Board of Directors of the PGR corporation (hereinafter the "Board") at the time, which included Bill Lines, Bonnie Perry (nee Cutler), Ed Mueller and Ronny Awtry, held a telephonic Board meeting at which it was unanimously decided that a trademark application for the PGR's logo should be filed on behalf of the PGR corporation, in connection with the services rendered first by the PGR association and then by the PGR corporation.

50. During this telephonic Board meeting, it was unanimously decided by the Board that I would prepare and file the trademark application for the PGR's logo on behalf of the PGR corporation in my capacity as Treasurer of the PGR corporation.

51. On November 9, 2006, I prepared and electronically filed the trademark application for the PGR's logo on behalf of the PGR corporation in my capacity as Treasurer of the PGR corporation. *See* Trademark Application No. 77/040,379 attached as Exhibit O.

52. On the trademark application, I declared that I was properly authorized to execute the application on behalf of the PGR corporation, that I believed the PGR corporation to be the owner of the service mark sought to be registered, that I believed the PGR corporation to be able

to use the service mark in commerce, and that to the best of my knowledge and belief, no other person, firm, corporation, or association had the right to use the service 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. *See Exhibit O.*

53. The logo that I put up on the PGR's website on November 10, 2005 included the same words and design as the PGR Logo which was the subject of the PGR corporation's trademark application.

54. At the time of filing the trademark application, I knew that the PGR's logo and Mission Statement had been continuously provided on the PGR's website, as well as in other mediums, since the days that I first put them up the PGR's website.

55. By identifying the services in the trademark application as "organizing and conducting support groups in the field of military and military family support", I meant organizing volunteers of the PGR association/corporation in connection with attending the funeral services of fallen soldiers and carrying out the goals of PGR's Mission Statement at the funeral services.

56. At the time of filing the trademark application, I knew that since the funeral service for United States Army Private 1st Class Tyler Ryan MacKenzie, the PGR's logo had been used by individuals, including myself, across the country during missions in order to denote themselves as being volunteers of the PGR.

57. At the time of filing the trademark application, I did not, as an individual, or as a representative of the PGR corporation, have any knowledge or belief that Brown considered

himself, as an individual, rather than the PGR corporation, to be the owner of the PGR's logo in connection with the services, as identified in the trademark application, provided by the PGR corporation.

58. At the time of filing the trademark application, I had never, as an individual, or as a representative of the PGR, received any specific advisement, or been otherwise made aware, from either Brown or any other individual, that Brown considered his use of the PGR's logo, in connection with services identified in the trademark application, to be done for his own individual benefit, rather than to benefit the PGR.

59. At the time of filing the trademark application, I had never, as an individual, or as a representative of the PGR, received any specific advisement, or been otherwise made aware, from either Brown or any other individual, that the PGR's use of its name and logo was subject to a license granted to the PGR association by Brown, which was then likewise applicable to the PGR corporation upon its incorporation.

60. At the time of filing the trademark application, I believed that all of Brown's use of the PGR's logo in connection with the PGR's services was done by Brown on behalf of either the PGR association or the PGR corporation in his capacity as a founder, leader, volunteer, officer and Board member.

61. At the time of filing the trademark application, I was aware that Brown had publicly asserted that the PGR Store was his personal for-profit store and that he sold products bearing the PGR's logo through the PGR Store, however, as the PGR association had begun using the PGR's logo in connection with the services it provided prior to any products bearing the PGR's logo being sold by anyone, much less Brown, I believed that the PGR corporation had

the right to register its logo because its rights in the logo were superior to those that Brown may have had.

62. After I filed the trademark application, Brown for the first time advised the Board that he considered himself to be the owner of all trademarks and service marks used by the PGR and the PGR Store, which caused some initial confusion for the Board as we had always considered the PGR to be the owner of all trademarks and service marks used by the PGR and the PGR Store.


63. Thereafter, in view of this initial confusion, the PGR corporation entered into negotiations with Brown regarding ownership of the marks and ownership of the PGR Store in an attempt to inexpensively and efficiently resolve any lingering issues between the parties, such that a possible legal fight between the parties could be avoided.

64. During the negotiation period, members of the Board, including myself, made some announcements to the volunteers of the PGR corporation regarding the negotiations, including statements about possible plans for the ownership and use of the marks.

65. On November 21, 2006, however, the negotiations ended and Bill Lines, on behalf of the Board, made an announcement to the volunteers of the PGR corporation that, contrary to prior statements made by individual members of the Board during the negotiations, that the PGR corporation and its volunteers were free to use the marks without any stipulations. A true and correct copy of this announcement, printed from the PGR's website, is attached hereto as Exhibit P.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 1/20/09



Jason D. Wallin

From: Wallin Jason D. <jasonw@geoveritas.com>
Sent: Wednesday, November 9, 2005 8:18 PM
To: Jeff Brown <jeffbrown@valornet.com>
Cc: Husky <HuskyNorsky@hotmail.com>
Subject: RE: PGR - Most recent pickets from WBC site

I live just outside of Greeley and will be there on Friday with 7 confirmed biker patriots we will be trying to meet up about 11:20 and roll in mass. I am currently working with the hog chapters in the area and some of the motorcycle social clubs. His funeral is listed the whole schedule but not on the main page.

As I know more tomorrow I will update you.

Jason Wallin, CISSP
John Deere Agri Services
Fort Collins, CO

970-266-4625
jasonw@geoveritas.com

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Wednesday, November 09, 2005 6:41 PM
To: Husky; Wallin Jason D.
Subject: PGR - Most recent pickets from WBC site

Hey Guys,
Preacher just sent me your email address to put you on the PGR notification list. Either of you near Beatrice, Nebraska? Let me know and I'll send you details on the ride for Spc. Howe.
Welcome aboard...a couple of things. If you know other riders that want to get involved, regardless of any organization, let me know and I'll put them on the list. Send me any information you want distributed.
Thanks,
Jeff Brown "Twister"
Broken Arrow, OK

=====
Here's what's listed, in case you've not checked their site recently.
If you know riders in these areas, regardless of any group affiliation, pass it along and encourage them to join in a Patriot Guard Ride to honor our fallen heroes and support their families.
If anyone has contact information for rides in these areas, please pass it along to me and I will see it gets out.
Thanks,
Jeff Brown "Twister"
Broken Arrow, OK
=====

BROWN008012

WBC to picket funeral/visitation of Army Spc. Darren D. Howe - at 4 p.m.
Thursday, Nov. 10, at Fox Funeral Home, 1116 N. 19th St., Beatrice,
Nebraska. He was killed by an Iraqi IED

WBC to picket funeral of Army Spc. Benjamin A. Smith - 10 a.m., Fri.,
Nov.
11, at Bethiel Lutheran leper colony 920 3rd St., Hudson, Wisc. Killed by
an
Iraqi IED

WBC to picket funeral of Army Maj. Gerald M. Bloomfield II - 4 p.m.
Friday:
Nov. 11, Steimm-Lawson-Peterson Funeral Home, Elkhart, Indiana. Killed by
Iraqi IED

No virus found in this incoming message.

Checked by AVG.

Version: 7.5.524 / Virus Database: 269.23.16/1432 - Release Date: 5/14/2008 7:49 AM

BROWN008013

From: Wallin Jason D. <jasonw@geoveritas.com>
Sent: Wednesday, November 9, 2005 8:19 PM
To: Jeff Brown <jeffbrown@valornet.com>
Subject: RE: PGR - Most recent pickets from WBC site

Btw you now own patriotguard.org domain name and I can host it for you for free.

Jason Wallin, CISSP
John Deere Agri Services
Fort Collins, CO

970-266-4625
jasonw@geoveritas.com

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Wednesday, November 09, 2005 6:41 PM
To: Husky; Wallin Jason D.
Subject: PGR - Most recent pickets from WBC site

Hey Guys,
Preacher just sent me your email address to put you on the PGR notification list. Either of you near Beatrice, Nebraska? Let me know and I'll send you details on the ride for Spc. Howe. Welcome aboard...a couple of things. If you know other riders that want to get involved, regardless of any organization, let me know and I'll put them on the list. Send me any information you want distributed.
Thanks,
Jeff Brown "Twister"
Broken Arrow, OK

=====

Here's what's listed, in case you've not checked their site recently. If you know riders in these areas, regardless of any group affiliation, pass it along and encourage them to join in a Patriot Guard Ride to honor our fallen heroes and support their families. If anyone has contact information for rides in these areas, please pass it along to me and I will see it gets out.
Thanks,
Jeff Brown "Twister"
Broken Arrow, OK

=====

WBC to picket funeral/visitation of Army Spc. Darren D. Howe - at 4 p.m. Thursday, Nov. 10, at Fox Funeral Home, 1116 N. 19th St., Beatrice, Nebraska. He was killed by an Iraq IED

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

JEFF BROWN,

Opposer,

v.

PATRIOT GUARD RIDERS, INC.,

Applicant.

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)

Opposition No. 91181448

Application No. 77/040,379

EXHIBIT C

of

“Declaration of Jason D. Wallin”

Perry, Bonnie

From: Jeff Brown [jeffbrown@valomet.com]
Sent: Tuesday, November 15, 2006 10:08 AM
To: Keith Calloway; Harry A. Elliott III; CREGG HANSEN; Gregg Hansen "Ebay"; Terry (Darkhorse) Houck; David "Preacher" Stocum; Chuck Antolina; Perry, Bonnie; Eric C. Gagonlros; Jasonw@geoveritas.com
Subject: State Captain Photos

Hey Folks,

Our webmasters, Jason "Waldo" Wallin and Hugh Knaus, have been burning the midnight oil on our new web site. I've seen the prelliminary and it will blow you away!!!

Anyway, I need each of you to email me a photograph of you to post on the new site. As a state captain, our members need to be able to put a face with your name and to know who to look for when they join a mission ride.

Thanks,
Jeff Brown "Twister"
Broken Arrow, OK
Patriot Guard Rider
www.patriotguard.org

From: Wallin Jason D. <jasonw@geoveritas.com>
Sent: Thursday, November 10, 2005 4:21 PM
To: Jeff Brown <jeffbrown@valornet.com>
Subject: RE: PGR Logo

FYI I threw up a placeholder @ www.patriotguard.org

Jason Wallin, CISSP
John Deere Agri Services
Fort Collins, CO

970-266-4625
jasonw@geoveritas.com

-----Original Message-----

From: Jeff Brown [<mailto:jeffbrown@valornet.com>]
Sent: Thursday, November 10, 2005 1:53 PM
To: William H. Sloan; Phil Mansker; Tom Connelly; Terry (Darkhorse)
Houck; Richard Keller; Eric G. Gagomiros; Preacher; Ralph and Susan;
Lannmullins; Kay Guynes; Keith Calloway; Wallin Jason D.; Knaus Hugh;
Chuck Thompson; Wayne Worthington; David Olsen (STP); Craig Winkler;
Everett Freel; Combat Veterans Motorcycle Association; CREGG HANSEN;
Bill Carr; Bill Law; Bill Bradley
Subject: PGR Logo

Several people have asked about a Patriot Guard Riders patches, decals,
arm
bands flags, etc. I like the idea and believe it will enhance our
presence
at any service without taking anything from the other organizations you
may
belong to.
I have designed a logo that I think works very well for us. I am
working
with a company to produce the stuff and will send out more information
as it
becomes available.
Also, Jason Wallin from Colorado has graciously donated web hosting for
us
and I hope to have a website up soon. The domain name reserved is:
patriotguard.org

I've attached the logo.

Thanks,
Jeff Brown "Twister"
Broken Arrow, OK

No virus found in this incoming message.
Checked by AVG.

Version: 7.5.524 / Virus Database: 269.24.1/1470 - Release Date: 5/28/2008 7:20 AM

BROWN008009

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

JEFF BROWN,

Opposer,

v.

PATRIOT GUARD RIDERS, INC.,

Applicant.

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)
)
)
)
)
)

Opposition No. 91181448

Application No. 77/040,379

EXHIBIT E

of

“Declaration of Jason D. Wallin”

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Friday, November 11, 2005 5:18 PM
To: Charles Yunker; David Howery; William H. Sloan; Phil Mansker; Tom Connelly; Terry (Darkhorse) Houck; Shawn; Richard Keller; Eric C. Gagomiros; David "Preacher" Slocum; Pete Schulien; Ralph and Susan; Ozarkmark; R. L. Oscar Ingram; John & Donna Rohloff; LAnnMullins; Kay Guynes; Keith Calloway; Jason Wallin; Hugh Knaus; Chuck Thompson; Wayne Worthington; David Olsen (STP); Craig Winkler; Everett Freel; Combat Veterans Motorcycle Association; CREGG HANSEN; Harry A. Elliott III; Chuck Antolina; Bill Carr; Perry, Bonnie; Bill Law; Bill Bradley
Subject: PGR was there -Tyler Ryan MacKenzie

Tyler Ryan MacKenzie, 20, of Evans, CO, passed away, Wednesday, November 2, 2005 in Iraq.

Visitation will be from 4:00 to 8:00 p.m., Thursday, November 10, 2005 at Allnutt Funeral Service/Macy Chapel. A funeral service will be at 12:00 p.m., Friday, November 11, 2005 at the Church of Jesus Christ of Latter-day Saints, 501 49th Avenue, Greeley. Interment will be at Sunset Memorial Gardens.

Tyler was born November 7, 1984 in Greeley, CO to David and Julie (Borland) MacKenzie.

He was a lifelong resident of Greeley where he graduated from Greeley West High School in 2003. He joined the United States Army on January 19, 2005

and served with the B Co. 1/502 In. 2 BOT. Fort Campbell. He was an elder in the Church of Jesus Christ of Latter-day Saints.

Tyler was a kind and caring soul, honest and sincere, had the utmost integrity, and was athletic, funny, self-competitive and unselfish. He loved playing videogames, reading, listening to music, playing paintball, animals, volunteering and spending time with his family and friends.

Surviving Tyler are his parents, David and Julie MacKenzie of Evans, CO; sister, Nicole and her husband, Jason Crawford, of Evans, CO; grandparents, Emmett and Mary MacKenzie of Greeley, CO and Ronald and Jenette Borland of Greeley, CO.

Jason Wallin, our Colorado State Captain, headed up our presence there and post these photos and will post a write up later.
<http://www.wallininc.com/pix/listpics.asp?dir=prg>

WBC (World's Biggest Cretins) were there.

Thanks to Jason and all who rode.

Jeff Brown "Twister"
Broken Arrow, OK
Patriot Guard Rider
www.patriotguard.org

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

JEFF BROWN,

Opposer,

v.

PATRIOT GUARD RIDERS, INC.,

Applicant.

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Opposition No. 91181448

Application No. 77/040,379

EXHIBIT F

of

“Declaration of Jason D. Wallin”



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PGR 006920

10/24/2008 10:11 AM

Attention Bikers!
Nobody knows your stompin' grounds like you do, so if you know of any bike night locations, businesses, clubs, rallies and events, or scenic rides and destinations in your area that we don't currently have listed, choose the appropriate form below to submit your information and share with your fellow riders.

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[Submit a Business](#)

[Submit a Rally or Event](#)

[Submit a Scenic Ride or Destination](#)

[Submit a Club or Organization](#)

Patriot Guard Riders



Perception is a strange thing. I have always been amazed at how two individuals can look at the same thing and both see something entirely different. The Patriot Guard Riders group is a fine example. This group was brought to my attention through various posts on the motorcycle forums I visit at www.delphiforums.com. Discussions and recruitment efforts were everywhere, so I had to take a look at the group's website for myself. Before visiting their website I had assumed, with the help of some of the posts I had read, their primary purpose was to ensure the "flakes" of the world did not pollute sacred ceremonies for our nation's fallen heroes. I was wrong. The misperception is this: The Patriot Guard Riders were not formed to be an adversary toward anyone. The amazing fact that is falling through the cracks everywhere is the group's main objective, which is printed clearly in their mission statement. The main objective and focus are to "show our sincere respect for our fallen heroes, their families and their communities."

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10/24/2008 10:11 AM

Their mission is an honorable one, and to see them as anything more than patriots does them a huge disservice. I am as guilty as anyone of assumption. While the Patriot Guard Riders do provide fallen soldiers' families and friends with a buffer from any type of protesters at funeral services, they do this at the request of the family. They are not some kind of vigilante group out to do battle with misguided religious zealots. The group attends services as invited guests of mourning families. They first make the effort to contact the family of a fallen soldier, and at the family's invitation, they attend and serve as "buffers" between the family and disrespectful protesters. They show class and respect to the soldier, his or her family, and their community. I believe their efforts are to show the very best of what this nation is all about.

While many people, including myself, question the use of our military today, one thing has never changed in my mind. The soldiers of our nation are doing their jobs wherever and whenever they are deployed and deserve nothing less than our heartfelt respect, love and admiration. We take for granted the freedoms their sacrifices provide us on a daily basis, but I beg you, NEVER take them for granted. In my mind the Patriot Guard Riders do you and me a service as well. They attend the funerals of our soldiers as representatives of the majority of my family and friends as well as yours, representatives of a grateful nation.

I sincerely request that each and every one of my readers visit www.patriotguard.org and if it is in your heart, join this fine group. If you cannot join but agree with their mission, please pass their message on to others. I want to thank Jeff "Twister" Brown, National Director of the Patriot Guard Riders, for his time and for sharing information with me for this article.

Jeff also took time out of his busy schedule for the following interview:

CC: What has public opinion been for the Patriot Guard Riders?

Jeff: The public opinion has been overwhelmingly favorable. About the only negative public opinion that I am aware of has come from a protestor. It never ceases to amaze me when we go into some of these towns, especially the small towns, and we have a mission ride. The citizens of the town, they will cross the road and stop and shake our hands and thank us for coming and the response from the family just breaks your heart.

CC: How many active members does the Patriot Guard have?

Jeff: I can tell you exactly how many individual members we have, but bear in mind that we have groups like the American Legion Riders and VFW Riders, Combat Vet Riders, Christian Motorcycle Association and ABATE and all of them ride with us on

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10/24/2008 10:11 AM

mission rides. If you exclude those individual members, we have 2020 across the country.

CC: I have seen messages in reference to your group on several forums. How is that affecting your recruiting efforts?

Jeff: On an average, we will receive between 75 and 80 new members a day and that has been pretty consistent since I would say about five days after we started.

CC: How are you treated by local law enforcement?

Jeff: One of the first calls we are going to make once we find out about a death is we are going to call local law enforcement, and sometimes their initial reaction can be negative, but it just takes a minute of explaining who we are if they are not familiar with us. If they are familiar with us it is positive, but if they're not familiar with the Patriot Guard Riders, then occasionally you will run into an initial attitude of "biker gangs" and "coming into our town," and we've got protesters there, it's going to be a melee, that kind of thing. But once we explain who we are and that our mission is totally to honor a fallen soldier, then they understand and when the topic of protesters comes up, our attitude is very honestly we are there for a much more noble cause than any protester, and we will ignore the protesters, we will turn our backs to them, we don't have any conversation with them, and we work very, very closely with law enforcement doing exactly what they want us to do. In fact, I have a letter on our website from the chief of police from Inola, Oklahoma where we had a mission ride for Travis Grigg and Chief Brad Craig thanked us for making his job easier. So, we've had a very good relationship with law enforcement, all branches. You'll have state troopers, you'll have sheriffs from the local police, and invariably they will walk through the line of bikers and shake our hands and thank us for coming.

CC: Have you had any negative response from families of those you come to honor?

Jeff: No, you have to understand that before we ever establish a mission ride we will make contact with the family and what their wishes are. If they want a private ceremony and do not want us to come, we don't come, so anytime we set up a mission ride, we are going as invited guests of the family.

CC: How do you decide where to stage a mission?

Jeff: We have emails from the Department of Defense, KIAs (killed in action) and every single one of them is examined and put out on what we call a watch list. We have a state captain and ride captains in every state, and part of their responsibility is to keep an eye on this watch list. If a KIA is posted in their state, then it is their responsibility to contact the local law enforcement, church, funeral home, and the family will be the last. But normally what happens is the family will designate a spokesperson to handle this

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10/24/2008 10:11 AM

kind of thing, so our calls are to the police, the funeral home and the churches to get the information on how to get a hold of the family contact. Every single KIA is set up on the watch list, and the only reason that a ride would not come from that is if we just absolutely hit a brick wall trying to get a family contact. Or, if the family has requested a private ceremony. We had one mission where we had one sole rider, but that is the rare exception.

CC: Tell us about your first mission?

Jeff: You talk about dramatic! There are pictures of it on our website. I believe it was in Greeley, Colorado, and in fact a local TV station did an interview, and we hadn't been in existence but maybe two days and this one rider rode up there and parked his bike in front of the protesters and I'll tell you what, I'll give him credit, he literally sat there very stolidly and make his presence known.

CC: This must be hard for you to put into words, but how do you feel after you have been on a mission?

Jeff: There are a lot of different feelings. A lot of it depends on whether or not you've had any contact with the family. There is a certain amount of pride in knowing that you have done something well and something deserving and something that needed to be done. There is of course, a great deal of sadness over the loss of a young person. And when you do deal directly with the family, it just breaks your heart. I will never forget a mission ride in South Haven, Kansas, a little bitty town. The family had put the word out that any of the riders would be welcomed at the local Methodist Church to have a bite to eat after the services, and I left early in the morning from Broken Arrow, Oklahoma to get to South Haven, Kansas and hadn't eaten, so after the service, I stopped by the church, and I purposely went immediately after the Interim, and I grabbed a bowl of soup and right as I was walking out the door, I walked the mother carrying the flag clutched to her chest, and she turned the corner right as I was going out, and she looked at me and threw her arms around me and just wept and said thank you for coming, and I mean that was a long ride back to Oklahoma.

CC: I have one last question for you. I've been hearing this from a lot of our readers and a lot of friends who I have talked to through the forums. What can the average person who is not a rider do to help your organization? Is there anything at all they can do to help you?

Jeff: Absolutely. It is not a requirement that you be a rider to join the Patriot Guard Riders. A non-rider can be just as effective. When you are talking about some of these northern states in the middle of winter when you have two feet of snow and its 30 degrees below, we're not riding motorcycles. We get in the car and drive. So, for someone who doesn't ride, if they feel the same way we do and share our mission

PGR 006924

10/24/2008 10:11 AM

statement that our main objective is to honor a fallen soldier. Period. It is not to be a counter protestor; it is not to be a protestor. We are neither of those. We are there to honor a soldier, his family and community. If they share that feeling, join up, get in their car, and meet us at the staging area.

CC: I sincerely request that each and every one of our readers visit www.patriotguard.org and if it is in your heart, join this fine group. If you cannot join but agree with their mission, please pass their message on to others. I want to thank Jeff "Twister" Brown, National Director of the Patriot Guard Riders, for his time-sharing information with me for this article as well as the interview also in this issue.

Article and Interview by [Loney](#) and [Stephanie Wilcoxson](#)

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Veteran Riders

- [10/1/2008 - CVMA Missouri Chapter 4-2 Support Our Veterans Run - Camdenon, Missouri](#)
- [9/1/2008 - All Patriots Poker Run - Cameron, Missouri](#)
- [8/1/2008 - All Patriots Poker Run - Springfield, Missouri](#)
- [7/1/2008 - 10th Annual Ride for America - Monroe, GA](#)
- [6/1/2008 - Ride to the Walk to Remember-Weston, Missouri](#)
- [3/1/2008 - The Three Amigas - Bikers Serving in Iraq](#)
- [1/1/2008 - Patriot Guard Riders Welcome Home Mission Spc Dalton Howard](#)
- [1/1/2008 - Wreaths Across America Ceremony - Milledgeville, Georgia](#)
- [12/1/2007 - A Soldier's Christmas](#)
- [12/1/2007 - The Patriot Guard Riders Honor Spc. Michael Brown - A True, Real American Hero](#)
- [11/30/2007 - Michael Dean Brown Obituary](#)
- [11/30/2007 - Mission Report](#)
- [9/1/2007 - North Texas Patriot Guard Riders' Meet and Greet](#)
- [7/1/2007 - Defenders M/C Memorial Run - Bushnell, Florida](#)
- [3/1/2007 - Patriot Guard Riders Honor PFC Johnathon Miles Millican - Locust Fork, Alabama](#)

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- [2/1/2007 - Motorcycling Reunites Former Crewmates](#)
- [11/1/2006 - Patriot Guard Riders Honor Pfc. Shane Austin](#)
- [9/1/2006 - Patriot Guard Riders Celebrate Their One-Year Anniversary](#)
- [8/1/2006 - Harley-Davidson 2007 Motorcycles Honor Military Service](#)
- [7/1/2006 - The Moving Wall](#)
- [7/1/2006 - The Silver Lining](#)
- [6/1/2006 - What Memorial Day Means to Me](#)
- [3/1/2006 - Veteran's Tribute Motorcycle](#)
- [2/1/2006 - Final Mission for Sergeant First Class Stephen J. White](#)
- [2/1/2006 - Veteran Riders on the Move](#)
- [1/1/2006 - Patriot Guard Riders](#)
- [12/1/2005 - Lest They Be Forgotten -- Memorial Ceremony](#)
- [12/1/2005 - The Veteran Rider](#)
- [11/1/2005 - Kansas American Legion Riders](#)
- [11/1/2005 - The Veteran Rider](#)
- [10/1/2005 - Lest They Be Forgotten, Wisdom-Clary Benefit Ride](#)
- [9/1/2005 - Veteran's Day Letter to Mary, Laura & Sarah](#)
- [8/1/2005 - Escorting The Traveling Vietnam Memorial Wall](#)
- [7/1/2005 - Operation Homecoming USA - A Tribute to Vietnam Vets](#)
- [6/1/2005 - POW - MIA Veteran Riders Motorcycle Club](#)
- [5/1/2005 - A Time to Honor our Military Service Members - Present, Past and Still Missing](#)
- [4/1/2005 - Welcome Home Troops](#)
- [3/1/2005 - Veteran Motorcycle License Plates](#)
- [2/1/2005 - U.S. Angels...Being a Little Bad to do a lot of Good](#)
- [1/1/2005 - Charity is the Act of Selfless Giving](#)
- [12/1/2004 - The Moving Wall™ - A Ride to Remember](#)

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- [11/1/2004 - Fort Riley Open House and Welcome Home for Troops](#)
- [11/1/2004 - American Legion Riders](#)
- [10/1/2004 - New Jersey's Annual Rolling Thunder Ride](#)
- [9/1/2004 - World War II Military Airborne Scooters](#)
- [8/1/2004 - U.S. Army Transportation Corps Soldiers Serving In Iraq](#)
- [8/1/2004 - Army DS3 Provides Advocacy for Severely Disabled Soldiers and Their Families](#)
- [8/1/2004 - Calendar Models Cheer Up Patients, Families at Walter Reed](#)
- [7/1/2004 - Military Veterans Motorcycle Club](#)
- [6/1/2004 - In Country Vets Motorcycle Club](#)
- [5/2/2004 - Combat Veterans Motorcycle Association \(CVMA\)](#)
- [5/1/2004 - May 2004 - A Time of Reflection, Recognition, and Support](#)
- [4/1/2004 - Black Berets Motorcycle Club](#)
- [3/1/2004 - Bikers and Veterans: Cycle Disciples, Kansas City Chapter](#)
- [2/1/2004 - Veteran Motorcycle Riders Web Site Review](#)
- [1/1/2004 - TIME Person of the Year for 2003: The American Soldier](#)
- [12/1/2003 - Christmas at War](#)
- [11/1/2003 - What's so Important about Emporia, Kansas in November?](#)
- [9/29/2003 - Individualism and Imagination: Part I](#)
- [9/15/2003 - Individualism and Imagination: Part II](#)
- [9/1/2003 - Individualism and Imagination: Part III](#)

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10/24/2008 10:11 AM

Perry, Bonnie

From: Preacher [preacher@carolina.rr.com]
Sent: Friday, November 11, 2005 9:30 PM
To: Jeff Brown; 'Charles Yunker'; 'David Howery'; 'William H. Sloan'; 'Chuck Antolina'; 'Ben AKA Tha Whispanic'; 'Phil Mansker'; 'Art Van Engen "Moker"'; 'Tom Connelly'; 'Terry (Darkhorse) Houck'; 'Adam Taylor'; 'Shawn'; 'Ken McClellan'; 'Raymond Eade'; 'Richard Keller'; 'Eric C. Gagomiros'; 'Pete Schullen'; 'Ralph and Susan'; 'Ozarkmark'; 'R. L. Oscar Ingram'; 'John & Donna Rohloff'; 'Mark Brubaker'; 'LAnnmullins'; 'Kay Guynes'; 'Keith Calloway'; 'John Sprague'; 'Jason Wallin'; 'Hugh Knaus'; 'Chuck Thompson'; 'Wayne Worthington'; 'David Olsen (STP)'; 'Craig Winkler'; 'Everett Freel'; 'Combat Veterans Motorcycle Association'; 'CREGG HANSEN'; 'Harry A. Elliott III'; 'Bill Carr'; Perry, Bonnie; 'Bill Law'; 'Bill Bradley'
Subject: RE: PGR Mission Statement - Important!

I would suggest one change. "Fallen soldier, the soldier's family and community" would be a better phrase, gender neutral and all. We will be attending the funerals of the female soldiers as well.

Preacher
CVMA #671
<http://www.bastards.org/Bikes.htm>

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Friday, November 11, 2005 9:28 PM
To: Charles Yunker; David Howery; William H. Sloan; Ben AKA Tha Whispanic; Phil Mansker; Art Van Engen "Moker"; Tom Connelly; Terry (Darkhorse) Houck; Adam Taylor; Shawn; Ken McClellan; Raymond Eade; Richard Keller; Eric C. Gagomiros; David "Preacher" Slocum; Pete Schullen; Ralph and Susan; Ozarkmark; R. L. Oscar Ingram; John & Donna Rohloff; Mark Brubaker; LAnnmullins; Kay Guynes; Keith Calloway; John Sprague; Jason Wallin; Hugh Knaus; Chuck Thompson; Wayne Worthington; David Olsen (STP); Craig Winkler; Everett Freel; Combat Veterans Motorcycle Association; CREGG HANSEN; Harry A. Elliott III; Chuck Antolina; Bill Carr; Bonnie Cutler; Bill Law; Bill Bradley
Subject: PGR Mission Statement - Important!

Hey Folks, I need to know if anyone has any problems with or suggestions for this as our PGR Mission Statement.

Your feedback ASAP would be greatly appreciated. This will be on our website.

Thanks,

Jeff Brown "Twister"
Broken Arrow, OK
Patriot Guard Rider
www.patriotguard.org

Patriot Guard Riders Mission Statement

The Patriot Guard Riders is an amalgamation of riders from across the nation. We have one thing in common besides motorcycles. We have an unwavering respect for those who risk their very lives for America's freedom and security. If you share this respect, please join us.

We don't care what you ride, what your political views are, or whether you're a "hawk" or a "dove". It is not a requirement that you be a veteran.
It

doesn't matter where you're from or what your income is. You don't even have to ride. The only prerequisite is Respect.

Our mission is to attend the funeral services of fallen American military heroes. Each mission we undertake has two basic objectives.

1. Show our sincere respect for our fallen hero, his family, and his community.
2. Protect the mourning family and friends from interruptions created by any protestor or group of protestors.

We accomplish the latter through strictly legal and non-violent means.

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11/11/2005

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Version: 7.1.362 / Virus Database: 267.13.0/167 - Release Date:
11/11/2005

From: Wallin Jason D. <jasonw@geoveritas.com>
Sent: Friday, November 11, 2005 10:23 PM
To: Jeff Brown <jeffbrown@valornet.com>
Subject: RE: another favor

Done. Hey is there a second that I can take to give you call about a couple of things for the site tomorrow?

Jason Wallin, CISSP
John Deere Agri Services
Fort Collins, CO

970-266-4625
jasonw@geoveritas.com

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Friday, November 11, 2005 8:48 PM
To: Wallin Jason D.
Subject: another favor

Jason,
I hate to be a pain in the ass, but if you get a minute, could you throw this up on the web page. Please don't be bashful about letting me know if I'm taking advantage.
Thanks,
Jeff

Patriot Guard Riders Mission Statement

The Patriot Guard Riders is an amalgamation of riders from across the nation. We have one thing in common besides motorcycles. We have an unwavering respect for those who risk their very lives for America's freedom and security. If you share this respect, please join us.

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We accomplish the latter through strictly legal and non-violent means.

To join the Patriot Guard Riders and be added to the email list for PGR

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mission information, drop a line to:
jeffbrown@valornet.com

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Perry, Bonnie

From: Jeff Brown [jeffbrown@valornet.com]
Sent: Saturday, November 12, 2006 6:43 AM
To: Charles Yunker; David Howery; William H. Sloan; Ben AKA The Whispanic; Phil Mansker; Art Van Engen "Moker"; Tom Connelly; Terry (Darkhorse) Houck; Adam Taylor; Shawn; Ken McClellan; Michael and Kathleen Gestler; Raymond Eade; Richard Keller; Eric C. Gagomros; David "Preacher" Slocum; Pete Schullen; Ralph and Susan; Ozarkmark; R. L. Oscar Ingram; John & Donna Rohloff; Mark Brubaker; LAnn Mullins; Kevin Wood; Kay Guynes; Keith Calloway; John Sprague; Jason Wallin; Hugh Kneus; Chuck Thompson; Wayne Worthington; David Olsen (STP); Craig Winkler; Everett Freel; Combat Veterans Motorcycle Association; CREGG HANSEN; Harry A. Elliott III; Chuck Antollina; Bill Carr; Perry, Bonnie; Bill Law; Bill Bradley
Subject: Revised PGR Mission Statement


The PGR Mission Statement has met with approval after some modification. The statement was rewritten to be gender neutral. I realize the sacrifice and dedication of our women in service and did not mean to omit them. I appreciate everyone who caught that error and brought it to my attention. The revised mission statement is now up and running on our website. I owe you all an apology for an unintentional oversight on my part.

Sincerely,
Jeff Brown "Twister"
Broken Arrow, OK
Patriot Guard Rider
www.patriotguard.org



Patriot Guard Riders

Standing For Those Who Stood For US



Mohday, November 24, 2006
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Forums > Patriot Guard Riders - National > National Happenings Archives

Subject: Support for the cause

You are not authorized to post a reply.

Author	Messages	Oldest First
 <p>Waldo • Posts: 1225 Windsor, CO TALK TALK TALK TALK TALK TALK</p>	<p>16 Dec 2006 5:55 PM</p> <p>We are using the couple of bucks that we make on the web store and the banner advertising to help cover some costs that we have incurred to get this site and organization up and going. We would greatly appreciate it if you could buy some quality PGR items that Jeff has put together and click on some of the sponsors links to help us out. Thanks a million</p>	<p>Alert</p>
<p>Jason</p>	<p>Jason Wallin "WALDO" Deputy Executive Director Corporate Treasurer Patriot Guard Riders 970-402-1892</p>	

Directory

Click to send an email to the

PGR 006225

11/24/2008

departments below:

- User Support
- Moderators
- Photos
- Media
- Media Sightings
- Submit Picture of Day
- Web Site Administrator
- Communications Officer
- Letters Of Appreciation
- Help On The Homefront

Mission Request

Click on the link below to make initial contact with us regarding honor mission requests.

Contact Us

Contact Arlington National Cemetery

Messages

0 Unread Messages

**American By Birth
Biker By Choice
Patriot Forever!**

Tact and Political Correctness were developed by those who lack the testicular fortitude to say what they really meant


OSTATE
Posts: 0

16 Dec 2005 6:14 PM

Already bought and paid for. Do you need contributions?

I have a few \$\$\$\$ that the wife hasn't found stashed away.

Waldo
Posts: 1325
Windsor, Co
YOU CAN TALK ABOUT US.



16 Dec 2005 6:35 PM

no I didn't mean to make it sound like we were openly soliciting right now. Just would appreciate it if you would click some banner ads and buy some stuff from the PGR store.

Jason

Jason Wallin "WALDO"
Deputy Executive Director
Corporate Treasurer
Patriot Guard Riders
970-402-1892

**American By Birth
Biker By Choice
Patriot Forever!**

Tact and Political Correctness were developed by those who lack the testicular fortitude to say what they really meant

OSTATE
Posts: 0

16 Dec 2005 7:04 PM

POR 006226

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

JEFF BROWN,)	
)	
Opposer,)	
	)	Opposition No. 91181448
v.)	
	)	Application No. 77/040,379
PATRIOT GUARD RIDERS, INC.,)	
)	
Applicant.)	

EXHIBIT K

of

“Declaration of Jason D. Wallin”

From: Jeff Brown <jeffbrown@valornet.com>
Sent: Monday, March 27, 2006 12:06 PM
To: Jason Wallin Waldo <Jason@wallininc.com>
Subject: Online store notice
Attach: Online Store Notice.doc

BROWN007999

The new Online PGR Store is now open.

It may take a few days of tweaking to get things perfect, but we're working on it. In order to speed up all back orders, I need to ask for your assistance.

If you have placed an order and not yet submitted payment, please resubmit the order on the new store...it will be processed and you will receive your items much faster.

If you have already paid for your invoice, hang in there, we're working on it.

I'm sorry for this inconvenience.

BROWN008000

From: Jeff Brown <jeffbrown@valornet.com>
Sent: Monday, March 27, 2006 12:10 PM
To: Jason Wallin-Waldo <Jason@wallininc.com>
Cc: Jason Taucher <jtaucher@tauchertrading.com>
Subject: Online store link

Please link to:

<http://www.patriotguardstore.org/>

Thanks,

Jeff

No virus found in this outgoing message.

Checked by AVG.

Version: 7.5.524 / Virus Database: 270.3.0/1503 - Release Date: 6/14/2008 6:02 PM

BROWN007998



OKLAHOMA SECRETARY OF STATE
1300 N. LINCOLN BLVD., ROOM 101
OKLAHOMA CITY, OK 73105-4897

M. Susan Savage
Secretary of State

Brad Henry
Governor

02/27/2006

THOMAS J. WINTERS
ATTN: THOMAS J. WINTERS
2448 E. 81ST STREET, SUITE 5900
TULSA OK 74137
USA

RE: PATRIOT GUARD RIMMERS, INC.

Document Number 4616540002
Client Account Number 21422409

Dear Secretary of State Customer:

The documents submitted have been filed in the Secretary of State's Office. Please find the enclosed documentation evidencing such filing.

I am pleased to announce that the Secretary of State's office is completing the final stages for the implementation of a new business system. Please allow me to introduce you to *SOONERACCESS*.

SOONERACCESS.....

- > Available at www.sos.state.ok.us, please visit our website during the next few weeks as services become available;
- > Available 24 hours a day, Monday through Saturday and from 6 a.m. to midnight on Sundays.
- > Submit the majority of business entity documents, trademarks/renovals, and notary public applications/renovals on-line;
- > Search business entity, trademark, and notary public information on-line;
- > Order and receive state certificates and certified and plain copies of documents on-line;
- > No additional charges, statutory fees will still be charged for on-line services. Detailed searches for business entities are available at a cost of three searches for \$3.00, however simple searches involving name, entity type, and registered agent are available free of charge.
- > On-line payment may be made by Electronic Fund Transfer at no charge or by credit card which is subject to a 4% convenience fee.

I believe *SOONERACCESS* will provide customers a welcome convenience, allowing their time to be spent on-line rather than in line. Please note your client account number at the top of the page for easy access to the new system. If you have any questions regarding the new procedures in the Secretary of State's office or *SOONERACCESS*, please do not hesitate to contact me.

Sincerely,

M. Susan Savage
Secretary of State

Enclosure

Office (405) 521-3931

<http://www.sos.state.ok.us>

Fax (405) 521-3771

PGR 000684

OFFICE OF THE SECRETARY OF STATE



**NOT FOR PROFIT
CERTIFICATE OF INCORPORATION**

WHEREAS, the Not For Profit Certificate of Incorporation of

PATRIOT GUARD RIDERS, INC.

has been filed in the office of the Secretary of State as provided by the laws of the State of Oklahoma.

NOW THEREFORE, I, the undersigned, Secretary of State of the State of Oklahoma, by virtue of the powers vested in me by law, do hereby issue this certificate evidencing such filing.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the Great Seal of the State of Oklahoma.



*Filed in the city of Oklahoma City this
21st day of February, 2006.*

M. Susan Savage

Secretary of State

PGR 000685

OKLA. JMA Secretary of State Electronic Filing

ARTICLE I. NAME AND PURPOSE OF CORPORATION

The name of the corporation is:
PATRIOT GUARD RIDERS, INC.

ARTICLE II. PURPOSE

This nonprofit corporation is organized and operated exclusively for charitable purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

This corporation does not have authority to issue capital stock.

This corporation is not for profit, and as such the corporation does not afford pecuniary gain, incidentally or otherwise, to its members.

ARTICLE III. TERM

Effective Date:

ARTICLE IV. PERPETUAL

Perpetual

ARTICLE V. REGISTERED AGENT AND OFFICE ADDRESS

Agent Name
 Jeffrey A Brown
 Address
 8321 S. 8th Street
 Broken Arrow, OK 74011 USA

ARTICLE VI. INCORPORATORS

Name Jeffrey A. Brown	Title Incorporator
Address 8321 S. 8th Street Broken Arrow, OK 74011 USA	
Name Kurt Mayer	Title Incorporator
Address 14830 Santa Lucia Drive Houston, TX 77083 USA	
Name Jason Wallin	Title Incorporator
Address 312 Granite Court Windsor, CO 80650 USA	

Name
Jeffrey A Brown
Address
8321 S. 8th Street
Broken Arrow, OK 74011 USA

Title
Director

Name
Kurt Mayer
Address
14830 Santa Lucia Drive
Houston, TX 77063 USA

Title
Director

Name
Jason Wallin
Address
312 Granite Court
Windsor, CO 80550 USA

Title
Director

The Number of Directors to be Elected at the First Meeting: 3

File Label
Additional language

File Name and Path
G:\Paula\WPD\OK\FORMS\Additional Language.pdf

I hereby certify that the information provided on this form is true and correct to the best of my knowledge and by attaching the signature I agree and understand that the typed electronic signature shall have the same legal effect as an original signature and is being accepted as my original signature pursuant to the Oklahoma Uniform Electronic Transactions Act, Title 12A Okla. Statutes Section 15-101, et seq.

Dated - 2/21/2006

Corporation Name

Signature Name
Jeffrey A. Brown
Kurt Mayer
Jason Wallin

Title
President
Secretary
Treasurer

[End Of Image]

BYLAWS OF PATRIOT GUARD RIDERS, INC.

ARTICLE ONE OFFICES

The principal office of the corporation, hereinafter referred to as the "Corporation", shall be located at the address set forth in the Articles of Incorporation. The Corporation may have such other offices, either within or without the State of Incorporation, as the Board of Directors may determine from time to time.

ARTICLE TWO MEMBERSHIP

The Corporation shall have only one (1) class of membership, the Board of Directors, which shall be voting members.

ARTICLE THREE BOARD OF TRUSTEES

Section 1. General Powers. The affairs of the Corporation shall be managed by the Board of Directors whose members shall have a fiduciary obligation to the Corporation.

Section 2. Number, Term, and Qualifications. The number of Directors shall be no less than three (3) and no greater than five (5). The term of membership shall be for continuous one (1) year periods, unless removed. Those set forth in the original Articles of Incorporation shall comprise the original Board of Directors.

Section 3. Regular Meetings. A regular annual meeting of the Board of Directors shall be held each year, or more frequently as the Board of Directors may determine. The Board of Directors may provide, by resolution, the time and place for holding additional regular meetings without other notice than such resolution. Additional regular meetings shall be held at the principal office of the Corporation in the absence of any designation in the resolution.

Section 4. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of any two (2) Directors, and shall be held at the principal office of the Corporation or at such other place as the Directors may determine.

BYLAWS-1

PGR 000688

Section 5. Notice. Notice of the annual, regular or any special meeting of the Board of Directors shall be given by oral notice to each Director. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. The business to be transacted at the meeting need not be specified in the notice or waiver of notice of such meeting, unless specifically required herein or by law.

Section 6. Quorum. A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the Directors are present at any meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice.

Section 7. Board Decisions. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these Bylaws.

Section 8. Vacancies, Additions, Elections and Removal. Any vacancy occurring in the Board of Directors and any directorship to be filled by reason of an increase in the number of Directors, shall be filled by a two-third (2/3) majority vote of the Board of Directors. Directors shall be removed by a two-third (2/3) majority vote of the Board of Directors.

Section 9. Compensation. Directors, as such, shall not receive any salaries for their services.

ARTICLE FOUR OFFICERS

Section 1. Officers. The officers of the corporation shall be a president, a secretary, a treasurer, one or more vice-presidents and such other officers as may be elected in accordance with the provisions of this Article. The Board of Directors may elect or appoint such other officers, including one or more assistant secretaries and one or more assistant treasurers, as it shall deem desirable, such officers to have the authority and perform the duties prescribed, from time to time, by the Board of Directors. Any two or more offices may be held by the same person.

Section 2. Election and Term of Office. The officers of the Corporation shall be elected annually by the Board of Directors at the regular annual meeting of the Board of Directors. If the election of officers is not held at such meeting, such election shall be held as soon thereafter as is convenient. New officers may be created and filled at any meeting of the Board of Directors. Each officer shall hold office until his successor has been duly elected and qualified.

BYLAWS-2

PGR 000689

Section 3. Removal. Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the Corporation would be served thereby; but such removal shall be without prejudice to the contract rights, if any, of the officer so removed.

Section 4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification, or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

Section 5. Powers of Officers.

(a) The President: The President shall be the chief executive officer of the Corporation. He shall be a continuing member of the Board of Directors. He shall have general management of the business of the Corporation and have general supervision of the other officers. He shall preside at all meetings of the Board of Directors and see that all orders and resolutions of the Board are carried into effect, subject, however, to the right of the Board to delegate to any other officer or officers of the Corporation any specific powers, other than those that may be conferred only upon the President. He shall execute in the name of the corporation all deeds, bonds, mortgages, contracts, and other documents authorized by the Board of Directors. He shall be ex-officio a member of all standing committees, and shall have the general powers and duties of supervision and management usually vested in the office of president of a corporation.

No person shall be invited to speak or teach at a meeting held by the Corporation without his approval. He shall be designated attorney-in-fact for the Corporation by virtue of his office. He shall have the authority to appoint and approve any assistants that would be necessary to properly carry on the work of the Corporation.

(b) Vice-President: The vice-president shall perform the duties and exercise the powers of the president in case of his temporary absence from the office of the Corporation, and shall perform such other duties as may from time to time be granted or imposed by the Board of Directors. He shall serve as an ex-officio member of the Board of Advisors; however, in the event of serving as president, he shall be a voting member of the Board of Advisors.

(c) The Secretary: The secretary shall attend all sessions of the Board held at the office of the Corporation and act as clerk thereof and record all votes and the minutes of all proceedings in a book to be kept for that purpose. He shall perform like duties for the executive and standing committees when required. He shall give, or cause to be given, notice of meetings of the Board of Directors when notice is required to be given under these Bylaws or by any resolution of the Board. He shall have custody of the seal to all authorized documents requiring a seal. He shall keep the membership rolls of the Corporation, and in general perform the duties usually incident to the office of secretary, and such further duties as shall from time to time be prescribed by the Board of Directors or the president.

BYLAWS-3

PGR 000690

(d) *The Treasurer: The treasurer shall keep full and accurate account of the receipts and disbursements in books belonging to the Corporation, and shall deposit all moneys and other valuable effects in the name and to the credit of the Corporation in such banks and depositories as may be designated by the Board of Directors, but shall not be personally liable for the safekeeping of any funds or securities so deposited pursuant to the order of the Board. He shall disburse the funds of the Corporation as may be ordered by the Board and shall render to the president and Directors at the regular meeting of the Board, and whenever they may require, accounts of all transactions as treasurer and of the financial condition of the Corporation. He shall perform the duties usually incident to the office of treasurer and such other duties as may be prescribed by the Board of Directors or by the president.*

(e) *Delegating Powers to Other Officers: In case of the absence of any officer of the Corporation, or for any other reason that may seem sufficient to the Board, the Board of Directors may delegate his duties and powers for the time being to any other officer, or to any Director.*

ARTICLE FIVE COMMITTEES AND BOARD OF ADVISORS

Section 1. Committees of Directors. The Board of Directors, by resolution adopted by a majority of the Directors in office, may designate one or more committees, which committees, to the extent provided in such resolution, shall have and exercise the authority of the Board of Directors in the management of the Corporation; but the designation of such committees and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Directors, of any responsibility imposed on it or him by law.

Section 2. Other Committees. Other committees not having and exercising the authority of the Board of Directors in the management of the Corporation may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. The President shall appoint the members thereof. Any member thereof may be removed by the President whenever in his judgment the best interest of the Corporation shall be served by such removal.

Section 3. Board of Advisors. A Board of Advisors may be appointed as set forth below. It shall be the responsibility and privilege of the Board of Advisors to provide counsel to the president and the Board of Directors. Counsel shall be in organizational, financial, legal or other areas wherein the president determines professional counsel is needed and/or desirable. No minimum or maximum number of members of the Board of Advisors shall be established and the appointment to the Board of Advisors and tenure thereon shall be at the pleasure and in the complete discretion of the president.

**ARTICLE SIX
CONTRACTS, CHECKS, DEPOSITS, AND FUNDS**

Section 1. Contracts. The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or may be confined to specific instances.

Section 2. Checks, Drafts or Orders. All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, agent or agents of the Corporation, and in such manner as shall from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments may be signed by either the treasurer or the President of the Corporation. The President of the Corporation shall be permitted to authorize execution of checks, drafts, or orders in the amount of \$1,500.00 or less without prior approval of the Board of Directors.

Section 3. Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

Section 4. Gifts. The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest or devise for any purpose of the Corporation.

**ARTICLE SEVEN
BOOKS AND RECORDS**

The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, Board of Directors, committees having and exercising any of the authority of the Board of Directors, and any other committee, and shall keep at the principal office a record giving the names and addresses of the Board of Directors members entitled to vote. All books and records of the Corporation may be inspected at any reasonable time.

**ARTICLE EIGHT
FISCAL YEAR**

The fiscal year of the Corporation shall be the calendar year.

BYLAWS-5

PGR 000692

ARTICLE NINE DISSOLUTION

Upon the dissolution of the Corporation, the Board of Directors shall, after the payment of all the liabilities of the Corporation, dispose of all of the assets of the Corporation exclusively for the purposes of the Corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall qualify as an exempt corporation or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, (or by the corresponding section of any future Revenue Code of the United States of America) or (b) by a corporation, contributions of which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as amended (or the corresponding section of any future United States Revenue Law).

ARTICLE TEN INUREMENT

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its members, officers, Directors, or any person except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered. Notwithstanding any other provisions of the Articles of Incorporation or these Bylaws of the Corporation, the corporation shall not carry on any activity not permitted to be carried on by (a) a corporation exempt from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (or by the corresponding section of any future Revenue Code of the United States of America), or (b) a corporation contributions of which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as amended (or corresponding section of any future United States Revenue Law).

ARTICLE ELEVEN CONFLICT OF INTEREST

Any director, officer, or key employee who has an interest in a contract, salary negotiation, or other transaction presented to the Board of Directors or a committee thereof for authorization, approval, or ratification shall make a prompt and full disclosure of his interest to the Board of Directors or committee prior to its acting on such contract or transaction. Such disclosure shall include any relevant and material facts known to such person about the contract or transaction which might reasonably be construed to be adverse to the corporation's interest.

The body to which such disclosure is made shall thereupon determine, by a vote of seventy-five (75%) of the votes entitled to vote, whether the disclosure shows that a conflict of interest exists or can reasonably be construed to exist. If a conflict is deemed to exist, such person shall not vote on, nor exert his personal influence regarding, nor participate in (other than to present factual

BYLAWS-6

PGR 000693

information or to respond to questions) the discussions or deliberations with respect to such contract or transaction. Such person may be counted in determining whether a quorum is present but may not be counted when the Board of Directors or a committee of the Board takes action on the transaction. The minutes of the meeting shall reflect the disclosure made, the vote thereon, the abstention from voting and participation (where applicable), and whether a quorum was present.

**ARTICLE TWELVE
SEAL**

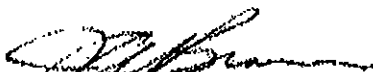
The Board of Directors shall provide a corporate seal, which shall be as set forth below.

**ARTICLE THIRTEEN
AMENDMENT OF BYLAWS**

These Bylaws may be altered, amended, or repealed, and new bylaws may be adopted by a two-thirds (2/3) majority vote of the Board of Directors at any regular or special meeting of the Board of Directors. At least seven (7) day written advance notice of said meeting shall be given to each member of the Board of Directors.

PATRIOT GUARD RIDERS, INC.

(SEAL)



Jeffrey A. Brown/President

© 2002 PGR
PatriotGuardRiders.com

BYLAWS-7

PGR 000694

JEFF'S FINAL CORNER

It's been an exhilarating, but an exhausting year. A year in which we have seen an awakening of the sleeping spirit of America, a rededication to the honor and dignity due all of those who serve our nation, and a uniting of those who have a desire to "do the right thing". Every PGR member should be justifiably proud of being a part of this.

Like all of you, I have taken a huge amount of time away from my family and business over this past year. It's time for me to heed my own words and "Pace Yourself". To this end, it is with a very heavy heart that I formally announce my resignation as Executive Director of the Patriot Guard Riders. This decision was also reached, in part, because a handful of very vocal people have expressed concerns over the possible conflict of interest in my owning the PGR Store and being the Executive Director. The business structure of the store has never been hidden and has been discussed "ad nauseam", but in an effort to belay any further controversy that takes time and energy away from our missions, I have chosen to step down and close the PGR store after the current inventory is depleted.

This has been one of the most difficult decisions of my life. I can't begin to put into words how much pride I have in all of you and what this organization has become and will become in the future. I will always view the founding of the Patriot Guard Riders and having had the honor of being your leader during this formative year as one of the high points of my life. I will continue to be honored to ride with you and stand by you until the day there is no PGR. After a great deal of pressure, Bill "Snap" Lines has agreed to assume the position of Executive Director and the board has approved. Snap, thank you for stepping up to the plate, Brother. The PGR is in good hands and I am confident in its leadership. I'm not going anywhere Folks. I will work closely with National during this transition period and continue to serve the PGR in the capacity as an advisor to the National Board.

Thanks for listening and Salute,

A large, stylized handwritten signature in black ink, appearing to be the name 'Jeff'.

Jeff

posted @ Tuesday, November 07, 2006 8:42 AM by Twister

[Previous Page](#) | [Next Page](#)

COMMENTS

BROWN009964

Trademark/Service Mark Application, Principal Register
TEAS Plus Application

Serial Number: 77040379
 Filing Date: 11/09/2006

*NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

The table below presents the data as entered.

Field Name	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK FILE NAME	WTICRS\EXPORT2\IMAGEOUT2\770403\77040379.xml\JFT K0002.JPG
*SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	Patriot Guard Riders Riding with Respect
*COLOR MARK	YES
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of this mark has a yellow field with a blue and white folded American flag and blue text.
*COLOR(S) CLAIMED (if applicable)	yellow, blue, and white
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	900 x 572
APPLICANT INFORMATION	
*OWNER OF MARK	Patriot Guard Riders, Inc.
*STREET	312 Granite Ct
*CITY	Windsor
*STATE (Required for U.S. applicants)	Colorado
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	80550
PHONE	970-402-1892
EMAIL ADDRESS	jason@patriotguard.org
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes

LEGAL ENTITY INFORMATION

*TYPE CORPORATION

*STATE/COUNTRY OF INCORPORATION Oklahoma

GOODS AND/OR SERVICES AND BASIS INFORMATION

*INTERNATIONAL CLASS 045

*FIRST USE ANYWHERE DATE At least as early as 11/11/2005

*FIRST USE IN COMMERCE DATE At least as early as 06/01/2006

*DESCRIPTION Organizing and conducting support groups in the field of **MILITARY AND MILITARY FAMILY SUPPORT**

*FILING BASIS SECTION 1(a)

*FIRST USE ANYWHERE DATE At least as early as 11/11/2005

*FIRST USE IN COMMERCE DATE At least as early as 06/01/2006

SPECIMEN FILE NAME(S) WYICRS\EXPORT2\IMAGEOUT2 \770403\77040379.xml\FT K0003.JPG

SPECIMEN DESCRIPTION this is a sample of a t-shirt that we sold to help raise money for scholarships for the families of fallen soldiers.

ADDITIONAL STATEMENTS INFORMATION

*TRANSLATION (if applicable) [REDACTED]

*TRANSLITERATION (if applicable) [REDACTED]

*CLAIMED PRIOR REGISTRATION (if applicable) [REDACTED]

*CONSENT (NAME/LIKENESS) (if applicable) [REDACTED]

*CONCURRENT USE CLAIM (if applicable) [REDACTED]

CORRESPONDENCE INFORMATION

*NAME Patriot Guard Riders, Inc.

FIRM NAME Patriot Guard Riders, Inc.

*STREET 312 Granite Ct

*CITY Windsor

* STATE (Required for U.S. applicants) Colorado

* COUNTRY United States

* ZIP/POSTAL CODE (Required for U.S. applicants only) 80550

PHONE 970-402-1892

* EMAIL ADDRESS jason@patriotguard.org

*AUTHORIZED TO COMMUNICATE VIA EMAIL. Yes

FEE INFORMATION

NUMBER OF CLASSES 1

FEE PER CLASS 275

TOTAL FEE DUE 275

SIGNATURE INFORMATION

* SIGNATURE /Jason D. Wallin/

* SIGNATORY'S NAME Jason D. Wallin

SIGNATORY'S POSITION Treasurer, Patriot Guard Riders, Inc.

* DATE SIGNED 11/09/2006

FILING INFORMATION SECTION

SUBMIT DATE Thu Nov 09 13:14:12 EST 2006

USPTO/FTK-72.250.47.100-2
0061109131412723527-77040
379-3507c3ba14ce17d9c93f0
87827a0f348c6-CC-1533-200
61109113619488470

TEAS STAMP

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 77040379

Filing Date: 11/09/2006

To the Commissioner for Trademarks:

MARK: Patriot Guard Riders Riding with Respect (stylized and/or with design, see mark)

The literal element of the mark consists of Patriot Guard Riders Riding with Respect. The applicant claims color as a feature of the mark, namely, yellow, blue, and white. The mark consists of this mark has a yellow field with a blue and white folded American flag and blue text.

The applicant, Patriot Guard Riders, Inc., a corporation of Oklahoma, having an address of 312 Granite Ct, Windsor, Colorado, United States, 80550, 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.

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 045: Organizing and conducting support groups in the field of MILITARY AND MILITARY FAMILY SUPPORT

If the applicant is filing under Section 1(b), intent to use, the applicant declares that it has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(b), as amended.

If the applicant is filing under Section 1(a), actual use in commerce, the applicant declares that it is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

PGR 000057

If the applicant is filing under Section 44(d), priority based on foreign application, the applicant declares that it has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services, and asserts a claim of priority based on a specified foreign application(s), 15 U.S.C. Section 1126(d), as amended.

If the applicant is filing under Section 44(e), foreign registration, the applicant declares that it has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services, and submits a copy of the supporting foreign registration(s), and translation thereof, if appropriate. 15 U. S.C. Section 1126(e), as amended.

Correspondence Information: Patriot Guard Riders, Inc.
312 Granite Ct
Windsor, Colorado 80550
970-402-1892(phone)
jason@patriotguard.org (authorized)

A fee payment in the amount of \$275 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 D. Wallin/ Date: 11/09/2006

Signatory's Name: Jason D. Wallin

Signatory's Position: Treasurer, Patriot Guard Riders, Inc.

RAM Safe Number: 1533

RAM Accounting Date: 11/09/2006

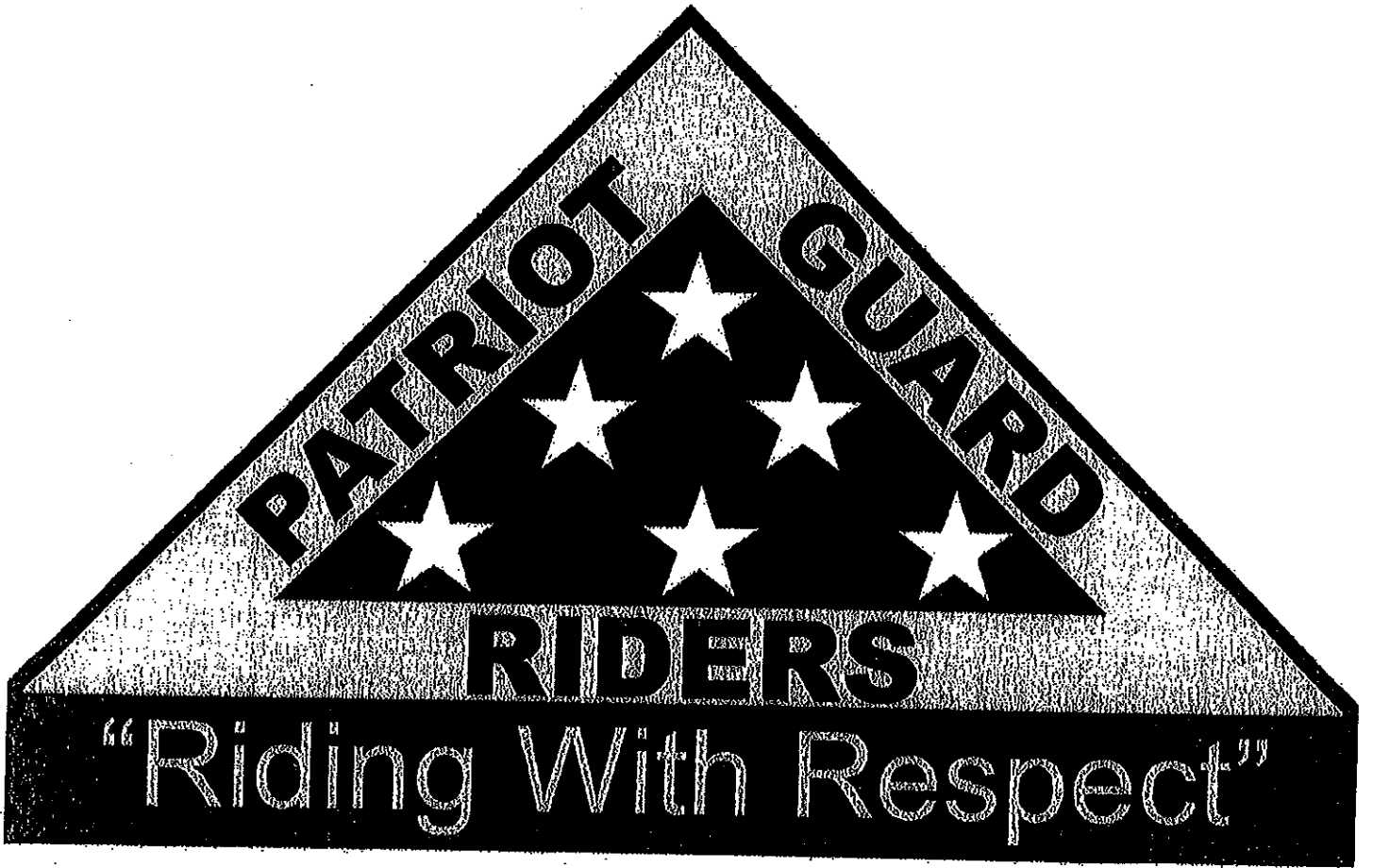
Serial Number: 77040379

Internet Transmission Date: Thu Nov 09 13:14:12 EST 2006

TEAS Stamp: USPTO/FTK-72.250.47.100-2006110913141272

3527-77040379-3507c3ba14ce17d9c93f087827

a0f348e6-CC-1533-20061109113619488470





1st Cavalry Division

1st Cavalry Division

PGR 000060



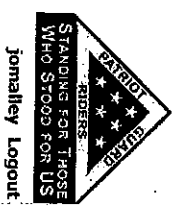
Patriot Guard Riders

Standing For Those Who Stood For Us

Wednesday, June 18, 2008

... ALL Forums ...

Code Amber Alert



jomalley Logout

This is the Code Amber Alert Ticket - Codeamber.org.net

Navigation

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Patriot Guard Riders Forum

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Subject: From Snap 21 Nov 06

Email me when someone replies to this thread.
You are not authorized to post a reply.

Author

Waldo ●
Posts: 1325
Windsor, Co

Messages

21 Nov 2006 4:54 PM

To the PGR

The last 10 days have been rough. I feel as if I stepped in it bigtime when I said OK to this job. I've heard from most of you and I've listened to each one. I hope I can serve you well this year. I want to point out that my term is for one year only, then my replacement will be elected by you, the real PGR, the members. More info on that to follow.

Oldest First ▼

Alert

Dialup Homepage

Directory

Click to send an email to the departments below:

- User Support
- Moderators
- Photos
- Media
- Media Sightings
- Submit Picture of Day
- Web Site Administrator
- Communications Officer
- Letters Of Appreciation
- Help On The Homefront

Mission Request

Click on the link below to make initial contact with us regarding honor mission requests:

Contact Us
Contact Arlington
National Cemetery



I would like to address some topics with you and the best way for my old mind is by the numbers. So here goes.

- 1) The PGR store; We are going to TRY and have the new store up by New Years Eve. It will sell all the items it does now and more. And ALL profit will go to the PGR. We are going to outsource this store so that no member will have his hands on it. It will be overseen by a committee of members.
 - 2) Jeff Brown has no affiliation with PGR except as a member. he is being removed as President of the Corp . He will no longer be our registered agent in Oklahoma. That place will be filled by a law firm.
 - 3) We have received advice from our attorney that we can retain and use our name and logo without restraint. If you want a new logo, let us know but we don't have to.
 - 4)The 501C3 is being handled by the attorney, people who have donated will be able to use the tax deduction.
 - 5) By Laws are being prepared by the attorney and will be posted as soon as completed.
 - 6) Our accountant will have all funds reconciled to post within three weeks. They will be posted at that time.
- There has been a lot of bile and contention out there this week, most of it justified. But we are trying. You are right, trust is earned and until it is I invite any member to call me (a LOT of you do) and question anything you feel needs clearing up. Let's try for less anger and spite on the web. If you want to chew me out I would rather you did it on the phone than on the site. I want to do well but I need your help.
- Thanks for listening
 LLRB
 Snap
 ICVMC for PGR

Jason Wallin "WALDO"
 Deputy Executive Director
 Corporate Treasurer
 Patriot Guard Riders

American By Birth
Biker By Choice
Patriot Forever!

Tact and Political Correctness were developed by those who lack the testicular fortitude to say what they really mean!

You are not authorized to post a reply.

Messages

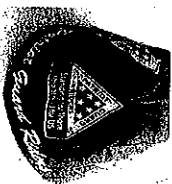
0 Unread Messages
0 Read Messages

Forums > Patriot Guard Riders - National > Letters from the PGR President > From Snap 21 Nov 06

ActiveForums 3.6



America Loves You Silk Rose



PGR Doo-Rag



PGR Armband



Welcome Home Silk Rose



Wounded Warrior Challenge Coin

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IN THE UNITED STATE PATENT & TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

JEFF BROWN,	)	CANCELLATION NO.:	91181448
)		
Petitioner	)	TRADEMARK:	PATRIOT
	)	GUARD RIDERS AND DESIGN	
v.)		
	)	APPLICATION NO.	77/040379
PATRIOT GUARD RIDERS, INC.,)		
	)	DATE FILED:	NOVEMBER 9,
Applicant	)	2006	

PETITIONER'S RESPONSE TO APPLICANT'S FIRST REQUEST FOR ADMISSION

Petitioner, Jeff Brown, hereby responds to Applicant's First Request for Admissions, as follows:

GENERAL OBJECTIONS

1. Petitioner objects to Applicant's instructions in the First Request for Admissions to the extent they seek to impose duties or obligation upon Petitioner which are beyond the scope and authority of the Federal Rules of Civil Procedure and of the Patent and Trademark Cases Rules of Practice. Petitioner will provide responses to your requests for admission in accordance with the requirements of the Federal Rules of Civil Procedure and of the Patent and Trademark Cases Rules of Practice.

2. Petitioner has not completed discovery in this matter, and therefore, its responses to Applicant's discovery requests may not be complete. Petitioner reserves the right to amend and/or supplement its discovery responses, pursuant to applicable law, and to present additional witnesses, evidence, and documents, as discovery of additional information or documents dictates to be necessary or desirable.

3. Each general objection is specifically incorporated by reference in each response and answer set forth herein. Where more specific problems are presented by a particular request for admission, an objection will be made that describes the additional problem presented.

REQUEST FOR ADMISSION NO. 1: Admit that the term "Patriot Guard Riders" was coined in connection with the formation of the PGR organization after the Kansas American Legion Riders' announcement of the name "Patriot Guard" during a mission to honor Spc. Lucas Frantz on October 27, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 1: Petitioner cannot truthfully admit or deny this request for admission. Petitioner remembers creating the term "Patriot Guard Rider" either during or after a mission to Kansas that was in approximately the fall of 2005. Petitioner also recalls hearing the term "Kansas Patriot Guard" during that time frame.

REQUEST FOR ADMISSION NO. 2: Admit that the PGR organization was formed in late October/early November 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 2: Admitted.

REQUEST FOR ADMISSION NO. 3: Admit that Opposer was a founding member of the PGR organization.

RESPONSE TO REQUEST FOR ADMISSION NO. 3: Admitted, however Petitioner qualifies this admission with the statement that he was not *a* founding member of the organization, but rather was *the* founding member of the organization.

REQUEST FOR ADMISSION NO. 4: Admit that Mr. Hugh Knaus was a founding member of the PGR organization.

RESPONSE TO REQUEST FOR ADMISSION NO. 4: Denied. Mr. Knaus joined the organization a few days after Petitioner began seeking other members.

REQUEST FOR ADMISSION NO. 5: Admit that Mr. Jason Wallin was a founding member of the PGR organization.

RESPONSE TO REQUEST FOR ADMISSION NO. 5: Denied. Mr. Wallin joined the group soon after it was founded by Petitioner. Out of respect and deference to Mr. Wallin's contributions to the group, Petitioner often referred to Mr. Wallin as a founder.

REQUEST FOR ADMISSION NO. 6: Admit that after its formation, the PGR organization, as opposed to Opposer acting as an individual, began a nation-wide campaign to garner support for the PGR organization.

RESPONSE TO REQUEST FOR ADMISSION NO. 6: Denied. Petitioner began a national email campaign to veteran and motorcycle groups across the country. The majority of these efforts were undertaken by Petitioner.

REQUEST FOR ADMISSION NO. 7: Admit that after its formation, the PGR organization, as opposed to Opposer acting as an individual, formulated a mission statement for the PGR organization.

RESPONSE TO REQUEST FOR ADMISSION NO. 7: Denied. Petitioner created the mission statement, with some input from other individuals.

REQUEST FOR ADMISSION NO. 8: Admit that after its formation, Mr. Jason Wallin, and not Opposer, registered the domain name www.patriotguard.org on November 9, 2005 in order to set up a website to garner support for the PGR organization.

RESPONSE TO REQUEST FOR ADMISSION NO. 8: Admitted in part and denied in part. Mr. Wallin registered the domain name and indicated to Petitioner that Petitioner was the owner of the domain name.

REQUEST FOR ADMISSION NO. 9: Admit that after the registration of the domain name www.patriotguard.org, the PGR organization, as opposed to Opposer acting as an individual, built and launched a website in November 2005 in an effort to garner support for the PGR organization.

RESPONSE TO REQUEST FOR ADMISSION NO. 9: Denied. Petitioner and others built and launched the website.

REQUEST FOR ADMISSION NO. 10: Admit that Opposer never:

- a. orally advised other members of the PGR organization that he considered himself, rather than the PGR organization, to be the owner of anyone of the Marks; or
- b. advised, in writing, other members of the PGR organization that he considered himself, rather than the PGR organization, to be the owner of anyone of the Marks.

RESPONSE TO REQUEST FOR ADMISSION NO. 10: Petitioner gives the following response:

- A. Petitioner denies subsection "a."
- B. Petitioner has made a reasonable inquiry to determine whether he ever advised other persons in writing that he was the owner of the Marks and the information he knows or can readily obtain is insufficient to enable him to admit or deny this request.

REQUEST FOR ADMISSION NO. 11: Admit that Opposer never:

- a. orally advised other members of the PGR organization that he considered himself, rather than the PGR organization, to be the only person entitled to use anyone of the Marks; or
- b. advised, in writing, other members of the PGR organization that he considered himself, rather than the PGR organization, to be the only person entitled to use anyone of the Marks.

RESPONSE TO REQUEST FOR ADMISSION NO. 11: Petitioner gives the following response:

- C. Petitioner denies subsection "a," and states that while he gave a license to the organization to use the marks for non-commercial purposes, he told several individuals that he considered himself to have exclusive rights to use the marks for commercial purposes.
- D. Petitioner has made a reasonable inquiry to determine whether he ever advised other persons in writing that he considered himself to have exclusive rights to use the marks for commercial purposes and the information he knows or can readily obtain is insufficient to enable him to admit or deny this request.

REQUEST FOR ADMISSION NO. 12: Admit that Opposer never entered into any type of written agreement with the PGR organization whereby Opposer granted permission to the PGR organization to use anyone of the Marks.

RESPONSE TO REQUEST FOR ADMISSION NO. 12: Admitted.

REQUEST FOR ADMISSION NO. 13: Admit that the PGR organization was not formed to be a sole proprietorship that was run and administered solely by Opposer, as an individual.

RESPONSE TO REQUEST FOR ADMISSION NO. 13: Admitted.

REQUEST FOR ADMISSION NO. 14: Admit that the PGR organization was formed to be an unincorporated, not-for-profit organization.

RESPONSE TO REQUEST FOR ADMISSION NO. 14: Denied. At the time of organization, Petitioner had not yet determined whether or not the organization would be incorporated or organized in another fashion.

REQUEST FOR ADMISSION NO. 15: Admit that after a few months in existence, the PGR organization filed paperwork with the State of Oklahoma, that was signed by Opposer, to become a not-for-profit corporation, named Patriot Guard Riders, Inc. (the PGR corporation).

RESPONSE TO REQUEST FOR ADMISSION NO. 15: Admitted.

REQUEST FOR ADMISSION NO. 16: Admit that Opposer never:

- a. orally advised other members of the PGR corporation, prior to the filing of Opposer's trademark application, that he considered himself, rather than the PGR corporation, to be the owner of anyone of the Marks; or
- b. advised, in writing, other members of the PGR corporation, prior to the filing of Opposer's trademark application, that he considered himself, rather than the PGR corporation, to be the owner of anyone of the Marks.

RESPONSE TO REQUEST FOR ADMISSION NO. 16: Petitioner gives the following response:

- A. Petitioner denies subsection "a."
- B. Petitioner has made a reasonable inquiry to determine whether he ever advised other persons in writing that he was the owner of the Marks and the information

he knows or can readily obtain is insufficient to enable him to admit or deny this request.

REQUEST FOR ADMISSION NO. 17: Admit that Opposer never:

- a. orally advised other members of the PGR corporation, prior to the filing of Opposer's trademark application, that he considered himself, rather than the PGR corporation, to be the only person entitled to use anyone of the Marks; or
- b. advised, in writing, other members of the PGR corporation, prior to the filing of Opposer's trademark application, that he considered himself, rather than the PGR corporation, to be the only person entitled to use anyone of the Marks.

RESPONSE TO REQUEST FOR ADMISSION NO. 17: Petitioner gives the following response:

- A. Petitioner denies subsection "a," and states that while he gave a license to the organization to use the marks for non-commercial purposes, he told several individuals that he considered himself to have exclusive rights to use the marks for commercial purposes.
- B. Petitioner has made a reasonable inquiry to determine whether he ever advised other persons in writing that he considered himself to have exclusive rights to use the marks for commercial purposes and the information he knows or can readily obtain is insufficient to enable him to admit or deny this request.

REQUEST FOR ADMISSION NO. 18: Admit that Opposer never entered into any type of written agreement with the PGR corporation whereby Opposer granted permission to the PGR corporation to use any one of the Marks.

RESPONSE TO REQUEST FOR ADMISSION NO. 18: Admitted.

REQUEST FOR ADMISSION NO. 19: Admit that the PGR corporation was not formed to be a sole proprietorship that was run and administered solely by Opposer, as an individual.

RESPONSE TO REQUEST FOR ADMISSION NO. 19: Petitioner refers Applicant to his response to Request for Admission No. 13.

REQUEST FOR ADMISSION NO. 20: Admit that any rights that the PGR organization had obtained in one or more of the Marks inured to the benefit of the PGR corporation upon its incorporation.

RESPONSE TO REQUEST FOR ADMISSION NO. 20: Denied.

REQUEST FOR ADMISSION NO. 21: Admit that a majority of users of the website www.patriotguard.org, from its launch date until at least the time of Opposer's removal and/or resignation from the Board, would reasonably believe that the owner of one or more of the Marks, as used in connection with the services identified on the website www.patriotguard.org, was Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 21: Petitioner cannot respond as to the thoughts or beliefs of the users of the website, and therefore denies this request.

REQUEST FOR ADMISSION NO. 22: Admit that a majority of users of the website www.patriotguard.org, from its launch date until at least the time of Opposer's removal and/or resignation from the Board, would reasonably believe that the owner of one or more of the Marks, as used in connection with the sale of goods on the website www.patriotguard.org, was Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 22: Petitioner cannot respond as to the thoughts or beliefs of the users of the website, and therefore denies this request.

REQUEST FOR ADMISSION NO. 23: Admit that a majority of users of the website www.patriotguard.org, from its launch date until at least the time of Opposer's removal and/or resignation from the Board, would not reasonably believe that the owner of one or more of the Marks, as used in connection with the services identified on the website www.patriotguard.org, was Opposer, acting as an individual.

RESPONSE TO REQUEST FOR ADMISSION NO. 23: Petitioner cannot respond as to the thoughts or beliefs of the users of the website, and therefore denies this request.

REQUEST FOR ADMISSION NO. 24: Admit that a majority of users of the website www.patriotguard.org, from its launch date until at least the time of Opposer's removal and/or resignation from the Board, would not reasonably believe that the owner of one or more of the Marks, as used in connection with the sale of goods on the website www.patriotguard.org, was Opposer, acting as an individual.

RESPONSE TO REQUEST FOR ADMISSION NO. 24: Petitioner cannot respond as to the thoughts or beliefs of the users of the website, and therefore denies this request.

REQUEST FOR ADMISSION NO. 25: Admit that the website www.patriotguard.org provided a link to the original PGR store, where users of the website www.patriotguard.org could purchase goods bearing one or more of the Marks.

RESPONSE TO REQUEST FOR ADMISSION NO. 25: Admitted in part and denied in part. Petitioner admits that the link remained on the website until such time as it was removed by the Applicant.

REQUEST FOR ADMISSION NO. 26: Admit that the website www.patriotguard.org did not advise its users that the original PGR store was owned and operated independently of Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 26: Denied.

REQUEST FOR ADMISSION NO. 27: Admit that the website www.patriotguard.org did not advise its users that the original PGR store was owned and operated by Opposer and/or PGR Store, LLC.

RESPONSE TO REQUEST FOR ADMISSION NO. 27: Denied.

REQUEST FOR ADMISSION NO. 28: Admit that a user of the website www.patriotguard.org would reasonably believe that the original PGR store was owned and operated by, and affiliated with, Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 28: Petitioner cannot respond as to the thoughts or beliefs of the users of the website, and therefore denies this request.

REQUEST FOR ADMISSION NO. 29: Admit that the website www.patriotguard.org did not provide any reason for its users to believe that any of the profits generated by the original PGR store were used for any purpose other than to ultimately support Applicant's Stated Mission.

RESPONSE TO REQUEST FOR ADMISSION NO. 29: Denied.

REQUEST FOR ADMISSION NO. 30: Admit that the website www.patriotguard.org did not provide any reason for its users to believe that any of the profits generated by the original PGR store were ultimately used for Opposer's and/or PGR Store, LLC's personal use.

RESPONSE TO REQUEST FOR ADMISSION NO. 30: Denied.

REQUEST FOR ADMISSION NO. 31: Admit that a user of the website www.patriotguard.org would reasonably believe that any of the profits generated by the original PGR store would ultimately benefit Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 31: Petitioner cannot respond as to the thoughts or beliefs of the users of the website, and therefore denies this request.

REQUEST FOR ADMISSION NO. 32: Admit that the original PGR store did not advise its users that the original PGR store was owned and operated independently of Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 32: Denied.

REQUEST FOR ADMISSION NO. 33: Admit that the original PGR store did not advise its users that the original PGR store was owned and operated by Opposer and/or PGR Store, LLC.

RESPONSE TO REQUEST FOR ADMISSION NO. 33: Denied.

REQUEST FOR ADMISSION NO. 34: Admit that a customer of the original PGR store would reasonably believe that the original PGR store was owned and operated by, and affiliated with, Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 34: Petitioner cannot respond as to the thoughts or beliefs of the customers of the store, and therefore denies this request.

REQUEST FOR ADMISSION NO. 35: Admit that the original PGR store did not provide any reason for its customers to believe that any of the profits generated by the original PGR store were used for any purpose other than to ultimately support Applicant's Stated Mission.

RESPONSE TO REQUEST FOR ADMISSION NO. 35: Denied.

REQUEST FOR ADMISSION NO. 36: Admit that the original PGR store did not provide any reason for its customers to believe that any of the profits generated by the original PGR store were ultimately used for Opposer's and/or PGR Store, LLC's personal use.

RESPONSE TO REQUEST FOR ADMISSION NO. 36: Denied.

REQUEST FOR ADMISSION NO. 37: Admit that a customer of the original PGR store would reasonably believe that any of the profits generated by the original PGR store would ultimately benefit Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 37: Petitioner cannot respond as to the thoughts or beliefs of the customers of the store, and therefore denies this request.

REQUEST FOR ADMISSION NO. 38: Admit that invoices for purchased goods from the original PGR store did not give any indication that the original PGR store was owned and operated independently of Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 38: Denied.

REQUEST FOR ADMISSION NO. 39: Admit that invoices for purchased goods from the original PGR store did not give any indication that the original PGR store was owned and operated by Opposer and/or PGR Store, LLC.

RESPONSE TO REQUEST FOR ADMISSION NO. 39: Denied.

REQUEST FOR ADMISSION NO. 40: Admit that some customers of the original PGR store received invoices for purchased products from the original PGR store via e-mail.

RESPONSE TO REQUEST FOR ADMISSION NO. 40: Admitted.

REQUEST FOR ADMISSION NO. 41: Admit that the invoices referred to in REQUEST FOR ADMISSION NO. 40 did not identify Opposer, as an individual, in any manner.

RESPONSE TO REQUEST FOR ADMISSION NO. 41: Denied.

REQUEST FOR ADMISSION NO. 42: Admit that the invoices referred to in REQUEST FOR ADMISSION NO. 40 identified the webpage www.patriotguard.org thereon.

RESPONSE TO REQUEST FOR ADMISSION NO. 42: Petitioner has made a reasonable inquiry to determine whether any invoices contained such language and the information he knows or can readily obtain is insufficient to enable him to admit or deny this request. Copies of invoices in Petitioner's possession do not indicate the www.patriotguard.org website

REQUEST FOR ADMISSION NO. 43: Admit that:

- a. the invoices referred to in REQUEST FOR ADMISSION NO. 40 identified "PGR" thereon; and
- b. that "PGR" in REQUEST FOR ADMISSION NO. 43(a) did not refer to Opposer, as an individual.

RESPONSE TO REQUEST FOR ADMISSION NO. 43: Denied.

REQUEST FOR ADMISSION NO. 44: Admit that the e-mail address from at least some of the e-mails identified in REQUEST FOR ADMISSION NO. 40 was pgr@valornet.com.

RESPONSE TO REQUEST FOR ADMISSION NO. 44: Admitted.

REQUEST FOR ADMISSION NO. 45: Admit that the e-mail address identified in REQUEST FOR ADMISSION NO. 44 does not specifically identify Opposer, as an individual, in any manner.

RESPONSE TO REQUEST FOR ADMISSION NO. 45: Admitted.

REQUEST FOR ADMISSION NO. 46: Admit that at least some of the e-mails identified in REQUEST FOR ADMISSION NO. 40 stated "Please make checks or MO payable

to: Patriot Guard Riders 3728 S. Elm Place PMB #137 Broken Arrow, OK 74011-1803 Please include your mailing address. Thank you for your continued commitment - we appreciate it very much. Sincerely, PGR".

RESPONSE TO REQUEST FOR ADMISSION NO. 46: Petitioner has made a reasonable inquiry to determine whether any emails contained such language and the information he knows or can readily obtain is insufficient to enable him to admit or deny this request. Copies of invoices in Petitioner's possession do not indicate the pgr.org website

REQUEST FOR ADMISSION NO. 47: Admit that the e-mails referred to in REQUEST FOR ADMISSION NO. 40 did not refer to Opposer, as an individual, in any manner.

RESPONSE TO REQUEST FOR ADMISSION NO. 47: Petitioner has made a reasonable inquiry to determine whether the emails identified Petitioner and the information he knows or can readily obtain is insufficient to enable him to admit or deny this request.

REQUEST FOR ADMISSION NO. 48: Admit that the website www.patriotguard.org provided a link to the subsequent PGR store, at least until Opposer's removal and/or resignation from the Board, where users of the website www.patriotguard.org could purchase goods bearing one or more of the Marks.

RESPONSE TO REQUEST FOR ADMISSION NO. 48: Petitioner objects to this request as "subsequent PGR store" is not defined. As such, Petitioner denies this request.

REQUEST FOR ADMISSION NO. 49: Admit that the website www.patriotguard.org, at least until Opposer's removal and/or resignation from the Board, did not advise its users that the subsequent PGR store was owned and operated independently of Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 49: Petitioner objects to this request as “subsequent PGR store” is not defined. As such, Petitioner denies this request.

REQUEST FOR ADMISSION NO. 50: Admit that the website www.patriotguard.org, at least until Opposer's removal and/or resignation from the Board, did not advise its users that the subsequent PGR store was owned and operated by Opposer and/or PGR Store, LLC.

RESPONSE TO REQUEST FOR ADMISSION NO. 50: Petitioner objects to this request as “subsequent PGR store” is not defined. As such, Petitioner denies this request.

REQUEST FOR ADMISSION NO. 51: Admit that a user of the website www.patriotguard.org, at least until Opposer's removal and/or resignation from the Board, would reasonably believe that the subsequent PGR store was owned and operated by, and affiliated with, Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 51: Petitioner objects to this request as “subsequent PGR store” is not defined. As such, Petitioner denies this request.

REQUEST FOR ADMISSION NO. 52: Admit that the website www.patriotguard.org, at least until Opposer's removal and/or resignation from the Board, did not provide any reason for its users to believe that any of the profits generated by the original PGR store were used for any purpose other than to ultimately support Applicant's Stated Mission.

RESPONSE TO REQUEST FOR ADMISSION NO. 52: Denied.

REQUEST FOR ADMISSION NO. 53: Admit that the website www.patriotguard.org, at least until Opposer's removal and/or resignation from the Board, did

not provide any reason for its users to believe that any of the profits generated by the original PGR store were ultimately used for Opposer's and/or PGR Store, LLC's personal use.

RESPONSE TO REQUEST FOR ADMISSION NO. 53: Denied

REQUEST FOR ADMISSION NO. 54: Admit that a user of the website www.patriotguard.org, at least until Opposer's removal and/or resignation from the Board, would reasonably believe that any of the profits generated by the original PGR store would ultimately benefit Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 54: Petitioner cannot respond as to the thoughts or beliefs of the users of the website, and therefore denies this request.

REQUEST FOR ADMISSION NO. 55: Admit that the subsequent PGR store, at least until Opposer's removal and/or resignation from the Board, did not advise its users that the subsequent PGR store was owned and operated independently of Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 55: Petitioner objects to this request as "subsequent PGR store" is not defined. As such, Petitioner denies this request.

REQUEST FOR ADMISSION NO. 56: Admit that the subsequent PGR store, at least until Opposer's removal and/or resignation from the Board, did not advise its users that the subsequent PGR store was owned and operated by Opposer and/or PGR Store, LLC.

RESPONSE TO REQUEST FOR ADMISSION NO. 56: Petitioner objects to this request as "subsequent PGR store" is not defined. As such, Petitioner denies this request.

REQUEST FOR ADMISSION NO. 57: Admit that a customer of the subsequent PGR store, at least until Opposer's removal and/or resignation from the Board, would reasonably believe that the subsequent PGR store was owned and operated by, and affiliated with, Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 57: Petitioner cannot respond as to the thoughts or beliefs of the customers of the store, and therefore denies this request.

REQUEST FOR ADMISSION NO. 58: Admit that the subsequent PGR store, at least until Opposer's removal and/or resignation from the Board, did not provide any reason for its customers to believe that any of the profits generated by the original PGR store were used for any purpose other than to ultimately support Applicant's Stated Mission.

RESPONSE TO REQUEST FOR ADMISSION NO. 58: Petitioner objects to this request as "subsequent PGR store" is not defined. As such, Petitioner denies this request.

REQUEST FOR ADMISSION NO. 59: Admit that the subsequent PGR store, at least until Opposer's removal and/or resignation from the Board, did not provide any reason for its customers to believe that any of the profits generated by the original PGR store were ultimately used for Opposer's and/or PGR Store, LLC's personal use.

RESPONSE TO REQUEST FOR ADMISSION NO. 59: Petitioner objects to this request as "subsequent PGR store" is not defined. As such, Petitioner denies this request.

REQUEST FOR ADMISSION NO. 60: Admit that a customer of the subsequent PGR store, at least until Opposer's removal and/or resignation from the Board, would reasonably believe that any of the profits generated by the original PGR store would ultimately benefit Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 60: Petitioner cannot respond as to the thoughts or beliefs of the customers of the store, and therefore denies this request.

REQUEST FOR ADMISSION NO. 61: Admit that invoices for purchased goods from the subsequent PGR store, at least until Opposer's removal and/or resignation from the

Board, did not give any indication that the subsequent PGR store was owned and operated independently of Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 61: Petitioner objects to this request as "subsequent PGR store" is not defined. As such, Petitioner denies this request.

REQUEST FOR ADMISSION NO. 62: Admit that invoices for purchased goods from the subsequent PGR store, at least until Opposer's removal and/or resignation from the Board, did not give any indication that the subsequent PGR store was owned and operated by Opposer and/or PGR Store, LLC.

RESPONSE TO REQUEST FOR ADMISSION NO. 62: Petitioner objects to this request as "subsequent PGR store" is not defined. As such, Petitioner denies this request.

REQUEST FOR ADMISSION NO. 63: Admit that the website www.patriotguard.org had a "PGR F AQ" link provided thereon which provided users of the website www.patriotguard.org with information regarding or relating to Applicant, including information regarding the subsequent PGR store.

RESPONSE TO REQUEST FOR ADMISSION NO. 63: Petitioner did not prepare the FAQ portion of the website and is unaware of the content. As such, Petitioner denies the request.

REQUEST FOR ADMISSION NO. 64: Admit that a portion of the information provided by the "PGR F AQ" link identified in REQUEST FOR ADMISSION NO. 63 stated "PGR is funded through purchases made from the PGR Store, public donations, member donations and member businesses who donate."

RESPONSE TO REQUEST FOR ADMISSION NO. 64: Petitioner did not prepare the FAQ portion of the website and is unaware of the content. As such, Petitioner denies the request.

REQUEST FOR ADMISSION NO. 65: Admit that a reader of the statement identified in REQUEST FOR ADMISSION NO. 64 would believe that any of the profits made from purchases through the PGR Store would only be used to help fund Applicant in its Stated Mission.

RESPONSE TO REQUEST FOR ADMISSION NO. 65: Petitioner cannot respond as to the thoughts or beliefs of a hypothetical reader of the FAQ, and therefore denies this request.

REQUEST FOR ADMISSION NO. 66: Admit that a portion of the information provided by the "PGR F AQ" link identified in REQUEST FOR ADMISSION NO. 63 stated "The PGR is NOT a Motorcycle or Riding Club. This back patch is not representative of, nor is it an indication that PGR is a Motorcycle or Riding Club. We do not earn this patch but purchase it from our store."

RESPONSE TO REQUEST FOR ADMISSION NO. 66: Petitioner did not prepare the FAQ portion of the website and is unaware of the content. As such, Petitioner denies the request.

REQUEST FOR ADMISSION NO. 67: Admit that the term "our" provided in the statement from REQUEST FOR ADMISSION NO. 66 referred to Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 67: Petitioner did not prepare the FAQ portion of the website and is unaware of the content. As such, Petitioner denies the request.

REQUEST FOR ADMISSION NO. 68: Admit that a reader of the statement identified in REQUEST FOR ADMISSION NO. 66 would believe that the PGR Store was owned and operated by Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 68: Petitioner cannot respond as to the thoughts or beliefs of a hypothetical reader of the FAQ, and therefore denies this request.

REQUEST FOR ADMISSION NO. 69: Admit that a portion of the information provided by the "PGR F AQ" link identified in REQUEST FOR ADMISSION NO. 63 stated "The PGR logo and name is copyrighted and restricted to specific use. Anyone wishing to reproduce the logo or name for personal and/or business use in graphics of any form MUST receive permission from National, contact Jeff 'Twister' Brown ibrown@patriotguard.org before using it."

RESPONSE TO REQUEST FOR ADMISSION NO. 69: Petitioner did not prepare the FAQ portion of the website and is unaware of the content. As such, Petitioner denies the request.

REQUEST FOR ADMISSION NO. 70: Admit that the term "National" provided in the statement from REQUEST FOR ADMISSION NO. 69 referred to Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 70: Petitioner did not prepare the FAQ portion of the website and is unaware of the content. As such, Petitioner denies the request.

REQUEST FOR ADMISSION NO. 71: Admit that a reader of the statement identified in REQUEST FOR ADMISSION NO. 69 would believe that, in order to reproduce the

PGR logo or name for personal and/or business use in graphics of any form, the reader would have to receive permission from Applicant, and not from Opposer, as an individual.

RESPONSE TO REQUEST FOR ADMISSION NO. 71: Petitioner cannot respond as to the thoughts or beliefs of a hypothetical reader of the FAQ, and therefore denies this request.

REQUEST FOR ADMISSION NO. 72: Admit that all references to the PGR Store in the information by the "PGR F AQ" link identified in REQUEST FOR ADMISSION NO. 63, would lead a reader of the information to believe that the PGR Store was owned and operated by Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 72: Petitioner cannot respond as to the thoughts or beliefs of a hypothetical reader of the FAQ, and therefore denies this request.

REQUEST FOR ADMISSION NO. 73: Admit that a portion of the information provided by the "PGR F AQ" link: identified in REQUEST FOR ADMISSION NO. 63 stated "Suggestions for the PGR Store can be posted in the National Forums under the heading Patriot Guard Store."

RESPONSE TO REQUEST FOR ADMISSION NO. 73: Petitioner did not prepare the FAQ portion of the website and is unaware of the content. As such, Petitioner denies the request.

REQUEST FOR ADMISSION NO. 74: Admit that the "Patriot Guard Store" referred to in REQUEST FOR ADMISSION NO. 73 included the subsequent PGR store.

RESPONSE TO REQUEST FOR ADMISSION NO. 74: Petitioner did not prepare the FAQ portion of the website and is unaware of the content. As such, Petitioner denies the request.

REQUEST FOR ADMISSION NO. 75: Admit that the subsequent PGR store benefited from Applicant's website www.patriotguard.org having National Forums where users could post suggestions for the subsequent PGR store.

RESPONSE TO REQUEST FOR ADMISSION NO. 75: Petitioner objects to this request as "subsequent PGR store" is not defined. As such, Petitioner denies this request.

REQUEST FOR ADMISSION NO. 76: Admit that the subsequent PGR store, on the website www.patriotguardstore.org, provided a "PGR Home" link: that would redirect users to the website www.patriotguard.org.

RESPONSE TO REQUEST FOR ADMISSION NO. 76: Petitioner objects to this request as "subsequent PGR store" is not defined. As such, Petitioner denies this request.

REQUEST FOR ADMISSION NO. 77: Admit that Twister's PGR store, on the website www.patriotguardstore.org, provided a "Main PGR Site" link: that functioned to redirect users to the website www.patriotguard.org.

RESPONSE TO REQUEST FOR ADMISSION NO. 77: Admitted.

REQUEST FOR ADMISSION NO. 78: Admit that the website www.patriotguardstore.org posted the following notice for a period of time: "Regarding the PGR Online Store: A couple of people have asked about having a friend offer to duplicate some of our stuff for free to help the cause. Our PGR name and log is copyrighted for a reason. The revenue generated from the sale of PGR products enables us to operate this site and continue to grow the organization without any dues, donations or fees. We also have other plans down the road. All

associations have their own stores (VFW, AL, RFTW, etc.) and do not allow reproductions for the same reasons. We've also tried to keep our pricing lower than comparable products through other associations. I hope you understand and support this policy. Best regards, Jeff 'Twister' Brown".

RESPONSE TO REQUEST FOR ADMISSION NO. 78: Admitted.

REQUEST FOR ADMISSION NO. 79: Admit that the notice identified in REQUEST FOR ADMISSION NO. 78 identified Opposer as the person writing and/or posting the notice.

RESPONSE TO REQUEST FOR ADMISSION NO. 79: Admitted.

REQUEST FOR ADMISSION NO. 80: Admit that users of the website www.patriotguardstore.org, upon reading the notice identified in REQUEST FOR ADMISSION NO. 78, would reasonably believe that references to "our", "us" and "we" in the notice would refer to Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 80: Petitioner cannot respond as to the thoughts or beliefs of the users of the website, and therefore denies this request.

REQUEST FOR ADMISSION NO. 81: Admit that users of the website www.patriotguardstore.org, upon reading the notice identified in REQUEST FOR ADMISSION NO. 78, would not reasonably believe that references to "our", "us" and "we" in the notice would refer to any of Opposer, Opposer's wife, Ms. Bonnie Brown, or PGR Store, LLC.

RESPONSE TO REQUEST FOR ADMISSION NO. 81: Petitioner cannot respond as to the thoughts or beliefs of the users of the website, and therefore denies this request.

REQUEST FOR ADMISSION NO. 82: Admit that a majority of users of the website www.patriotguardstore.org, from its launch date until at least the time of Opposer's removal

and/or resignation from the Board, would reasonably believe that the owner of one or more of the Marks, as used in connection with the sale of goods on the website www.patriotguardstore.org, was Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 82: Petitioner cannot respond as to the thoughts or beliefs of the users of the website, and therefore denies this request.

REQUEST FOR ADMISSION NO. 83: Admit that a majority of users of the website www.patriotguardstore.org, from its launch date until at least the time of Opposer's removal and/or resignation from the Board, would not reasonably believe that the owner of one or more of the Marks, as used in connection with the sale of goods on the website www.patriotguardstore.org, was Opposer, acting as an individual.

RESPONSE TO REQUEST FOR ADMISSION NO. 83: Petitioner cannot respond as to the thoughts or beliefs of the users of the website, and therefore denies this request.

REQUEST FOR ADMISSION NO. 84: Admit that the top level domain .org is generally associated with an organization, and not an individual.

RESPONSE TO REQUEST FOR ADMISSION NO. 84: Denied.

REQUEST FOR ADMISSION NO. 85: Admit that the top level domain .org is generally associated with non-profit organizations.

RESPONSE TO REQUEST FOR ADMISSION NO. 85: Denied.

REQUEST FOR ADMISSION NO. 86: Admit that most users of the website www.patriotguardstore.org would believe that the subsequent PGR store was owned and operated by Applicant because it used the top level domain .org.

RESPONSE TO REQUEST FOR ADMISSION NO. 86: Petitioner cannot respond as to the thoughts or beliefs of the users of the website, and therefore denies this request.

REQUEST FOR ADMISSION NO. 87: Admit that most users of the website www.patriotguardstore.org would believe that the website was associated with a non-profit organization because it used the top level domain .org.

RESPONSE TO REQUEST FOR ADMISSION NO. 87: Petitioner cannot respond as to the thoughts or beliefs of the users of the website, and therefore denies this request.

REQUEST FOR ADMISSION NO. 88: Admit that most users of the website www.patriotguardstore.org would not believe that the website was owned and operated by a for-profit entity because it used the top level domain .org.

RESPONSE TO REQUEST FOR ADMISSION NO. 88: Petitioner cannot respond as to the thoughts or beliefs of the users of the website, and therefore denies this request.

REQUEST FOR ADMISSION NO. 89: Admit that prior to Opposer's removal and/or resignation from the Board, Opposer refused to produce the books for the original PGR store and for the subsequent PGR store to the other members of the Board upon their request.

RESPONSE TO REQUEST FOR ADMISSION NO. 89: Admitted in part and denied in part. Petitioner objects to this request as "subsequent PGR store" is not defined. As such, Petitioner denies this request. Petitioner admits that Petitioner did not produce financial records related to the store to the PGR Board of Directors. However, Petitioner did voluntarily release all personal and business financials to the PGR accountant, Mr. Jon Tatum of Tatum & Associates, for him to audit, with the stipulation that he report to Mr. Bill Lines, then PGR Executive Director, only if he found any irregularities. His report to Mr. Lines was that Petitioner's books were in order.

REQUEST FOR ADMISSION NO. 90: Admit that upon Opposer refusing to produce the books for the original PGR store and for the subsequent POR store, that the Board, other than Opposer, first definitively learned:

- a. that the original PGR store and the subsequent PGR store did not provide all of their profits to Applicant;
- b. that all of the profits from the original PGR store and the subsequent PGR store went to either Opposer and/or PGR Store, LLC; and
- c. that Opposer and/or PGR Store, LLC, after receiving the profits from the original PGR store and the subsequent PGR store, Opposer and/or PGR Store, LLC, in its sale discretion, then decided how much of the profits to redirect back to Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 90: Denied.

REQUEST FOR ADMISSION NO. 91: Admit that a majority of Applicant's members would reasonably believe that use of any one of the Marks would be done on behalf of, and inure to the benefit of, Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 91: Petitioner cannot respond as to the thoughts or beliefs of Applicant's members, and therefore denies this request.

REQUEST FOR ADMISSION NO. 92: Admit that a majority of Applicant's members would not reasonably believe that use of anyone of the Marks would be done on behalf of, and inure to the benefit of, Opposer, as an individual.

RESPONSE TO REQUEST FOR ADMISSION NO. 92: Petitioner cannot respond as to the thoughts or beliefs of such hypothetical persons, and therefore denies this request.

REQUEST FOR ADMISSION NO. 93: Admit that a majority of persons, who are, or were not one of, Applicant's members, who personally attended one of Applicant's missions, or who otherwise heard about one of Applicant's missions, would reasonably believe that use of anyone of the Marks would be done on behalf of, and inure to the benefit of, Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 93: Petitioner cannot respond as to the thoughts or beliefs of such hypothetical persons, and therefore denies this request.

REQUEST FOR ADMISSION NO. 94: Admit that a majority of persons, who are, or were not one of, Applicant's members, who personally attended one of Applicant's missions, or who otherwise heard about one of Applicant's missions, would not reasonably believe that use of anyone of the Marks would be done on behalf of, and inure to the benefit of, Opposer, as an individual.

RESPONSE TO REQUEST FOR ADMISSION NO. 94: Petitioner cannot respond as to the thoughts or beliefs of such hypothetical persons, and therefore denies this request.

REQUEST FOR ADMISSION NO. 95: Admit that Applicant's first trademark application was filed with the United States Patent and Trademark Office prior to the filing of Opposer's trademark application with the United States Patent and Trademark Office.

RESPONSE TO REQUEST FOR ADMISSION NO. 95: Petitioner admits that Applicant's application was filed before Petitioner's application, but notes that the applications were filed almost contemporaneously, having been filed on the same date and within minutes of each other.

REQUEST FOR ADMISSION NO. 96: Admit that the records of the United States Patent and Trademark Office indicate that Applicant's first trademark application was filed on

behalf of the Patriot Guard Riders corporation by Mr. Jason D. Wallin, the Treasurer for the Patriot Guard Riders corporation.

RESPONSE TO REQUEST FOR ADMISSION NO. 96: Admitted.

REQUEST FOR ADMISSION NO. 97: Admit that at the time of filing Applicant's first trademark application, Mr. Jason D. Wallin was the Treasurer for the Patriot Guard Riders corporation.

RESPONSE TO REQUEST FOR ADMISSION NO. 97: Admitted.

REQUEST FOR ADMISSION NO. 98: Admit that the Board authorized Mr. Jason D. Wallin to file Applicant's first trademark application on behalf of the Patriot Guard Riders corporation.

RESPONSE TO REQUEST FOR ADMISSION NO. 98: Petitioner cannot respond as to the whether the Board did or did not authorize this application, and therefore denies this request.

REQUEST FOR ADMISSION NO. 99: Admit that Opposer, in his Opposition, did not have any factual bases for alleging that Mr. Jason D. Wallin did not have the authorization of the Board to file Applicant's first trademark application on behalf of the Patriot Guard Riders corporation.

RESPONSE TO REQUEST FOR ADMISSION NO. 99: Denied.

REQUEST FOR ADMISSION NO. 100: Admit that Mr. Jason D. Wallin's dismissal from the Board after the filing of Applicant's first trademark application has no bearing on whether the Patriot Guard Riders corporation is entitled to have Applicant's first trademark application registered.

RESPONSE TO REQUEST FOR ADMISSION NO. 100: Denied.

REQUEST FOR ADMISSION NO. 101: Admit that Opposer's trademark application identifies Opposer as having signed Opposer's trademark application and that Opposer identified his position in the Signatory Block as "Executive Director".

RESPONSE TO REQUEST FOR ADMISSION NO. 101: Admitted in part and denied in part. When Petitioner filed the application, he intended to file the application in his individual capacity, not as a formal representative of any entity. Petitioner was directed to refer to himself as Executive Director by counsel, nonetheless both counsel and Petitioner intended for the application to be filed in Petitioner's individual capacity.

REQUEST FOR ADMISSION NO. 102: Admit that Opposer held the title of "Executive Director" of the Board prior to his removal and/or resignation from the Board.

RESPONSE TO REQUEST FOR ADMISSION NO. 102: Admitted.

REQUEST FOR ADMISSION NO. 103: Admit that since the formation of PGR Store, LLC, Opposer, as an individual, did not use anyone of the Marks in connection with the sale of goods identified in Opposer's trademark application.

RESPONSE TO REQUEST FOR ADMISSION NO. 103: Denied.

REQUEST FOR ADMISSION NO. 104: Admit that since the formation of PGR Store, LLC, PGR Store, LLC has used one or more of the Marks in connection with the sale of goods identified in Opposer's trademark application.

RESPONSE TO REQUEST FOR ADMISSION NO. 104: Admitted.

REQUEST FOR ADMISSION NO. 105: Admit that Opposer's trademark application does not state that use of one or more of the Marks in connection with the sale of goods identified therein was done through PGR Store, LLC.

RESPONSE TO REQUEST FOR ADMISSION NO. 105: Admitted. PGR Store, LLC was not in existence at the time Petitioner began using the mark. Petitioner has given PGR STORE LLC a license to use the marks.

REQUEST FOR ADMISSION NO. 106: Admit that at the time of filing Opposer's trademark application, Opposer knew that Applicant had the right to use one or more of the Marks in commerce.

RESPONSE TO REQUEST FOR ADMISSION NO. 106: Denied.

REQUEST FOR ADMISSION NO. 107: Admit that prior to the filing of Opposer's trademark application, Opposer never gave any written indication to Applicant that Opposer believed that he, as an individual, was the owner of one or more of the Marks instead of Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 107: Petitioner has made a reasonable inquiry to determine whether such indication was ever made in writing and the information he knows or can readily obtain is insufficient to enable him to admit or deny this request.

REQUEST FOR ADMISSION NO. 108: Admit that prior to the filing of Opposer's trademark application, Opposer never gave any oral indication to Applicant that Opposer believed that he, as an individual, was the owner of one or more of the Marks instead of Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 108: Denied.

REQUEST FOR ADMISSION NO. 109: Admit that prior to the filing of Opposer's trademark application, Opposer never gave any written indication to Applicant that Opposer

believed that he, as an individual, was entitled to use one or more of the Marks instead of Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 109: Petitioner has made a reasonable inquiry to determine whether such indication was ever made in writing and the information he knows or can readily obtain is insufficient to enable him to admit or deny this request.

REQUEST FOR ADMISSION NO. 110: Admit that prior to the filing of Opposer's trademark application, Opposer never gave any oral indication to Applicant that Opposer believed that he, as an individual, was entitled to use one or more of the Marks instead of Applicant.

RESPONSE TO REQUEST FOR ADMISSION NO. 110: Denied.

REQUEST FOR ADMISSION NO. 111: Admit that on November 6, 2006, just three days prior to the filing of Opposer's trademark application, Opposer sent an e-mail indicating that he intended to close the subsequent PGR store.

RESPONSE TO REQUEST FOR ADMISSION NO. 111: Admitted in part and denied in part. In an effort to settle this matter, Petitioner made several different offers, one of which included an offer to close the store.

REQUEST FOR ADMISSION NO. 112: Admit that prior to the filing of Opposer's trademark application, Opposer never objected in writing to Applicant's use of one or more of the Marks.

RESPONSE TO REQUEST FOR ADMISSION NO. 112: Admitted.

REQUEST FOR ADMISSION NO. 113: Admit that prior to the filing of the present Opposition, Opposer never objected in writing to Applicant's use of one or more of the Marks.

RESPONSE TO REQUEST FOR ADMISSION NO. 113: Admitted.

REQUEST FOR ADMISSION NO. 114: Admit that prior to the filing of Opposer's trademark application, Opposer never orally objected to Applicant's use of one or more of the Marks.

RESPONSE TO REQUEST FOR ADMISSION NO. 114: Admitted.

REQUEST FOR ADMISSION NO. 115: Admit that prior to the filing of the present Opposition, Opposer never orally objected to Applicant's use of one or more of the Marks.

RESPONSE TO REQUEST FOR ADMISSION NO. 115: Admitted.

REQUEST FOR ADMISSION NO. 116: Admit that prior to the filing of Opposer's trademark application, Opposer never offered a written license to Applicant to use one or more of the Marks with the understanding that Applicant's use of one or more of the Marks would inure to the benefit of Opposer.

RESPONSE TO REQUEST FOR ADMISSION NO. 116: Admitted.

REQUEST FOR ADMISSION NO. 117: Admit that prior to the filing of the present Opposition, Opposer never offered a written license to Applicant to use one or more of the Marks with the understanding that Applicant's use of one or more of the Marks would inure to the benefit of Opposer.

RESPONSE TO REQUEST FOR ADMISSION NO. 117: Denied.

REQUEST FOR ADMISSION NO. 118: Admit that prior to the filing of Opposer's trademark application, Opposer never offered an oral license to use one or more of the Marks to Applicant with the understanding that Applicant's use of one or more of the Marks would inure to the benefit of Opposer.

RESPONSE TO REQUEST FOR ADMISSION NO. 118: Denied.

REQUEST FOR ADMISSION NO. 119: Admit that prior to the filing of the present Opposition, Opposer never offered an oral license to use one or more of the Marks to Applicant with the understanding that Applicant's use of one or more of the Marks would inure to the benefit of Opposer.

RESPONSE TO REQUEST FOR ADMISSION NO. 119: Denied.

REQUEST FOR ADMISSION NO. 120: Admit that Opposer, as an individual, never controlled Applicant's use of anyone of the Marks with respect to the nature and quality of the services in connection with which any one of the Marks were used.

RESPONSE TO REQUEST FOR ADMISSION NO. 120: Denied.

REQUEST FOR ADMISSION NO. 121: Admit that Opposer, as an individual, never controlled Applicant's use of anyone of the Marks with respect to the nature and quality of the goods on which anyone of the Marks were used.

RESPONSE TO REQUEST FOR ADMISSION NO. 121: Denied.

REQUEST FOR ADMISSION NO. 122: Admit that the Opposition states that the mark PATRIOT GUARD RIDERS RIDING WITH RESPECT was first used in connection with the "organization's services".

RESPONSE TO REQUEST FOR ADMISSION NO. 122: Admitted to the extent that Opposer did not view the organization's interests as different from his own at the time of first use.

REQUEST FOR ADMISSION NO. 123: Admit that the "organization's services" identified in the Opposition referred to Applicant's services, and not Opposer's individual services.

RESPONSE TO REQUEST FOR ADMISSION NO. 123: Admitted to the extent that Opposer did not view the organization's interests as different from his own at the time of first use.

REQUEST FOR ADMISSION NO. 124: Admit that Bonnie Brown, Opposer's wife, registered a Limited Liability Company named PGR Store on February 13, 2006.

RESPONSE TO REQUEST FOR ADMISSION NO. 124: Admitted.

REQUEST FOR ADMISSION NO. 125: Admit that an electronic filing was submitted to the Oklahoma Secretary of State under the name Patriot Guard Riders Inc., a not-for-profit corporation, on February 21, 2006.

RESPONSE TO REQUEST FOR ADMISSION NO. 125: Admitted.

REQUEST FOR ADMISSION NO. 126: Admit that Opposer was named as the Agent for Patriot Guard Riders Inc. in the electronic filing identified in REQUEST FOR ADMISSION NO. 125.

RESPONSE TO REQUEST FOR ADMISSION NO. 126: Admitted.

REQUEST FOR ADMISSION NO. 127: Admit that Opposer was named as an incorporator for Patriot Guard Riders Inc. in the electronic filing identified in REQUEST FOR ADMISSION NO. 125.

RESPONSE TO REQUEST FOR ADMISSION NO. 127: Admitted.

REQUEST FOR ADMISSION NO. 128: Admit that since at least December 10, 2006 to at least February 6, 2007, the website www.patriotguardstore.org included an Announcement stating: "Contrary to what you may have heard, the store has no plans to close. We will remain open as long as the membership continues to support our efforts and good name."

RESPONSE TO REQUEST FOR ADMISSION NO. 128: Admitted in part and denied in part. Petitioner is aware that a similar or identical statement did appear on the website, but does not know the time period during which the statement appeared. Petitioner has made a reasonable inquiry to determine such dates and the information he knows or can readily obtain is insufficient to enable him to admit or deny this request.

REQUEST FOR ADMISSION NO. 129: Admit that since at least April 12, 2007 to at least August 9, 2007, the website www.patriotguardstore.org included an Announcement stating: "Contrary to what you may have heard, Twister's PGR Store has no plans to close. We will remain open as long as the membership continues to support our efforts and good name."

RESPONSE TO REQUEST FOR ADMISSION NO. 129: Admitted in part and denied in part. Petitioner is aware that a similar or identical statement did appear on the website, but does not know the time period during which the statement appeared. Petitioner has made a reasonable inquiry to determine such dates and the information he knows or can readily obtain is insufficient to enable him to admit or deny this request.

REQUEST FOR ADMISSION NO. 130: Admit that Opposer, as an individual, did not first use one or more of the Marks in connection with metal license plates, as early as December 9, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 130: Denied.

REQUEST FOR ADMISSION NO. 131: Admit that Applicant first used one or more of the Marks in connection with metal license plates, as early as December 9, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 131: Denied.

REQUEST FOR ADMISSION NO. 132: Admit that Opposer, as an individual, did not first use one or more of the Marks in commerce in connection with metal license plates, as early as December 9, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 132: Denied.

REQUEST FOR ADMISSION NO. 133: Admit that Applicant first used one or more of the Marks in commerce in connection with metal license plates, as early as December 9, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 133: Denied.

REQUEST FOR ADMISSION NO. 134: Admit that Opposer, as an individual, did not first use one or more of the Marks in connection with ornamental pins, as early as December 14, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 134: Denied.

REQUEST FOR ADMISSION NO. 135: Admit that Applicant first used one or more of the Marks in connection with ornamental pins, as early as December 14, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 135: Denied.

REQUEST FOR ADMISSION NO. 136: Admit that Opposer, as an individual, did not first use one or more of the Marks in commerce in connection with ornamental pins, as early as December 14, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 136: Denied.

REQUEST FOR ADMISSION NO. 137: Admit that Applicant first used one or more of the Marks in connection with ornamental pins, as early as December 14, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 137: Denied.

REQUEST FOR ADMISSION NO. 138: Admit that Opposer, as an individual, did not first use one or more of the Marks in connection with cloth banners and/or fabric flags, as early as November 29, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 138: Denied.

REQUEST FOR ADMISSION NO. 139: Admit that Applicant first used one or more of the Marks in connection with cloth banners and/or fabric flags, as early as November 29, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 139: Denied.

REQUEST FOR ADMISSION NO. 140: Admit that Opposer, as an individual, did not first use one or more of the Marks in commerce in connection with cloth banners and/or fabric flags, as early as November 29, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 140: Denied.

REQUEST FOR ADMISSION NO. 141: Admit that Applicant first used one or more of the Marks in commerce in connection with cloth banners and/or fabric flags, as early as November 29, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 141: Denied.

REQUEST FOR ADMISSION NO. 142: Admit that Opposer, as an individual, did not first use one or more of the Marks in connection with hats and/or short-sleeved or long-sleeved t-shirts, as early as December 8, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 142: Denied.

REQUEST FOR ADMISSION NO. 143: Admit that Applicant first used one or more of the Marks in connection with hats and/or short-sleeved or long-sleeved t-shirts, as early as December 8, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 143: Denied.

REQUEST FOR ADMISSION NO. 144: Admit that Opposer, as an individual, did not first use one or more of the Marks in commerce in connection with hats and/or short-sleeved or long-sleeved t-shirts, as early as December 8, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 144: Denied.

REQUEST FOR ADMISSION NO. 145: Admit that Applicant first used one or more of the Marks in commerce in connection with hats and/or short-sleeved or long-sleeved t-shirts, as early as December 8, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 145: Denied.

REQUEST FOR ADMISSION NO. 146: Admit that Opposer, as an individual, did not first use one or more of the Marks in connection with embroidered patches for clothing, as early as December 23, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 146: Denied.

REQUEST FOR ADMISSION NO. 147: Admit that Applicant first used one or more of the Marks in connection with embroidered patches for clothing, as early as December 23, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 147: Denied.

REQUEST FOR ADMISSION NO. 148: Admit that Opposer, as an individual, did not first use one or more of the Marks in commerce in connection with embroidered patches for clothing, as early as December 23, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 148: Denied.

REQUEST FOR ADMISSION NO. 149: Admit that Applicant first used one or more of the Marks in commerce in connection with embroidered patches for clothing, as early as December 23, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 149: Denied.

REQUEST FOR ADMISSION NO. 150: Admit that Opposer, as an individual, did not first use one or more of the Marks in connection with association services, namely, promoting the interests of families of deceased military members and families of deceased veterans, as early as October 27, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 150: Denied.

REQUEST FOR ADMISSION NO. 151: Admit that Applicant first used one or more of the Marks in connection with association services, namely, promoting the interests of families of deceased military members and families of deceased veterans, as early as October 27, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 151: Denied.

REQUEST FOR ADMISSION NO. 152: Admit that Opposer identified October 27, 2005 as the date of Opposer's first use of the mark PATRIOT GUARD RIDER in connection with association services, namely, promoting the interests of families of deceased military members and families of deceased veterans in Opposer's trademark application, because October 27, 2005 was the date of a mission to honor Spc. Lucas Frantz.

RESPONSE TO REQUEST FOR ADMISSION NO. 152: Denied.

REQUEST FOR ADMISSION NO. 153: Admit that the Kansas American Legion Riders, and not Opposer, organized and planned the mission of October 27, 2005 to honor Spc. Lucas Frantz.

RESPONSE TO REQUEST FOR ADMISSION NO. 153: Petitioner has made a reasonable inquiry to determine the organizer of the event and the information he knows or can readily obtain is insufficient to enable him to admit or deny this request.

REQUEST FOR ADMISSION NO. 154: Admit that the name PATRIOT GUARD was established and announced on October 27, 2005 at the mission to honor Spc. Lucas Frantz by the Kansas American Legion Riders, and not by Opposer.

RESPONSE TO REQUEST FOR ADMISSION NO. 154: Admitted in part and denied in part. To the extent that Petitioner does not recall the particular mission when the term was coined, the request is denied. Petitioner admits hearing another individual use the words "Kansas," "patriot," and "guard." Petitioner has made a reasonable inquiry to determine the date of the mission and the information he knows or can readily obtain is insufficient to enable him to admit or deny.

REQUEST FOR ADMISSION NO. 155: Admit that any use (as defined by the United States Trademark Laws) of the mark PATRIOT GUARD RIDER in connection with association services, namely, promoting the interests of families of deceased military members and families of deceased veterans, was not done until after October 27, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 155: Petitioner does not recall whether the term was ever used prior to October 27, 2005. Petitioner has made a reasonable inquiry to determine whether the term was ever used prior to October 27, 2005 and the information he knows or can readily obtain is insufficient to enable him to admit or deny.

REQUEST FOR ADMISSION NO. 156: Admit that Opposer, as an individual, did not first use one or more of the Marks in commerce in connection with association services, namely, promoting the interests of families of deceased military members and families of deceased veterans, as early as November 9, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 156: Denied.

REQUEST FOR ADMISSION NO. 157: Admit that Applicant first used one or more of the Marks in commerce in connection with association services, namely, promoting the interests of families of deceased military members and families of deceased veterans, as early as November 9, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 157: Denied.

REQUEST FOR ADMISSION NO. 158: Admit that Opposer identified November 9, 2005 as the date of Opposer's first use of the mark PATRIOT GUARD RIDER in commerce in connection with association services, namely, promoting the interests of families of deceased military members and families of deceased veterans in Opposer's trademark application, was because November 9, 2005 was the date the website www.patriotguard.org was registered.

RESPONSE TO REQUEST FOR ADMISSION NO. 158: Denied.

REQUEST FOR ADMISSION NO. 159: Admit that the information to be provided to the public via the website www.patriotguard.org was not accessible to the public until after November 9, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 159: Admitted.

REQUEST FOR ADMISSION NO. 160: Admit that any use in commerce (as defined by the United States Trademark Laws) of the mark PATRIOT GUARD RIDER in connection with association services, namely, promoting the interests of families of deceased military members and families of deceased veterans, was not done until after November 9, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 160: Denied.

REQUEST FOR ADMISSION NO. 161: Admit that Opposer, as an individual, did not first use one or more of the Marks in connection with organizing and conducting support groups in the field of combat veterans and their families, as early as November 11, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 161: Denied.

REQUEST FOR ADMISSION NO. 162: Admit that Applicant first used one or more of the Marks in connection with organizing and conducting support groups in the field of combat veterans and their families, as early as November 11, 2005.

RESPONSE TO REQUEST FOR ADMISSION NO. 162: Denied.

REQUEST FOR ADMISSION NO. 163: Admit that Opposer, as an individual, did not first use one or more of the Marks in commerce in connection with organizing and conducting support groups in the field of combat veterans and their families, as early as June 1, 2006.

RESPONSE TO REQUEST FOR ADMISSION NO. 163: Denied.

REQUEST FOR ADMISSION NO. 164: Admit that Applicant first used one or more of the Marks in commerce in connection with organizing and conducting support groups in the field of combat veterans and their families, as early as June 1, 2006.

RESPONSE TO REQUEST FOR ADMISSION NO. 164: Denied.

REQUEST FOR ADMISSION NO. 165: Admit that Opposer identified John Jacobs as his attorney in Opposer's trademark application.

RESPONSE TO REQUEST FOR ADMISSION NO. 165: Admitted.

REQUEST FOR ADMISSION NO. 166: Admit that Opposer identified John Jacobs as the person to whom correspondence regarding Opposer's trademark application should be sent.

RESPONSE TO REQUEST FOR ADMISSION NO. 166: Admitted.

REQUEST FOR ADMISSION NO. 167: Admit that in an e-mail dated October 27, 2006, Opposer solicited legal advice on behalf of the PGR corporation from John Jacobs.

RESPONSE TO REQUEST FOR ADMISSION NO. 167: Petitioner objects to this request as it seeks information protected by the attorney/client privilege.

REQUEST FOR ADMISSION NO. 168: Admit that in an e-mail dated October 30, 2006, John Jacobs responded to Opposer's email identified in REQUEST FOR ADMISSION NO. 167.

RESPONSE TO REQUEST FOR ADMISSION NO. 168: Petitioner objects to this request as it seeks information protected by the attorney/client privilege.

REQUEST FOR ADMISSION NO. 169: Admit that in John Jacobs' response e-mail identified in REQUEST FOR ADMISSION NO. 168, John Jacobs stated "PGR is entitled to protect the 'Patriot Guard Rider' name from 'confusingly similar' names used in connection with similar 'goods and services' (missions and current store items)."

RESPONSE TO REQUEST FOR ADMISSION NO. 169: Petitioner objects to this request as it seeks information protected by the attorney/client privilege.

REQUEST FOR ADMISSION NO. 170: Admit that in John Jacobs' response e-mail identified in REQUEST FOR ADMISSION NO. 168, John Jacobs did not state that Opposer, as an individual, was entitled to protect the "PATRIOT GUARD RIDER" name from "confusingly similar" names used in connection with similar "goods and services" (missions and current store items)."

RESPONSE TO REQUEST FOR ADMISSION NO. 170: Petitioner objects to this request as it seeks information protected by the attorney/client privilege.

REQUEST FOR ADMISSION NO. 171: Admit that Opposer forwarded John Jacobs' e-mail identified in REQUEST FOR ADMISSION NO. 168 to the "head shed" and stated

"Folks, We need to think about this .. let's discuss it Wed. night. If we decide this is the route to go, we should probably hit Kentucky, Florida and Nevada."

RESPONSE TO REQUEST FOR ADMISSION NO. 171: Petitioner has made a reasonable inquiry to determine whether such an email exists and the information he knows or can readily obtain is insufficient to enable him to admit or deny this request.

REQUEST FOR ADMISSION NO. 172: Admit that in an e-mail dated November 1, 2006, Opposer solicited legal advice on behalf of the PGR corporation from John Jacobs.

RESPONSE TO REQUEST FOR ADMISSION NO. 172: Petitioner objects to this request as it seeks information protected by the attorney/client privilege.

REQUEST FOR ADMISSION NO. 173: Admit that in an e-mail dated November 2, 2006, John Jacobs responded to Opposer's email identified in REQUEST FOR ADMISSION NO. 172.

RESPONSE TO REQUEST FOR ADMISSION NO. 173: Petitioner objects to this request as it seeks information protected by the attorney/client privilege.

REQUEST FOR ADMISSION NO. 174: Admit that Opposer forwarded John Jacobs' e-mail identified in REQUEST FOR ADMISSION NO. 173 to the "head shed" and stated "I think it's time we poll our membership for any attorney members who would be willing to donate their services to look into this case as well as the trademark infringement issues. John is an 'in house' attorney, so cannot take any outside cases. What say ye?"

RESPONSE TO REQUEST FOR ADMISSION NO. 174: Petitioner has made a reasonable inquiry to determine whether such an email exists and the information he knows or can readily obtain is insufficient to enable him to admit or deny this request.

REQUEST FOR ADMISSION NO. 175: Admit that the "head shed" identified in REQUEST FOR ADMISSION NO. 171 and REQUEST FOR ADMISSION NO. 174 included other members of the Board.

RESPONSE TO REQUEST FOR ADMISSION NO. 175: Petitioner objects to this request as Applicant has failed to define the term "head shed." As such, Petitioner denies this request. Moreover, Petitioner does not recall which individuals were included in the group "head shed." Petitioner has made a reasonable inquiry to determine this information and the information he knows or can readily obtain provides no further definition.

REQUEST FOR ADMISSION NO. 176: Admit that the statement identified in REQUEST FOR ADMISSION NO. 171 sought the opinions of other members of the Board regarding what the PGR corporation could do about "this".

RESPONSE TO REQUEST FOR ADMISSION NO. 176: Petitioner has made a reasonable inquiry to determine whether such an email exists and the information he knows or can readily obtain is insufficient to enable him to admit or deny this request.

REQUEST FOR ADMISSION NO. 177: Admit that the statement identified in REQUEST FOR ADMISSION NO. 174 sought the opinions of other members of the Board regarding what the PGR corporation could do about "this case as well as the trademark infringement issues".

RESPONSE TO REQUEST FOR ADMISSION NO. 177: Petitioner has made a reasonable inquiry to determine whether such an email exists and the information he knows or can readily obtain is insufficient to enable him to admit or deny this request.

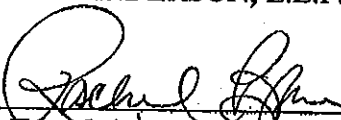
REQUEST FOR ADMISSION NO. 178: Admit that John Jacobs did not authorize Opposer to identify him as Opposer's attorney in Opposer's trademark application.

RESPONSE TO REQUEST FOR ADMISSION NO. 178: Denied.

REQUEST FOR ADMISSION NO. 179: Admit that John Jacobs did not authorize Opposer to identify him as the person to whom correspondence regarding Opposer's trademark application should be sent.

RESPONSE TO REQUEST FOR ADMISSION NO. 179: Denied.

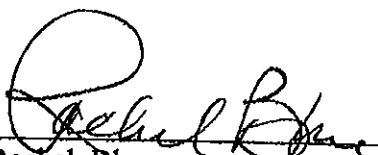
DOERNER, SAUNDERS, DANIEL
& ANDERSON, L.L.P.

By: 
Tom Q. Ferguson, OBA No. 12288
Rachel Blue, OBA No. 16789
320 South Boston Avenue, Suite 500
Tulsa, Oklahoma 74103-3725
Telephone (918) 582-1211
Facsimile (918) 591-5360
tferguson@dnda.com
rblue@dnda.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 6th day of June, 2008, a true and correct copy of the above and foregoing Petitioner's Response to Applicant's Request for Admissions was sent via electronic delivery to DMarr@trexlaw.com and mailed, with proper postage thereon, to :

David J. Marr
James R. Foley
James A. O'Malley
Trexler, Bushnell, Giangiorgi,
Blackstone & Marr, Ltd.
105 West Adams Street, 36th Floor
Chicago, IL 60603


Rachel Blue

Perry, Bonnie

From: Jeff Brown [twister@patriotguard.org]
Sent: Monday, May 15, 2006 10:51 AM
To: SBC
Cc: head shed
Subject: RE: Patriot Guard Organizational Structure

Tom,

Sorry, I don't remember receiving your previous email. I'm sure it's in the "maze" somewhere. My apologies.

The Patriot Guard, as I'm sure your aware, was started by several members of the Mulvane, Kansas ALR. They, along with various other veteran organizations around the country, took the initiative to honor fallen heroes by attending funerals to not only show their respect, but to shield families from protestors. These founding members of the Patriot Guard gave me a great deal of assistance and guidance in starting the PGR. Many Patriot Guard members are also Patriot Guard Riders members as well. They are two seperate organizations with the same objectives and goals.

Every effort has been made to accurately portray the origins of the PGR and the history of the movement itself. We are currently getting more information from CVMA, Leathernecks, In-Country Vets and other organizations to complete the picture. If you have more info, we'd be glad to look at it.

I initiated Patriot Guard Riders in November of 2005 (if I remember correctly), followed quickly by Jason Wallin joining in to provide a website and hosting, so I guess that would make us the founders. Once the website was up, the membership grew rapidly.

The "national board" is still in the building stages and members are PGR volunteers who possess the time and talents needed for particular areas. The forums are open to all members and their voices are instrumental in establishing PGR policy.

Am I sensing some dissatisfaction here? If so, speak up.

Sincerely,
Jeff

From: SBC [mailto:tomleahy@sbcglobal.net]
Sent: Mon 5/15/2006 8:38 AM
To: Jeff Brown
Subject: Patriot Guard Organizational Structure

Twister,

I forwarded an e-mail to you last week with regards to the recent interview given by Waldo, designated Patriot Guard Deputy Executive on Fox TV with Sean Hannity and Allan Combs.

As you are aware the theme of my correspondence was in regards to mentioning where and who instituted the Patriot Guard. During the interview there was no mention of who the founders were and from where they originated the Patriot Guard. Also prior to the interview they were not consulted or asked for their opinions which I would consider at the least a courtesy!

In order to better understand the organization on a national level can you please advise as

PGR 002236

6/10/2008

how the national governing members are appointed to these posts, by who's authority and what process is in place to ensure the entire Patriot Guard voice or vote and/or opinions are heard? This process should certainly be approached in a democratic fashion and I don't see this situation or am I misunderstanding this point?

In my opinion it is necessary to ensure the founders are recognized nationally and have a say in how the organization as a whole is to move forward. Or the nationally elected body should have the final determination of policy and direction! This ensures we have a country wide general consensus and establishes a synergy approach that is agreed too be all involved.

The Patriot Guard endeavors to do an excellent job where ever and when ever called upon and I for one am very proud and privileged to part of such an organization.

I sincerely would appreciate any assistance you can render with the above mentioned request? After all we are all in this together to ensure our troops and families are protected and benefit from the Patriot Guard as they are the ones making all the sacrifices.

Regards
Vet and Patriot Guard Member/Proud American

Tom Leahy
720 Timberleaf Ct
Derby, KS 67037
Tel: 316-788-4667
Mobile: 316-990-4877
E-Mail:
tomleahy@sbcglobal.net

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

JEFF BROWN,

OPPOSER,

v.

OPPOSITION NO. 91181448
SERIAL NO. 77/040,379

PATRIOT GUARD RIDERS, INC.,

APPLICANT.

RECEIVED

AUG 25 2008

TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.

**OPPOSER'S RESPONSES TO
APPLICANT'S SECOND SET OF INTERROGATORIES**

Opposer Jeff Brown hereby submits his responses to Applicant's Second Set of Interrogatories.

General Objections

1. Opposer objects to the Definitions contained in Applicant's Second Set of Interrogatories to the extent those Definitions, and any instructions set forth therein, seek to impose duties or obligations on Opposer in addition to or different from those imposed or authorized by the Federal Rules of Civil Procedure and the Patent and Trademark Board Rules of Practice. Furthermore, as written, the Definitions, and any instructions set forth therein, are overly broad and unduly burdensome.

2. Opposer will provide responses according to applicable Federal Rules of Civil Procedure and Patent and Trademark Board Rules of Practice. Opposer considers its obligations to be governed by those Rules, and specifically disclaims the acceptance of any additional obligations imposed by the Applicant. Opposer specifically states that his duty to supplement is governed solely by these Rules.

3. Opposer specifically objects to paragraph 1 of the Definitions insofar as it unreasonably expands the identity of the Opposer, Jeff Brown.

4. Opposer specifically objects to paragraphs 17-20 of the Definitions insofar as, given the context of any particular Interrogatory, there may be a more appropriate and less burdensome manner in which to "identify" the requested information.

5. Opposer specifically objects to paragraph 27 of the Definitions on the basis that it contains an instruction that is contrary to the Federal Rules of Civil Procedure. Opposer will state his objections in compliance with Federal Rule 33. Opposer's privilege obligations are governed by Federal Rules 33 and 26, in particular Rule 26(b)(5), as well as relevant case law interpreting those Rules.

Responses to Interrogatories

INTERROGATORY NO. 25: Provide a detailed explanation as to what Opposer meant in "*Petitioner's Response to Applicant's First Request for Admission*" and in "*Petitioner's Answer to Applicant's First Set of Interrogatories*" with regard to the term "non-commercial purposes" versus the term "commercial purposes" (see, for example, Opposer's Responses to Request for Admission Nos. 11 and 17 and Opposer's Answer to Interrogatory No. 10); and include in this detailed explanation examples of purposes that would fall under the category of "non-commercial purposes" and "commercial purposes."

ANSWER TO INTERROGATORY NO. 25: Opposer states that the use of the term "commercial purposes" relates to the use of Opposer's mark(s) on any merchandise or items for sale by consumers, including, without limitation, merchandise or items sold by or on behalf of PGR, Inc., the "original PGR store," any "subsequent PGR store" and/or "Twister's PGR Store," as those terms are defined in Applicant's Definitions. The use of the term "non-commercial

purposes” relates to the Opposer’s oral license to PGR, Inc. to use the mark in a “non-commercial” manner, such as use of the Opposer’s mark(s) on the website www.patriotguard.org, provided such use does not result in fiscal gains, and provided that PGR, Inc. agrees that it lacks authority to transfer or permit usage of the mark(s) by any other party.

INTERROGATORY NO. 26: With regard to Opposer’s Response to Request for Admission No. 99, provide a detailed explanation of *all* factual bases for Opposer’s allegation that Mr. Jason D. Wallin did not have the authorization of the Board to file Applicant’s first trademark application on behalf of the Patriot Guard Riders corporation, identify others who have knowledge of same, and provide all documents in support thereof.

ANSWER TO INTERROGATORY NO. 26: Opposer states, upon information and belief and after reasonable investigation, that Jason D. Wallin acted on his own and without direct instruction from the Board, and that Wallin’s duties as Treasurer did not include the filing of any trademark application(s). Opposer cannot state whether there are others who have similar knowledge and/or beliefs. Opposer objects to the request for production of documents, as these Interrogatories are propounded under Federal Rule of Civil Procedure 33 only.

INTERROGATORY NO. 27: With regard to Opposer’s Response to Request for Admission No. 100, provide a detailed explanation of Opposer’s reasoning as to why Mr. Jason D. Wallin’s dismissal from the Board after the filing of Applicant’s first trademark application has any bearing on whether the Patriot Guard Riders corporation is entitled to have Applicant’s first trademark application registered.

ANSWER TO INTERROGATORY NO. 27: Opposer states that Jason D. Wallin’s dismissal from the Board after the filing of Applicant’s first trademark application provides evidence that Wallin did, in fact, engage in unauthorized activity throughout his membership on

the Board. In addition, Wallin's dismissal from the Board has a tendency to prove that Wallin acted in a manner inconsistent with ownership.

INTERROGATORY NO. 28: With regard to Opposer's Response to Request for Admission No. 101 and Opposer's Answer to Interrogatory No. 5, provide a detailed explanation as to why Opposer's counsel directed Opposer to refer to himself as Executive Director in Opposer's trademark application when both Opposer and Opposer's counsel allegedly intended for Opposer's trademark application to be filed in Opposer's individual capacity.

ANSWER TO INTERROGATORY NO. 28: Opposer states that he has no specific recollection as to the reasons why Opposer's counsel directed Opposer to refer to himself as the Executive Director in Opposer's trademark application. Opposer further states that throughout the course of preparing the trademark application, Opposer consistently acted pursuant to the direction and advisement of Opposer's counsel.

INTERROGATORY NO. 29: With regard to Opposer's Answer to Interrogatory No. 18, provide a detailed explanation as to:

- a. Who made the alleged posts on the PGR forums stating that the store was a privately owned, for-profit business;
- b. The date when the alleged posts were made;
- c. The forum topic under which the alleged posts were made;
- d. The reasoning as to why the alleged posts were made;
- e. The reasoning as to why the information provided in the alleged posts was not disclosed in a more prominent place on the website www.patriotguard.org than in the PGR forums;

- f. The reasoning as to why the information provided in the alleged posts was not disclosed in a more prominent place on the website www.patriotguardstore.org than in the PGR forums.

ANSWER TO INTERROGATORY NO. 29:

- a. Opposer states that he made several posts in several online forums found at www.patriotguard.org regarding the ownership and nature of the “original PGR store” and/or the “subsequent PGR store,” and that these posts indicated that the store was a privately owned, for-profit business. In addition, Opposer states that other individuals made similar posts in these forums, but Opposer cannot recollect the names of each of these individuals. By way of example only, Opposer references the emails reflecting online forum posts attached hereto as “Exhibit A.”
- b. Opposer states that he cannot recollect the exact dates of these posts.
- c. Opposer states that he cannot recollect the exact forum topics under which these posts were made, but states generally that the forum topics related to the online store.
- d. Opposer states that he made the posts to ensure that the membership was aware that the store was a privately owned, for-profit business. Opposer has no knowledge as to why others made similar postings.
- e. Opposer states only that he was not responsible for the creation or maintenance of the website www.patriotguard.org or its online forums, and was therefore not responsible for the location or perceived prominence of any posts. Opposer also states that prominence of forum posts is amorphous, as the submission and/or

display of additional and subsequent posts had an impact on the perceived prominence Opposer's posts.

- f. Opposer incorporates by reference his response to subpart "e."

DOERNER, SAUNDERS, DANIEL & ANDERSON, L.L.P.

By: 

Tom Q. Ferguson, OBA No. 12288

Rachel Blue, OBA No. 16789

320 South Boston Avenue, Suite 500

Tulsa, Oklahoma 74103-3725

Telephone (918) 582-1211

Facsimile (918) 591-5360

tferguson@dnda.com

rbluc@dnda.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 21st day of August, 2008, a true and correct copy of the above and foregoing instrument was mailed, with proper postage thereon, to:

David J. Marr

James R. Foley

James A. O'Malley


TREXLER, BUSHNELL, GIANGIORGI, BLACKSTONE & MARR, LTD.

105 W. Adams St., 36th Fl.

Chicago, IL 60603

Tel: (312) 704-1890

Fax: (312) 704-8023


Rachel Blue

--Original Message-----

From: Info@patriotguard.org [mailto:Info@patriotguard.org]

Date: Tuesday, March 27, 2007 8:22 AM

To: david.erickson@suddenlink.net

Subject: PGR Forums - New Post RE: NEW PGR PATCHES

27 Mar 2007 8:21 AM a message was posted to a thread you were tracking.

Re: NEW PGR PATCHES
PDDGM

Ed, I am not going to get into a pissing contest with anyone. I simply ask Ed to answer Twisters questions. I know Ed didn't ask for this not to go where it went, but it did. As you say Steam, a good deal is a good deal, except when it is publicly stated that the operator of the store is a friend of Ed's. At least with Twister we KNEW who owned the store. As far as donations from Twister, it seems we have a conflict there, he says last month you say last year. All I ask for everything to be above board and open for all to see. Zinobile, we must have open operation of the PGR and all it's parts, profit is one thing, absolute rule and my way or the hiway ain't gonna cut it with me.

Ed Smith
Captain Mo Ride Capt

To view the complete thread and reply, please visit:

<http://www.patriotguard.org/ALLForums/tabid/61/view/topic/postid/466183/ptarget/469096/Default.aspx>

You were sent this email because you opted to receive email notifications when someone responded to this thread. To unsubscribe to this thread please visit your user profile page delete this post from your subscribed topics.
Thank you, Patriot Guard Riders

From: Bill Miller [1badpig@insightbb.com]
Sent: Sunday, August 12, 2007 9:04 PM
To: EBaker1954@aol.com; monica@mnpatriotguard.org; blines@charter.net; bonnie@patriotguard.org
Cc: harly69g@bellsouth.net; inpgr@rcfpro.com; wva@patriotguard.org; jeffbrown@valornet.com; statecapthawall@hawaii.rr.com; tony@danriverregion.com; leclairtodd@yahoo.com; desertdoc_idaho@yahoo.com; sandy_in_sc@yahoo.com; rmoyerjr@yahoo.com; ohlocaptains@patriotguard.org; maryland@patriotguard.org; RICHOP@aol.com; lindy75@patriotguard.org; pops01harley@yahoo.com; qgolden@worldpath.net; stealthscorpioiv@yahoo.com; kingshadow506@charter.net; moritz1111@hotmail.com; mike.a.long@us.army.mil; mav_58@hotmail.com; nc@patriotguard.org; Matterj012@cs.com; tohldu@cox.net; hellraiserusmc@patriotguard.org; tinman392@hotmail.com; JCurran516@aol.com; mnpatriotguard@gmail.com; Nuckles43@aol.com; cowboy@washingtonstatepatriotguardriders.org; norton@patriotguard.org; jjake51@yahoo.com; sandersj26@aol.com; jeffrey.lee.anderson@us.army.mil; kentucky@patriotguard.org; geraldgaines@windstream.net; gapointman@gmail.com; rlpgr@cox.net; waltaminit@patriotguard.org; wisefsafe@airmail.net; vstarrider03@msn.com; c.mahnken2003@yahoo.com; bear_pgr@yahoo.com; vtcvma@comcast.net; ca@patriotguard.org; charger@patriotguard.org; slg22@patriotguard.org; bob@careerresources.org; spocon@nac.net; missouri@patriotguard.org
Subject: RE: High Priority - Sorry

Take me off of all of your PGR mailing list.
I'm sick and tired of the cry babies about this and that BULLSHIT.
The problem is that everyone wants to be the CHIEF and there
isn't enough Indians.

Bill Miller
(502) 773-4232

From: EBaker1954@aol.com [mailto:EBaker1954@aol.com]
Sent: Sunday, August 12, 2007 10:54 AM
To: monica@mnpatriotguard.org; blines@charter.net; bonnie@patriotguard.org
Cc: harly69g@bellsouth.net; inpgr@rcfpro.com; wva@patriotguard.org; jeffbrown@valornet.com; statecapthawall@hawaii.rr.com; tony@danriverregion.com; leclairtodd@yahoo.com; desertdoc_idaho@yahoo.com; sandy_in_sc@yahoo.com; rmoyerjr@yahoo.com; ohlocaptains@patriotguard.org; maryland@patriotguard.org; RICHOP@aol.com; lindy75@patriotguard.org; pops01harley@yahoo.com; qgolden@worldpath.net; stealthscorpioiv@yahoo.com; kingshadow506@charter.net; moritz1111@hotmail.com; mike.a.long@us.army.mil; mav_58@hotmail.com; nc@patriotguard.org; Matterj012@cs.com; tohldu@cox.net; hellraiserusmc@patriotguard.org; tinman392@hotmail.com; JCurran516@aol.com; mnpatriotguard@gmail.com; Nuckles43@aol.com; cowboy@washingtonstatepatriotguardriders.org; norton@patriotguard.org; jjake51@yahoo.com; sandersj26@aol.com; jeffrey.lee.anderson@us.army.mil; kentucky@patriotguard.org; geraldgaines@windstream.net; gapointman@gmail.com; rlpgr@cox.net; waltaminit@patriotguard.org; wisefsafe@airmail.net; vstarrider03@msn.com; c.mahnken2003@yahoo.com; bear_pgr@yahoo.com; vtcvma@comcast.net; ca@patriotguard.org; charger@patriotguard.org; slg22@patriotguard.org; bob@careerresources.org; spocon@nac.net; missouri@patriotguard.org
Subject: High Priority - Sorry

First of all "SORRY" but I've listened to you all now I ask you to hear me. I for one was always mystified about this whole deal of Jeff suddenly stepping down with little or no explanation. But I for the most part stayed out of it. Jeff is a big boy and he did what he thought he had to do at the time. A lot of you know me and I'm not one to walk away from a fight as some experienced last year, but that honestly is water under the bridge on my part. Anyway, Jeff stepped down and we moved on or so I thought. Way back before the crap hit the fan I knew that the store was a private enterprise and Jeff never hid that part. He was up front that it

was there to HELP support the PGR in it's endeavors. Nothing more, nothing less did I read into that. Yet when the crap hit, Many many people suddenly turned into fair weather friends of Jeff and flew the coop. That's a sorry statement of their character. I was the one mentioned in an earlier email or post on this whole mess that used Jeff's design to come up with a so called state PGR patch first. Jeff saw it at the first GOTH in 06 and asked me about it and gave me permission to use it to help cover expenses in Mississippi. He asked nothing in return. He didn't have to do that but his heart was in the right place. So this may be why I'm standing up for this man.

As for Jason, I have had nothing but good dealings with the man when we have crossed paths and I will leave it at that. Now after the crap has hit the fan and "Let drag Jeff's butt through the mud "ONE MORE TIME" is going around I'm stepping up. Well, you're a better man than me. If I had been in your shoes and others tried to do to me what you state they did to you, the Indians (I'm Cherokee) would have won this time. Anyone that knows me knows I'm not blowing hot air up your butt on that statement.

After reading Jeff's email, one thing about Jeff that I have to say at this point is he didn't try to take anyone down with him when he went. So Jeff, I do respect you for that more than I can convey in this email. Your actions speak volumes about your character. One of two things need to happen now. Either bury this dirty laundry now as some are trying to do or CLEAN HOUSE! Hold ALL those accountable that were in the wrong and fix it so that the PGR can say we live by what we preach.

In any case, I now, more than ever appreciate what you had to go through. You are without a doubt in my mind a "PEACEMAKER". You have been pulled in many directions at once and yet you have tried to keep peace within the ranks though all this turmoil. But if what Jeff has stated is true, you need to step up for the man. At least let everyone know if what Jeff has stated is true or not. Will it fix the problem? No. But at least Jeff will get back some the respect due him.

AH DUH! All done.

Ed Baker, SC for the Great State of Mississippi

Get a sneak peek of the all-new AOL at <http://discover.aol.com/memed/aolcom30tour>

From: Ugly Troll [uglytroll@comcast.net]
Sent: Wednesday, January 16, 2008 9:10 PM
To: Jeff Brown
Subject: Just to say hey!

Jeff, well, things seem to be getting a bit dicey lately! Here in Massachusetts, when I first signed up for PGR, we had a state captain who appeared to be the victim of a smear campaign by someone who coveted his position. This first captain, Harvey, seemed ok to me. I never met him, but spoke to him several times on the phone, and in fact, he's the guy who appointed me as a permanent ride captain for western Mass. When guy 2 came into the picture, he also began calling me, in an apparent attempt to get me to take his side.....I told both of them I would not get into their pissing contest and leave me out of it. They did. Approximately a year ago, the new state captain, informed me he was the target of some disgruntled individuals who wanted him gone. This so irritated me I felt I could no longer continue and so sent him a msg informing him of my decision. I told him lots of things and ended by suggesting he look in the mirror and if he didn't like what was looking back at him he should "do the right thing!" I also sent msgs to the rest of the Mass leadership team informing them of my decision. The next day, I got msgs from everyone of them pleading with me not to resign. That evening, my wife and I talked things over and she suggested I should stay on as my involvement with PGR had been very therapeutic for me. (first time since Viet Nam I really felt "good") So I slept on it and the next day when I got home from work I opened my email to let everyone know I had reconsidered and would stay on. Much to my surprise, I found that the entire Mass team had resigned enmasse, many of them quoting me from my notice of resignation.....now.....looks like I need to think about things again. Why can't people just leave things alone? Seems to me the original intent of the PGR was so pure.....it filled a void that has long been desperately needing something to fill it. I have stood the flag lines and cried time after time.....and come away feeling so much better, so much clearer in my life than I have in a very long time.....I have hugged countless families and become so close with so many of them.....I've participated in many community events and parades at the direct invitation of veteran's groups and mayors.....now more political I should have known better. The whole point of this is just to let you know you have at least one supporter out here. I have known you from the first day I joined that your store was for profit. I never felt this was a "secret" or that you had made any attempt to deceive anyone. I don't understand how anyone could possibly think otherwise. As far as I can tell, you have always been aboveboard and straight with people. I still feel the same way. There are not a whole lot of people in this world I trust much; you are one of those folks. For as long as I can last in this group, I will continue to do business with your store. Thanks

roll

- On Mon, 5/12/08, info@patriotguard.org <info@patriotguard.org> wrote:

From: info@patriotguard.org <info@patriotguard.org>
Subject: PGR Forums - New Post RE: Legal Defense Fund
To: bacritterrescue@yahoo.com
Date: Monday, May 12, 2008, 10:25 AM

At 12 May 2008 8:25 AM a message was posted to a thread you were tracking.

RE: Legal Defense Fund
by BryanL

Posted By Wescoot2 on 12 May 2008 8:59 AM
Kerri,

To further clarify.....and for those who did not look at the trademark link.....

5. PGR Established a website on November 9, 2005 to communicate its services, and sell merchandise to help support the cause.
6. PGR Merchandise could be purchased either on the main website, or at the "PGR Store", a separate website that was linked to the main website.
7. Opposer, Jeff Brown, operated the "PGR Store" website which sold merchandise associated with the PGR cause.

Where you may be getting confused. prior to the Plaintiff opening his own website, he used the National PGR website, to sell his items. When you clicked on the link to his store, it went to another page on the National website which listed the items he was selling.

Ed

I think paragraph 6 is what Kerri was referring to, and you may have just answered her question Ed. She was pointing out what could have been used as a technical error on a legal document. If the link would have gone to JB's store, and not to another page on the national website, then paragraph 6 would be technically incorrect. It would be something the lawyers need to look at.

To view the complete thread and reply, please visit:

<http://www.patriotguard.org/ALLForums/tabid/61/view/topic/postid/808674/ptarget/869999/Default.aspx>

You were sent this email because you opted to receive email notifications when someone responded to this thread. To unsubscribe to this thread please visit your user profile page delete this post from your subscribed topics.

Thank you, Patriot Guard Riders

Be a better friend, newshound, and know-it-all with Yahoo! Mobile. [Try it now.](#)

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Sunday, June 01, 2008 6:47 PM
To: Carroll, Elizabeth; Blue, Rachel
Subject: My posted resignation message

Ladies,

While Executive Director, I had one spot on the website "Jeff's Corner", where periodically I would post my thoughts on various things happening within the PGR. Below is my resignation post in "Jeff's Corner". At the time of posting, I believed the BoD had accepted my offer to close the store after selling my current inventory...after the posting I was told the BoD refused my offer and wanted me to close the store and eat the cost of my inventory. At any rate, this post may bite me in the butt. I've also included the follow up comments posted by members to give you an idea of the tone of the "real" PGR membership.

Thanks,

Jeff

###

JEFF'S FINAL CORNER

It's been an exhilarating, but an exhausting year. A year in which we have seen an awakening of the sleeping spirit of America, a rededication to the honor and dignity due all of those who serve our nation, and a uniting of those who have a desire to "do the right thing". Every PGR member should be justifiably proud of being a part of this.

Like all of you, I have taken a huge amount of time away from my family and business over this past year. It's time for me to heed my own words and "Pace Yourself". To this end, it is with a very heavy heart that I formally announce my resignation as Executive Director of the Patriot Guard Riders. This decision was also reached, in part, because a handful of very vocal people have expressed concerns over the possible conflict of interest in my owning the PGR Store and being the Executive Director. The business structure of the store has never been hidden and has been discussed "ad nauseam", but in an effort to belay any further controversy that takes time and energy away from our missions, I have chosen to step down and close the PGR store after the current inventory is depleted.

This has been one of the most difficult decisions of my life. I can't begin to put into words how much pride I have in all of you and what this organization has become and will become in the future. I will always view the founding of the Patriot Guard Riders and having had the honor of being your leader during this formative year as one of the high point of my life. I will continue to be honored to ride with you and stand by you until the day there is no PGR. After a great deal of pressure, Bill "Snap" Lines has agreed to assume the position of Executive Director and the board has approved. Snap, thank you for stepping up to the plate, Brother. The PGR is in good hands and I am confident in its leadership. I'm not going anywhere Folks. I will work closely with National during this transition period and continue to serve the PGR in the capacity as an advisor to the National Board.

Thanks for listening and Salute,

Jeff
posted @ Tuesday, November 07, 2006 8:42 AM by Twister
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COMMENTS

Thank you Jeff for all you have done and continue to do. And congratulations Bill for accepting the position and responsibilities.

Joe "Jamyang"
posted @ Tuesday, November 07, 2006 8:48 AM by Jamyang

Jeff your departure will be felt. Thanks fo all you have done for the PGR. Glad to know you will still be hanging around.

RVN VET
posted @ Tuesday, November 07, 2006 8:56 AM by RVN VET

Members of the PGR,
I have watched my husband agonize over his decision to relinquish his executive role in the PGR. It is with much thought that he has decided to step down and his sacrifice should not be taken lightly. What only few know is that his desire to honor those who gave their all so we can enjoy freedom has been his vision for well over a year. He is setting aside his own calling now so that the PGR can continue to grow and be a motivation for those who share his desire to "do what is right". I am so very prpud of his unwavering dedication to organize an entity that will honor those who serve. I will admit that the toll of constant calls all hours of the day and night will not be missed! The progress made in our courts on a local, state and national level has been awesome and a legacy to his untiring desire to his vision for our troops. Those few who found the store a conflict of his interest do not know my husband. His generosity of spirit, time and resources has been unlimited for any PGR member. Thank you darling for serving your country in such an unselfish way this past year. I pray for the continuance of your vision for the PGR that the membership will in turn do you proud.

Bonnie Brown
Lil' Twister
posted @ Tuesday, November 07, 2006 9:16 AM by Little Twister

Simply put -

THANKS AND SALUTE!

-bogie
McHenry County, IL
posted @ Tuesday, November 07, 2006 9:36 AM by bogiediver

Jeff - I'll probably never have the honor of meeting you, but you will always be considered a hero by me. What you've started, can NEVER be duplicated to the same level that you have taken us. They can try, but it will NEVER be the same. For those vocal few - shame on you. The garbage that was going on in the website was flat out embarrassing. If you don't like it, leave. If you can't say something nice, don't say anything. If you're going to throw around accusations, make sure you have ALL of your facts straight first. There is always someone available at National to answer questions, I could never figure out the need for airing what some would consider "dirty laundry" for everyone to see.

To the Brown family - thank you for sharing Jeff with us and allowing him to do all that he's done - and thanks for all of your help, too!

Kathi Kelly
"snonut"

User Support Team
posted @ Tuesday, November 07, 2006 10:10 AM by snonut

Jeff: You indeed are a Patriot!! You are what makes America great, and your stepping up to the plate a year ago, determined to ensure that the families of our fallen warriors would be shielded and that the memory of their loved ones would be honored and respected have been a turning moment in our nation's history. To have elicited the support from the smallest town to the President of the United States in providing protections for the families has got to be one of the greatest feats a citizen could ever have accomplished. I salute you, sir! It was an honor to meet you in Montgomery, Alabama, and I wish you the best. You are what "Americans Doing The Right Thing" is all about!!

ICV ANIMAL
National Pres. In Country Vets MC
Proud Patriot Guard Rider
posted @ Tuesday, November 07, 2006 10:24 AM by ICV Animal

Jeff, I probably will never meet you but thank you for all your hard work and sacrifice. I am very happy to hear that you will continue with us. I understand your decision to close the store, but I sincerely hope National will be able to continue the store. Thank you to ALL in this organization who give of their time and energy; please remember to be supportive of leadership and give constructive advice in a positive way when necessary. Jeff, you will be missed.

-riding in MO
posted @ Tuesday, November 07, 2006 10:35 AM by sv4sheri

Jeff My Friend,
I have grown to respect you as a leader, confidant, and friend. Your words have always been welcoming and a comfort. I will endeavor to move forward with the vision you had, and I will give my all to honoring the legacy that you have left us with. May you always ride in fair weather, and stand tall in the knowledge of your dreams reality.
posted @ Tuesday, November 07, 2006 11:04 AM by rrawtry

Jeff,
I have no words to express my sense of loss at your leaving nor my gratitude for allowing me to be a small part of what you have created. Take the time to read the letters of appreciation, they are a testimonial to your vision. look at the messages left on missions past and present, they define the character of those you have brought together. Look at the mission pictures and see all the lives you have touched. I am honored to call you brother and wish you the best as you move toward the future.

Salute
possek
Randy
posted @ Tuesday, November 07, 2006 11:09 AM by possek

Jeff thanks for all you did. I am glad that I got to meet you in Montgomery before you stepped down. I really hate to see you go but I know what you have been through. Snap is a good man and will do a fine job following in your footsteps. Again thanks for getting this magnificent organization off the ground and good luck.

JR
posted @ Tuesday, November 07, 2006 11:10 AM by J R

Every organization I've ever belonged to has included at least one "troublemaker" - somebody that's just not content to conform but has to stir the s__t. Not every organization I've ever belonged to has included individuals such as yourself - devoting endless hours of personal time in order to make things better and easier for the rest of us. The founders of

the PGR have every right to feel proud - over 63,000 members in less than a year - that's outstanding! It is an indication of the true spirit of America - love of country and pride in the sons and daughters who have defended her and who defend her still.

You (and the other founders) have done a tremendous job - and I'm sure it has taken its toll. Don't let the a__holes get you down though. They are a very minor percentage of the 63,000 that have stood up to follow you this past year. I'm sincerely happy that I was able to be one of them.

Semper Fi Twister. Keep safe.
posted @ Tuesday, November 07, 2006 11:17 AM by coltergeist

The nation owes you for awakening the patriot. Thank you for all you have given us as members. The work you have done for the Veterans, new and old, is a priceless gift.

We could not have asked for a better leader.....You will always be a hero to me and I have much respect for you and your wife....."b"
posted @ Tuesday, November 07, 2006 11:23 AM by bhopper1

THANKS FOR WAKING THIS SLEEPING COUNTRY IO JEFF!!!

AND RIDE SAFE TWISTER!
posted @ Tuesday, November 07, 2006 11:28 AM by robiam

JEFF thanks to what you started. Its an organization of people who only one goal, to honor those who gave us this freedom, and respect. you will be miss, hope to see in some mission. you came to and shake my hand and you told me I'm jeff. next time I see you ill give you a big salute.

romecay retired USAF 74-94
Midwest City Oklahoma
posted @ Tuesday, November 07, 2006 11:32 AM by romecay

Jeff, Dude I am shocked. I don't know what to say except I will see you at the next Gathering of the Guard and we will tip our cup together, for our Brothers, and our comrades.
See you soon. MR. lea
posted @ Tuesday, November 07, 2006 11:40 AM by leacrabb

Jeff, Thanks for all the help you've been to me since I started as a R/C and still today as the State Captain for Okla. I will look forward to seeing you at the Missilions when we have them. I know where you live, so you can't hide. You and Bonnie take care and I'll talk to you later.
posted @ Tuesday, November 07, 2006 11:46 AM by jlake51

I for one am Proud to say That I know YOU I have stood beside you I have shook your hand & seen you put a smile on a Young Injured Marine's Face!
Jeff, what you have accomplished this past year just right here in Oklahoma has been amazing! What you have done across this NATION along with the other National Board is Way Beyond Amazing! You all have awakened us to realize there is more than a handful of PATRIOTS left in the USA & even across the border at our neighbors-CANADA! Lil'Twister Thank you & the family for sharing & helping out...it takes a whole family to make a great thing like this happen! Enjoy the quiet....but enjoy the Rides along the way as well!
SALUTE TWISTER!
posted @ Tuesday, November 07, 2006 11:51 AM by BAbluestarmom

Jeff I have never had the honor of meeting you and from those that have they will tell you that this is a rarity because i am speechless! Thank you with all my heart for all you have done. Ride safe and proud for all you have done!

SFC Jesse J Mercure
US Army 1982-2007

Iraq 2003-2004

PA/WV/OH PGR 2006 until the end!

posted @ Tuesday, November 07, 2006 12:15 PM by fxdwg03

Jeff, thank you. I wish you smooth roads and warm winds. You're my hero, Twister, because you saw a need and did something about it. America is better because of you and so are we.

MI Vet, North Carolina

posted @ Tuesday, November 07, 2006 12:18 PM by bikera

Jeff, I too have never had the honor of meeting you but I hope that someday I will still get that chance. You have been an inspiration to me as well as over 63,000 other Patriots in this country (including those overseas). Your accomplishments will go down in history because what we do here is historical and your vision to build a more unified and dignified way of honoring our countrymen and women is something that will be remembered and practiced long after you and I are gone. I salute you, Sir. Thank you for your time.

JayDub

posted @ Tuesday, November 07, 2006 12:23 PM by JayDub

Wow. I just don't know what to say. I can certainly understand the necessity to spend more time with family, not to mention you have to do what is right for you. I am so glad I had the opportunity to meet you in Winter Haven a couple of months ago. You are one in a million, and before I get too gushy and have to pull out the Puffs, let me just say, it's an honor. It was an honor to meet you, and an honor to continue your vision. Take care brother and I hope we meet again.

posted @ Tuesday, November 07, 2006 12:25 PM by misdirection

Jeff,

Thank you for your sacrifice and for your vision. I salute you my friend.

WalkingSlack

GA Ride Captain

posted @ Tuesday, November 07, 2006 12:32 PM by WalkingSlack

Jeff;

I'm really sorry to hear this- as a PGR "veteran" I've seen the PGR grow, until it is not the same organization you gave so much to. That being said, I'm out of here.

Best personal regards,

Don Armstrong

Rolling Thunder VA3

PGR VA7

posted @ Tuesday, November 07, 2006 12:44 PM by FreestateXL

every "big" idea or sacrifice has usually come about from the vision of one person. And behind every man who accomplishes that vision, is a strong woman urging him on. You Jeff are that kind of person. History won't forget and neither w/we

posted @ Tuesday, November 07, 2006 12:47 PM by semper fi bulldog

Jeff,

I'm so sad that some so small can take so much from a soul so great as your own. I recently had a conversation with my 16 year old son who is soon off to Randolph-Macon Academy in VA to be able to study and live the life of the AFJROTC, some people out there are not able to rise up to the standard you live by so they aim at dragging you down to the standard that they live by.

I had two children in Iraq at the same time, both now home safe. I have two children-in-law who have also been to Iraq, now home safe. Only the parent of a soldier can truly appreciate the sacrifice of a total stranger willing to stand up for their child as his own. You are one awesome man, I'm am

blessed and honored to have shaken your hand AND gotten a great hug from.
You can call on me any time, any day.....I'm there.

Thank you, thank you, THANK YOU!

Dene Dale
USAF Blue Star Mom
posted @ Tuesday, November 07, 2006 1:09 PM by BIKEROMA

Jeff,

Thanks for all you have done. I have never met you, but have spoken with you
at length about several things and thoroughly enjoyed our conversations.

I know you did the Run For the Wall a year or two ago. Maybe we can ride
together in 2007.

Don "Waitaminit" Bright
posted @ Tuesday, November 07, 2006 1:12 PM by Waitaminit

Lil' Twister.....Bonnie thank YOU, for sharing your wonderful husband!
posted @ Tuesday, November 07, 2006 1:19 PM by BIKEROMA

Jeff, I am Sorry to hear this also. I also never had the chance to meet you
but have heard great things about you over the past while. I hope to ride
with you one great day.

Until then my hat is off to you as I salute you for all that you have done
for all of our troops, both past and present.

posted @ Tuesday, November 07, 2006 1:19 PM by krzyabncanuck

I am trying not to dwell on the few who might have helped in your decision
to step down. I will instead be comforted by the knowledge that you are
still here; standing with the rest of us. Thank you and Bonnie for all of
your time and effort. Hope you both get a rest!

Most Sincerely,
Debbie

RC Region 1
Western NY

posted @ Tuesday, November 07, 2006 1:30 PM by highwaygirl1078

Jeff and Bonnie...you have given us so much! There will never be words to
express "thanks" as it should be done.

Those who had so much to say about the store probably never knew how much
you gave away out of it. When one of Az's riders died, you sent all of us
(captains) our Captains patches and bands so that everyone would know that
he was loved and appreciated, and every captain showed up! Some people just
never get it, and sadly they will most likely know what they have done. But,
I have found that those who place themselves on the pedestal and suffer such
righteousness generally fall from grace the hard way! Perhaps while they are
patting themselves on the back...something their arm breaks off?

Jeff...I will miss you, miss you lots!

Louann

Az PGR State Captain

posted @ Tuesday, November 07, 2006 1:56 PM by louann

JEFF

I would like to thank you and your family for everything you have done I
only wish you could have made a few million dollars on that store because
you are deserving but most people with half a brain know you were not making
much if any by the time you figure all your labor. The store is petty sh&t
but the patriotism you awoke in this country is something you and yours can
be proud of forever and I am proud to be a patriot. Thank You and your

Family

Larry Root

posted @ Tuesday, November 07, 2006 2:02 PM by woodmaster

jeff think you every much this has helped me more than you can think the P

G R can and will go along way are brothers and sisitores need all the help
thay can get go nav air casper1
posted @ Tuesday, November 07, 2006 3:47 PM by casper1

Jeff,

Thank you for all you have done to get the PGR up and going. If it wasn't
for you and some others the PGR would never been formed or grown into
something so wonderful. May God bless you and your family as you have
blessed so many people with your hard work and dedication to the PGR. YOU
WILL BE MISSED!!!!!!!!!!!!!! I just want you to know I would be proud to
stand with you anytime or anywhere.

Tina DuBose
AZ PGR Ride Captain/HOTH
posted @ Tuesday, November 07, 2006 4:04 PM by Tina CMA

Jeff, you started something that shook and moved a nation. Thank you.

Leaving it over the store doesn't seam right, too petty. I am deeply
saddened but respect your decision.

I don't know if the PGR will be the same without you and Jason, or if it
will survive. I hope this war doesn't last longer than we do.

Till our paths cross again my friend, take care.
posted @ Tuesday, November 07, 2006 4:08 PM by JohnnyD

Jeff, I regret not having the opportunity to have meet you.
I hope you are right with this decision, because the next person is going to
have those that disagree and speak-out against them. This will just be
handed down to the next and the next etc. When you have a org. this big this
fast it just cant be helped.
There will always be those that are not happy, untill they have placed
themselves in the place of getting attention. I hope and Pray you are not
basesing your descision soley on "them".....
I dont like your descision (I wish we could vote) I dont agree with your
descision,... but, I will Respect your descision. Thank you Jeff... Thank
you.

PS, It is sad we have to lose our PGR support gear.

Bryan.
posted @ Tuesday, November 07, 2006 4:33 PM by Hustler

Jeff,

I honestly hate to see you step down. I also wish we could vote but I will
back you 100% on what you feel you have to do. I also wish I could have met
you in person and I am sure, GOD willing, I will soon.

Ride Safe and we will meet soon.

Pete Waddell
South Central Region Captain
posted @ Tuesday, November 07, 2006 6:02 PM by dynagc

I stand with Louann, my Az State Captain, and Tina, Az Ride Captain, and all
of the Arizona members in gratitude to you, Jeff, and you Bonnie, for
working so hard and with such grace and humor, to start and build this
wonderful organization we have today. I am so sorry for the hurt that you've
endured at the hands of such a very few. You will always have my respect and
love not only for what you've accomplished but for who you are....a man of
vision and integrity. Thank you.

posted @ Tuesday, November 07, 2006 6:32 PM by Maggie45

While I am pretty much a newbie here. Having joined the night NBC News aired

a spot on the PGR. I can say that I am proud to be a part of such an organization. From such simple beginnings to honor and respect this Country's war HEROES. To a VOLUNTEER organization 63,000+ strong. I hope to one day be able to shake your hand and say thank you for all you have done. So for now I'll say it here Jeff and Bonnie I thank you caring for EVERY Veteran.

Ralph
posted @ Tuesday, November 07, 2006 6:43 PM by Drem

Jeff & Bonnie - You have shown so many of us a way to express our love of this wonderful country. I cannot find the words to express my gratitude to you for that.
God bless you always.

Ann
posted @ Tuesday, November 07, 2006 7:06 PM by

Jeff-Thanks for all you have done. You have inspired an entire Nation. You gave Veterans & non-Veterans a unique way to serve their Country. I Salute you SIR!!!!
posted @ Tuesday, November 07, 2006 7:08 PM by sneakysnake

What has Brown done for me!

Before the PGR I was the same as many 'Nam Vets that still had our pride and patriotism just didn't show it for fear of being stepped on once again. You changed all that and gave me a channel to funnel away that fear.

Twister, I have never met you or even spoken to you, still I consider you a Brother. Thank you for what you have already done and for what you have yet to accomplish. You stand legions among many for taking a small grassroots group of patriots and turning it into a National Organization 63,000+ strong. Without your vision and dedication it would not have happened. I will be always grateful for the opportunity you have given us.

'Lil Twister thanks for sharing your husband and family for the cause, at times it probably didn't feel it was worth the heartache and separation but it would not have been accomplished without your support.

Twister glad to see that you are stepping back and not away because you should share in what you have built even though you decided to give up the reins. Hope to meet you someday. Ride safe and Proud.

adccop (GOBB)
AZ Ride Captain
posted @ Tuesday, November 07, 2006 8:22 PM by adccop

Twister

I got to say your a class act and I hate to see you step down. Growing pains are tough on all. I got to say for the record you, Waldo, Gus and others of P.G.R. National & Healing Field Foundation made me and my wife feel like one of the P.G.R. team at Buffalo Chip in Sturgis S.D. this year. Where can a civilian couple be accepted into group of military families. I will cook for you and others anytime allowed. I'm sure you have others ready to move forward with the P.G.R. we hope we can assist as allowed. I think Snap will do a fine job. Maybe if we all get a chance to work Buffalo Chip again you can actually see some sights this time instead of working all the time like you did this year in Sturgis S.D. We will see you down the road for sure. Your a great inspiration for many of us, and we wish you good luck and hope you can have some time now for you and your Bonnie to rest some and enjoy life a little more for now. Keep that head shaved so i will know you the next time we (me & Barrie) have the pleasure and opportunity to see and cook for you.

Best Regards
Jim Cobb

Arkansas State Captain
Patriot Guard Riders
Riding With Respect
posted @ Tuesday, November 07, 2006 9:03 PM by 'Big Jim'

When we joined last year, we had no idea of what was ahead of us. History has been made and through the efforts of many and the leadership you gave us, PGR will stand. Thank you for heeding the call to this "mission that is greater than any of us". Now, I pray that you and Bonnie will be able to reclaim a normal life. From my heart I wish you both the best. We could not have come this far without you. Never forget the good.

With Care,

Epic

posted @ Tuesday, November 07, 2006 9:28 PM by Epicwoman

jeff and bonnie you both have my undying respect and honor for all that you have done for PGR. this country was woken up by this love of country. so many came with open and bleeding wounds from other times, other wars. and those wound have been healed by simple standing up and taking their place in a flag line of honor and respect for those that have fallen. please remember how much we care and love what we do. if we did not we would not be here. may the great spirit bless and protect you both.

THANK YOU FOR STARTING THE DREAM.

in respect, laurie jensen

posted @ Tuesday, November 07, 2006 9:37 PM by calamityjane

Jeff - - I have been a PGR for only 2 weeks now - but - how proud I am to be a part of this effort

I joined PGR's because of the heart I had witnessed during this past year. And, for the noble work this organization accomplishes.

I'm sorry you are stepping aside but I'm glad you will still be there riding and guiding when and where needed. - - You have certainly founded a fine, effective, high caliber organization.

I met Snap at 29 Dreams Motorcycle Resort this summer - - his enthusiasm was contagious.

Now, we'll get behind him and continue the work !!

Ride safely Jeff - - and with us !!

Garch

(Gary Archer)

Birmingham Alabama

posted @ Tuesday, November 07, 2006 9:45 PM by Garch

Jeff,

Your guidance and insight are etched in the mission statement and history of what could possibly be the the most important thing many of these wonderful members will ever be a part of. The mission is truly bigger than any one of us but were it not for you and so few others in the begining, the mission wouldn't be. You have always taken the high road and you will always be respected for that. Please stay as active in the PGR as your time allows. I hope someday I might have the chance to thank you in person for all you have given. God Speed and keep the sunny side up Jeff. Most Sincerely, Kevin
posted @ Tuesday, November 07, 2006 10:11 PM by Trog55

Well done, Jeff, well done indeed.

You know what comes next, of course.....you gotta write a BOOK!
posted @ Tuesday, November 07, 2006 10:15 PM by markwells

It is with a heavy and grateful heart that I say thank you Jeff. Heavy because I do not want to see you go and grateful for how you have helped to restore Patriotism to America. There are no words that can sufficiently

describe the change you and the Patriot Guard have had in my life. Every time I sent you an e-mail you returned one to me as if I was the most important person in the world to you. And obviously in that email I was. Like the e-mail I sent when my PGR flag had one side upside down, thank you!!! I will have that as a family treasure. What has amazed me about your leadership is that no matter what you have always stood to the line and always come through for America, our soldiers, and each of us Patriot Guard Members.

I can only imagine the stress that your family has had to endure and for that all of us say thank you to Bonnie, the family and freinds of Jeff

"Twister" Brown!!!

"May God increase your borders... and may it not cause you any more pain..."

I think the way I can say thank you the best is to quote of my Hero's Jeff "Twister" Brown:

"It's very rare to have the opportunity to have a positive affect on the lives of thousands of people. We're living that opportunity right now. I urge you to continue the mission. We do make a difference. Most families will never remember the preacher's words or the Captain's accolades. In times of such overpowering grief, the family will not remember who was there or who sent flowers. But they remember the strangers who came on the bikes and in cars from miles away; the men and women who stood shoulder to shoulder to share in their sorrow and their pride. They remember and they are thankful. It matters.

Sir Winston Churchill once said, "It is not enough that we do our best, sometimes we have to do what is required." Thank you. Jeff"!!!

Thank you Jeff and Bonnie!!! I sure hope I get the opportunity to look you's in the eye and shake your hands. I will continually pray for you and your family. Ride Safe Brother, Leader, Friend and World Changer.

HGpreacherman

NE MI R/C

Sam

posted @ Tuesday, November 07, 2006 10:21 PM by HGPreacherman

Jeff-

Your efforts have had a positive influence on me. I'm one of the oldest riders in the PGR, and I want you to know how indebted I am to you, your family and friends. I'm blessed to have a God and wife that allow me to seldom miss a mission for a fallen military hero, a send off, or a welcome home ride. I want to continue this in a humble manner. I don't enjoy the press/media.....and I don't like egos. When I'm running on ego (I call it "Edging Out God")....I end up humiliating myself. Jeff, you know by now, there are some who have to frequently feed their ego. It's painful to see them self obsess when they are in a leadership position. My experience is that they will stumble and get humble. I'm seeing some of this in my area..... it's discomfoting and it is starting segregating factions to develop. Please be strong, keep it simple and follow your heart. You will experience goodness and clarity. You have done good things some of us only dream of. I will do my best to follow our mission statement as I believe you intended. You are a needed leader. That's a leader who doesn't feed on the need for constant pats on the back. I'll do my best to keep it simple, stay focused and show respect to the fallen military hero, family and community....period. It's my humble honor to suit up, ride and show up.....when asked by the family. I will speak up when I perceive a course correction is needed. Thanks Jeff. We will not forget your efforts, and your input will always be welcome. Best wishes for a happy and healthy day.

DW

posted @ Tuesday, November 07, 2006 10:39 PM by Anonymous

Jeff, I want to thank you for finding the PGR! I served 8 years in the Navy and got out just before Desert Storm. Although in my 8 years as a sailor, I knew I was making an important contribution to my country as a nuclear

welder! But I felt a bit empty in the following years...until January of this year! Now I feel important again, to my country, with my membership in the PGR! I can only IMAGINE how absolutely exhausted you must be! As we will NEVER forget our fallen military, we will never forget you, Jeff Brown!

Thank you!
Steve Ryan

Bear, DE

posted @ Wednesday, November 08, 2006 4:00 AM by sdrpaintboy

This is a shame, I joined when there was a mere 8000 members and am in awe of the sheer #'s today. I joined for just 1 reason "the mission" period. I probably have as much PGR stuff as I have Harley stuff and no one made me buy either. Profits!!! I've been in the workplace for a long time and "Profit is not a dirty word" sure there is non-profit this and non-profit that but like so many have said before who's gonna foot the the bill for this thing as is has become, money has to come from somewhere, even the the big so called charitable organizations we all have donated at one time have profited some way or they couldn't exist.

Jeff, please don't close the store ..seperate it, profit from it if you wish, donate to the cause if you wish.....your call

Steve in Indy

posted @ Wednesday, November 08, 2006 5:12 AM by xskartman

Jeff, I can only echo what others have been saying. I do want to thank you for for all of your efforts and sacrifices. You are a great American!

Some day maybe fate will arrange for us to meet. Should that happen I will be proud and honored to shake your hand.

Mark

Central, MA

posted @ Wednesday, November 08, 2006 5:29 AM by misfire

Jeff, I met you and think you are an extraordinary person. I commend you on an outstanding job and the accomplishment of organizing such a terrific, meaningful and dedicated bunch of unselfish Americans. I do not think you should let a few jealous small minded individuals feel they have gained a victory in their effort to undermine and backstab the PGR.

If you must step down (and I wish you would not), I would like to suggest that you at least keep the PGR store up and running. If you still feel a need to discontinue the store, please consider turning it over to the PGR. The organization could really use the funds to help subsidize the many costs that incur in running an organization. Many members, such as yourself, gave cheerfully their money and their time, with no thought of reimbursement or pats on the back, to make things work for the good of all.

Many Thanks

Speed Bump - WRB

posted @ Wednesday, November 08, 2006 7:24 AM by SPEED BUMP - WRB

Jeff and Bonnie

Thank you for all you did

posted @ Wednesday, November 08, 2006 7:51 AM by wwr2

Jeff

Thank you. You know you are always welcome anywhere you go. You created a great thing, and are a well respected person. I will ride with you anytime.

posted @ Wednesday, November 08, 2006 7:56 AM by TheJediPimp

Thank you.....

posted @ Wednesday, November 08, 2006 8:45 AM by jherrick

To Jeff and Bonnie. Even though I have never had the privilage of meeting you, I'd like to take the time to thank you. I have seen this once before in another organization that I belonged to. The founder came under attack from

those within because of their own agendas and, in my opinion, jealousy. Like so many others here I have not had the honor to have been a member for that long a period of time. Like a first date, first kiss, or first love, I remember my first mission vividly. The showing of pride, respect, and patriotism left me speechless and blurry eyed. You have EARNED the respect, and touched more lives, than you can imagine. Like my brothers and sisters here, I stand tall and salute you. To Miss Bonnie, all I can say is that you must be a truly remarkable woman to be able to share your husband with us. I know how my small involvement has effected my wife and the support that she has shown me. A mere thank you seems so inadequate. Well done ma'am, well done.

posted @ Wednesday, November 08, 2006 10:55 AM by frontstuffers

Jeff - thanks for your vision and dedication in bringing so many patriots together. You may now rest easier. I'll support Snap and the rest of our leaders just as I supported you. I have a mission of showing respect for those who gave their lives for ME. That makes it so much more personal. Thanks for helping bring that mission to me!

posted @ Wednesday, November 08, 2006 10:56 AM by Wilderman

I CAN'T THINK OF ANYTHING MORE IMPORTANT RIGHT NOW THAN DOING WHAT WE DO. LAST SATURDAY WE PASSED A WOMAN ON THE STREET STANDING IN RESPECT HOLDING AN AMERICAN FLAG. AS WE ESCORTED A SOLDIER TO HIS RESTING PLACE. THREE DAYS AGO I SAW 3 MEN WHO WERE WALKING DOWN THE STREET AS WE PASSED BY THEY TURNED TO FACE US AND HELD THEIR HATS OVER THEIR HEARTS. I'VE NEVER SEEN ANYTHING LIKE THIS BEFORE. WITH OUT THE PGR IT WOULD HAVE BEEN JUST ANOTHER DAY.

JEFF YOU HAVE MADE A DIFFERENCE

CINCO

posted @ Wednesday, November 08, 2006 11:13 AM by CINCO

I can't thank you enough for all the hard work you have done. I am very proud to be a member of the PGR. It has helped so many families and hometowns. I am sorry to hear you will no longer head the PGR. Good luck and THANK YOU.

Riding in NH

posted @ Wednesday, November 08, 2006 11:42 AM by Softtail56

I am simply stunned by this news, and deeply saddened as well. The sorrow is for all of us at the PGR...it was your vision, your spirit that helped kindle the fire that burns in the heart of each and every one of us. It was your leadership that brought all this to fruition. Without you, there would have been no PGR. The new leadership has incredibly large boots to fill. And I for one...will stand with you in any flag line.....anywhere.....

Jeff Greiner

posted @ Wednesday, November 08, 2006 12:10 PM by jgreiner

Jeff, I've never had the pleasure of meeting you either but as a fairly new member to the PGR, I cant Thank You enough. I can only imagine the sacrifices you have made to keep this all running smooth. I for one, cant say enough about this group of people. If i had to sum it up with one word, it would have to be "RIGHTEOUS", and to see it grow in one short year to over 63000 members say's it all. Thank you so much for giving me proof that there are still good people in this country.

Again... Thanks for all you have sacrificed, I will stand proudly with you in any place at any time.

Standing by in NH

Bob I.

posted @ Wednesday, November 08, 2006 3:33 PM by RAY66FLH5903

Jeff, I first became aware of the PGR early this year, and I have watched with awe as the organization has grown exponentially since then. I believe your leadership was absolutely essential in how the PGR has developed. Your

writings (in my view) have been reasoned and reasonable, and I salute you for what you have been able to accomplish. Fine job, sir!
posted @ Wednesday, November 08, 2006 3:57 PM by Feets

Jeff,

I have never met you but you have done something to me and for me that I thought was lost. (PRIDE) Pride in my Country and myself. This origination is something this country and its citizens have needed for many years. When my Son-in-Law came back from the Sand Box last year I gave my wife money to get me out of jail should someone say or do anything to him as was done 40 years ago. You are to be commended for what you and all of the officers have done for this origination and this Nation. You have awakened a sleeping giant and I, for one, pray it never stops.

Good luck in all you do and may GOD bless and keep you and yours. I would be honored to stand with you at any time.

Ron Nelson
Madisonville, Republic of Texas
posted @ Thursday, November 09, 2006 1:23 PM by Anonymous

Jeff

Thank you for this wonderful organization that you started. It is a shame that some people have to find fault with something that has accomplished so much for so many. I, and i'm sure many others, appreciate your vision and dedication in making the PGR what it is. We must, and will carry on. Bonnie and Twister's family, Thank You for sharing this fine man with us. If we can keep the store, please do. I need some gear! Ride safe and free.

Denny
posted @ Friday, November 10, 2006 9:11 AM by Anonymous

Jeff thank you and all of the founding members of the Patriot Guard. Thanks to the ones who gathered for the first time to stand for the fallen. Thanks for 40 years of healing. Thanks for bringing the likes of Ancient1, Snap and too many others to mention together.

Thanks for waking up so many who had suppressed their feelings. God's speed in your future endeavors and I hope they include the Patriot Guard Riders.

Later
Mike
posted @ Thursday, November 09, 2006 6:26 AM by TennVic

Jeff and Bonnie,

Thank you for EVERYTHING - if you both live a hundred more years there will not be enough time for you to see all the good that has happened because of your vision and sacrifice.

I have a big family - but a year ago I got a much bigger FAMILY that grows by hundreds every day. The PGR, just like my family, has its issues but the good far outweighs the bad.

I hope the missions get fewer, and the homecomings increase, and I get to meet you both in person someday soon.

posted @ Tuesday, November 14, 2006 2:47 AM by Turquoise_Eyz

Well this goes to show you you cant please everybody and that everybody pays for a few views and theres allways someone that thinks they can do it better but never does this didnt get started for free and it does cost money to do any of it and i wonder what a persons time is worth to do what jeff has done for so many i have meet the man personally and you wont find a more honest and sincerly honerable man thank you jeff for standing up and making it work for our soilders and us !!!!!!!!!!!!!

posted @ Friday, November 24, 2006 7:01 AM by frogman

Jeff,
I will simply say THANKS,
posted @ Thursday, November 09, 2006 8:06 AM by Gator

Jeff and Bonnie,

I haven't met either of you but I hope to one day. My hats off to you, thank you for what you have done for the PGR and continue to do. Anytime you get a group together there will be some sort of dissention. You can't please everybody all the time. You can only do as much as you can and you have done that.

Keep your head up and the rubber side down.

You are welcomed in De anytime.

Take care and be safe

SSgt Corey Targett
DE State Captain
USAF '93 - present (Currently deployed to Afghanistan)
posted @ Friday, December 22, 2006 6:05 AM by Buffcat

Dear Jeff & Bonnie ~ I'm speechless. And very sad. It breaks my heart that a few troublemakers have been stirring the pot enough to cause some great people to step down from the ranks of National. All of you guys at the National level were such a huge help to me more than a few times when I was worried that I wasn't doing "the right thing" just right. I can't thank you enough.

I wish you and your wife all the best. Bonnie, please give your wonderful husband a giant {{HUG}} from me. And thank you for sharing him with us. Our nation is indebted to you both.

Much LOVE and RESPECT,

~CleverLori, Seattle, WA

posted @ Wednesday, November 08, 2006 5:52 PM by CleverLori

BAIR HERE GOD BLESS MY FRIEND AND THANK YOU
posted @ Wednesday, November 08, 2006 6:31 PM by

Jeff

I am wondering. How do you thank an American Patriot for what you have done? You and the other founding members took a stand and said "No this will not happen again on my watch"! Last time I looked there were over 55,000 of us in line saying the same thing. I joined as member 2005. And each time I go on a mission, as I choke and tear up I will make that statement again. "No this will not happen again on my watch"!

Ride on brother, next star and straight on until morning!

Rob

posted @ Wednesday, November 08, 2006 7:32 PM by CmdrRob

A simple thanks and job well done. Ride safe.

Mickey

posted @ Thursday, November 09, 2006 4:04 PM by Mickey

Jeff, the famous quote from Admiral Yamamoto on Dec. 8, 1941, comes to mind. After he was told that the Pearl Harbor raiding force had missed sinking the American carriers, he said, "I feel all we have done is to awaken a sleeping giant and fill him with a terrible resolve".

You and others awakened a sleeping giant beginning in October 2005. The potential for the PGR was there all along, but it took your vision and leadership to get us moving. Thank you.

Now that you'll have some time on your hands, consider this an invitation to come down to Texas and eat some tamales with catsup.

Thanks again,

Streaker

posted @ Thursday, November 09, 2006 11:50 AM by Streaker

Jeff,

Even though we never meet i do recall in the beginning a couple of phone calls and E-Mails we had with each other.

Brother Thanks for everything the Vision, desire, wiliness, Faith and Hope you had to direct this Organization to where we are Today.

Brother if I don't meet you here on Earth look me up in heaven I will be the Marine Standing at the gate to Welcome all my Brothers and Sisters Home.

Take Care My Brother,

Pegleg

posted @ Thursday, November 09, 2006 8:37 AM by Pegleg

Jeff sry to see this happen. thank you sir for all you have done.

It has been an honor to ride with you on a few missions.

I will see you on the next one brother.

posted @ Thursday, November 09, 2006 12:31 AM by ALL41_Wolf

Thanks Jeff-keep your powder dry and ride safe, man!

posted @ Thursday, November 09, 2006 7:37 AM by whit zoo

Hey Jeff and Bonnie, you lit the torch and carried it until all these candles were lit around this nation. Now we will all share the light, and no one can put it out! You can stand line knowing how much it means to so many. Well done!

Dave Kern

R/C Region 2 NY

posted @ Wednesday, November 08, 2006 8:14 PM by WizdmDave

Thankyou Jeff for all that you've done. I wish I could wave a magic wand and keep ya where we would love to see ya, at the helm of this great organization.

I agree with the shame shame on the vocal people, if you don't like it then you should be the ones to leave!!!! I bet there are close to 63,000 people that won't support you.

posted @ Thursday, November 09, 2006 4:16 AM by CaptKersh

Jeff I have been out of touch for a while moving and such. YOU will be missed by me and I know others also. You were the first PGR member I met and I didn't know who you were. You were so down to earth and unassuming. You didi not act like someone who held the position of executive director. You were just one of the guys. You were a major influence in my staying with and becoming as active as I have been. I am sorry to see you go but I know all the stress you have been under trying to keep the peace. Godspeed Brother and I will try and keep in touch.

posted @ Thursday, November 16, 2006 10:58 AM by

Jeff - I just want to say THANK YOU FOR A JOB WELL DONE !! You lit a small fire with a spark and it has grown into a passion with so many of us. You "DID THE RIGHT THING" so that we could all see the importance of that and share in honoring our heros as they should be. We couldn't continue (or be where we are at today) without the strong foundation that you have based the PGR on. Good luck with your other pursuits and we'll see you on the line!

posted @ Wednesday, November 08, 2006 7:31 PM by MNHeritagePatriot

Jeff, THANKS! You are the kind of leader I would follow, and did. I only talked to you twice on the phone, but I could tell by your demeanor you ARE a fine man. I would like to meet you someday. OH yeah, how can I buy some PGR

stuff before it's gone? respectfully, skeeter1540
posted @ Wednesday, November 08, 2006 6:59 PM by skeeter1540

THANKS for All You Have Gave & Done, I'm a Vietnam Era Veteran. Since my Honorable DisCharge from The USArmy I involved myself with anything Military related, but always came away emty HEARTED? Well the Gulf War came and gone; the Iraq War is still going on; Still Standing behind My Brothers/Sisters, Then Bam I open the paper in AthensGA about this group of individuals HonoringSGT. Flint! Guess what? Life has never been the same! Yes I joined the PGR & never looked back! These MISSION's give me a Warm Fussy Feeling that I haven't had since I was Saved in the SDA. My God Bless You/Family! SP/Philip C. Wall 2006 Veteran Day
posted @ Friday, November 10, 2006 10:37 AM by pwall2

Jeff, I first became aware of and joined the PGR in the spring of this year. Since then, I have watched in amazement as the numbers swelled and swelled again -- and the assignments/missions increased exponentially. I always enjoyed reading your reasoned, reasonable correspondence, and think that your hand behind the scenes was masterful. I salute you for the work you did. PGR members owe you a debt of gratitude for all the organizational set up ypu put into place. Well done, sir!
posted @ Wednesday, November 08, 2006 7:40 PM by Feets

Jeff never met you but would be proud to stand a flag line with you the place of honor would be to stand next to you and Bonnie for what you have done with this outfit. Best to you Blue Fox
posted @ Wednesday, November 08, 2006 5:06 PM by BLUE FOX

Jeff--

Joe and I were at the GOTG in Clarmore and did have the pleasure of meeting you...as we were talking to you, I remember thinking what a "regualr guy" you are and how friendly and open and passionate about the PGR you are. It was so good to be able to meet the man who took the vision and gave it life. We are sad to see you take a different role, but know that the fire you fanned is now a wildfire! THANK YOU for giving my husband, Joe, a VietNam vet, an organization to belong to that helps him deal with terrible scars he bears from that war and the way many Americans treated him after he came back. THANK YOU for giving me (and him) an avenue to "do the right thing". We are so patriotic and love our country and soldiers, but didn't have a way to put our feelings into action. You helped provide us with a way to touch our brave soldiers and their families. For this we owe you a debt of gratitude that we can not repay. The PGR has truly changed our lives...as I know it has thousands upon thousands of people's lives. As Ecclesiastes says, for everything there is a time, a season to everything under heaven. Thank you for the time you sacrificed so we could become the PGR. Now it seems you feel it is time for the torch to be passed on. We pray that our love and thanks will surround you and that you will know that even Jesus had people who criticized and accused Him, although He was perfect. In other words, you cant be "good " enought to avoid the things some people will always say. Hurtful, hateful and untrue remarks/criticism in no way mean you have done anything wrong...they merely say something about the people who speak these things.

We look forward to seeing you in '07 @ the GOTG...with our deep appreciation and support always. Liz and Joe from Lees Summit, MO
posted @ Sunday, November 12, 2006 6:35 PM by 3rd of the 60th

Jeff,

Walk tall. You have done all of us a great service in shepherding the PGR through it's formative stages and to the heights we have reached today. No one can doubt your dedication to the mission. Someday I'll shake your hand and thank you in person for the good things you have done. Until then just know that we think the world of you and the organization that has given so much, to so many people, in a variety of ways. 63,000 members. Who would have imagined the impact we would have on the entire country. I know we have been a blessing to so many families of the fallen. Rest easy, pass the baton and let the fresh troops carry the banner. I'll see you someday on the flag line. Best to you and your family. Dave Polett "HarleyDave747" PGR in CT.

posted @ Wednesday, November 08, 2006 11:12 PM by HarleyDave747

Thank you Jeff, for your vision and pioneering a venue for us to stand proud and honor fallen Americans. What an impact we've made in the last year! We're making a difference, and America is actually thanking US!

Here are a couple of recent examples from Austin, Texas...

Today, 12 Nov. 2006 has been declared "Patriot Guard Day" in Austin, by Mayor Will Wynn.

Back in August, we completed a mission for a local Marine, Sgt. George Ulloa, Jr. We were planeside when he came home and graveside when he was laid to rest. Yesterday, on Veteran's Day, the Austin group sent riders to San Antonio to escort another Marine, Luke Holler, to his final resting place at Ft. Sam. When we staged in Austin for the 70 mile ride to S.A., George Ulloa Sr. was there with his 2 other sons. He is now a PGR as well, although he doesn't ride- he drives the biggest damn pickup you're ever seen!

Once we got to the church in S.A. and assembled with the SA riders and another group from Houston, Senior asked to say a few words. He introduced himself and spoke of how we could in no way understand what it was like to have so much support from us, complete strangers. He choked back tears as he spoke, his loss is still so recent. He did manage to also tell us that he had an igloo full of water for all of us. US Flags were on his truck, a large USMC decal in the rear window, and he and his sons escorted in support the entire 150 mile round trip. He is a registered member, and a respected father to us in our local membership. We are proud to have him with us. What does one say to the family, freinds, police, media and active service members who thank us for being there? All I can say, if anything at all, is "Thank you for having us".

Lastly- and this is partially non- mission oriented, the waves and thank you's we get when being passed or seen in traffic to, from or during a mission. People notice, and they're becoming aware of our existence and what we stand for, and they appreciate it. I think that it has rekindled a spirit not only among riders, but to those who only wish THEY could belong to a similar group as well. Of course, you don't have to be a rider, it's simple and on the home page what the requirements are to be a member. The simplicity of membership is a beautiful thing! And I almost hate to see the earlier posting suggesting elections for our future leadership. I hate to think of us becoming politicized...

Anyway, my last thought- the non mission part, is that in addition to serving the families, we at the same time are even breaking down some stereotypes of our motorcycling community. You see at funerals- at first some of the family are a bit wary of our appearance. But at the end of the day they're feeling so much differently. They accept and appreciate us, and that can only help make all riders a little bit safer while on the road.

Thank you, Jeff- for helping me find a way to serve and to belong. I've never wanted to be a part of any motorcycle organization of any type, except HOG and the Ironbutt Association which are basically to me just AAA for Harley owners and a patch for my vest when I do a long ride. The Patriot Guard is one I can 100% belong to, believe in, be proud of, and support to the end.

As someone once wrote in these forums, I'm "riding for the PGR until the PGR rides for me". I'm in it for life. And damn proud to be.

Andy Lough
"Andyman"

Ride Captain/ Austin

posted @ Sunday, November 12, 2006 4:27 AM by Andyman

Jeff

Thank you for the PGR, It is the right thing for all of us to do. Our troops need to know that they are welcome back home, when they get here. I would like some day too meet you, but for now enjoy your family and life, put your knees to the breeze, and maybe we will meet on a flag line.

Shovelhead85

1
posted @ Thursday, November 09, 2006 7:44 PM by shovelhead85

Jeff,
I've only met you via phone (sorry, Bonnie), but I am proud to call you my friend. You have done an outstanding job! Stars in your crown. God Bless in your future endeavors.

Granny Red
posted @ Thursday, November 09, 2006 6:19 AM by Granny Red

Jeff--
I want to thank you. I wasn't aware of the PGR until this past May when my friend was killed in Iraq and the PGR stood with honor at his funeral. Thanks so much for everything.

Semper Fi!
posted @ Thursday, November 09, 2006 6:52 PM by wyowife72493

JEFF,
GOOD LUCK, RIDE SAFE, ENJOY YOUR FAMILY.

THANK YOU FOR THE PGR, IT WAS AND STILL IS THE RIGHT THING TO DO!

GOD BLESS YOU AND YOUR FAMILY.
posted @ Thursday, November 09, 2006 4:36 PM by CE1SeaBee

Jeff,
I'm afraid all of your time may now be taken up with reading all the posts of those of us who will miss you so very much. Thank-you and your wife and family for every thing. I think I speak for 99.999% of the Patriot Guard when I say ,We never doubted any thing you did or were doing. Shame on that little % of others. Volunteering for any organization takes a toll, Let alone an organization with 60,000 members.

Thanks from all of us Patriots!!!
God Bless you and your family.
Mary Anne Keough
posted @ Thursday, November 09, 2006 7:18 AM by AnnieM

I joined the PGR when there were 25,000 members or so. We are now 63,000 strong. Every one of us owes a huge debt of gratitude to Jeff and Bonnie. I wish them peace and happiness in their future pursuits. I have been involved in many organizations and have never been as proud as I am to be a member of the PGR. Thank you Jeff.

Oscar C. Blomgren
Green Oaks, IL
posted @ Thursday, November 09, 2006 8:26 AM by Tatonka69

Sorry, forgot to log in for that last post.
Denny (DXTRIDER)
Proud PGR Member
posted @ Friday, November 10, 2006 9:19 AM by DXTRIDER

Each of us has to take a look at our lives and decide on some hard facts. Some harder than others but the decisions still have to be made and only

one person can do that for themselves, no matter what those decisions bring in the future. You do for you and yours as best as you can and hope for the best, but only YOU can make the Life decisions for you yourself. My best wishes for your Life decisions and their outcome. One question, how would I go about ordering, from what stock you have left. Address, e-mail etc. etc. etc. Thanks again for your service. Tailgunner, in Salina, Ka.
posted @ Thursday, November 09, 2006 12:28 PM by LRRains

Jeff, I am new to the PGR and did not have the pleasure of meeting you. My loss I can see from your letter and comments from other PGR members. Thank you for all you have done and given to this group. I do hope after a bit of "R&R" you will be back stronger than ever and leading the way again. God Bless!
posted @ Monday, November 20, 2006 6:23 PM by Uffda

Jeff, I may never meet you and I will regret that because it will be a lost opportunity to meet a real Hero. I am a new member and a Viet Nam vet. I joined to have the privilege of making sure that no interferes with or upsets the family and friends attending the funeral of the young men and women who lost their lives for this great country. Until you spend time in another country and return home you can never truly realize how wonderful this country is. I will stand proudly to welcome home any all returning from a war zone because I understand what it's like to feel that no one cares what you went through. It may not mean much right now but I would like for you to know I had tears in my eyes when I first heard that someone was standing up for America and not letting a few misguided individuals harass and slander our servicemen. And to do it in such an organized way, that never involved violence is a superhuman feat. Stand tall because you are one of my heroes. In Viet Nam when something really bad happened to us we would stoically say 'It don't mean nothin' and that's what I think of anyone who would look beyond what you have done for this country and be so petty. Please stay involved you are the torch bearer for the 'silent majority'.

Bless You, Brother.
Black Horse.
posted @ Thursday, November 23, 2006 7:52 PM by Black Horse

Jeff, Our Founding Father of PGR, you are one awesome American Brother. Stepping back is not stepping down you are still going to be shoulder to shoulder with us and it is just as important. My first Mission was today in Monongahela, PA. A Viet-Nam Vet, yes, but just as important as one of our Missions for a Soldier of the present conflict. Many of the men, who were also Nam Vets, I talked to today at the staging area, without words even said, gave me the impression that they are able to do some healing in being a PGR. I was a punk kid during that war 30-some years ago, but I knew in my heart that something better needed to be done for them upon their return to the Country they fought for to keep our Freedoms. You, Sir, are the man that started the fires burning in those Vets, and the rest of us, who are Honored to show our Respect for those who have made the Highest Sacrifice to keep us Free. My Father who served in WWII will have the PGR escort him to his final resting place one day at my request. As someone else said in these postings earlier, may our Missions be Welcome Home rides instead of funerals soon. Bless you, your family, and our new Leader of PGR. Peace and Love, Nancy
posted @ Saturday, November 18, 2006 3:54 PM by Gary and Nancy Schwartz

No virus found in this outgoing message.
Checked by AVG.
Version: 7.5.524 / Virus Database: 269.24.4/1476 - Release Date: 5/31/2008
12:25 PM

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

JEFF BROWN,

OPPOSER,

v.

**OPPOSITION NO. 91181448
SERIAL NO. 77/040,379**

PATRIOT GUARD RIDERS, INC.,

APPLICANT.

**OPPOSER'S AMENDED RESPONSES TO
APPLICANT'S SECOND SET OF INTERROGATORIES**

Opposer Jeff Brown hereby submits his responses to Applicant's Second Set of Interrogatories.

General Objections

1. Opposer objects to the Definitions contained in Applicant's Second Set of Interrogatories to the extent those Definitions, and any instructions set forth therein, seek to impose duties or obligations on Opposer in addition to or different from those imposed or authorized by the Federal Rules of Civil Procedure and the Patent and Trademark Board Rules of Practice. Furthermore, as written, the Definitions, and any instructions set forth therein, are overly broad and unduly burdensome.

2. Opposer will provide responses according to applicable Federal Rules of Civil Procedure and Patent and Trademark Board Rules of Practice. Opposer considers its obligations to be governed by those Rules, and specifically disclaims the acceptance of any additional obligations imposed by the Applicant. Opposer specifically states that his duty to supplement is governed solely by these Rules.

3. Opposer specifically objects to paragraph 1 of the Definitions insofar as it unreasonably expands the identity of the Opposer, Jeff Brown.

4. Opposer specifically objects to paragraphs 17-20 of the Definitions insofar as, given the context of any particular Interrogatory, there may be a more appropriate and less burdensome manner in which to “identify” the requested information.

5. Opposer specifically objects to paragraph 27 of the Definitions on the basis that it contains an instruction that is contrary to the Federal Rules of Civil Procedure. Opposer will state his objections in compliance with Federal Rule 33. Opposer’s privilege obligations are governed by Federal Rules 33 and 26, in particular Rule 26(b)(5), as well as relevant case law interpreting those Rules.

Responses to Interrogatories

INTERROGATORY NO. 25: Provide a detailed explanation as to what Opposer meant in *“Petitioner’s Response to Applicant’s First Request for Admission”* and in *“Petitioner’s Answer to Applicant’s First Set of Interrogatories”* with regard to the term “non-commercial purposes” versus the term “commercial purposes” (see, for example, Opposer’s Responses to Request for Admission Nos. 11 and 17 and Opposer’s Answer to Interrogatory No. 10); and include in this detailed explanation examples of purposes that would fall under the category of “non-commercial purposes” and “commercial purposes.”

ANSWER TO INTERROGATORY NO. 25: Opposer states that the use of the term “commercial purposes” relates to the use of Opposer’s mark(s) on any merchandise or items for sale by consumers, including, without limitation, merchandise or items sold by or on behalf of PGR, Inc., the “original PGR store,” any “subsequent PGR store” and/or “Twister’s PGR Store,” as those terms are defined in Applicant’s Definitions. The use of the term “non-commercial

purposes” relates to the Opposer’s oral license to PGR, Inc. to use the mark in a “non-commercial” manner, such as use of the Opposer’s mark(s) on the website www.patriotguard.org, provided such use does not result in fiscal gains, and provided that PGR, Inc. agrees that it lacks authority to transfer or permit usage of the mark(s) by any other party.

INTERROGATORY NO. 26: With regard to Opposer’s Response to Request for Admission No. 99, provide a detailed explanation of *all* factual bases for Opposer’s allegation that Mr. Jason D. Wallin did not have the authorization of the Board to file Applicant’s first trademark application on behalf of the Patriot Guard Riders corporation, identify others who have knowledge of same, and provide all documents in support thereof.

ANSWER TO INTERROGATORY NO. 26: Opposer states, upon information and belief and after reasonable investigation, that Jason D. Wallin acted on his own and without direct instruction from the Board, and that Wallin’s duties as Treasurer did not include the filing of any trademark application(s). Opposer cannot state whether there are others who have similar knowledge and/or beliefs. Opposer objects to the request for production of documents, as these Interrogatories are propounded under Federal Rule of Civil Procedure 33 only.

INTERROGATORY NO. 27: With regard to Opposer’s Response to Request for Admission No. 100, provide a detailed explanation of Opposer’s reasoning as to why Mr. Jason D. Wallin’s dismissal from the Board after the filing of Applicant’s first trademark application has any bearing on whether the Patriot Guard Riders corporation is entitled to have Applicant’s first trademark application registered.

ANSWER TO INTERROGATORY NO. 27: Opposer states that Jason D. Wallin’s dismissal from the Board after the filing of Applicant’s first trademark application provides evidence that Wallin did, in fact, engage in unauthorized activity throughout his membership on

the Board. In addition, Wallin's dismissal from the Board has a tendency to prove that Wallin acted in a manner inconsistent with ownership.

INTERROGATORY NO. 28: With regard to Opposer's Response to Request for Admission No. 101 and Opposer's Answer to Interrogatory No. 5, provide a detailed explanation as to why Opposer's counsel directed Opposer to refer to himself as Executive Director in Opposer's trademark application when both Opposer and Opposer's counsel allegedly intended for Opposer's trademark application to be filed in Opposer's individual capacity.

ANSWER TO INTERROGATORY NO. 28: Opposer states that he has no specific recollection as to the reasons why Opposer's counsel directed Opposer to refer to himself as the Executive Director in Opposer's trademark application. Opposer further states that throughout the course of preparing the trademark application, Opposer consistently acted pursuant to the direction and advisement of Opposer's counsel.

INTERROGATORY NO. 29: With regard to Opposer's Answer to Interrogatory No. 18, provide a detailed explanation as to:

- a. Who made the alleged posts on the PGR forums stating that the store was a privately owned, for-profit business;
- b. The date when the alleged posts were made;
- c. The forum topic under which the alleged posts were made;
- d. The reasoning as to why the alleged posts were made;
- e. The reasoning as to why the information provided in the alleged posts was not disclosed in a more prominent place on the website www.patriotguard.org than in the PGR forums;

- f. The reasoning as to why the information provided in the alleged posts was not disclosed in a more prominent place on the website www.patriotguardstore.org than in the PGR forums.

ANSWER TO INTERROGATORY NO. 29:

- a. Opposer states that he made several posts in several online forums found at www.patriotguard.org regarding the ownership and nature of the “original PGR store” and/or the “subsequent PGR store,” and that these posts indicated that the store was a privately owned, for-profit business. In addition, Opposer states that other individuals made similar posts in these forums, but Opposer cannot recollect the names of each of these individuals. By way of example only, Opposer references the emails reflecting online forum posts attached hereto as “Exhibit A.”
- b. Opposer states that he cannot recollect the exact dates of these posts.
- c. Opposer states that he cannot recollect the exact forum topics under which these posts were made, but states generally that the forum topics related to the online store.
- d. Opposer states that he made the posts to ensure that the membership was aware that the store was a privately owned, for-profit business. Opposer has no knowledge as to why others made similar postings.
- e. Opposer states only that he was not responsible for the creation or maintenance of the website www.patriotguard.org or its online forums, and was therefore not responsible for the location or perceived prominence of any posts. Opposer also states that prominence of forum posts is amorphous, as the submission and/or

display of additional and subsequent posts had an impact on the perceived prominence Opposer's posts.

- f. Opposer incorporates by reference his response to subpart "e."

DECLARATION

I, Jeff Brown, declare under penalty of perjury that at a time contemporaneous with the serving of the foregoing "Opposer's Responses to Applicant's Second Set of Interrogatories" I reviewed the responses set forth therein, and those responses were and remain true and correct.

Dated: October 6, 2008


Jeff Brown

DOERNER, SAUNDERS, DANIEL & ANDERSON, L.L.P.

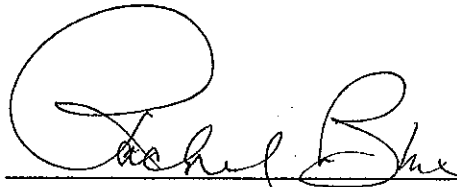
By: 

Tom Q. Ferguson, OBA No. 12288
Rachel Blue, OBA No. 16789
320 South Boston Avenue, Suite 500
Tulsa, Oklahoma 74103-3725
Telephone (918) 582-1211
Facsimile (918) 591-5360
tferguson@dsla.com
rblue@dsla.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 6th day of October, 2008, a true and correct copy of the above and foregoing instrument was sent via electronic delivery to DMarr@trexlaw.com and mailed, with proper postage thereon, to :

David J. Marr
James R. Foley
James A. O'Malley
TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.
105 West Adams Street, 36th Floor
Chicago, IL 60603



Rachel Blue

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

JEFF BROWN,)	
)	
Opposer,)	
	)	Opposition No. 91181448
v.)	
	)	Application No. 77/040,379
PATRIOT GUARD RIDERS, INC.,)	
)	
Applicant.)	

DECLARATION OF BONNIE PERRY

I, Bonnie Perry, declare and state as follows:

1. I am over 21 years old, and I have personal knowledge of the facts of this Declaration and could testify competently to them if called upon to do so.
2. On January 10, 2008, I was married and changed my name from Bonnie Cutler to Bonnie Perry.
3. I was one of the first individuals to join the nationwide association implemented by Jeff "Twister" Brown (hereinafter "Brown") that would become known as the Patriot Guard Riders (hereinafter the "PGR association").
4. I joined the United States Navy in June of 1983, went active in January of 1984, and was honorably discharged in February of 1989.
5. On November 11, 2005, Brown sent out an e-mail, which I received, in which he asked for my, as well as others', input regarding a proposed Mission Statement for the PGR association. A true and correct copy of that e-mail is attached hereto as Exhibit A.

6. On November 11, 2005, Brown sent out an e-mail, which I received, in which he advised other volunteers of the PGR association that Jason Wallin (hereinafter "Wallin"), along with other biker patriots, attended the funeral service for Tyler Ryan MacKenzie earlier that day in Greeley, Colorado on behalf of the PGR association. A true and correct copy of that e-mail is attached hereto as Exhibit B.

7. On November 12, 2005, Brown sent out an e-mail, which I received, in which he advised me, as well as others, that the Mission Statement had been met with approval after some modification and that the Mission Statement was posted on the PGR's association's website www.patriotguard.org (hereinafter "PGR's website"). A true and correct copy of that e-mail is attached hereto as Exhibit C.

8. In October of 2006, it first came to be collectively known by top ranking personnel of Patriot Guard Riders, Inc. (hereinafter the "PGR corporation"), including myself, that Brown and/or his wife was operating the PGR Store as a for-profit entity such that he retained profits generated from the PGR Store and, thereafter, at his discretion, he donated a portion of those profits back to either the PGR association or the PGR corporation.

9. As Brown was the leader of a not-for-profit corporation who was not supposed to profit in any manner from his involvement in the PGR corporation, the Board of Directors for the PGR corporation threatened to remove Brown from his positions of authority in the PGR corporation unless he agreed to close the PGR Store and honorably resign.

10. Brown announced his resignation via PGR's website as the President and Executive Director of the PGR corporation on November 7, 2006. A true and correct copy of this resignation letter, as printed off of the PGR's website, is attached as Exhibit D.

11. Prior to Brown's resignation as an officer/director of the PGR corporation, Brown had continually informed other officers/directors/members/volunteers of the PGR association and the PGR corporation that the PGR's name and logo had been trademarked.

12. Upon Brown's resignation as an officer/director of the PGR corporation, it became known to myself and other top ranking personnel of the PGR corporation, that neither the PGR's name nor logo had been federally registered.

13. As such, on November 8, 2006, I, along with my fellow members of the Board of Directors (hereinafter the "Board") of the PGR corporation at the time, which included Bill Lines, Ed Mueller, Ronny Awtry and Wallin, held a telephonic Board meeting at which it was unanimously decided that a trademark application for the PGR's logo should be filed on behalf of the PGR corporation, in connection with the services first rendered by the PGR association and then by the PGR corporation.

14. During this telephonic Board meeting, it was unanimously decided by the Board that Wallin would prepare and file the trademark application for the PGR's logo on behalf of the PGR corporation in his capacity as Treasurer of the PGR corporation.

15. At the time of Wallin's filing of the trademark application, I did not, as an individual, or as a representative of the PGR corporation, have any knowledge or belief that Brown considered himself, as an individual, rather than the PGR corporation, to be the owner of the PGR's logo in connection with the services first provided by the PGR association and then by the PGR corporation.

16. At the time of Wallin's filing of the trademark application, I had never, as an individual, or as a representative of the PGR corporation, received any specific advisement, or

been otherwise made aware, from either Brown or any other individual, that any use of the PGR's logo by Brown would confer any rights in the PGR's logo to Brown, in his individual capacity, rather than to the PGR association and/or the PGR corporation.

17. At the time of Wallin's filing of the trademark application, I had never, as an individual, or as a representative of the PGR corporation, received any specific advisement, or been otherwise made aware, from either Brown or any other individual, that the PGR's use of its name and logo was subject to a license granted to the PGR association by Brown, which was then likewise applicable to the PGR corporation upon its incorporation.

18. At the time of Wallin's filing of the trademark application, I believed that all of Brown's use of the PGR's logo was done on behalf of the PGR association and/or the PGR corporation in his capacity as a founder, leader, officer and Board member.

19. At the time of Wallin's filing of the trademark application, I was aware that Brown had asserted that the PGR Store was his personal for-profit store and that he sold products bearing the PGR's logo through the PGR Store, however, as it was my understanding that the PGR association had begun using the PGR's logo in connection with the services it provided prior to any products bearing the PGR's logo being sold by anyone, much less Brown, I believed that the PGR corporation had the right to register its logo because its rights in the logo were superior to any right that Brown may have had.

20. At the time of Wallin's filing of the trademark application, I was also aware that Brown had stated in his resignation letter, just two days prior, that it was his intent to close the PGR Store and, as such, I understood this to mean that Brown intended to stop selling products bearing the PGR's logo.

21. To the best of my knowledge, prior to the time of Wallin's filing of the trademark application, the PGR's website, including the PGR Store webpage, which was accessed from the "PGR Store" link on the home page of the PGR's website, did not give any specific indication to a user of the website that Brown and/or his wife was operating the PGR Store as a for-profit business.

22. To the best of my knowledge, prior to the time of Wallin's filing of the trademark application, the PGR's website, including the PGR Store webpage, which was accessed from the "PGR Store" link on the home page of the PGR's website, did not give any indication to a user of the website that Brown as an individual, rather than the PGR association and/or the PGR corporation, owned any trademarks or service marks that were used by the PGR association, the PGR corporation or the PGR Store.

23. After Wallin's filing of the trademark application, Brown for the first time advised the Board that he considered himself to be the owner of all trademarks and service marks used by the PGR and the PGR Store, which caused some initial confusion for the Board as they considered the PGR to be the owner of all trademarks and service marks used by the PGR and the PGR Store.

24. Thereafter, in view of this initial confusion, the PGR corporation entered into negotiations with Brown regarding ownership of the marks and ownership of the PGR Store, in an attempt to inexpensively and efficiently resolve any lingering issues between the parties, such that a possible legal fight between the parties could be avoided.

25. During the negotiations period, members of the Board made some announcements to the volunteers of the PGR corporation regarding the negotiations, including statements about

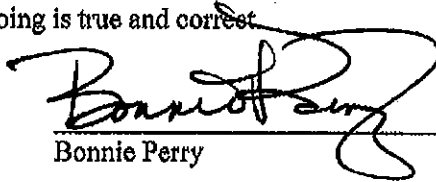
possible plans for the ownership and use of the marks.

26. Within a couple of weeks, the negotiations ended and the Board made an announcement to the volunteers of the PGR corporation that, contrary to prior statements made by individual members of the Board, that the PGR corporation was free to use the marks without any stipulations. A true and correct copy of this announcement is attached hereto as Exhibit E.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

January 21, 2009



Bonnie Perry

Perry, Bonnie

From: Preacher [preacher@carolina.rr.com]
Sent: Friday, November 11, 2006 9:30 PM
To: Jeff Brown; Charles Yunker; David Howery; William H. Sloan; Chuck Antolina; Ben AKA The Whlepanio; Phil Mansker; Art Van Engen "Moker"; Tom Connelly; Terry (Darkhorse) Houck; Adam Taylor; Shawn; Ken McClellan; Raymond Eade; Richard Keller; Eric C. Gagomiro; Pete Schullen; Ralph and Susan; Ozarkmark; R. L. Oscar Ingram; John & Donna Rohloff; Mark Brubaker; LAnnnullins; Kay Guynes; Keith Calloway; John Sprague; Jason Wallin; Hugh Knaus; Chuck Thompson; Wayne Worthington; David Olsen (STP); Craig Winkler; Everett Free; Combat Veterans Motorcycle Association; CREGG HANSEN; Harry A. Elliott III; Bill Carr; Perry, Bonnie; Bill Law; Bill Bradley
Subject: RE: PGR Mission Statement - Important!

I would suggest one change. "Fallen soldier, the soldier's family and community" would be a better phrase, gender neutral and all. We will be attending the funerals of the female soldiers as well.

Preacher
CVMA #871
<http://www.bastards.org/Bikes.htm>

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Friday, November 11, 2006 9:28 PM
To: Charles Yunker; David Howery; William H. Sloan; Ben AKA The Whlepanio; Phil Mansker; Art Van Engen "Moker"; Tom Connelly; Terry (Darkhorse) Houck; Adam Taylor; Shawn; Ken McClellan; Raymond Eade; Richard Keller; Eric C. Gagomiro; David "Preacher" Slocum; Pete Schullen; Ralph and Susan; Ozarkmark; R. L. Oscar Ingram; John & Donna Rohloff; Mark Brubaker; LAnnnullins; Kay Guynes; Keith Calloway; John Sprague; Jason Wallin; Hugh Knaus; Chuck Thompson; Wayne Worthington; David Olsen (STP); Craig Winkler; Everett Free; Combat Veterans Motorcycle Association; CREGG HANSEN; Harry A. Elliott III; Chuck Antolina; Bill Carr; Bonnie Cutler; Bill Law; Bill Bradley
Subject: PGR Mission Statement - Important!

Hey Folks, I need to know if anyone has any problems with or suggestions for this as our PGR Mission Statement.

Your feedback ASAP would be greatly appreciated. This will be on our website.

Thanks,

Jeff Brown "Twister"
Broken Arrow, OK
Patriot Guard Rider
www.patriotguard.org

Patriot Guard Riders Mission Statement

The Patriot Guard Riders is an amalgamation of riders from across the nation. We have one thing in common besides motorcycles. We have an unwavering respect for those who risk their very lives for America's freedom and security. If you share this respect, please join us.

We don't care what you ride, what your political views are, or whether you're a "hawk" or a "dove". It is not a requirement that you be a veteran.

It

doesn't matter where you're from or what your income is. You don't even have to ride. The only prerequisite is Respect.

Our mission is to attend the funeral services of fallen American military heroes. Each mission we undertake has two basic objectives.

1. Show our sincere respect for our fallen hero, his family, and his community.
2. Protect the mourning family and friends from interruptions created by any protestor or group of protestors.

We accomplish the latter through strictly legal and non-violent means.

No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.1.362 / Virus Database: 267.13.0/167 - Release Date:
11/11/2005

No virus found in this outgoing message.
Checked by AVG Free Edition.
Version: 7.1.362 / Virus Database: 267.13.0/167 - Release Date:
11/11/2005

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Friday, November 11, 2005 5:18 PM
To: Charles Yunker; David Howery; William H. Sloan; Phil Mansker; Tom Connelly; Terry (Darkhorse) Houck; Shawn; Richard Keller; Eric C. Gagomiro; David "Preacher" Slocum; Pete Schullien; Ralph and Susan; Ozarkmark; R. L. Oscar Ingram; John & Donna Rohloff; LAnn Mullins; Kay Guynes; Keith Calloway; Jason Wallin; Hugh Knaus; Chuck Thompson; Wayne Worthington; David Olsen (STP); Craig Winkler; Everett Freel; Combat Veterans Motorcycle Association; CREGG HANSEN; Harry A. Elliott III; Chuck Antolina; Bill Carr; Perry, Bonnie; Bill Law; Bill Bradley
Subject: PGR was there -Tyler Ryan MacKenzie

Tyler Ryan MacKenzie, 20, of Evans, CO, passed away, Wednesday, November 2, 2005 in Iraq.

Visitation will be from 4:00 to 8:00 p.m., Thursday, November 10, 2005 at Allnutt Funeral Service/Macy Chapel. A funeral service will be at 12:00 p.m., Friday, November 11, 2005 at the Church of Jesus Christ of Latter-day Saints, 501 49th Avenue, Greeley. Interment will be at Sunset Memorial Gardens.

Tyler was born November 7, 1984 in Greeley, CO to David and Julie (Borland) MacKenzie.

He was a lifelong resident of Greeley where he graduated from Greeley West High School in 2003. He joined the United States Army on January 19, 2005

and served with the B Co. 1/502 In. 2 BOT. Fort Campbell. He was an elder in the Church of Jesus Christ of Latter-day Saints.

Tyler was a kind and caring soul, honest and sincere, had the utmost integrity, and was athletic, funny, self-competitive and unselfish. He loved playing videogames, reading, listening to music, playing paintball, animals, volunteering and spending time with his family and friends.

Surviving Tyler are his parents, David and Julie MacKenzie of Evans, CO; sister, Nicole and her husband, Jason Crawford, of Evans, CO; grandparents, Emmett and Mary MacKenzie of Greeley, CO and Ronald and Jenette Borland of Greeley, CO.

Jason Wallin, our Colorado State Captain, headed up our presence there and post these photos and will post a write up later:
<http://www.wallininc.com/plx/listpics.asp?dir=prg>

WBC (World's Biggest Cretins) were there.

Thanks to Jason and all who rode.

Jeff Brown "Twister"
Broken Arrow, OK
Patriot Guard Rider
www.patriotguard.org

Perry, Bonnie

From: Jeff Brown [Jeffbrown@valdnet.com]
Sent: Saturday, November 12, 2005 8:48 AM
To: Charles Yunker; David Howery; William H. Sloan; Ben AKA The Whipsnake; Phil Mansker; Art Van Engen "Moke"; Tom Connally; Terry (Darkhorse) Houck; Adam Taylor; Shawn; Ken McClellan; Michael and Kathleen Gestler; Raymond Eade; Richard Keller; Eric C. Gogomros; David "Preacher" Stocum; Pete Schullen; Ralph and Susan; Ozarkmark; R. L. Oscar Ingram; John & Donna Rohloff; Mark Brubaker; LAnn Mulline; Kevin Wood; Kay Guynes; Keith Oalloway; John Sprague; Jason Wallin; Hugh Kraus; Chuck Thompson; Wayne Worthington; David Olsen (STP); Craig Winkler; Everett Free; Combat Veterans Motorcycle Association; **CREGG HANSEN**; Harry A. Elliott III; Chuck Antolina; Bill Carr; Perry, Bonnie; Bill Law; Bill Bradley
Subject: Revised PGR Mission Statement

The PGR Mission Statement has met with approval after some modification. The statement was rewritten to be gender neutral. I realize the sacrifice and dedication of our women in service and did not mean to omit them. I appreciate everyone who caught that error and brought it to my attention. The revised mission statement is now up and running on our website. I owe you all an apology for an unintentional oversight on my part.

Sincerely,
Jeff Brown "Twister"
Broken Arrow, OK
Patriot Guard Rider
www.patriotguard.org

JEFF'S FINAL CORNER

It's been an exhilarating, but an exhausting year. A year in which we have seen an awakening of the sleeping spirit of America, a rededication to the honor and dignity due all of those who serve our nation, and a uniting of those who have a desire to "do the right thing". Every PGR member should be justifiably proud of being a part of this.

Like all of you, I have taken a huge amount of time away from my family and business over this past year. It's time for me to heed my own words and "Pace Yourself". To this end, it is with a very heavy heart that I formally announce my resignation as Executive Director of the Patriot Guard Riders. This decision was also reached, in part, because a handful of very vocal people have expressed concerns over the possible conflict of interest in my owning the PGR Store and being the Executive Director. The business structure of the store has never been hidden and has been discussed "ad nauseam", but in an effort to delay any further controversy that takes time and energy away from our missions, I have chosen to step down and close the PGR store after the current inventory is depleted.

This has been one of the most difficult decisions of my life. I can't begin to put into words how much pride I have in all of you and what this organization has become and will become in the future. I will always view the founding of the Patriot Guard Riders and having had the honor of being your leader during this formative year as one of the high points of my life. I will continue to be honored to ride with you and stand by you until the day there is no PGR. After a great deal of pressure, Bill "Snap" Lines has agreed to assume the position of Executive Director and the board has approved. Snap, thank you for stepping up to the plate, Brother. The PGR is in good hands and I am confident in its leadership. I'm not going anywhere Folks. I will work closely with National during this transition period and continue to serve the PGR in the capacity as an advisor to the National Board.

Thanks for listening and Salute,



Jeff

posted @ Tuesday, November 07, 2006 8:42 AM by Twister

[Previous Page](#) | [Next Page](#)

COMMENTS

BROWN009964



Wednesday, June 18, 2008

Patriot Guard Riders

Standing For Those Who Stood For Us

...: ALL Forums ...



jomalley Logout

Code Amber Alert

This is the Code Amber Amber Alert ticker: -- Codeamber.org neq

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Patriot Guard Riders Forum

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Forums > Patriot Guard Riders - National > Letters from the PGR President

Subject: From Snap 21 Nov 06

Email me when someone replies to this thread.
You are not authorized to post a reply.

Author

Waldo ●
Posts: 1325
Windsor, Co

Messages

21 Nov 2006 4:54 PM

Oldest First ▼

To the PGR,
The last 10 days have been rough. I feel as if I stepped in it bigtime when I said OK to this job. I've heard from most of you and I've listened to each one. I hope I can serve you well this year. I want to point out that my term is for one year only, then my replacement will be elected by you, the real PGR, the members. More info on that to follow.

[Dialup Homepage](#)

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Click to send an email to the departments below:

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[Letters Of Appreciation](#)

[Help On The Homefront](#)



I would like to address some topics with you and the best way for my old mind is by the numbers. So here goes.

- 1) The PGR store. We are going to TRY and have the new store up by New Years Eve. It will sell all the items it does now and more. And ALL profit will go to the PGR. We are going to outsource this store so that no member will have his hands on it. It will be overseen by a committee of members.
- 2) Jeff Brown has no affiliation with PGR except as a member. he is being removed as President of the Corp. He will no longer be our registered agent in Oklahoma. That place will be filled by a law firm.
- 3) We have received advice from our attorney that we can retain and use our name and logo without restraint. If you want a new logo, let us know but we don't have to.
- 4)The 501C3 is being handled by the attorney, people who have donated will be able to use the tax deduction.
- 5) By Laws are being prepared by the attorney and will be posted as soon as completed.
- 6) Our accountant will have all funds reconciled to post within three weeks. They will be posted at that time.

There has been a lot of bile and contention out there this week, most of it justified. But we are trying. You are right, trust is earned and until it is I invite any member to call me (a LOT of you do) and let's try for less anger and spite on the web. If you want to chew me out I would rather you did it on the phone than on the site. I want to do well but I need your help.

Thanks for listening
LLRB
Snap
ICVMC for PGR

Jason Wallin "WALDO"
Deputy Executive Director
Corporate Treasurer
Patriot Guard Riders
[REDACTED]

**American By Birth
Biker By Choice
Patriot Forever!**

Tact and Political Correctness were developed by those who lack the testicular fortitude to say what they really mean!

Click on the link below to make initial contact with us regarding honor mission requests:

[Contact Us](#)

[Contact Arlington National Cemetery](#)



You are not authorized to post a reply.

Messages

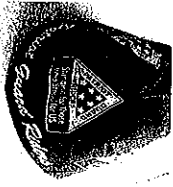
0 Unread Messages
0 Read Messages

Forums > Patriot Guard Riders - National > Letters from the PGR President > From Snap 21 Nov 06

Active Forums 3.6



America Loves You Silk Rose



PGR Door-Rag



PGR Armband



Welcome Home Silk Rose



Wounded Warrior Challenge Coin

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

JEFF BROWN,)	
)	
Opposer,)	
	)	Opposition No. 91181448
v.)	
	)	Application No. 77/040,379
PATRIOT GUARD RIDERS, INC.,)	
)	
Applicant.)	

DECLARATION OF KURT MAYER

I, Kurt Mayer, declare and state as follows:

1. I am over 21 years old, and I have personal knowledge of the facts of this Declaration and could testify competently to them if called upon to do so.
2. I joined the Patriot Guard Riders' nationwide association in late November/early December of 2005.
3. My ride name is "Ventura Cowboy".
4. Soon after joining the Patriot Guard Riders' nationwide association, I became the Public Relations Director for the Patriot Guard Riders' nationwide association, such that I became one of the top ranking leaders of the Patriot Guard Riders' nationwide association.
5. As the Public Relations Director, I considered it my duty to be knowledgeable regarding all facets of the Patriot Guard Riders' nationwide association such that, if asked a question regarding the Patriot Guard Riders' nationwide association by the media, a volunteer of the Patriot Guard Riders' nationwide association, or the public at large, I would be able to truthfully respond to same.

6. In order to become knowledgeable about matters occurring before I joined the nationwide association, I asked Jeff "Twister" Brown and Jason "Waldo" Wallin, as well as others to fill me in on the history of the nationwide association, including its formation.

7. The Patriot Guard Riders' nationwide association was incorporated as a Not For Profit corporation in the State of Oklahoma on February 21, 2006 under the name Patriot Guard Riders, Inc. A true and correct copy of the incorporation papers are attached hereto as Exhibit A.

8. In the incorporation papers for Patriot Guard Riders, Inc., I was one of the three named incorporators of Patriot Guard Riders, Inc., along with Jeff "Twister" Brown and Jason "Waldo" Wallin. *See Exhibit A.*

9. In the incorporation papers for Patriot Guard Riders, Inc., I was one of the three named directors of Patriot Guard Riders, Inc., along with Jeff "Twister" Brown and Jason "Waldo" Wallin. *See Exhibit A.*

10. In the incorporation papers for Patriot Guard Riders, Inc., I was one of the three named officers of Patriot Guard Riders, Inc., along with Jeff "Twister" Brown and Jason "Waldo" Wallin. *See Exhibit A.*

11. In the incorporation papers for Patriot Guard Riders, Inc., I was named the Secretary. *See Exhibit A.*

12. After the incorporation of Patriot Guard Riders, Inc., I also continued as the Public Relations Director for PGR.

13. During the summer of 2006, my tenure as the Secretary and Public Relations Director for Patriot Guard Riders, Inc. came to an end, although I continued to be a volunteer of Patriot Guard Riders, Inc.

14. During my involvement with the PGR in a leadership position, namely from November/December 2005 until the summer of 2006, Jeff "Twister" Brown never informed me that he considered himself to be the owner of the Patriot Guard Riders' logo or that the Patriot Guard Riders association/corporation could only use the Patriot Guard Riders' logo in connection with non-commercial purposes, with any such use inuring to the benefit of Jeff "Twister" Brown.

15. During my involvement with the PGR in a leadership position, namely from November/December 2005 until the summer of 2006, no individuals ever informed me that Jeff "Twister" Brown considered himself to be the owner of the Patriot Guard Riders' logo or that the Patriot Guard Riders association/corporation could only use the Patriot Guard Riders' logo in connection with non-commercial purposes, with any such use inuring to the benefit of Jeff "Twister" Brown.

16. I first learned that Jeff "Twister" Brown considered himself to be the owner of the Patriot Guard Riders' logo at some point in time after Patriot Guard Riders, Inc. filed its trademark application for same.

17. During my involvement with the PGR in a leadership position, namely from November/December 2005 until the summer of 2006, Jeff "Twister" Brown never informed me that he ran the "PGR Store", which was accessible through a hyperlink provided on the home page of PGR's website www.patriotguard.org, as a for-profit entity whose profits went directly to him, rather than to the PGR.

18. During my involvement with the PGR in a leadership position, namely from November/December 2005 until the summer of 2006, no individuals ever informed me that Jeff "Twister" Brown ran the "PGR Store" as a for-profit entity whose profits went directly to him,

rather than to the PGR.

19. Until approximately Spring of 2006, the “PGR Store” hyperlink would redirect a visitor to a subpage of www.patriotguard.org (“the original PGR Store”) as the information regarding the products being sold by the original PGR Store was handled by the same computer servers that handled information regarding the PGR.

20. I was aware that in the Spring of 2006, the “PGR Store” hyperlink on the website www.patriotguard.org was changed such that it would redirect a visitor to a separate website, namely to www.patriotguardstore.org (“the subsequent PGR Store”).

21. It was my belief that the change in the “PGR Store” hyperlink occurred because it had previously been decided by myself, Jeff “Twister” Brown and Jason “Waldo” Wallin that the “PGR Store” needed to be hosted by separate computer servers in order to minimize the amount of web traffic on PGR’s website since PGR’s website had recently begun to crash when web traffic was high.

22. To the best of my knowledge, during my tenure in a leadership position for the PGR, neither the website www.patriotguard.org or the original or subsequent PGR Stores, gave any specific indication to a user of the website that Jeff “Twister” Brown and/or his wife was operating the PGR Store as a for-profit business.

23. To the best of my knowledge, during my tenure in a leadership position for the PGR, neither the website www.patriotguard.org or the original or subsequent PGR Stores, gave any indication to a user of the website that Jeff “Twister” Brown as an individual, rather than the nationwide association/corporation, owned any trademarks or service marks that were used by the nationwide association/corporation or the PGR Store.

24. Prior to Jeff "Twister" Brown's resignation as an officer/director of Patriot Guard Riders, Inc., Jeff "Twister" Brown had continually informed other officers/directors/members of Patriot Guard Riders, Inc., as well as its predecessor-in-interest, the Patriot Guard Riders' nationwide association, that the Patriot Guard Riders' name and logo had been trademarked.

25. Throughout my tenure in a leadership position, I believed that all of Jeff "Twister" Brown's use of the Patriot Guard Riders' logo was done on behalf of the nationwide association and/or Patriot Guard Riders, Inc. in his capacity as a founder, leader, officer and Board member.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 16, 2009

Kurt Mayer
Kurt Mayer



OKLAHOMA SECRETARY OF STATE
 2300 N. LINCOLN BLVD., ROOM 101
 OKLAHOMA CITY, OK 73105-4897

M. Susan Savage
 Secretary of State

Brad Henry
 Governor

02/27/2006

THOMAS J. WINTERS
ATTN: THOMAS J. WINTERS
 2448 E. 81ST STREET, SUITE 5900
 TULSA OK 74137
 USA

RE: PATRIOT GUARD RIMMERS, INC.

Document Number: 4616540002
 Client Account Number: 23422409

Dear Secretary of State Customer:

The documents submitted have been filed in the Secretary of State's Office. Please find the enclosed documentation evidencing such filing.

I am pleased to announce that the Secretary of State's office is completing the final stages for the implementation of a new business system. Please allow me to introduce you to *SOONERACCESS*.

SOONERACCESS.....

- > Available at www.sos.state.ok.us, please visit our website during the next few weeks as features become available;
- > Available 24 hours a day, Monday through Saturday and from 6 a.m. to midnight on Sundays.
- > Submit the majority of business entity documents, trademark renewals, and many public applications/renewals on-line;
- > Search business entity, trademark, and notary public information on-line;
- > Order and receive state certificates and certified and plain copies of documents on-line;
- > No additional charges, statutory fees will still be charged for on-line services. Detailed searches for business entities are available at a cost of three searches for \$5.00, however simple searches involving name, entity type, and registered agent are available free of charge.
- > On-line payment may be made by Electronic Fund Transfer at no charge or by credit card which is subject to a 4% convenience fee.

I believe *SOONERACCESS* will provide customers a welcome convenience, allowing their time to be spent online rather than in line. Please note your client account number at the top of the page for easy access to the new system. If you have any questions regarding the new procedures in the Secretary of State's office or *SOONERACCESS*, please do not hesitate to contact me.

Sincerely,

M. Susan Savage
 Secretary of State

Enclosure

Office (405) 521-3911

<http://www.sos.state.ok.us>

Fax (405) 521-3771

PGR 000684

OFFICE OF THE SECRETARY OF STATE



**NOT FOR PROFIT
CERTIFICATE OF INCORPORATION**

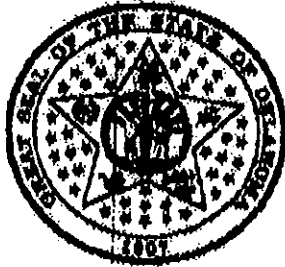
WHEREAS, the Not For Profit Certificate of Incorporation of

PATRIOT GUARD RIDERS, INC.

has been filed in the office of the Secretary of State as provided by the laws of the State of Oklahoma.

NOW THEREFORE, I, the undersigned, Secretary of State of the State of Oklahoma, by virtue of the powers vested in me by law, do hereby issue this certificate evidencing such filing.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the Great Seal of the State of Oklahoma.



*Filed in the city of Oklahoma City this
21st day of February, 2008.*

M. L. Searcy

Secretary of State

PGR 000685

OKLA. JMA Secretary of State Electronic Filing

ARTICLE I
SECTION 1.01
PURPOSE

The name of the corporation is:
PATRIOT GUARD RIDERS, INC.

PURPOSE

This nonprofit corporation is organized and operated exclusively for charitable purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

This corporation does not have authority to issue capital stock.

This corporation is not for profit, and as such the corporation does not afford pecuniary gain, incidentally or otherwise, to its members.

ARTICLE II
SECTION 2.01
EFFECTIVE DATE

Effective Date:

ARTICLE III
SECTION 3.01
DURATION

Perpetual

ARTICLE IV
SECTION 4.01
REGISTERED AGENT AND REGISTERED OFFICE ADDRESS

Agent Name
 Jeffrey A Brown
Address
 8321 S. 8th Street
 Broken Arrow, OK 74011 USA

ARTICLE V
SECTION 5.01
INCORPORATORS

Name	Title
Jeffrey A. Brown	Incorporator
Address	
8321 S. 8th Street	
Broken Arrow, OK 74011 USA	

Name	Title
Kurt Mayer	Incorporator
Address	
14830 Santa Lucia Drive	
Houston, TX 77083 USA	

Name	Title
Jason Wallin	Incorporator
Address	
312 Granite Court	
Windsor, CO 80550 USA	

Name
Jeffrey A Brown
Address
8521 S. 8th Street
Broken Arrow, OK 74011 USA

Title
Director

Name
Kurt Mayer
Address
14830 Santa Lucia Drive
Houston, TX 77083 USA

Title
Director

Name
Jason Wallin
Address
312 Granite Court
Windsor, CO 80550 USA

Title
Director

The Number of Directors to be Elected at the First Meeting: 3

File Label	File Name and Path
Additional language	G:\Paula\WPD\OK\FORMS\Additional Language.pdf

I hereby certify that the information provided on this form is true and correct to the best of my knowledge and by attaching the signature I agree and understand that the typed electronic signature shall have the same legal effect as an original signature and is being accepted as my original signature pursuant to the Oklahoma Uniform Electronic Transactions Act, Title 12A Okla. Statutes Section 15-101, et seq.

Dated - 2/21/2006

Corporation Name	Signature Name	Title
	Jeffrey A. Brown	President
	Kurt Mayer	Secretary
	Jason Wallin	Treasurer

[End Of Image]

BYLAWS OF PATRIOT GUARD RIDERS, INC.

ARTICLE ONE OFFICES

The principal office of the corporation, hereinafter referred to as the "Corporation", shall be located at the address set forth in the Articles of Incorporation. The Corporation may have such other offices, either within or without the State of Incorporation, as the Board of Directors may determine from time to time.

ARTICLE TWO MEMBERSHIP

The Corporation shall have only one (1) class of membership, the Board of Directors, which shall be voting members.

ARTICLE THREE BOARD OF TRUSTEES

Section 1. General Powers. The affairs of the Corporation shall be managed by the Board of Directors whose members shall have a fiduciary obligation to the Corporation.

Section 2. Number, Term, and Qualifications. The number of Directors shall be no less than three (3) and no greater than five (5). The term of membership shall be for continuous one (1) year periods, unless removed. Those set forth in the original Articles of Incorporation shall comprise the original Board of Directors.

Section 3. Regular Meetings. A regular annual meeting of the Board of Directors shall be held each year, or more frequently as the Board of Directors may determine. The Board of Directors may provide, by resolution, the time and place for holding additional regular meetings without other notice than such resolution. Additional regular meetings shall be held at the principal office of the Corporation in the absence of any designation in the resolution.

Section 4. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of any two (2) Directors, and shall be held at the principal office of the Corporation or at such other place as the Directors may determine.

BYLAWS-1

PGR 000688

Section 5. Notice. Notice of the annual, regular or any special meeting of the Board of Directors shall be given by oral notice to each Director. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. The business to be transacted at the meeting need not be specified in the notice or waiver of notice of such meeting, unless specifically required herein or by law.

Section 6. Quorum. A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the Directors are present at any meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice.

Section 7. Board Decisions. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these Bylaws.

Section 8. Vacancies, Additions, Elections and Removal. Any vacancy occurring in the Board of Directors and any directorship to be filled by reason of an increase in the number of Directors, shall be filled by a two-third (2/3) majority vote of the Board of Directors. Directors shall be removed by a two-third (2/3) majority vote of the Board of Directors.

Section 9. Compensation. Directors, as such, shall not receive any salaries for their services.

ARTICLE FOUR OFFICERS

Section 1. Officers. The officers of the corporation shall be a president, a secretary, a treasurer, one or more vice-presidents and such other officers as may be elected in accordance with the provisions of this Article. The Board of Directors may elect or appoint such other officers, including one or more assistant secretaries and one or more assistant treasurers, as it shall deem desirable, such officers to have the authority and perform the duties prescribed, from time to time, by the Board of Directors. Any two or more offices may be held by the same person.

Section 2. Election and Term of Office. The officers of the Corporation shall be elected annually by the Board of Directors at the regular annual meeting of the Board of Directors. If the election of officers is not held at such meeting, such election shall be held as soon thereafter as is convenient. New offices may be created and filled at any meeting of the Board of Directors. Each officer shall hold office until his successor has been duly elected and qualified.

BYLAWS-2

PCR 000689

Section 3. Removal. Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the Corporation would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the officer so removed.

Section 4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification, or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

Section 5. Powers of Officers.

(a) The President: The President shall be the chief executive officer of the Corporation. He shall be a continuing member of the Board of Directors. He shall have general management of the business of the Corporation and have general supervision of the other officers. He shall preside at all meetings of the Board of Directors and see that all orders and resolutions of the Board are carried into effect, subject, however, to the right of the Board to delegate to any other officer or officers of the Corporation any specific powers, other than those that may be conferred only upon the President. He shall execute in the name of the corporation all deeds, bonds, mortgages, contracts, and other documents authorized by the Board of Directors. He shall be ex-officio a member of all standing committees, and shall have the general powers and duties of supervision and management usually vested in the office of president of a corporation.

No person shall be invited to speak or teach at a meeting held by the Corporation without his approval. He shall be designated attorney-in-fact for the Corporation by virtue of his office. He shall have the authority to appoint and approve any assistants that would be necessary to properly carry on the work of the Corporation.

(b) Vice-President: The vice-president shall perform the duties and exercise the powers of the president in case of his temporary absence from the office of the Corporation, and shall perform such other duties as may from time to time be granted or imposed by the Board of Directors. He shall serve as an ex-officio member of the Board of Advisors; however, in the event of serving as president, he shall be a voting member of the Board of Advisors.

(c) The Secretary: The secretary shall attend all sessions of the Board held at the office of the Corporation and act as clerk thereof and record all votes and the minutes of all proceedings in a book to be kept for that purpose. He shall perform like duties for the executive and standing committees when required. He shall give, or cause to be given, notice of meetings of the Board of Directors when notice is required to be given under these Bylaws or by any resolution of the Board. He shall have custody of the seal to all authorized documents requiring a seal. He shall keep the membership rolls of the Corporation, and in general perform the duties usually incident to the office of secretary, and such further duties as shall from time to time be prescribed by the Board of Directors or the president.

BYLAWS-3

PGR 000690

(d) *The Treasurer: The treasurer shall keep full and accurate account of the receipts and disbursements in books belonging to the Corporation, and shall deposit all moneys and other valuable effects in the name and to the credit of the Corporation in such banks and depositories as may be designated by the Board of Directors, but shall not be personally liable for the safekeeping of any funds or securities so deposited pursuant to the order of the Board. He shall disburse the funds of the Corporation as may be ordered by the Board and shall render to the president and Directors at the regular meeting of the Board, and whenever they may require, accounts of all transactions as treasurer and of the financial condition of the Corporation. He shall perform the duties usually incident to the office of treasurer and such other duties as may be prescribed by the Board of Directors or by the president.*

(e) *Delegating Powers to Other Officers: In case of the absence of any officer of the Corporation, or for any other reason that may seem sufficient to the Board, the Board of Directors may delegate his duties and powers for the time being to any other officer, or to any Director.*

ARTICLE FIVE COMMITTEES AND BOARD OF ADVISORS

Section 1. Committees of Directors. *The Board of Directors, by resolution adopted by a majority of the Directors in office, may designate one or more committees, which committees, to the extent provided in such resolution, shall have and exercise the authority of the Board of Directors in the management of the Corporation; but the designation of such committees and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Directors, of any responsibility imposed on it or him by law.*

Section 2. Other Committees. *Other committees not having and exercising the authority of the Board of Directors in the management of the Corporation may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. The President shall appoint the members thereof. Any member thereof may be removed by the President whenever in his judgment the best interest of the Corporation shall be served by such removal.*

Section 3. Board of Advisors. *A Board of Advisors may be appointed as set forth below. It shall be the responsibility and privilege of the Board of Advisors to provide counsel to the president and the Board of Directors. Counsel shall be in organizational, financial, legal or other areas wherein the president determines professional counsel is needed and/or desirable. No minimum or maximum number of members of the Board of Advisors shall be established and the appointment to the Board of Advisors and tenure thereon shall be at the pleasure and in the complete discretion of the president.*

BYLAWS-4

PGR 000691

**ARTICLE SIX
CONTRACTS, CHECKS, DEPOSITS, AND FUNDS**

Section 1. Contracts. The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or may be confined to specific instances.

Section 2. Checks, Drafts, or Orders. All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, agent or agents of the Corporation, and in such manner as shall from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments may be signed by either the treasurer or the President of the Corporation. The President of the Corporation shall be permitted to authorize execution of checks, drafts, or orders in the amount of \$1,500.00 or less without prior approval of the Board of Directors.

Section 3. Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

Section 4. Gifts. The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest or devise for any purpose of the Corporation.

**ARTICLE SEVEN
BOOKS AND RECORDS**

The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, Board of Directors, committees having and exercising any of the authority of the Board of Directors, and any other committee, and shall keep at the principal office a record giving the names and addresses of the Board of Directors members entitled to vote. All books and records of the Corporation may be inspected at any reasonable time.

**ARTICLE EIGHT
FISCAL YEAR**

The fiscal year of the Corporation shall be the calendar year.

ARTICLE NINE DISSOLUTION

Upon the dissolution of the Corporation, the Board of Directors shall, after the payment of all the liabilities of the Corporation, dispose of all of the assets of the Corporation exclusively for the purposes of the Corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall qualify as an exempt corporation or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, (or by the corresponding section of any future Revenue Code of the United States of America) or (b) by a corporation, contributions of which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as amended (or the corresponding section of any future United States Revenue Law).

ARTICLE TEN INUREMENT

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its members, officers, Directors, or any person except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered. Notwithstanding any other provisions of the Articles of Incorporation or these Bylaws of the Corporation, the corporation shall not carry on any activity not permitted to be carried on by (a) a corporation exempt from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (or by the corresponding section of any future Revenue Code of the United States of America), or (b) a corporation contributions of which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as amended (or corresponding section of any future United States Revenue Law).

ARTICLE ELEVEN CONFLICT OF INTEREST

Any director, officer, or key employee who has an interest in a contract, salary negotiation, or other transaction presented to the Board of Directors or a committee thereof for authorization, approval, or ratification shall make a prompt and full disclosure of his interest to the Board of Directors or committee prior to its acting on such contract or transaction. Such disclosure shall include any relevant and material facts known to such person about the contract or transaction which might reasonably be construed to be adverse to the corporation's interest.

The body to which such disclosure is made shall thereupon determine, by a vote of seventy-five (75%) of the votes entitled to vote, whether the disclosure shows that a conflict of interest exists or can reasonably be construed to exist. If a conflict is deemed to exist, such person shall not vote on, nor exert his personal influence regarding, nor participate in (other than to present factual

BYLAWS-6

PGR 000693

information or to respond to questions) the discussions or deliberations with respect to such contract or transaction. Such person may be counted in determining whether a quorum is present but may not be counted when the Board of Directors or a committee of the Board takes action on the transaction. The minutes of the meeting shall reflect the disclosure made, the vote thereon, the abstention from voting and participation (where applicable), and whether a quorum was present.

**ARTICLE TWELVE
SEAL**

The Board of Directors shall provide a corporate seal, which shall be as set forth below.

**ARTICLE THIRTEEN
AMENDMENT OF BYLAWS**

These Bylaws may be altered, amended, or repealed, and new bylaws may be adopted by a two-thirds (2/3) majority vote of the Board of Directors at any regular or special meeting of the Board of Directors. At least seven (7) day written advance notice of said meeting shall be given to each member of the Board of Directors.

PATRIOT GUARD RIDERS, INC.

(SEAL)



Jeffrey A. Brown/President

© 2002 PAA
Patriot Guard Riders, Inc.

BYLAWS-7

PGR 000694

IN THE UNITED STATE PATENT & TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

JEFF BROWN,	)	CANCELLATION NO.:	91181448
)		
Opposer	)	TRADEMARK:	PATRIOT
	)	GUARD RIDERS AND DESIGN	
v.)		
	)	APPLICATION NO.	77/040379
PATRIOT GUARD RIDERS, INC.,)		
	)	DATE FILED:	NOVEMBER 9,
Applicant	)	2006	

**OPPOSER'S AMENDED/SUPPLEMENTAL RESPONSES
TO CERTAIN OF APPLICANT'S REQUESTS FOR ADMISSION**

Opposer Jeff Brown hereby submits amended and/or supplemental responses to Applicant's Requests for Admission Nos. 17(a), 171 and 174-77 and states as follows:

GENERAL OBJECTIONS

1. Opposer objects to Applicant's instructions in the First Requests for Admission to the extent they seek to impose or obligation upon Opposer which are beyond the scope and authority of the Federal Rules of Civil Procedure and the Patent and Trademark Cases Rules of Practice. Opposer will provide responses to your requests for admission in accordance with the requirements of the Federal Rules of Civil Procedure and the Patent and Trademark Cases Rules of Practice.

2. Opposer has not completed discovery in this matter, and therefore, his responses to Applicant's discovery requests may not be complete. Opposer reserves the right to further amend and/or supplement his discovery responses, pursuant to applicable law, and to present additional witnesses, evidence, and documents, as discovery of additional information or documents dictates to be necessary or desirable.

3. Each general objection is specifically incorporated by reference in each response and answer set forth herein. Where more specific problems are presented by a particular request for admission, an objection will be made that describes the additional problem presented.

AMENDED RESPONSES TO CERTAIN REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 17: Admit that Opposer never:

- a. orally advised other members of the PGR corporation, prior to the filing of Opposer's trademark application, that he considered himself, rather than the PGR corporation, to be the only person entitled to use anyone of the Marks; or
- b. advised, in writing, other members of the PGR corporation, prior to the filing of Opposer's trademark application, that he considered himself, rather than the PGR corporation, to be the only person entitled to use anyone of the Marks.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 17(a): Opposer gives the following amended response:

- a. Opposer denies subsection "a," and states that he gave a license to the PGR organization to use the marks for non-commercial purposes, which he intended would also apply to the PGR corporation. Opposer further states that after his resignation from the Board of Directors, representatives from the PGR corporation, acting on behalf of the PGR corporation, including Bill Lines and Ronny Awtry, negotiated with Opposer in an effort to have Opposer grant the PGR corporation a license to use the marks for commercial purposes.

REQUEST FOR ADMISSION NO. 171: Admit that Opposer forwarded John Jacobs' e-mail identified in REQUEST FOR ADMISSION NO. 168 to the "head shed" and stated

“Folks, We need to think about this ... let’s discuss it Wed. night. If we decide this is the route to go, we should probably hit Kentucky, Florida and Nevada.”

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 171: Opposer admits only that the excerpted language does appear in an October 30, 2006 email to “head shed.”

REQUEST FOR ADMISSION NO. 174: Admit that Opposer forwarded John Jacobs’ e-mail identified in REQUEST FOR ADMISSION NO. 173 to the “head shed” and stated “I think it’s time we poll our membership for any attorney members who would be willing to donate their services to look into this case as well as the trademark infringement issues. John is an ‘in house’ attorney, so cannot take any outside cases. What say ye?”

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 174: Opposer admits only that the excerpted language does appear in a November 2, 2006 email to “head shed.”

REQUEST FOR ADMISSION NO. 175: Admit that the “head shed” identified in REQUEST FOR ADMISSION NO. 171 and REQUEST FOR ADMISSION NO. 174 included other members of the Board.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 175: Opposer lacks information to either admit or deny this Request. Opposer does not recall which individuals were included in the group “head shed” at that time. Opposer has made a reasonable inquiry to determine this information, but has no personal knowledge regarding the individuals included within this group at that time.

REQUEST FOR ADMISSION NO. 176: Admit that the statement identified in REQUEST FOR ADMISSION NO. 171 sought the opinions of other members of the Board regarding what the PGR corporation could do about “this.”

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 176: Opposer admits only that the excerpted language does appear in the e-mail identified in REQUEST FOR ADMISSION NO. 168. Opposer specifically denies that “other members of the Board” had authorization to determine what actions to take in regard to commercial use of the mark “Patriot Guard Rider.”


REQUEST FOR ADMISSION NO. 177: Admit that the statement identified in REQUEST FOR ADMISSION NO. 174 sought the opinions of other members of the Board regarding what the PGR corporation could do about “this case as well as the trademark infringement issues.”

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 177: Opposer admits only that the excerpted language does appear in the e-mail identified in REQUEST FOR ADMISSION NO. 174. Opposer specifically denies that “other members of the Board” had authorization to determine what actions to take in regard to commercial use of the mark “Patriot Guard Rider.”

VERIFICATION

I verify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct.

Dated: November 21, 2008



Jeff Brown

DOERNER, SAUNDERS, DANIEL
& ANDERSON, L.L.P.

By: Courtney Bru
Tom Q. Ferguson, OBA No. 12288
Rachel Blue, OBA No. 16789
Courtney Bru, OBA No. 21115
320 South Boston Avenue, Suite 500
Tulsa, Oklahoma 74103-3725
Telephone (918) 582-1211
Facsimile (918) 591-5360
tferguson@dnda.com
rblue@dnda.com
cbru@dnda.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 24th day of November, 2008, a true and correct copy of the above and foregoing was sent via electronic delivery to DMarr@trexlaw.com and mailed, with proper postage thereon, to :

David J. Marr
James R. Foley
James A. O'Malley
Trexler, Bushnell, Giangiorgi,
Blackstone & Marr, Ltd.
105 West Adams Street, 36th Floor
Chicago, IL 60603

Courtney Bru

IN THE UNITED STATE PATENT & TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

JEFF BROWN,	)	CANCELLATION NO.:	91181448
)		
Opposer	)	TRADEMARK:	PATRIOT
	)	GUARD RIDERS AND DESIGN	
v.)		
	)	APPLICATION NO.	77/040379
PATRIOT GUARD RIDERS, INC.,)		
	)	DATE FILED:	NOVEMBER 9,
Applicant	)	2006	

**OPPOSER'S AMENDED/SUPPLEMENTAL RESPONSES
TO CERTAIN OF APPLICANT'S FIRST SET OF INTERROGATORIES**

Opposer Jeff Brown hereby submits his amended and/or supplemental responses to Applicant's Interrogatories Nos. 7 and 10:

OBJECTIONS

1. Opposer objects to the definitions and instructions contained in Applicant's First Set of Interrogatories to the extent those definitions and instructions seek to impose duties or obligation upon Opposer which are beyond the scope and authority of the Federal Rules of Civil Procedure and the Patent and Trademark Cases Rules of Practice. Opposer will provide responses to your requests for admission in accordance with the requirements of the Federal Rules of Civil Procedure and the Patent and Trademark Cases Rules of Practice. Furthermore, as written, the Definitions, and any instructions set forth therein, are overly broad and unduly burdensome.

2. Opposer will provide responses according to applicable Federal Rules of Civil Procedure and Patent and Trademark Board Rules of Practice. Opposer considers its obligations to be governed by those Rules, and specifically disclaims the acceptance of any additional

obligations imposed by the Applicant. Opposer specifically states that his duty to supplement is governed solely by these Rules.

3. Opposer specifically objects to paragraph 1 of the Definitions insofar as it unreasonably expands the identity of the Opposer, Jeff Brown.

4. Opposer specifically objects to paragraphs 17-20 of the Definitions insofar as, given the context of any particular Interrogatory, there may be a more appropriate and less burdensome manner in which to “identify” the requested information.

5. Opposer specifically objects to paragraph 27 of the Definitions on the basis that it contains an instruction that is contrary to the Federal Rules of Civil Procedure. Opposer will state his objections in compliance with Federal Rule 33. Opposer’s privilege obligations are governed by Federal Rules 33 and 26, in particular Rule 26(b)(5), as well as relevant case law interpreting those Rules.

6.

AMENDED RESPONSES TO CERTAIN INTERROGATORIES

INTERROGATORY NO. 7: Describe the circumstances and relevant information surrounding Opposer’s decision to file Opposer’s trademark application.

AMENDED/SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 7:
Opposer decided to file his trademark application to aid in the protection of his rights in the mark “Patriot Guard Rider.”

INTERROGATORY NO. 10: State whether Opposer ever licensed, either orally or in writing, or otherwise acquiesced to, Applicant’s use of any one of the Marks and, if so, identify all persons having knowledge of the license and/or acquiescence and the circumstances

surrounding same, such as the date and terms of the license and/or acquiescence, and all documents relating to same.

AMENDED/SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 10:

Opposer recalls discussing with several individuals associated with Applicant that Applicant could use the Marks in a non-commercial manner for the benefit of Applicant. Petitioner does not recall whether this license was ever made in writing.

Opposer further identifies Jason Wallin, Bill Lines, Ronny Awtry and possibly others, as having knowledge of the license and/or acquiescence. Opposer further states that simultaneously with or soon after the creation of the website www.patriotguard.org, Opposer gave Jason Wallin permission to place the Mark(s) on the www.patriotguard.org website. Opposer states that after his resignation from the Board of Directors, Bill Lines and Ronny Awtry negotiated with him in an effort to have Opposer grant the PGR corporation a license to use the marks for commercial purposes.

VERIFICATION

I verify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct.

Dated: November 21, 2008



Jeff Brown

DOERNER, SAUNDERS, DANIEL
& ANDERSON, L.L.P.

By: Courtney Bru
Tom Q. Ferguson, OBA No. 12288
Rachel Blue, OBA No. 16789
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tferguson@dsda.com
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cbbru@dsda.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 24th day of November, 2008, a true and correct copy of the above and foregoing was sent via electronic delivery to DMarr@trexlaw.com and mailed, with proper postage thereon, to :

David J. Marr
James R. Foley
James A. O'Malley
TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.
105 West Adams Street, 36th Floor
Chicago, IL 60603

Courtney Bru

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

JEFF BROWN,)	
)	
Opposer and)	
Petitioner,)	
)	
vs.	)	Opposition No. 91181448
)	
PATRIOT GUARD RIDERS, INC.,	)	Serial No. 77/040,379
)	
Applicant and)	
Respondent.)	

TELEPHONIC DEPOSITION OF RONNY ROY AWTRY,
produced as a witness on behalf of the Opposer and
Petitioner, in the above-styled and numbered cause,
taken on the 28th day of October 2008, in the City of
Tulsa, County of Tulsa, State of Oklahoma, before me,
Marlene Percefull, Certified Shorthand Reporter, duly
certified under and by virtue of the laws of the State
of Oklahoma.

A P P E A R A N C E S

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FOR THE OPPOSER:

Ms. Courtney L. Bru
Ms. Rachel Blue
Attorneys at Law
320 S. Boston
Suite 500
Tulsa, OK 74103

FOR THE APPLICANT:

Mr. David J. Marr
Mr. James A. O'Malley
Attorneys at Law
105 W. Adams St.
Suite 3600
Chicago, IL 60603
(By Telephone)

ALSO PRESENT:

Mr. Jeff Brown
Mr. Bill Richart
(By Telephone)

1 needed to be made public record as soon as possible 10:40AM
2 just because there were people asking about it. But on
3 the heels of the trademark issue and Jeff Brown and
4 everything, you know, one sounding leader in the
5 position accused of misappropriation of the second one, 10:40AM
6 which essentially meant that the organization was
7 founded by lies and crooked to start with was a bad
8 idea.

9 Q Did you ever uncover any documentary evidence that
10 Jeff Brown stole money from the PGR? 10:41AM

11 A Never. Jeff Brown never physically -- Jeff Brown
12 has always maintained, in various e-mails, et cetera,
13 that him and Bonnie never used a red penny of the
14 Patriot Guard Riders money. And I believe that is a
15 completely, 100 percent factual statement. They gave 10:41AM
16 more money to the PGR than the zero that was -- that
17 could be attributed to him taking.

18 Q Are you aware that Jason Wallin has filed a
19 trademark application for the PGR logo?

20 A Yes, I am. 10:41AM

21 Q Do you know when that application was filed?

22 A November, December of 2006.

23 Q Were you on the board at that time?

24 A Yes, I was.

25 Q Do you remember any board discussions authorizing 10:42AM

1 Jason Wallin to file that trademark application? 10:42AM

2 A Yes, I do.

3 Q Tell me about that.

4 A The board thought it was prudent that we trademark
5 the Patriot Guard Riders immediately for the 10:42AM

6 organization to gain ownership of its logo, and the
7 board voted to proceed with that and put Jason in
8 charge of it. It's one of the only things that he ever
9 did expediently.

10 Q Why did the board feel the need to do it 10:42AM
11 expediently?

12 A To separate itself from Jeff Brown and to ensure
13 the future of the Patriot Guard Riders.

14 Q Did the board know at the time that it had these
15 conversations that no trademark application had yet 10:43AM
16 been filed by Jeff Brown?

17 A Yes, I believe so. I think that it was researched
18 to determine if there was a trademark for the
19 organization or not.

20 Q Who researched it? 10:43AM

21 A Either Ed Mueller or Jason Wallin.

22 Q Were you aware that Jeff Brown was using the mark
23 at that time?

24 A Yes. I mean, that was the number one thing was
25 that they wanted Jeff Brown to stop selling Patriot 10:43AM

1 Q Did you tell other members of the head shed in 11:16AM
2 June of '06, that you had learned that Jeff owned the
3 store as an individual?

4 A No, not necessarily. I didn't discuss it with
5 anybody. 11:16AM

6 Q I believe you testified that in October of '06 is
7 when it became public knowledge that Jeff owned the
8 store, is that correct?

9 A That's the best of my knowledge, yes.

10 Q Why do you think that there was such an uproar 11:17AM
11 among the membership upon learning that Jeff Brown
12 owned the store?

13 A Well, I have to say that it wasn't -- at that
14 time, there wasn't an uproar amongst the membership at
15 large. There were probably five people, Tony Turner, 11:17AM
16 Monica, Monica Mead, Allen Mullis, a small group of
17 people on the east side who, like I said, were a very
18 focal minority, but just wouldn't quit raising cain.
19 Most of the people, I felt at that time, couldn't care
20 one way or the other. 11:17AM

21 Q Was it publically known that Jeff Brown was
22 profiting as an individual from the store sales?

23 A Not to my knowledge. Like I said, I knew and I
24 knew that Jason and Snap knew and, frankly, as the
25 board of directors, I pretty much spent most of my time 11:18AM

1 were being conducted to honor our fallen soldiers? 11:21AM

2 A That's a pretty broad sweeping statement. I mean,
3 everybody wanted Patriot Guard Riders merchandise,
4 everybody wanted to be identified as Patriot Guard
5 Riders merchandise on missions. So the Web site was 11:22AM

6 using it, the individual riders were using it,
7 Twister's store was using it. Just a pretty broad
8 sweeping range of folks were Patriot Guard Riders.

9 Q Okay. Before Jeff Brown resigned from the PGR,
10 did you have any knowledge with regard to any type of a 11:22AM
11 license or permission allegedly being presented by Jeff
12 Brown to the PGR organization and/or corporation to use
13 the PGR trademarks?

14 A No. I'll go back to I had never spent more than
15 ten minutes researching it. I knew Jeff Brown owned 11:23AM
16 the store and I knew that the Patriot Guard Riders was
17 using it. And it might be naivety on my part, but I
18 never saw a conflict of interest.

19 Q Did you and the PGR leadership, at the time that
20 you authorized Jason Wallin to tried to file the 11:23AM
21 trademark application on the corporation's behalf, did
22 you believe that the trademark was owned by the
23 organization?

24 A Yes, I did. I thought it represented the
25 organization and it was so fundamentally tied to our 11:23AM

1 image and our personnel that, yes, I believe that the 11:23AM
2 organization owned the trademark.

3 Q You testified with regard to your knowledge of
4 Jason Wallin diverting funds from the organization, did
5 that knowledge come before or after he was authorized 11:24AM
6 to file the trademark application?

7 A Oh, the knowledge? He physically gave the
8 \$11,000. The board forgave him \$11,000 before that
9 time. And the allegations of other misappropriations
10 were -- that's why Jeff was seeking the accounting. So 11:24AM
11 I knew that there was allegations and then when I said,
12 you know, what about the Web site and the Google ad? I
13 asked Jason specifically about the Goggle ads because
14 in my foggiest wild notion, I never believed that the
15 donate button was tied to the Google ads and they all 11:24AM
16 went to the same place, which turned out to be Jason's
17 pocket. So before the trademark was filed, yes, Jason
18 had come clean on the first part of misappropriations.

19 Q I think you had earlier testified that Jason came
20 clean after Jeff Brown resigned from the organization. 11:25AM
21 Am I incorrect?

22 A Exactly. Jason came clean when -- I mean, this is
23 kind of a whirlwind of events. So, you know, if I put
24 something a day or two off that comes before or after,
25 it all pretty much happened at the same time, but I 11:25AM

SIGNATURE PAGE

I, Ronny Roy Awtry, do hereby certify that the foregoing deposition was presented to me by Marlene Percefull as a true and correct transcript of the proceedings in the above-styled and numbered cause, and I now sign the same as true and correct.

witness my hand this 25th day of

November, 2008.

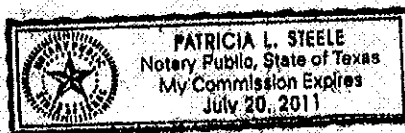
[Handwritten signature of Ronny Roy Awtry]
Ronny Roy Awtry

SUBSCRIBED AND SWORN TO before me

this 25th day of November, 2008.

[Handwritten signature of Patricia L. Steele]
Notary Public

My Commission Expires:



CORRECTIONS TO THE DEPOSITION OF
RONNY ROY AWTRY

PAGE AND LINE NUMBER	CORRECTION
Pg 4 Line 17 mrawtry@yachoo.com - no upper R	
Pg 9 Line 19 Home to "Help on ..."	
Pg 17 Line 25 "said" not set	
Pg 21 Line 20 "property" not properly	
Pg 24 Line 12 "inference" not interference	
Pg 25 Line 8 "We" not why	
Pg 39 Line 3 "Wallin" Not Brown	
Pg 69 Line 10 "Keep" not quit	
Pg 69 Line 22 "web site" not email	
Pg 74 Line 2 "Post to" not view	
Pg 74 Line 6 "Bill Richard" not Ed Mueller	
Pg 83 Line 3 add. "there was not an ..."	
Pg 86 Line 2 "and" not by	
Pg 86 Line 3 that to "but"	

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

JEFF BROWN,)	
)	
Opposer,)	
	)	Opposition No. 91181448
v.)	
	)	Application No. 77/040,379
PATRIOT GUARD RIDERS, INC.,)	
)	
Applicant.)	

DECLARATION OF BILL LINES

I, Bill Lines, declare and state as follows:

1. I am over 21 years old, and I have personal knowledge of the facts of this Declaration and could testify competently to them if called upon to do so.
2. I joined the Patriot Guard Riders' nationwide association (hereinafter the "PGR association") in approximately the middle of December of 2005.
3. I served in the United States Army from 1966 to 1975 and served in Vietnam from January 1967 to August 1968.
4. My ride name is "Snap".
5. I replaced Kurt Mayer as the Secretary of Patriot Guard Riders, Inc. (hereinafter the "PGR corporation") during the Summer of 2006.
6. In October of 2006, it first came to be collectively known by top ranking personnel of the PGR corporation, which included myself, that Jeff "Twister" Brown (hereinafter "Brown") and/or his wife was operating the PGR Store as a for-profit entity such that he retained profits generated from the PGR Store and, thereafter, at his discretion donated a portion of those

profits back to either the PGR association or to the PGR corporation.

7. As Brown was the leader of a not-for-profit corporation who was not supposed to profit in any manner from his involvement in the PGR corporation, the Board of Directors for the PGR corporation (hereinafter the "Board") threatened to remove Brown from his positions of authority in the PGR corporation unless he agreed to close the PGR Store and honorably resign.

8. Brown announced his resignation via the website www.patriotguard.org as the President and Executive Director of the PGR corporation on November 7, 2006. A true and correct copy of this resignation letter, as printed off of the website www.patriotguard.org, is attached as Exhibit A.

9. I immediately replaced Brown as the President and Executive Director of the PGR corporation.

10. Prior to Brown's resignation as the President and Executive Director of the PGR corporation, Brown had continually informed other officers/directors/members/volunteers of the PGR association and the PGR corporation, that the PGR's name and logo had been trademarked.

11. Upon Brown's resignation as the President and Executive Director of the PGR corporation, it became known to myself and other top ranking personnel of the PGR corporation, that neither the PGR's name nor logo had been federally registered.

12. As such, on November 8, 2006, I, along with my fellow members of the Board at the time, which included Bonnie Perry (nee Cutler), Jason Wallin, Ed Mueller and Ronny Awtry, held a telephonic Board meeting at which it was unanimously decided that a trademark application for PGR's logo should be filed on behalf of the PGR corporation, in connection with the services rendered by the PGR association and the PGR corporation.

13. During this telephonic Board meeting, it was unanimously decided by the Board that Jason Wallin would prepare and file the trademark application for the PGR's logo on behalf of the PGR corporation in his capacity as Treasurer of the PGR corporation.

14. At the time of Jason Wallin's filing of the trademark application, I did not, as an individual, or as a representative of the PGR corporation, have any knowledge or belief that Brown considered himself, as an individual, rather than the PGR corporation, to be the owner of the PGR's logo in connection with the services provided by the PGR corporation.

15. At the time of Jason Wallin's filing of the trademark application, I had never, as an individual, or as a representative of the PGR corporation, received any specific advisement, or been otherwise made aware, from either Brown or any other individual, that any use of the PGR's logo by Brown would confer any rights in the PGR's logo to Brown, in his individual capacity, rather than to the PGR association and/or the PGR corporation.

16. At the time of Jason Wallin's filing of the trademark application, I had never, as an individual, or as a representative of the PGR corporation, received any specific advisement, or been otherwise made aware, from either Brown or any other individual, that the PGR's use of its name and logo was subject to a license granted to the PGR association by Brown, which was then likewise applicable to the PGR corporation upon its incorporation.

17. At the time of Jason Wallin's filing of the trademark application, I believed that all of Brown's use of the PGR's logo was done on behalf of the PGR association and/or the PGR corporation in his capacity as a founder, leader, officer and Board member.

18. At the time of Jason Wallin's filing of the trademark application, I was aware that Brown had asserted that the PGR Store was his personal for-profit store and that he sold products

bearing the PGR's logo through the PGR Store, however, as it was my understanding that the PGR association had begun using the PGR's logo in connection with the services it provided prior to any products bearing the PGR's logo being sold by anyone, much less Brown, I believed that the PGR corporation had the right to register its logo because its rights in the logo were superior to any that Brown may have had.

19. To the best of my knowledge, prior to the time of Jason Wallin's filing of the trademark application, the website www.patriotguard.org, including the PGR Store webpage, which was accessed from the "PGR Store" link on the home page of www.patriotguard.org, did not give any specific indication to a user of the website that Brown and/or his wife was operating the PGR Store as a for-profit business.

20. To the best of my knowledge, prior to the time of Jason Wallin's filing of the trademark application, the website www.patriotguard.org, including the PGR Store webpage, which was accessed from the "PGR Store" link on the home page of www.patriotguard.org, did not give any indication to a user of the website that Brown as an individual, rather than the PGR association and/or the PGR corporation, owned any trademarks or service marks that were used by the PGR association and/or the PGR corporation or the PGR Store.

21. After Jason Wallin's filing of the trademark application, Brown for the first time advised the Board that he considered himself to be the owner of all trademarks and service marks used by the PGR and the PGR Store, which caused some initial confusion for the Board as we had always considered the PGR to be the owner of all trademarks and service marks used by the PGR and the PGR Store.

22. Thereafter, in view of this initial confusion, the PGR corporation entered into negotiations with Brown regarding ownership of the marks and ownership of the PGR Store in an attempt to inexpensively and efficiently resolve any lingering issues between the parties, such that a possible legal fight between the parties could be avoided.

23. During the negotiation period, members of the Board, including myself, made some announcements to the volunteers of the PGR corporation regarding the negotiations, including statements about possible plans for the ownership and use of the marks.

24. On November 21, 2006, however, the negotiations ended and I, on behalf of the Board, made an announcement to the volunteers of the PGR corporation that, contrary to prior statements made by individual members of the Board during the negotiations, that the PGR corporation and its volunteers were free to use the marks without any stipulations. A true and correct copy of this announcement is attached hereto as Exhibit B.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 16 JAN 2009


Bill Lines

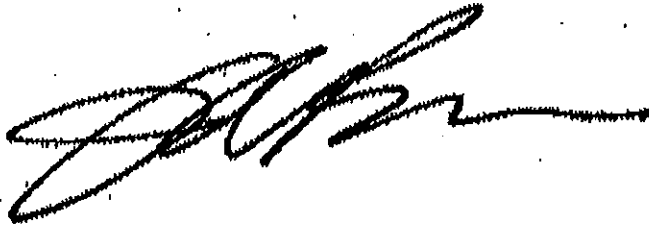
JEFF'S FINAL CORNER

It's been an exhilarating, but an exhausting year. A year in which we have seen an awakening of the sleeping spirit of America, a redemption to the honor and dignity due all of those who serve our nation, and a unifying of those who have a desire to "do the right thing". Every PGR member should be justifiably proud of being a part of this.

Like all of you, I have taken a huge amount of time away from my family and business over this past year. It's time for me to head my own way and "Face Yourself". To this end, it is with a very heavy heart that I formally announce my resignation as Executive Director of the Patriot Guard Riders. This decision was also reached, in part, because a handful of very vocal people have expressed concerns over the possible conflict of interest in my owning the PGR Store and being the Executive Director. The business structure of the store has never been hidden and has been discussed "ad nauseam", but in an effort to delay any further controversy that takes time and energy away from our missions, I have chosen to step down and close the PGR store after the current inventory is depleted.

This has been one of the most difficult decisions of my life. I can't begin to put into words how much pride I have in all of you and what this organization has become and will become in the future. I will always view the founding of the Patriot Guard Riders and having had the honor of being your leader during this formative year as one of the high points of my life. I will continue to be honored to ride with you and stand by you until the day there is no PGR. After a great deal of pressure, Bill "Snap" Lines has agreed to assume the position of Executive Director and the board has approved. Snap, thank you for stepping up to the plate, Brother. The PGR is in good hands and I am confident in its leadership. I'm not going anywhere Folks. I will work closely with National during this transition period and continue to serve the PGR in the capacity as an advisor to the National Board.

Thanks for listening and Salute,



Jeff

posted @ Tuesday, November 07, 2006 8:42 AM by Twister

[Previous Page](#) | [Next Page](#)

COMMENTS

BROWN009964

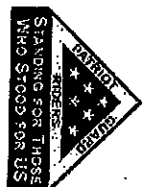


Patriot Guard Riders

Standing For Those Who Stood For Us

Wednesday, June 18, 2008

... ALL Forums ...



Code Amber Alert

Jonalley Logout

This is the Code Amber Amber Alert Tickers - CodeAmber.org new

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Patriot Guard Riders Forum

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Forums > Patriot Guard Riders - National > Letters from the PGR President
Subject: From Snap 21 Nov 06

Email me when someone replies to this thread.
You are not authorized to post a reply.

Author
Waldo ●
Posts: 1325
Windsor, CO

Messages

21 Nov 2006 4:54 PM

To the PGR,

The last 10 days have been rough. I feel as if I stepped in it bigtime when I said OK to this job. I've heard from most of you and I've listened to each one. I hope I can serve you well this year. I want to point out that my term is for one year only, then my replacement will be elected by you, the real PGR, the members. More info on that to follow.

Oldest First

PGR 002174

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[Contact Us](#)

[Contact Arlington National Cemetery](#)



I would like to address some topics with you and the best way for my old mind is by the numbers. So here goes.

- 1) The PGR store: We are going to TRY and have the new store up by New Years Eve. It will sell all the items it does now and more. And ALL profit will go to the PGR. We are going to outsource this store so that no member will have his hands on it. It will be overseen by a committee of members.
- 2) Jeff Brown has no affiliation with PGR except as a member, he is being removed as President of the Corp. He will no longer be our registered agent in Oklahoma. That place will be filled by a law firm.
- 3) We have received advice from our attorney that we can retain and use our name and logo without restraint. If you want a new logo, let us know but we don't have to.
- 4) The 501(c)3 is being handled by the attorney, people who have donated will be able to use the tax deduction.
- 5) By Laws are being prepared by the attorney and will be posted as soon as completed.

Our accountant will have all funds reconciled to post within three weeks. They will be posted at that time. There has been a lot of bile and contention out there this week, most of it justified. But we are trying. You are right. Trust is earned and until it is I invite any member to call me (a LOT of you do) and question anything you feel needs clearing up.

Let's try for less anger and spite on the web. If you want to chew me out I would rather you did it on the phone than on the site. I want to do well but I need your help.

LLRB
Snap
ICVMC for PGR

Jason Wallin "WALDO"
Deputy Executive Director
Corporate Treasurer
Patriot Guard Riders

American By Birth
Biker By Choice
Patriot Forever!

Fact and Political Correctness were developed by those who lack the testicular fortitude to say what they really mean!

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Messages

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0 Read Messages

Forums > Patriot Guard Riders - National > Letters from the PGR President > From Soap 21 Nov 06

ActiveForums 3.6



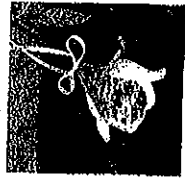
America Loves You Silk Rose



PGR Door-Rag



PGR Armband



Welcome Home Silk Rose



Wounded Warrior Challenge Coin

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

JEFF BROWN,)	
)	
Opposer,)	
	)	Opposition No. 91181448
v.)	
	)	Application No. 77/040,379
PATRIOT GUARD RIDERS, INC.,)	
)	
Applicant.)	

DECLARATION OF EDWIN R. MUELLER

I, Edwin R. Mueller, declare and state as follows:

1. I am over 21 years old, and I have personal knowledge of the facts of this Declaration and could testify competently to them if called upon to do so.
2. I joined the Patriot Guard Riders' nationwide association (hereinafter the "PGR association") in late November of 2005.
3. My ride name is "Wescoot2".
4. In October of 2006, it first came to be collectively known by top ranking personnel of Patriot Guard Riders, Inc. (hereinafter the "PGR corporation"), including myself, that Jeff "Twister" Brown (hereinafter "Brown") and/or his wife was operating the PGR Store as a for-profit entity such that he retained profits generated from the PGR Store and, thereafter, at his discretion donated a portion of those profits back to either the PGR association or the PGR corporation.
5. In view of the foregoing, rather than turn over the management of the PGR Store to the PGR corporation, Brown announced his resignation via the website www.patriotguard.org

as an officer/director of the PGR corporation on November 7, 2006. A true and correct copy of this resignation letter, as printed off of the website www.patriotguard.org, is attached as Exhibit A.

6. Prior to Brown's resignation as an officer/director of the PGR corporation, Brown had continually informed other officers/directors/members/volunteers of the PGR association and the PGR corporation that the PGR's name and logo had been trademarked.

7. Upon Brown's resignation as an officer/director of the PGR corporation, it became known to myself and other top ranking personnel of the PGR corporation, that neither the PGR's name nor logo had been federally registered.

8. As such, on November 8, 2006, I, along with my fellow members of the Board of Directors (hereinafter the "Board") of the PGR corporation at the time, which included Bill Lines, Bonnie Perry (nee Cutler), Jason Wallin and Ronny Awtry, held a telephonic Board meeting at which it was unanimously decided that a trademark application for the PGR's logo should be filed on behalf of the PGR corporation, in connection with the services first rendered by the PGR association and then by the PGR corporation.

9. During this telephonic Board meeting, it was unanimously decided by the Board that Jason Wallin (hereinafter "Wallin") would prepare and file the trademark application for the PGR's logo on behalf of the PGR corporation in his capacity as Treasurer of the PGR corporation.

10. At the time of Wallin's filing of the trademark application, I did not, as an individual, or as a representative of the PGR corporation, have any knowledge or belief that Brown considered himself, as an individual, rather than the PGR corporation, to be the owner of

the PGR's logo in connection with the services first provided by the PGR association and then by the PGR corporation.

11. At the time of Wallin's filing of the trademark application, I had never, as an individual, or as a representative of the PGR corporation, received any specific advisement, or been otherwise made aware, from either Brown or any other individual, that any use of the PGR's logo by Brown would confer any rights in the PGR's logo to Brown, in his individual capacity, rather than to the PGR association and/or the PGR corporation.

12. At the time of Wallin's filing of the trademark application, I believed that all of Brown's use of the PGR's logo was done on behalf of the PGR association and/or the PGR corporation in his capacity as a founder, leader, officer and Board member.

13. At the time of Wallin's filing of the trademark application, I was aware that Brown had asserted that the PGR Store was his personal for-profit store and that he sold products bearing the PGR's logo through the PGR Store, however, as it was my understanding that the PGR association had begun using the PGR's logo in connection with the services it provided prior to any products bearing the PGR's logo being sold by anyone, much less Brown, I believed that the PGR corporation had the right to register its logo because its rights in the logo were superior to those that Brown may have had.

14. To the best of my knowledge, prior to the time of Wallin's filing of the trademark application, the website www.patriotguard.org, including the PGR Store webpage, which was accessed from the "PGR Store" link on the home page of www.patriotguard.org, did not give any specific indication to a user of the website that Brown and/or his wife was operating the PGR Store as a for-profit business.

15. To the best of my knowledge, prior to the time of Wallin's filing of the trademark application, the website www.patriotguard.org, including the PGR Store webpage, which was accessed from the "PGR Store" link on the home page of www.patriotguard.org, did not give any indication to a user of the website that Brown as an individual, rather than the PGR association and/or the PGR corporation, owned any trademarks or service marks that were used by the PGR association, the PGR corporation or the PGR Store.

16. After Wallin's filing of the trademark application, Brown for the first time advised the Board that he considered himself to be the owner of all trademarks and service marks used by the PGR and the PGR Store, which caused some initial confusion for the Board as they considered the PGR to be the owner of all trademarks and service marks used by the PGR and the PGR Store.

17. Thereafter, in view of this initial confusion, the PGR corporation entered into negotiations with Brown regarding ownership of the marks and ownership of the PGR Store, in an attempt to inexpensively and efficiently resolve any lingering issues between the parties, such that a possible legal fight between the parties could be avoided.

18. During the negotiation period, members of the Board, including myself, made some announcements to the volunteers of the PGR corporation regarding the negotiations, including statements about possible plans for the ownership and use of the marks.

19. Within a couple of weeks, the negotiations ended and the Board made an announcement to the volunteers of the PGR corporation that, contrary to prior statements made by individual members of the Board, that the PGR corporation was free to use the marks without any stipulations. A true and correct copy of this announcement is attached hereto as Exhibit B.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/13/09


Edwin R. Mueller

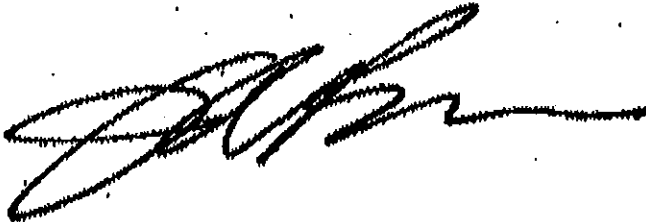
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Thanks for listening and Salute,



Jeff

posted @ Tuesday, November 07, 2006 8:42 AM by Twister

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COMMENTS

BROWN009964

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

JEFF BROWN,)	
)	
Opposer,)	
	)	Opposition No. 91181448
v.)	
	)	Application No. 77/040,379
PATRIOT GUARD RIDERS, INC.,)	
)	
Applicant.)	

EXHIBIT B

of

“Declaration of Edwin R. Mueller”



Wednesday, June 18, 2008

Code Amber Alert

Patriot Guard Riders Standing For Those Who Stood For Us

...: ALL Forums ...



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This is the Code Amber Alert Ticket: -- CodeAmber.org nec

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- PGR FAQ
- PGR Gear

Patriot Guard Riders Forum

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[Forums > Patriot Guard Riders - National > Letters from the PGR President](#)

Subject: From Snap 21 Nov 06

Email me when someone replies to this thread.

You are not authorized to post a reply.

Author

Waldo ●
Posts: 1325
Windsor, Co

Messages

21 Nov 2006 4:54 PM

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Oldest First

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Thanks for listening
LLRB

Snap
ICVMC for PGR

Jason Wallin "WALDO"
Deputy Executive Director
Corporate Treasurer
Patriot Guard Riders

**American By Birth
Biker By Choice
Patriot Forever!**

Tact and Political Correctness were developed by those who lack the testicular fortitude to say what they really mean!

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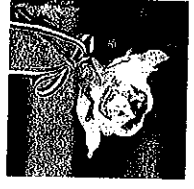


Messages

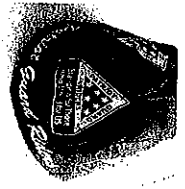
0 Unread Messages
0 Read Messages

Forums > Patriot Guard Riders - National > Letters from the PGR President > From Snap 21 Nov 06

ActiveForums 3.6



America Loves You Silk Rose



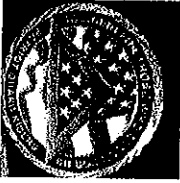
PGR Doo-Rag



PGR Armband



Welcome Home Silk Rose



Wounded Warrior Challenge Coin

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Patriot Guard Riders

Standing For Those Who Stood For Us

Friday, June 13, 2008



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...: ALL Forums ...

Code Amber Alert

This is the Code Amber Amber Alert Ticker: - Codeamber.org needs y



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Patriot Guard Riders Forum

Unanswered Not Read My Forums Active Topics

Forums My Profile Search Members

Forums > Off-Topic > Dead Horse Barn

Subject: I'm tired of personal attacks!

Topic is locked

Author

Twister ●
Posts: 1811
Broken Arrow, OK

Messages

06 Oct 2006 1:46 PM
Folks,


Oldest First



Page 1 of 7 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | > | >>


The following excerpt from an outside forum was just brought to my attention. I won't name the forum, as I don't feel it's appropriate. The author, Tamara, claims to be a PGR


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Directory 

Click to send an email to the departments below:

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Contact Arlington National Cemetery



member...so be it:

...Second, if you look at their financials. Mr. Brown does not show any profit from the PGR store. That is because he holds the TM for all the products. So if you are trying to buy anything to show you are PGR member, it goes to his corp, not to the non profit PGR. Pretty good cash cow. Not that I have any problem with the man making a living, but don't make yourself out to be some big hero while pocketing the profits.

I respond to this for one reason...I'm really getting sick and tired of personal attacks on my motives, my honesty, my patriotism and my integrity by those who would chose to besmich the PGR.

I've posted all of this before, but I'll do it once again.

The PGR is a non-profit organization, the PGR Store is not. There are very definite reasons for this. Being a 501c3, the PGR, Inc. is highly regulated by the federal government as to what moneys can and cannot be raised and how they are spent. The PGR Store can do whatever it wants with the income.



Never has one penny of PGR money been spent, borrowed, stolen, or misappropriated by the PGR Store....that means jail time and I'm too pretty for that.


At the time of this posting, the PGR store has put \$67,937.24 into the PGR, Inc. (this does not include cost of goods, shipping, etc.). It has gone for family plaques, legal fees, reimbursement to members for PGR "out-of-pocket" expenses, PGR Banners, expenses for the Gathering of the Guard, The Healing Field, and other PGR expense. The PGR Store is, by far, the largest source of income to the PGR, Inc.

I spend between 12-14 hours every single day on PGR and related issues, along with my "real job", the same as many of you do.

I pay my own travel and bike expenses, the same as you. I often neglect my family and professional responsibilities, the same as you.

I have been very fortunate to have earned a good income in my professional career over


Messages 
 0 Unread Messages  0 Read Messages



America Loves You Silk Rose

PGR Doo-Bag

the years. I have a nice home, cars, bike, and very few bills. I've educated myself, worked hard, and had some breaks. I apologize for none of this. This allows me the "luxury" of devoting a great deal of time and energy to the PGR.

I've never made myself out to be a "hero", nor am I looking for any kudos. I will, however, make the following statement to all the "Tamara's" that may be lurking out there....

Don't personally attack me unless you're willing to match me hour-for-hour and dollar-for-dollar. When you're willing to do that, welcome to the PGR, we can certainly use you.

That's my last word on this.

Thanks,

Jeff

Perry, Bonnie

From: Jeff Brown [Jeffbrown@valornet.com]
Sent: Friday, February 24, 2006 4:38 PM
To: David240@aol.com; chipe@pobox.com
Cc: Bonnie Cutler; Kurt Mayer; Kevin Smith; Hugh Knaus; Jason Wallin "Waldo"
Subject: RE: Patriot Guard

Chip,

I really hate to do this, but the Patriot Guard Riders cannot allow individual state PGR sites for various legal and administrative reasons. Legally, it opens the door for unauthorized use of the name and logo and sets a precedent that, should it ever be contested, weakens our position against the unauthorized use. Administratively, we have found that information that should be on the national site gets posted to a state site and people begin missing information. I hope you understand.

Thanks,
Jeff Brown "Twister"
Executive Director
Patriot Guard Riders
www.patriotguard.org

-----Original Message-----

From: Chip [mailto:chipe@pobox.com]
Sent: Friday, February 24, 2006 11:27 AM
To: David240@aol.com
Cc: jbrown@patriotguard.org
Subject: Patriot Guard

David,

My name is Chip Elliott and I am the Connecticut State Captain. We have a Connecticut web site which can be found at <http://www.patriotguardct.org>

If you give me permission and send me the information, I will post your name, nickname, city, state and email address (which will be blocked from bots).

Our National Site is the best place to get current information, stay in touch with the National happenings, etc. Our local site will hold all local information such as missions, mission status, etc.

Thank you for your interest, and forward me that information if you wish to become an active member of the CT chapter of PGR.

**Chip
Micah 6:8**

PGR 002232

6/10/2008

Perry, Bonnie

From: Jeff Brown [twister@patriotguard.org]
Sent: Thursday, June 15, 2006 2:16 PM
To: Bonnie Cutler; head shed
Subject: RE: Here's the patch

Sorry Folks,

This is a "No-Go"...the PGR name is trademarked and cannot be used like this. It does not fit in with the cumulative image we are trying to establish across the nation. Whoever did this did not have permission. This needs to cease immediately.

Jeff

From: Bonnie Cutler [mailto:bonniecutler@earthlink.net]
Sent: Thu 6/15/2006 8:35 AM
To: head shed
Subject: Here's the patch

This is the patch that the PGR members in Minnesota are using. They started using it because there was confusion as to who was PGR and who was other biker groups, and this is what they came up with. No logo so they didn't think it would be a problem. They wear the yellow PGR logo patch on the front.

From: Jeff Brown <jeffbrown@valornet.com>
Sent: Thursday, May 11, 2006 7:43 AM
To: dsj30c@yahoo.com
Cc: Execs <exec@patriotguard.org>
Subject: Your website

Dear Sir or Madam,

Please remove the Patriot Guard Riders Logos from your website. Although we appreciate your position on the war, we feel your site is purely political in nature and the use of PGR logos intimates our support of these views.

Sincerely,

Jeff Brown "Twister"

Executive Director

Patriot Guard Riders

www.patriotguard.org

No virus found in this outgoing message.

Checked by AVG.

Version: 7.5.524 / Virus Database: 270.3.0/1503 - Release Date: 6/14/2008 6:02 PM

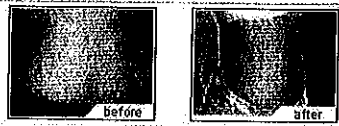
BROWN007994



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- Premium Services
- Downloads
- Word of the Day
- Word Games
- Open Dictionary
- Spelling Bee Hive
- Word for the Wise
- Online Store
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I lost **30 lbs** of stomach fat in **8 weeks** by obeying this **1 rule**.



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Dictionary Thesaurus Spanish/English Medical

association

8 entries found.

On Off

- association
- association area
- association football
- free association

Main Entry: **as·so·ci·a·tion** **ⓘ**
 Pronunciation: \ə-,sō-sē-ā-shən, -shē-\
 Function: *noun*
 Date: 1535

- 1 a** : the act of associating **b** : the state of being associated : COMBINATION, RELATIONSHIP
 - 2** : an organization of persons having a common interest : SOCIETY
 - 3** : something linked in memory or imagination with a thing or person
 - 4** : the process of forming mental connections or bonds between sensations, ideas, or memories
 - 5** : the aggregation of chemical species to form (as with hydrogen bonds) loosely bound complexes
 - 6** : a major unit in ecological community organization characterized by essential uniformity and usually by two or more dominant species
- **as·so·ci·a·tion·al** **ⓘ** \-sh(ə-)n^ə\ *adjective*

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Pronunciation Symbols

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