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

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**Opposition No. 91196299 (Parent)** )

CONNECT PUBLIC RELATIONS, INC., )  
Opposer, )

v. )

DIGITALMOJO, INC., Applicant. )

**MOTION FOR SUMMARY  
JUDGMENT**

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**Cancellation Nos. 92054395 & 92054427** )

DIGITALMOJO, INC., Petitioner, )

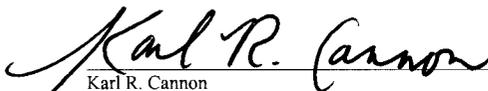
v. )

CONNECT PUBLIC RELATIONS, INC., )  
Respondent. )

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Certificate of Deposit Under 37 C.F.R. § 2.197

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, Virginia 22313-1451, on the 25 day of April, 2014.

  
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\*04-29-2014\*

U.S. Patent and Trademark Office #72

Opposer Connect Public Relations, Inc. (“Connect”) moves the Board for summary judgment in its favor on the issues of (i) abandonment (Petition for Cancellation No. 92054395); (ii) abandonment (Petition for Cancellation No. 92054427); and (iii) likelihood of confusion (Opposition No. 91196299). Connect requests that the Board suspend all proceedings not germane to this motion pursuant to 37 C.F.R. § 2.127(d) and TBMP 528.03.

The evidence of record in support of Connect’s Motion for Summary Judgment includes the record, and Exhibits attached hereto, including: Exhibit 1- Affidavit of Neil Myers, with accompanying Exhibits A-E (“Myers Aff.”); Exhibit 2- Affidavit of Dr. Glenn L. Christensen, with accompanying Exhibits A-D (“Christensen Aff.”); Exhibits 3 to 11- printouts showing the current status of Connect’s pleaded registrations from the USPTO website; Exhibit 12 -Dictionary Definition for term “marketing”; Exhibit 13 - printout of the Digitalmojo’s application for the opposed-mark CONNECT.

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## **I. INTRODUCTION**

Connect is entitled to summary judgment because there is no genuine dispute that it has not abandoned its CONNECT PUBLIC RELATIONS and CONNECTPR marks. Connect is further entitled to summary judgment because there is no genuine dispute that all International Classes of Digitalmojo, Inc.'s ("Digitalmojo") CONNECT mark ("Opposed Mark") should be refused registration under Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d) based on Connect's pleaded registrations and its common law rights in the mark CONNECT.

## **II. STATEMENT OF UNDISPUTED FACTS**

Connect's predecessor, Network Associates Consulting, Inc. ("Network Associates"), began doing business in the early 1990s. Myers Aff., ¶ 3. Network Associates was engaged in providing, *inter alia*, marketing, including business marketing, market research, consulting, public relations, media relations, and sales promotion services. Myers Aff., ¶ 3.

In 1998, Network Associates changed its name to Connect Public Relations, Inc. Myers Aff., ¶ 4. In conjunction with the corporate name change, Connect adopted and began using the marks CONNECT, CONNECT PUBLIC RELATIONS and CONNECTPR (collectively "Connect Marks") in interstate commerce throughout the United States. Myers Aff., ¶ 5. Soon thereafter, Connect filed for, and obtained, numerous federal trademark registrations for its CONNECT PUBLIC RELATIONS and CONNECTPR marks, as set forth below (collectively "Connect Registrations").<sup>1</sup> Myers Aff., ¶ 6.

Connect is the owner of U.S. Trademark Registration No. 2,362,916, registered June 27, 2000, for the mark CONNECT PUBLIC RELATIONS used in connection with:

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<sup>1</sup> Printouts of information from the electronic database records of the USPTO showing the current status the Connect Registrations are attached hereto as Exhibits 3-11 pursuant to 37 CFR § 2.122(d).

Printed publications, namely, reports, press kits and brochures in the fields of market research and consulting, public and media relations, sales promotion, strategic marketing planning, development of market positioning and messaging, background editorial support of sales promotion material, and seminar creation and operation.

Myers Aff., ¶ 7; Exhibit 3.

Connect is the owner of U.S. Trademark Registration No. 2,373,504, registered August 1, 2000, for the mark CONNECT PUBLIC RELATIONS used in connection with: “Marketing and market research and consulting services; public and media relations services and sales promotion services.” Myers Aff., ¶ 8; Exhibit 4.

Connect is the owner of U.S. Trademark Registration No. 2,373,505, registered August 1, 2000, for the mark CONNECT PUBLIC RELATIONS used in connection with:

Prerecorded audio recordings, prerecorded video recordings, and prerecorded audio-visual recordings featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services; electronic publications featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services on computer discs and CD-ROMs.

Myers Aff., ¶ 9; Exhibit 5.

Connect is the owner of U.S. Trademark Registration No. 2,383,778, registered September 5, 2000, for the mark CONNECT PUBLIC RELATIONS used in connection with: “Communications services, namely, delivery of messages by electronic transmission.” Myers Aff., ¶ 10; Exhibit 6.

Connect is the owner of U.S. Trademark Registration No. 2,365,074, registered July 4, 2000, for the mark CONNECTPR used in connection with: “Communications services, namely, delivery of messages by electronic transmission.” Myers Aff., ¶ 11; Exhibit 7.

Connect is the owner of U.S. Trademark Registration No. 2,366,850, registered July 11, 2000, for the mark CONNECTPR used in connection with: “Marketing and market research and

consulting services; public and media relations services and sales promotion services.” Myers Aff., ¶ 12; Exhibit 8.

Connect is the owner of U.S. Trademark Registration No. 2,383,777, registered September 5, 2000, for the mark CONNECTPR used in connection with:

Prerecorded audio recordings, prerecorded video recordings, and prerecorded audio-visual recordings featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services; electronic publications featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services on computer discs and CD-ROMs.

Myers Aff., ¶ 13; Exhibit 9.

Connect is the owner of U.S. Trademark Registration No. 2,713,692, registered May 6, 2003, for the mark CONNECTPR used in connection with:

Printed publications, namely, brochures in the fields of market research and consulting, public and media relations, sales promotion, strategic marketing planning, development of market positioning and messaging, background editorial support of sales promotion material, and seminar creation and operation.

Myers Aff., ¶ 14; Exhibit 10.

Connect is the owner of U.S. Trademark Registration No. 3,330,353, registered November 6, 2007, for the mark CONNECTPR used in connection with:

Printed publications, namely, reports, brochures and press kits comprised of brochures, flyers, and press releases, in the fields of market research and consulting, public and media relations, sales promotion, strategic marketing planning, development of market positioning and messaging, background editorial support of sales promotion materials, and seminar creation and operation.

Myers Aff., ¶ 15; Exhibit 11.

In addition to its rights in the Connect Registrations, Connect has accrued common law rights in its CONNECT mark, through its long and continuous use in commerce in connection with its services and goods, commensurate in scope with the services and goods recited in the Connect

Registrations. Myers Aff., ¶¶ 16-27 (and accompanying evidence of common law use of the mark CONNECT shown in Myer's Exhibits A-E). Evidence of the existence, use in commerce and validity of Connect's common law CONNECT mark, is shown, *inter alia*, in the Myers affidavit at paragraphs 16-27 and Myer's Exhibits A-E. It is further noted that the common law mark CONNECT is shown in Myer's Exhibits A-E as being used both by itself and also as a part of the marks CONNECT PUBLIC RELATIONS and CONNECTPR in which the term "Connect" is significantly larger in size than the other characters in those phrases, thereby in the latter case creating a separate commercial impression in the unfiled common law mark CONNECT, as well as in the CONNECT PUBLIC RELATIONS and CONNECTPR marks. Connect's common law rights in its CONNECT mark date back at least as early as 1998. Myers Aff., ¶ 16.

Since their adoption in 1998, CONNECTPR has continuously used the Connect Marks in interstate commerce up to the present time, including the marks contested by the Petitions for Cancellation, namely, CONNECTPR in U.S. Reg. No. 2,366,850 and CONNECT PUBLIC RELATIONS in U.S. Reg. No. 2,373,504 (collectively "Connect's Class 35 registrations"). Myers Aff., ¶ 17. Since their adoption in 1998, Connect has not discontinued the use of the Connect Marks in interstate commerce for any period of time, including the marks in Connect's Class 35 registrations. Myers Aff., ¶ 18. Since their adoption in 1998, Connect has not abandoned, or intended to abandon, use of the Connect Marks, including the marks in Connect's Class 35 registrations. Myers Aff., ¶ 19.

Since their adoption in 1998 and up until the present time, Connect has promoted its goods and services using the Connect Marks using a wide range of mediums, including: on the Internet, through its own websites, through sales brochures, through advertisements placed in nationally distributed magazines, on product labels, on business cards, and at tradeshow. Myers

Aff., ¶ 20. On its current website, [www.connectmarketing.com](http://www.connectmarketing.com), Connect is presently and properly using the Connect Marks in interstate commerce, including the marks in Connect's Class 35 registrations. Myers Aff., ¶ 21. Since the adoption of the Connect Marks in 1998 until the present, Connect estimates that expenditures for the promotion of its goods and services under the Connect Marks exceeds \$1,000,000. Myers Aff., ¶ 22.

On April 15, 2009, Digitalmojo filed an intent to use application<sup>2</sup>, serial no. 77/714,693, ("Opposed Application") for the CONNECT mark ("Opposed Mark") in five International Classes. A full recitation of the goods and services in the Opposed Application is found in the attached Exhibit 13 due to their length.

On August 30, 2010, Connect initiated Opposition No. 91196299 opposing registration of the Opposed Mark in all of the classes listed in the Opposed Application under § 2(d) of the Trademark Act based upon its rights in the Connect Registrations and its common law rights in the mark CONNECT.

On August 22, 2011, Digitalmojo initiated the cancellation proceedings, Petitions for Cancellation Nos. 92054395 and 92054427, against Connect's Class 35 registrations for CONNECTPR and CONNECT PUBLIC RELATIONS.<sup>3</sup> In its Second Amended Petitions for Cancellation ("Second Amended Petitions"), the operative pleadings, Digitalmojo asserts, as a basis for cancellation, that Connect abandoned the marks in its Class 35 registrations. The Board subsequently consolidated the opposition and cancellation proceedings, with the opposition being the parent.

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<sup>2</sup> Pursuant to 37 CFR § 2.122(b), the file of the Opposed Application automatically forms part of the record without any action taken by the parties.

<sup>3</sup> Pursuant to 37 CFR § 2.122(b), the files of Connect's registrations subject to the Petitions for Cancellation automatically form part of the record without any action taken by the parties.

Connect has standing to bring the opposition by virtue of its ownership of the Connect Registrations and its common law rights in the CONNECT mark.

### **III. LEGAL STANDARD FOR SUMMARY JUDGMENT**

A party is entitled to summary judgment when it has demonstrated that there is no genuine dispute as to any material fact and that it is entitled to judgment as a matter of law. Fed. R. Civ. P. 56(a).

### **IV. CONNECT IS ENTITLED TO SUMMARY JUDGMENT IN THE PETITIONS FOR CANCELLATION BECAUSE THERE IS NO GENUINE DISPUTE THAT IT HAS NOT ABANDONED ITS CONNECT PUBLIC RELATIONS MARK AND CONNECTPR MARK**

#### *A. Legal Standard for Proving Abandonment*

Section 45 of the Trademark Act, 15 U.S.C. § 1127, provides that a mark shall be deemed to be abandoned

when its use has been discontinued with intent not to resume such use. Intent not to resume may be inferred from circumstances. Nonuse for 3 consecutive years shall be prima facie evidence of abandonment. "Use" of a mark means the bona fide use of such mark made in the ordinary course of trade, and not made merely to reserve a right in a mark.

Because registrations are presumed to be valid, the party claiming abandonment must rebut this presumption by a preponderance of the evidence. *See On-line Careline Inc. v. America Online Inc.*, 229 F.3d 1080, 56 USPQ2d 1471, 1476 (Fed. Cir. 2000). The party claiming abandonment must prove, *prima facie*, that the registrant has discontinued use of the mark and that the registrant has no intent to resume use of the mark. *Id.*

#### *B. There is no Genuine Dispute that Connect has Not Discontinued Use and, therefore, not Abandoned its CONNECT PUBLIC RELATIONS and CONNECTPR Marks in its Class 35 Registrations*

There is no genuine dispute that Connect has not discontinued use of its CONNECT PUBLIC RELATIONS and CONNECTPR Marks in its Class 35 Registrations (“Class 35 marks”) and, therefore, Digitalmojo will not be able to rebut the presumption of their validity. In fact, Neil Myers, Connect’s current President, confirms in his attached affidavit, Exhibit 1, that Connect has not abandoned, and never had any intention to abandon, its Class 35 marks. Myers Aff., ¶¶ 19 & 50-56. Myers further confirms that Connect has not discontinued use of its Class 35 marks for any period of time since their adoption in 1998. Myers Aff., ¶ 51. Moreover, Myers further confirms that both of Connect’s Class 35 marks are presently being used on Connect’s current website, [www.connectmarketing.com](http://www.connectmarketing.com). Myers Aff., ¶ 51 and Exhibit E thereof. Dr. Glenn L. Christensen, an expert in the field of marketing retained by Connect, also confirms in his attached affidavit, that Connect did not abandon its Class 35 marks. Christensen Aff., ¶¶46-52. Dr. Christensen further confirms that Connect is presently using its Class 35 marks on its current website. Christensen Aff., ¶ 48.

As basis for its abandonment allegations, Digitalmojo asserts in its Second Amended Petitions that Connect “switched” its Class 35 marks in favor of the mark CONNECT MARKETING. As evidence of the alleged “switch,” Digitalmojo attached specimens of select webpages of Connect’s then website to its Petitions for Cancellation that announced Connect’s name change from Connect Public Relations, Inc. to Connect Marketing, Inc. as well as Connect’s adoption of the mark CONNECT MARKETING.<sup>4</sup> However, Digitalmojo’s reliance on the website specimens is misplaced because the website printouts themselves actually show that

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<sup>4</sup> Connect notes that while this corporate name was announced on its website, that it has not yet been legally effectuated. Therefore, Connect Public Relations, Inc. remains the owner of the Connect Marks and is properly named as the Opposer.

Connect's adoption of the CONNECT MARKETING mark and the corporate name change were done as part of a brand "expansion" and not a brand "switch."

In this regard, the website specimens themselves, as submitted by Digitalmojo, clearly explain under the "What Happened to Connect Public Relations®?" heading the following:

We are expanding our brand. Today, Connect Public Relations® becomes Connect Marketing<sup>SM</sup>. Don't think of this as a 'switch,' but rather as an 'expansion.' Here is the story ...

For 22 years we've been doing technology PR. Our goal has been to reach out to technology media and analysts to get coverage for our clients. About 5 years ago our clients started asking for more. They still wanted to reach traditional media, but wanted to include social media as well.

That drove us into new areas — blogs, forums, Facebook, Twitter and so on. But it didn't stop there. In this brave new Web 2.0 arena we also needed to build content. Infographs, videos, slide shows and so on. And we needed to engage with this new media. We had to monitor blogs and forums, engage where needed, measure what was being said, etc.

One day, about two years ago, we realized PR was no longer an accurate description of what we did. It is an important part of what we do, but not the complete story. We decided Connect Marketing<sup>SM</sup> was a more complete description.

So, welcome to Connect Marketing<sup>SM</sup>. There are four parts of our new brand:

**Connect Strategic<sup>SM</sup>** is where we help our clients build effective messaging as well as conduct primary research (focus groups and surveys). **Connect Public Relations®** is the continuation of the traditional PR activities we've pursued for 22 years. It is still our core. **Connect Social<sup>SM</sup>** is where we focus on all things Web 2.0 — social media, social networking, social content and social reference. And **Connect Studios<sup>SM</sup>** is where we build meaningful, exciting, fun content — infographs, websites, videos and so on.

Take a look at our new website for more details on each area. And welcome to Connect Marketing<sup>SM</sup>!

See Specimens attached to Second Amended Petitions (Underlining added, bold face in original). Further, the website specimens include the following graphic, depicting the new hierarchy of Connect's brands after the adoption of the CONNECT MARKETING mark:



See Specimens attached to Second Amended Petitions.

Contrary to supporting Digitalmojo's abandonment allegations, the website specimens actually provide undisputable evidence of Connect's intention to continue to use its Class 35 marks even after the adoption of the CONNECT MARKETING mark and the corporate name change. Moreover, the above-quoted language from the website printouts is unmistakable that the adoption of the CONNECT MARKETING mark and the corporate name change are a brand "expansion" and not a brand "switch" as alleged by Digitalmojo. Further, the graphic reproduced above includes a logo of the CONNECT PUBLIC RELATIONS mark being used alongside a logo of the CONNECT MARKETING mark, which is entirely inconsistent with Digitalmojo's abandonment allegations. In short, there is no genuine dispute that Connect has not abandoned, or even discontinued, use its Class 35 marks as alleged in the Petitions for Cancellation.

**V. CONNECT IS ENTITLED TO SUMMARY JUDGMENT IN THE OPPOSITION BECAUSE THERE IS NO GENUINE DISPUTE THAT THE OPPOSED MARK, IF ALLOWED TO REGISTER, IS LIKELY TO CAUSE CONFUSION WITH THE CONNECT MARKS**

A. *Legal Standard for Likelihood of Confusion*

A likelihood of confusion determination under Section 2(d) is based on an analysis of all of the facts in evidence that are relevant to the likelihood of confusion factors set forth in *In re E. I. duPont de Nemours and Co.*, 476 F.2d 1357, 177 USPQ 563 (CCPA 1973). Each of the *DuPont* factors may, from case to case, play a dominant role. *Id.* at 567. In any likelihood of confusion analysis, however, the two key considerations are the similarities between the marks and the similarities between the goods and/or services. *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 192 USPQ 24 (CCPA 1976). In addition to the similarities between the marks and the similarities between the goods and/or services, the similarity between the channels of trade and the classes of consumers are relevant factors in a likelihood of confusion analysis. *Id.* Further, the Board neither requires evidence of actual confusion nor a consumer survey conducted by the opposer in determining the issue of likelihood of confusion. *See McDonald's Corp. v. McClain*, 37 USPQ2d 1274, 1277 (T.T.A.B. 1995). Lastly, in determining the issue of likelihood of confusion:

The authority is legion that the question of registrability of an applicant's mark must be decided on the basis of the identification of goods set forth in the application regardless of what the record may reveal as to the particular nature of an applicant's goods, the particular channels of trade or the class of purchasers to which sales of the goods are directed.

*Octocom Syst. Inc. v. Houston Computers Svcs. Inc.*, 918 F.2d 937, 16 USPQ2d 1783, 1787 (Fed. Cir. 1990). By the same token, in considering the scope of the pleaded registration, the Board looks to the recitation of services in the registration itself, and not to extrinsic evidence about a registrant's actual services, customers, or channels of trade. *In re Elbaum*, 211 USPQ 639, 640 (TTAB 1981), *citing Kalart Co., Inc. v. Camera-Mart, Inc.*, 119 USPQ 139 (CCPA

1958); *see also Stone Lion Capital Partners, L.P. v. Lion Capital LLP*, \_\_\_ F.3d \_\_\_, 2014 WL 1229530, \*5 (Fed. Cir. March 26, 2014) (“Even assuming there is no overlap between Stone Lion's and Lion's current customers, the Board correctly declined to look beyond the application and registered marks at issue. An application with ‘no restriction on trade channels’ cannot be ‘narrowed by testimony that the applicant’s use is, in fact, restricted to a particular class of purchasers.’”)

B. *There is no Genuine Dispute that the Connect Marks and the Opposed Mark are Substantially Similar in Appearance, Sound, Meaning or Commercial Impression under the First Du Pont Factor*

In comparing the Connect Marks and the Opposed Mark, there can be no genuine dispute that the marks are substantially similar in terms of appearance, sound, connotation or commercial impression under the first *du Pont* factor. The test is not whether the marks can be distinguished when subjected to a side-by-side comparison, but rather whether the marks are sufficiently similar in terms of their overall commercial impression that confusion as to the source of the goods offered under the respective marks is likely to result. *Palm Bay Imports, Inc. v. Veuve Clicquot Ponsardin*, 396 F.3d 1369, 73 USPQ2d 1689 (Fed. Cir. 2005). Further, the focus is on the recollection of the average purchaser, who normally retains a general rather than a specific impression of trademarks. *See Sealed Air Corp. v. Scott Paper Co.*, 190 USPQ 106 (TTAB 1975). However, even though average purchasers normally do not retain a specific impression of a trademark, it is well settled that one feature of a mark may be more significant than another, and it is not improper to give more weight to this dominant feature in determining the commercial impression created by the mark. *In re National Data Corp.*, 753 F.2d 1056, 224 USPQ 749, 751 (Fed. Cir. 1985). Descriptive matter in a mark may have less significance in likelihood of

confusion determinations. *See Cunningham v. Laser Golf Corp.*, 222 F.3d 943, 55 USPQ2d 1842, 1846 (Fed. Cir. 2000).

1. There is no Genuine Dispute that the Opposed Mark is Identical in Appearance, Sound, Connotation or Commercial Impression to Connect's Common Law CONNECT Mark

The Opposed Mark is exactly identical to Connect's common law mark CONNECT in appearance and sound. In regard to connotation, the term "connect," when used in conjunction with Connect's goods and services, connotes the idea of bringing or joining things together, such as a business with its customers. Myers, ¶ 31. The term "connect," when used for Digitalmojo's services, also connotes the idea of bringing or joining things together, such as a business with its customers, just like Connect's CONNECT mark. Myers, ¶ 31. Thus, there can be no genuine dispute that the first *du Pont* factor falls in Connect's favor for the mark CONNECT.

2. There is no Genuine Dispute that the Opposed Mark is Highly Similar in Appearance, Sound, Connotation or Commercial Impression to Connect's CONNECT PUBLIC RELATIONS Mark

There can be no genuine dispute that the term "connect" is the dominant feature in the CONNECT PUBLIC RELATIONS mark as it is the first term. *See Presto Products, Inc. v. Nice-Pak Products Inc.*, 9 USPQ2d 1895, 1897 (TTAB 1988) ("...[it is] a matter of some importance since it is often the first part of a mark which is most likely to be impressed upon the mind of a purchaser and remembered."). Further, because the wording "public relations" is descriptive and disclaimed, it has little or no source-identifying significance. *See Cunningham*, 55 USPQ2d at 1846. In fact, experience has shown that consumers are more likely to recall the term "connect" as the source identifier than the term "public relations" in the CONNECT PUBLIC RELATIONS mark. Myers Aff., ¶ 28; Christensen Aff., ¶ 15. Further, the Opposed

Mark and the CONNECT PUBLIC RELATIONS mark are similar in connotation for the reasons given above. *See* Myers, ¶ 31. Thus, there can be no genuine dispute that the use of the term “connect” as the first and dominant term of the CONNECT PUBLIC RELATIONS mark and the use of the identical and sole term in the Opposed Mark results in the marks being highly similar in appearance, sound, connotation or commercial impression under the first *du Pont* factor. Christensen Aff., ¶¶ 20 & 21.

3. There is no Genuine Dispute that the Opposed Mark is Highly Similar in Appearance, Sound, Connotation and Commercial Impression to the CONNECTPR Mark

The CONNECTPR mark consists of the joined terms “connect” and “pr” and is pronounced as “connect p-r,” with the “p” and “r” being pronounced as separate letters. Myers Aff., ¶ 29. As the first portion, the term “connect” is the dominant portion of the mark. *Presto Products*, 9 USPQ2d at 1897. In fact, Connect’s customers are more likely to recall the term “connect” than the last two letters “p” and “r” because they are known in the industry as an acronym for “public relations.” Myers Aff., ¶ 30, Christensen Aff., ¶ 16. Based upon the above, there can be no genuine dispute that the term “connect” in the CONNECTPR mark is the dominant portion and contributes more significantly to an analysis under the first *du Pont* factor than the letters “p” and “r.” Further, the Opposed Mark and the CONNECTPR mark are similar in connotation for the reasons given above. *See* Myers, ¶ 31. Thus, there can be no genuine dispute that the CONNECTPR mark and the Opposed Mark are highly similar in appearance, sound, connotation and commercial impression under the first *du Pont* factor. Christensen Aff., ¶¶ 20 & 21.

C. *There is no Genuine Dispute that the Goods/Services of the Connect Marks and of the Opposed Mark are Identical or Legally Related Under the Second Du Pont Factor*

To support a holding of likelihood of confusion, it is sufficient that the respective goods or services of the parties are related in some manner, and/or that the conditions and activities surrounding the marketing of the goods are such that they would or could be encountered by the same persons under circumstances that could, because of the similarity of the marks, give rise to the mistaken belief that they originate from the same source. *See Hilson Research, Inc. v. Society for Human Resource Management*, 27 USPQ2d 1423 (TTAB 1993). If goods or services are complementary in nature, or used together, this relatedness supports a finding of likelihood of confusion. *See In re Martin's Famous Pastry Shoope, Inc.*, 223 USPQ 1289, 1290 (Fed. Cir. 1984) (“complimentary use has long been recognized as a relevant consideration in determining likelihood of confusion.”). Inasmuch as Connect has opposed all five classes of the Opposed Application, Connect will separately address the second *du Pont* factor for each of the classes below, with the understanding that it need only show that a single item within a class of the Opposed application is likely to cause confusion in order to prevail. *See Tuxedo Monopoly Inc. v. General Mills Fun Group*, 648 F.2d 1335, 209 USPQ 986, 988 (CCPA 1981). Moreover, Connect submits that the goods or services in each class of the Opposed Application need only cause a likelihood of confusion with one of the Connect Marks as set forth in the Connect Registrations or at common law in order for it to prevail.

1. International Class 35 of Opposed Application

There can be no genuine dispute that the services listed in Class 35 of the Opposed Application overlap with, are a subset of, or are identical to, the services for Connect's Class 35 registrations and its common law mark CONNECT. Connect's Class 35 registrations both broadly recite, without restriction: "marketing and market research and consulting services; public and media relations services and sales promotion services." Connect's common law rights in CONNECT are commensurate in scope with these same services. Myers Aff., ¶ 16.

The Opposed Application, in Class 35, includes several identical or overlapping services to the services for ConnecPR's Class 35 registrations and its common law mark CONNECT, including:

- "Business marketing services in the nature of agency representation of companies marketing a variety of services to home owners and renters, namely, utility hook-ups, telecommunication services, home security services, home warranties, home and yard maintenance, furniture and appliance rental"
- "Comparative marketing and advertising services for providers of residential and business telecommunications services, namely, for providers of broadband cable, DSL, fiber optic and satellite Internet access services, cable and satellite television, voice over IP, and long-distance telephone services"
- "Marketing of high speed telephone, Internet, and wireless access, and directing consumers to access providers"
- "Advertising and information distribution services, namely, providing classified advertising space via the global computer network"
- "Promoting the goods and services of others over the Internet"
- "Providing an online interactive website obtaining users comments concerning business organizations, service providers, and other resources"
- "Providing information, namely, compilations, rankings, ratings, reviews, referrals and recommendations relating to business organizations, service providers, and other resources using a global computer network"

(Underlining of key words added.)

First, there can be no genuine dispute that Digitalmojo’s recited “business marketing services” and “comparative marketing” services and “marketing of high speed telephone, Internet, and wireless access” services are types of marketing and overlap with, or are a subset of, ConnecPR’s broadly worded and unrestricted “marketing” services. Myers Aff., ¶¶ 34, 36, & 38; Christensen Aff., ¶ 32.

Second, there is no genuine dispute that Digitalmojo’s recited “advertising” services falls under the penumbra of Connect’s “marketing” services. As evidence that “advertising” is in fact a type of marketing activity, attached hereto as Exhibit 12 is a dictionary definition<sup>5</sup> that defines the term “marketing” as “the total activities involved in the transfer of goods from the producer or seller to the consumer or buyer, including advertising, shipping, storing, and selling.”

(Underlining added). Therefore, Digitalmojo’s “advertising” services overlap with, or are a subset of, ConnecPR’s broadly recited “marketing” services. Myers Aff., ¶ 36; Christensen Aff., ¶ 33.

Third, there can be no genuine dispute that Digitalmojo’s recited “promoting the goods and services of others” is nearly legally identical under the second *du Pont* factor to Connect’s broadly worded “sales promotion services,” as both use grammatical equivalents of the core term “promote.” Myers Aff., ¶ 40; Christensen Aff., ¶ 37.

Fourth, in regard to Digitalmojo’s recited “providing an online interactive website obtaining users comments concerning business organizations, service providers, and other resources” services, there can be no genuine dispute that these services are a form of Connect’s

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<sup>5</sup> Connect asks the Board to take judicial notice of this dictionary definition, if needed.

broadly recited “market research” services. Myers Aff., ¶ 44. That is, obtaining user comments concerning business organizations, service providers, and other resources is in fact conducting market research. Myers Aff., ¶ 44. And, with the growth of the Internet, most market research is conducted by obtaining user’s comments online. Myers Aff., ¶ 44. Connect’s class 35 registrations both broadly recite “market research” services without any restrictions and, therefore, encompass Digitalmojo’s “providing an online interactive website obtaining users comments concerning business organizations, service providers, and other resources.” Myers Aff., ¶ 44; Christensen Aff., ¶ 39.

Fifth, in regard to Digitalmojo’s recited “providing information, namely, compilations, rankings, ratings, reviews, referrals and recommendations relating to business organizations, service providers, and other resources using a global computer network” services, there can be no genuine dispute that these services are a form of Connect’s “market research” services. Myers Aff., ¶ 45. As Connect’s class 35 registrations both broadly recite “market research” services without any restrictions, they encompass or are related to Digitalmojo’s services. Myers Aff., ¶ 45; Christensen Aff., ¶ 39.

In short, there is no genuine dispute that Digitalmojo’s above-identified Class 35 services overlap with, are a subset of, or are identical to, the services listed in Connect’s Class 35 registrations and used in connection with its common law mark CONNECT under the second *du Pont* factor.

Next, there can be no genuine dispute that Digitalmojo’s above-identified Class 35 services are related to the goods in Connect’s Registration Nos. 2,362,916; 3,330,353; and 2,713,692 (“Connect’s Class 16 registrations”) and its common law mark CONNECT under the

second *du Pont* factor. The services for Connect’s Class 16 registrations, and for its common law CONNECT mark, are for “Printed publications . . . in the fields of market research and consulting, public and media relations, sales promotion, strategic marketing planning, development of market positioning and messaging, background editorial support of sales promotion material, and seminar creation and operation.” Digitalmojo’s above-identified Class 35 services are related to the goods in Connect’s Class 16 registrations because they are complementary to each other as they are often offered together to consumers. Myers Aff., ¶¶ 35, 37, 39, 41, 43, and 46. Thus, there is no genuine dispute that Digitalmojo’s above-identified Class 35 services are likely to cause confusion with Connect’s Class 16 registrations and common law mark CONNECT.

2. International Class 38 of Opposed Application

Digitalmojo’s Class 38 services are overlap with, are a subset of, or are identical to, Connect’s broad recitation of services set forth in Connect’s Registration Nos. 2,365,704 and 3,383,778 (“Connect’s Class 38 registrations”) and the services used in conjunction with its common law mark CONNECT. In particular, Connect’s Class 38 registrations both broadly recite, and without restriction, “communication services, namely, delivery of messages by electronic transmission.” The services for Connect’s common law mark CONNECT are commensurate in scope with its services in its Class 38 registrations. Myers Aff., ¶ 16.

Digitalmojo’s Class 38 services are for:

Providing online chat rooms for registered users for transmission of messages concerning classifieds, virtual community and social networking; providing online chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; providing email and instant messaging services.

(Underlining added.) Digitalmojo’s Class 38 services, which include the “transmission of messages,” are nothing more than a subset of the Connect’s communication services listed in Connect’s Class 38 registrations, which include “delivery of messages by electronic transmission.” Christensen Aff., ¶ 41. Based upon the above, there can be no genuine dispute that Digitalmojo’s Class 38 services and Connect’s Class 38 services and its services offered under its common law mark CONNECT are highly similar under the second *du Pont* factor.

3. International Class 42 of Opposed Application

At least one service in Digitalmojo’s Class 42 services overlaps with, is a subset of, or is identical to, Connect’s broad recitation of services set forth in Connect’s Class 38 registrations and the services used in conjunction with its common law mark CONNECT. In particular, Digitalmojo’s Class 42 services include:

Computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in social networking.

Connect’s Class 38 registrations both broadly recite, and without restriction, “communication services, namely, delivery of messages by electronic transmission.” The services for Connect’s common law mark CONNECT are commensurate in scope with its services in its Class 38 registrations. Myers Aff., ¶ 16.

There can be no genuine dispute that participating in discussions in on-line communities, getting feedback online, forming virtual communities and engaging in social networking as recited in Class 42 of the Opposed Application all involve the “delivery of messages by electronic transmission” as specifically recited in Connect’s registrations. Thus, Digitalmojo’s Class 42 services and Connect’s services both encompass the delivery of messages of electronic

transmission and Digitalmojo Class 42 services are nothing more than a subset of Connect's Class 38 services, or are legally related thereto. Based upon the above, there can be no genuine dispute that Digitalmojo's above-identified services and Connect's services are identical or closely related under the second *du Pont* factor.

4. International Class 45 of Opposed Application

At least one service in Digitalmojo's Class 45 services fall within, or is related to, Connect's broad recitation of services set forth in Connect's Class 38 registrations and the services used in conjunction with its common law mark CONNECT. In particular, Digitalmojo's Class 45 services include "on-line social networking services." Connect's Class 38 registrations both broadly recite, and without restriction, "communication services, namely, delivery of messages by electronic transmission." The services for Connect's common law mark CONNECT are commensurate in scope with its services in its Class 38 registrations. Myers Aff., ¶ 16.

There is no genuine dispute that on-line social networking services involve the "delivery of messages by electronic transmission" as recited in Connect's Class 38 registrations. Thus, Digitalmojo's services and Connect's services both encompass the transmission of messages. Digitalmojo's services are nothing more than a subset of Connect's services. Based upon the above, there can be no genuine dispute that Digitalmojo's above-identified services and Connect's services are identical or closely related under the second *du Pont* factor.

5. International Class 9 of Opposed Application

At least one good in Digitalmojo's Class 9 good falls within, or is highly similar to, Connect's broad recitation of goods in Registration Nos. 2,373,505 and 2,383,777 ("Connect's Class 9 registrations) and the services used in conjunction with its common law mark

CONNECT. In particular, Digitalmojo's Class 9 goods include "Audio recordings featuring music; video recordings featuring music; downloadable audio and video recordings featuring music; prerecorded music on CD, DVD and other media." Connect's Class 9 registrations both broadly recite, and without restriction, the following goods:

Prerecorded audio recordings, prerecorded video recordings, and prerecorded audio-visual recordings featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services; electronic publications featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services on computer discs and CD-ROMs.

The goods for Connect's common law mark CONNECT are commensurate in scope to its services in its Class 9 registrations. As both the Connect and Digitalmojo goods explicitly include "audio recordings" and "video recordings," there is no genuine dispute that Digitalmojo's Class 9 goods and Connect's Class 9 goods are identical or are legally related under the second *du Pont* factor.

D. *There is no Genuine Dispute that the Goods/Services of the Connect Marks and the Opposed Mark Travel Through the Same Channels of Trade and Have the Same Class of Customer under the Third and Fourth Du Pont Factors*

Because there is nothing in their respective identification of goods and services, as argued above, that limits Connect's channels of trade or class of customers, there is no genuine dispute that Connect's respective goods and services are presumed to travel in all normal and usual channels of trade, and to all classes of customers. *See In re Linkvest S.A.*, 24 USPQ2d 1716, 1716 (TTAB 1992) (finding that no limitations as to channels of trade or classes of purchasers existed in either the application or the cited registration, it is presumed that the registration and the application move in all channels of trade normal for those services, and that the services are

available to all classes of purchasers for the listed services).

In this regard, Connect has actually offered services to companies providing telecommunication services as recited in Class 35 of the Opposed Application. Myers Aff., ¶¶ 34, 36 and 40; Christensen Aff., ¶ 34. Thus, there exists a very real risk that consumers may encounter, and be confused by, the Opposed Mark since Connect is already targeting some of the same consumers specifically identified in Class 35 of the Opposed Application. On this basis, there can be no genuine dispute that this *du Pont* factor falls in Connect's favor.

In sum, there is no genuine dispute that the relevant *du Pont* factors all fall in favor of Connect, and that the Opposed Mark should be refused registration.

## VI. CONCLUSION

Connect respectfully submits that when all of the foregoing is considered, this Board will find there is no genuine issues of material fact on the issue of abandonment because Connect never abandoned its marks for its Class 35 registrations. Further, there is no genuine issue of material fact on the issue of likelihood of confusion under the relevant *du Pont* factors.

Respectfully submitted this 25 day of April, 2014.

  
Karl R. Cannon  
Brett J. Davis

**CLAYTON, HOWARTH & CANNON, P.C.**  
Attorneys for Opposer  
Connect Public Relations, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing **Motion for Summary Judgement** to be served, via first class mail, postage prepaid, on this 25 day of April, 2014 to:

Thomas W. Cook, Esq.  
Thomas Cook Intellectual Property Attorneys  
3030 Bridgeway, Suite 425-430  
Sausalito, California 94965-2810

  
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# EXHIBIT 1



I, Neil Myers, make this affidavit and hereby on oath state, based upon my personal knowledge, that:

1. I am the founder and President of Connect Public Relations, Inc. ("Connect").
2. I have over 20 years of direct experience in providing marketing, market research, consulting, public relations, media relations, and sales promotion services.
3. In the early 1990s I founded the predecessor to Connect, Network Associates Consulting, Inc. ("Network Associates"). Network Associates was engaged in providing marketing, including business marketing, market research, consulting, public relations, media relations, and sales promotion services.
4. In the spring of 1998, Network Associates changed its name to Connect Public Relations, Inc.
5. In conjunction with the corporate name change in 1998, Connect adopted and began using its marks CONNECT, CONNECT PUBLIC RELATIONS® and CONNECTPR® (collectively "Connect Marks") in interstate commerce.
6. In fact, Connect is the owner of multiple U.S. trademark registrations on the marks CONNECT PUBLIC RELATIONS® and CONNECTPR® in several International Classes, as outlined below.
7. Connect is the owner of U.S. Trademark Registration No. 2,362,916, registered June 27, 2000, for the mark CONNECT PUBLIC RELATIONS® used in connection with:  
  
Printed publications, namely, reports, press kits and brochures in the fields of market research and consulting, public and media relations, sales promotion, strategic marketing planning, development of market positioning and messaging, background editorial support of sales promotion material, and seminar creation and operation.
8. Connect is the owner of U.S. Trademark Registration No. 2,373,504, registered August 1, 2000, for the mark CONNECT PUBLIC RELATIONS® used in connection with:

“Marketing and market research and consulting services; public and media relations services and sales promotion services.”

9. Connect is the owner of U.S. Trademark Registration No. 2,373,505, registered August 1, 2000, for the mark CONNECT PUBLIC RELATIONS® used in connection with:

Prerecorded audio recordings, prerecorded video recordings, and prerecorded audio-visual recordings featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services; electronic publications featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services on computer discs and CD-ROMs.

10. Connect is the owner of U.S. Trademark Registration No. 2,383,778, registered September 5, 2000, for the mark CONNECT PUBLIC RELATIONS® used in connection with:

“Communications services, namely, delivery of messages by electronic transmission.”

11. Connect is the owner of U.S. Trademark Registration No. 2,365,074, registered July 4, 2000, for the mark CONNECTPR® used in connection with: “Communications services, namely, delivery of messages by electronic transmission.”

12. Connect is the owner of U.S. Trademark Registration No. 2,366,850, registered July 11, 2000, for the mark CONNECTPR® used in connection with: “Marketing and market research and consulting services; public and media relations services and sales promotion services.”

13. Connect is the owner of U.S. Trademark Registration No. 2,383,777, registered September 5, 2000, for the mark CONNECTPR® used in connection with:

Prerecorded audio recordings, prerecorded video recordings, and prerecorded audio-visual recordings featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services; electronic publications featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services on computer discs and CD-ROMs.

14. Connect is the owner of U.S. Trademark Registration No. 2,713,692, registered May 6, 2003, for the mark CONNECTPR® used in connection with:

Printed publications, namely, brochures in the fields of market research and consulting, public and media relations, sales promotion, strategic marketing planning, development of market positioning and messaging, background editorial support of sales promotion material, and seminar creation and operation.

15. Connect is the owner of U.S. Trademark Registration No. 3,330,353, registered November 6, 2007, for the mark CONNECTPR® used in connection with:

Printed publications, namely, reports, brochures and press kits comprised of brochures, flyers, and press releases, in the fields of market research and consulting, public and media relations, sales promotion, strategic marketing planning, development of market positioning and messaging, background editorial support of sales promotion materials, and seminar creation and operation.

16. Connect is also the owner of common law rights in the CONNECT mark since at least as early as 1998. In particular, Connect has used its CONNECT mark on the same goods and services recited in the above-identified Connect registrations. That is, the goods and services for the CONNECT mark are commensurate in scope with the goods and services recited in the above-identified Connect registrations. This is true because Connect frequently used its Connect mark alongside its CONNECTPR® and CONNECT PUBLIC RELATIONS® mark in its promotional materials. Connect's clients often refer to it using the CONNECT mark.

17. Since their adoption in 1998, CONNECTPR has continuously used the Connect Marks in interstate commerce up until the present time without interruption.

18. Since their adoption in 1998, Connect has not discontinued the use of the Connect Marks in interstate commerce for any period of time.

19. Since their adoption in 1998, Connect has not abandoned, or intended to abandon, its Connect Marks.

20. Since their adoption in 1998 and up until the present time, Connect has promoted its goods and services using the Connect Marks using a wide range of mediums, including: on the Internet, through its own websites, through sales brochures, through advertisements placed in nationally distributed magazines, on product labels, on business cards, and at tradeshow.

21. On its current website, [www.connectmarketing.com](http://www.connectmarketing.com), Connect is presently and properly using all of the Connect Marks in interstate commerce. See Exhibit E, *inter alia* sheet 3.

22. Since the adoption of the Connect Marks in 1998 until the present, I estimate that expenditures for the promotion of its goods and services under the Connect Marks exceeds \$ 1,000,000 .

23. For example, a marketing brochure published in 1998 by Connect, a true and correct copy attached hereto as Exhibit A, demonstrates Connect's adoption and use of its CONNECT, CONNECT PUBLIC RELATIONS® and CONNECTPR® marks in interstate commerce. In particular, the marketing brochure in Exhibit A was disseminated to prospective and then current clients of Connect in the late 1990s.

24. By way of another example, an advertisement placed by Connect in August 1998 in a magazine, a true and correct copy attached hereto as Exhibit B, demonstrates Connect's adoption and use of its CONNECT, CONNECT PUBLIC RELATIONS® and CONNECTPR® marks in interstate commerce to promote its services and goods.

25. By way of another example, attached hereto as Exhibit C, is a copy of a recent proposal for a potential client in the telecommunications industry that demonstrates Connect's use of its CONNECT and CONNECT PUBLIC RELATIONS® marks in interstate commerce to promote its services and goods.

26. By way of another example, select pages of Connect's former website, printed March 21, 2013, are attached hereto as Exhibit D and demonstrate Connect's recent use of its CONNECT, CONNECT PUBLIC RELATIONS® and CONNECTPR® marks in interstate commerce to promote its services and goods.

27. By way of another example, select pages of Connect's current website, obtained on April 4, 2014, are attached hereto as Exhibit E and demonstrate Connect's current and ongoing use of its CONNECT, CONNECT PUBLIC RELATIONS® and CONNECTPR® marks in interstate commerce to promote its services and goods.

28. In regard to the mark CONNECT PUBLIC RELATIONS®, based upon my experience, Connect's customers are more likely to recall the term CONNECT in the mark than the term PUBLIC RELATIONS as the term PUBLIC RELATIONS is widely used in the industry. That is, the term CONNECT is the most vital part of the mark CONNECT PUBLIC RELATIONS® as it is, in my experience, the portion of the mark that is most impressed into the minds of Connect's customers.

29. In regard to the mark CONNECTPR®, this mark is pronounced as "connect p-r," where the letters "p" and "r" are pronounced as separately. Based upon my experience, Connect customers are more likely to recall the term "connect" in the mark CONNECTPR® than the last two letters because the letters "p" and "r" are known in the industry to stand for "public relations." For this reason, the term "connect" is the most vital part of the CONNECTPR® mark.

30. Connect's employees and customers sometimes shorten the marks CONNECT PUBLIC RELATIONS® and CONNECTPR® to just the term "connect" when referring to the

source of the goods and services offered by Connect. This demonstrates the importance of the term “connect” in the CONNNECT PUBLIC RELATIONS® and CONNECTPR® marks.

31. The term “connect,” when used for Connect’s goods and services, connotes or suggests the idea of bringing together or joining things together, such as a business with its customers. It appears that the term “connect,” when used for Digitalmojo’s services, also connotes or suggests the idea of bringing together or joining things together, such as a business with its customers.

32. I have reviewed Digitalmojo, Inc.’s (“Digitalmojo”) opposed application for the CONNNECT mark, and this application is very troubling to Connect because it appropriates of the most significant part of Connect’s CONNNECT PUBLIC RELATIONS® and CONNECTPR® marks, namely, the term “connect,” and is also identical to Connect’s common law mark CONNNECT.

33. Digitalmojo’s application for the CONNNECT mark is further troubling to Connect because the services recited therein are encompassed by, or are very similar to, the goods and services in Connect’s registrations for the marks CONNNECT PUBLIC RELATIONS® and CONNECTPR®. In particular, Digitalmojo’s recited services appear, in large part, to be nothing more than a subset of the goods and services recited in Connect’s registrations, even though they are worded slightly differently.

34. In regard to Digitalmojo’s recited “business marketing services in the nature of agency representation of companies marketing a variety of services to home owners and renters, namely, utility hook-ups, telecommunication services, home security services, home warranties, home and yard maintenance, furniture and appliance rental,” these services are nothing but a subset of the services recited in Connect’s Class 35 registrations for the CONNNECT PUBLIC

RELATIONS® and CONNECTPR® marks (Nos. 2,373,504 and 2,366,850), especially Connect's recited "marketing" services. The same applies to Connect's marketing services associated with its common law mark CONNECT. In fact, Connect has actually offered and provided its services to telecommunications companies as shown, for example, by the attached Exhibit C. Thus, there exists a very real risk, in my opinion, that consumers may encounter, and be confused by, Digitalmojo's CONNECT mark since Connect is already targeting some of the same consumers specified in Digitalmojo's application.

35. Further, Digitalmojo's recited "business marketing services" are also related to the goods recited in Connect's Class 16 registrations for the CONNECT PUBLIC RELATIONS® and CONNECTPR® marks (Nos. 2,713,692; 330,353; and 2,383,353). In particular, in my experience, companies providing Digitalmojo's "Business marketing services" also provide the goods recited in Connect's Class 16 registrations because they are complementary with each other, that is, they are often offered together. For this reason, I believe that consumers are likely to mistakenly believe that Digitalmojo's "business marketing services" come from the same source as the goods in Connect's Class 16 registrations. The same hold true for Connect's common law mark CONNECT.

36. In regard to Digitalmojo's recited "Comparative marketing and advertising services for providers of residential and business telecommunications services, namely, for providers of broadband cable, DSL, fiber-optic and satellite Internet access services, cable and satellite television, voice over IP, and long-distance telephone services" these services are nothing but a subset of the services recited in Connect's Class 35 registrations, especially Connect's recited "marketing" services. That is "comparative marketing" is a form of marketing. Again, Connect

has actually offered and provided its services to Internet access providers as shown by the attached Exhibit C.

37. Further, Digitalmojo's recited "Comparative marketing and advertising services" are also related to the goods recited in Connect's Class 16 registrations. In particular, in my experience, businesses providing Digitalmojo's services also provide the goods recited in Connect's Class 16 registrations because they are complementary with each other. For this reason, I believe that consumers are likely to mistakenly believe that Digitalmojo's above-identified services come from the same source as the goods in Connect's Class 16 registrations.

38. In regard to Digitalmojo's recited "Marketing of high speed telephone, Internet, and wireless access, and directing consumers to access providers" these services are nothing but a subset of the services recited in Connect's Class 35 registrations, especially Connect's broadly recited "marketing" services. Again, Connect has actually offered and provided its services to Internet access providers.

39. Further, Digitalmojo's recited "Marketing of high speed telephone, Internet, and wireless access, and directing consumers to access providers" are also very related to the services recited in Connect's Class 16 registrations. In particular, in my experience, companies providing Digitalmojo's above-identified services also provide the goods recited in Connect's Class 16 registrations because they are complementary with each other. For this reason, I believe that consumers are likely to mistakenly believe that Digitalmojo's above-identified services come from the same source as the goods in Connect's Class 16 registrations.

40. In regard to Digitalmojo's recited "Promoting the goods and services of others over the Internet" these services are nothing but a subset of the services recited in Connect's Class 35 registrations, especially Connect's marketing and sales promotion services. Connect has actually

offered and provided the services of promoting the goods and services of others over the Internet. In fact, customers expect that Internet promotions are a large part of modern marketing, public relations and sales promotion services. More and more, marketing and public relations companies like Connect use Internet-based campaigns, including online blogs, social media, and technology websites to promote the goods and services of others over the Internet.

41. Further, Digitalmojo's recited "Promoting the goods and services of others over the Internet" are also very related to the services recited in Connect's Class 16. In particular, in my experience, companies providing Digitalmojo's above-identified services also provide the goods recited in Connect's Class 16 registrations because they are complementary with each other. For this reason, I believe that consumers are likely to mistakenly believe that Digitalmojo's above-identified services come from the same source as the goods in Connect's Class 16 registrations.

42. In regard to Digitalmojo's recited "Online business networking services," these services are highly related and are a subset to the services recited in Connect's Class 35 registrations. In particular, modern day marketing, public relations and sales promotion services for businesses heavily focuses on online business networking. In fact, customers expect this from marketing and public relations companies, such as Connect, because an online business presence is essential for success. Online business networking may occur through online marketing and public relations campaigns, including online blogs, social media, and content posting on websites. It is hard to imagine a company today that offers marketing and public relations services that does not include online business networking.

43. Further, Digitalmojo's recited "Online business networking services" are also related to the services recited in Connect's Class 16 registrations. In particular, in my experience, companies providing Digitalmojo's above-identified services also provide the goods recited in

Connect's Class 16 registrations because they are complementary with each other. For this reason, I believe that consumers are likely to mistakenly believe that Digitalmojo's above-identified services come from the same source as the goods in Connect's Class 16 registrations.

44. In regard to Digitalmojo's recited "Providing an online interactive website obtaining users comments concerning business organizations, service providers, and other resources," these services are highly related and are a subset to the services recited in Connect's Class 35 registrations, especially Connect's recited "market research" services. In particular, market research services largely involve obtaining "users comments concerning business organizations, service providers, and other resources" through an interactive website. Without question, obtaining user comments is the heart of conducting market research. For this reason, I believe that consumers are likely to mistakenly believe that Digitalmojo's above-identified services come from the same source as the services in Connect's Class 35 registrations.

45. In regard to Digitalmojo's recited "Providing information, namely, compilations, rankings, ratings, reviews, referrals and recommendations relating to business organizations, service providers, and other resources using a global computer network," these services are highly related and are a subset to the services recited in Connect's Class 35 registrations, especially Connect's recited "market research" services. Providing the information as recited in Digitalmojo's above-identified services is encompassed by the market research services recited in Connect's registrations.

46. Further, Digitalmojo's above-identified "providing information" services are also very related to the services recited in Connect's Class 16 registrations, which recite "printed publications, namely reports . . . in the field[] of market research." Reports in the field of market research may include various types of information, including the information recited in

Digitalmojo's application, including: compilations, rankings, ratings, reviews, referrals and recommendations relating to business organizations, service providers, and other resources. For this reason, I believe that consumers are likely to mistakenly believe that Digitalmojo's above-identified services come from the same source as the goods in Connect's Class 16 registrations.

47. Based upon my years of experience, it is my opinion that Digitalmojo's services, identified above, are encompassed by the services recited in Connect's registrations for the CONNECTPR® and CONNECT PUBLIC RELATIONS® mark.

48. It is further my opinion it is my opinion that Digitalmojo's services, identified above, are identical, or related to, those offered by Connect under its common law mark CONNECT.

49. Based upon the above, I believe that consumers would be confused by the entrance of Digitalmojo's CONNECT mark in the marketplace, especially since Connect and Digitalmojo would likely be targeting some of the same customers.

50. I further understand that Digitalmojo has filed petitions to cancel Connect's registrations in Class 35 for CONNECT PUBLIC RELATIONS® and CONNECTPR®, registration nos. 2,373,504 and 2,366,850, respectively, on the basis that Connect allegedly abandoned these marks. In particular, I understand that Digitalmojo contends in its Second Amended Petitions to Cancel, cancellation nos. 92054427 and 92054395, that Connect abandoned its marks when it adopted the mark CONNECT MARKETING and changed its corporate name from Connect Public Relations, Inc. to Connect Marketing, Inc. I have reviewed the webpage printouts attached to its Petitions to Cancel and used in support of Digitalmojo's abandonment allegations.

51. First, I can state unequivocally that Connect has not discontinued use of its CONNECT PUBLIC RELATIONS® and CONNECTPR® marks for those services listed in

their respective registrations. Connect has continuously used these marks from their adoption in the late 1990s up until the present time. In fact, both these marks are prominently used in commerce on Connect's current website as shown in Exhibit E. In more than ten years of Internet presence, Connect has engaged in continuous use of both marks, even when our company expanded into use of the mark CONNECT MARKETING, regarding which we explained to our clients and customers from the beginning that our use of the new mark CONNECT MARKETING, in addition to CONNECT PUBLIC RELATIONS® and CONNECTPR®, is not a "switch," but rather an expansion." See Exhibit D, sheet 2.

52. Next, I will address the substance of the specimens of Connect's webpages relied upon by Digitalmojo in support of its abandonment allegations in its Petitions to Cancel. Digitalmojo's interpretations of Connect's webpages attached to its Petitions to Cancel is misleading and erroneous. The name change from Connect Public Relations, Inc. to Connect Marketing, Inc. as identified in the Petitions to Cancel was not, and never was intended to be, an abandonment of the CONNECT PUBLIC RELATIONS® and CONNECTPR® marks. The name change is better characterized as an "expansion" of Connect's brands with CONNECT MARKETING becoming the main or parent brand and CONNECT PUBLIC RELATIONS® and CONNECTPR® becoming sub-brands or child brands.

53. In fact, the webpages themselves best describe this "expansion" when they explain under the caption "What Happened to Connect Public Relations®?" the following:

We are expanding our brand. Today, Connect Public Relations® becomes Connect Marketing<sup>SM</sup>. Don't think of this as a 'switch,' but rather as an 'expansion.' Here is the story ...

For 22 years we've been doing technology PR. Our goal has been to reach out to technology media and analysts to get coverage for our clients. About 5 years ago our clients started asking for more. They still wanted to reach traditional media, but wanted to include social media as well.

That drove us into new areas — blogs, forums, Facebook, Twitter and so on. But it didn't stop there. In this brave new Web 2.0 arena we also needed to build content. Infographs, videos, slide shows and so on. And we needed to engage with this new media. We had to monitor blogs and forums, engage where needed, measure what was being said, etc.

One day, about two years ago, we realized PR was no longer an accurate description of what we did. It is an important part of what we do, but not the complete story. We decided Connect Marketing<sup>SM</sup> was a more complete description.

So, welcome to Connect Marketing<sup>SM</sup>. There are four parts of our new brand:

**Connect Strategic<sup>SM</sup>** is where we help our clients build effective messaging as well as conduct primary research (focus groups and surveys). **Connect Public Relations<sup>®</sup>** is the continuation of the traditional PR activities we've pursued for 22 years. It is still our core. **Connect Social<sup>SM</sup>** is where we focus on all things Web 2.0 — social media, social networking, social content and social reference. And **Connect Studios<sup>SM</sup>** is where we build meaningful, exciting, fun content — infographs, websites, videos and so on.

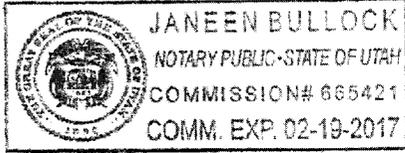
Take a look at our new website for more details on each area. And welcome to Connect Marketing<sup>SM</sup>!

Same webpage reproduced in attached Exhibit D, p. CPR003114 (bold face in original).

54. The specimens of Connect's webpages attached to the Petitions to Cancel further contain the following graphic representing the new hierarchy of Connect's marks under CONNECT MARKETING:



On 4/21/14, before me personally appeared Neil Myers, known to me to be the person described and who signed the foregoing Affidavit of Neil Myers in my presence and acknowledged under oath before me that he has read the same and knows the contents thereof and that he executed the same as his free act and deed and for the purposes set forth therein.



Janeen Bullock  
NOTARY PUBLIC

My Commission Expires:

02-19-2017

Residing at

80 E 100 N Provo, UT 84606

# EXHIBIT A

CBR 002170

**The connectivity market is experiencing a renaissance of sorts—and is doing so at a daunting pace. The Internet is changing the way we communicate, access information and do business—as dramatically as the printing press did centuries ago. Product cycles have been extremely condensed. Margins for error have disappeared.**

**This competitive, break-neck setting requires your PR firm to understand this market's nuances, to react quickly and to have developed the analyst and press contacts necessary to obtain results—without delay—every time. Since our inception in 1990, serving clients in this specific marketplace has been our only goal. Through focus and determination, we have quickly become the largest connectivity-specific PR firm in the world.**



Forward

http://

## Why Connect?

Five years ago the connectivity industry was predicting slow stagnation after a decade of explosive growth. The Internet, of course, has changed that.

Today, the connectivity market is a \$150 billion industry where double-digit growth is not uncommon.

Challenges are unique in this complex market. For every technology learned, five new ones appear on the horizon.

Recently, just as customers learned that ATMs didn't require bank cards, ADSL and Terabit Ethernet arrived! Keeping up with technology is more difficult than ever before.

The pace at which this market moves is staggering as well. Take NetSpeed, for example—a Texas start-up in the xDSL market. Founded by industry veteran John McHale, NetSpeed received funding, opened its doors, announced product and was bought by Cisco for nearly \$250 million—all within 24 months.

Or consider the Internet "push" market, which went from start to finish in about 18 months!

And alas, the Internet. Over eighty million people use it each day for communication, entertainment, education and business—rivaling the industrial revolution in the way it is changing our working lives. There are more than 500 million web pages today, and e-commerce is projected to exceed \$220 billion annually within three years.

These opportunities have not gone unnoticed. There is a gold-rush mentality to capitalize on this market. Investors poured more than \$2 billion into connectivity-specific start-ups in 1997.

This competitive, break-neck environment requires your PR firm to understand the specifics of the market, to react quickly within it, and to have developed the analyst and press contacts necessary to hit the ground running and produce results—every time.

Since our inception in 1990, serving this market has been our only goal. Through focus, determination and experience, we have become the largest connectivity-specific PR firm in the world.

At Connect, we help emerging technology firms define and deliver their core messages. Consider these facts:

**Focus** – We focus exclusively on the connectivity market. Fully 90 percent of the 85 companies we've represented are connectivity or telephony firms. Each month we manage an average of 160 meetings with key connectivity media contacts, resulting in over 400 article placements.

**Experience** – Our senior staff is extremely experienced in public relations for the connectivity industry, each averaging 10 years of experience. Among our partners is the former managing editor of LAN Times and the founder of one of the industry's first network software utility companies.

**Results** – Of course, the most important thing a public relations firm can offer is results. At its most fundamental level, Connect Public Relations gets excellent coverage for our clients. And while quantity is important, quality is even more critical.

Of the articles we place, nearly half go beyond news to include high-impact coverage such as features, reviews and round-ups, case studies and columns.

All of this coverage leads to exciting results for our clients. In fact, many are acquired by larger companies or go public. To date, these events have generated valuations of more than \$7.5 billion! And, the principals from each of these companies will affirm that a strong public relations presence played an indispensable role.

**We focus exclusively on the  
connectivity market, with media contacts  
resulting in 400 article placements  
each month.**

**Public Relations Challenges  
Are Unique in Emerging Markets**

Emerging technology segments have their own specific challenges when it comes to public relations. Often, successful techniques used for broader, more mature segments just won't work in this arena.

Companies need to forego broad branding and consumer strategies in favor of precise, targeted, educational programs. The rules are different and you need an agency that knows the ropes.

Firms trying to succeed in emerging markets face tough challenges. These emerging segments are often new and poorly understood. The Internet has exacerbated this by accelerating the rate of change for new technologies.

A successful public relations campaign must blaze uncharted territories.

To begin with, "scheduled" coverage is virtually nonexistent. Forget about low-level PR drones watching editorial calendars and responding to calls for product round-ups. Whereas publications may hold round-ups of PCs or printers several times a year, there is no space reserved for these new connectivity markets.

Next, the media may not see the potential of the market at first glance. Is this a market that will explode, as with browsers, or will it fizzle, as did the push market? This perception drives the amount of coverage the media affords new markets. Before you can sell the merits of your product, you need to defend the entire segment.

Furthermore, the media may not understand the technology behind your products. Many reporters' knowledge of high tech is a mile wide and an inch deep. You must counter this lack of understanding to gain meaningful coverage.

Finally, your emerging firm may lack the credibility of larger, more established players. We help the media become convinced that you have what it takes to succeed in today's highly competitive market.

**A Strategy for Success**

To overcome these obstacles, we have developed four highly focused public relations goals for our clients, as illustrated on the adjacent page:

**Our four-part strategy for success is quite simple:  
build rapport, educate the press and analysts,  
sell your model and garner effective coverage.**



CPR 002176



### **Building Rapport**

Public relations is a people business. Editors are swayed by their relationships with company spokespersons. All things being equal, they favor companies with a spokesperson they feel has the vision, drive and experience to succeed.

The criteria for a good spokesperson are simple.

First, consistency is critical. Use the same spokesperson over time so the media can develop a relationship.

Next, your spokesperson should exude vision in both a business and a technical sense. Some companies prefer using teams, with one person showing marketing vision and the other technological expertise.

Finally, all great spokespersons exhibit great people skills.

Once you have selected your spokesperson, we advise meeting with the press on a regular basis. It's important that these meetings be one-on-one. It's impossible to build rapport with the media—much less educate them—in group settings. Avoid trade shows for your important announcements. They're too busy and distracting for the in-depth, reflective meetings this process requires.



### **Educating Press and Analysts**

The media cannot effectively cover what they do not understand. Further, the key to helping the media understand your product's advantages is a fundamental understanding of the underlying technology. We tell our customers to "write the book" on their technology from a technological, as well as a market, standpoint.

This type of educational material can take many forms, from written materials to video and animation. The key is to provide enough information to make it easy for the press community to understand your market and product line.



### **Selling Your Model**

There are no commodity markets in high tech.

Every product is different, and this difference is driven by the vendor's "model"—what the customer wants, where the market is heading and how the product to serve this market is to be built.

Selling the media on your model is a requirement for success. Witness the high-profile battles in the market today—Internet Explorer vs. Netscape, Apple vs. Microsoft, Compaq vs. Dell. How the media perceives the validity of these companies' models determines the press they receive.

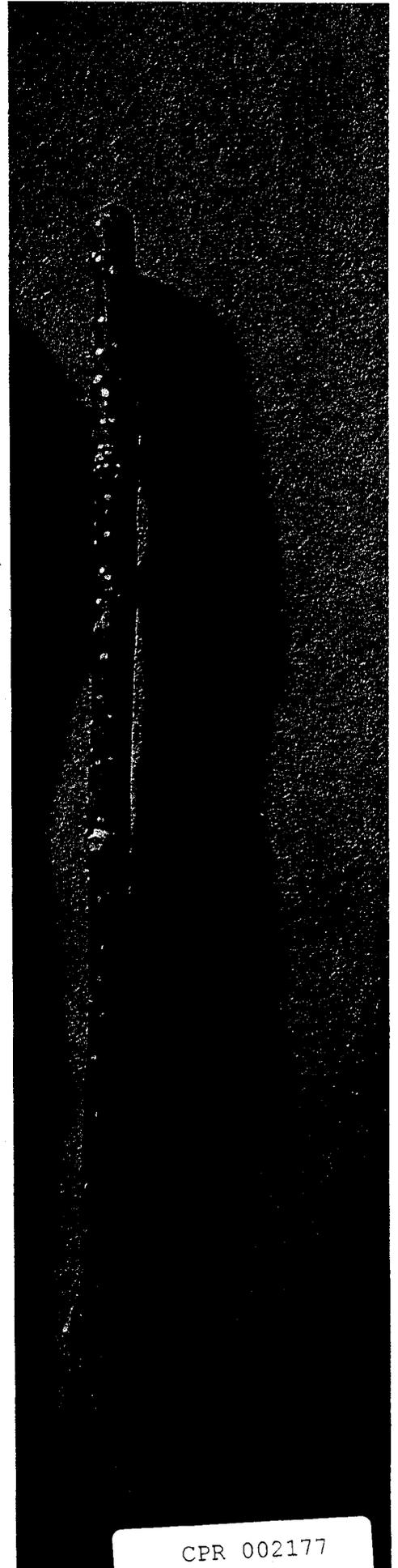
Several communications vehicles will help you sell your model. A detailed market white paper will show the media how the market dynamics work in your niche. A customer success story—either written, video or audio—will demonstrate customer acceptance of your model. And a set of quotes from key industry analysts will validate that model.



### **Garnering Effective Coverage**

Once you have accomplished the first three steps, you are ready for the meat of the PR program—getting effective coverage. But what is effective coverage? News stories? First looks? Product reviews? The key is getting a mix of stories—each of which accomplishes a different mission.

It is important to pay close attention to the details of this process. The media will place more than 50,000 stories about high tech this year. Your product fits in perhaps 1 percent of those. Finding those story opportunities is a painstaking job. It is a job we perform daily for a wide range of clients.



## **Connect Public Relations Is Different**

Three principles drive the way we conduct our business:

- Value for clients
- Communication with clients
- Accountability to clients

Have you ever considered why people hate buying "services?" People like to buy things like cars and computers, but services—forget it!

We've always believed that the problem lies in how services are typically packaged, sold and delivered.

First, it is hard to get an accurate quote on how much services will cost. Proposals are often alarmingly vague in terms of key deliverables, time frame and, most of all, cost.

Then, it is difficult to know how things are going each month. Is the project complete? How much has it cost to date? How much more will I need to spend? Simple questions all too often left unanswered.

Also, there is rarely accountability. If a project turns out poorly or takes longer (and is thus more expensive), tough. Most agencies just bill you anyway.

At Connect, we operate on a fixed-cost basis. Want to know how much something will cost? Look at our price list!

We start with a 12-month plan that details exactly what we will do and exactly how much it will cost. This is not an estimate—it is a firm, fixed-cost bid. We respect your budget and will not exceed our bids.

### **We Communicate with You**

Each month we start with a monthly action plan that specifies what we do that month—and exactly how much it will cost. At the end of the month you get a status report and invoice that tie to that action plan. Think of it as our "no surprises" guarantee.



Finally, we're accountable for our work. And we don't require long-term commitments—we work month to month. If we're not getting the job done, fire us!

We're proud to say that Connect clients remain fiercely loyal. We believe that both our principles and our policies are powerful contributing factors.

**We operate on firm,  
fixed-cost bids. We respect your budgets  
and will not exceed our bids.**



Editorial Support and Strategic Counsel

Pub.  
Relat.  
Comm.  
W/O

CPR 002180

## Editorial Support

**T**here is a wide range of activities Connect Public Relations pursues to facilitate coverage of our clients. Some are proactive—creating coverage opportunities—and some are reactive—responding to coverage opportunities. Combined, we call these activities “editorial support.”

### Specifically:

We manage all stories relating to your company.

We scan published editorial calendars and follow up on these opportunities to ensure coverage.

want products to perform as well as possible and are open to this type of input. Often this management can mean the difference between a poor review and a great one.

We pitch your stories. We will work with the editors to suggest various story ideas. By doing so, our goal is to obtain the following kinds of coverage:

- Product stories
- Case studies
- Q&A's
- Company and executive profiles
- By-lined technical articles
- Column ideas
- Managed reviews

**Nothing's worse than seeing an article  
in which you could have been—should have  
been—included, but weren't.**

We call publications on a regular basis to learn about unpublished calendar items and events. Not all of these opportunities directly relate to your products. On occasion we can secure sidebar coverage of your products alongside an article covering a related topic.

We manage the review process. Often we can work with the reviewer to influence the review criteria. Once the review begins, we check in periodically to see how it is proceeding. If problems crop up, we can arrange for a telephone call from you or even to have one of your engineers visit the reviewer. Our experience is that reviewers generally

We respond to press inquiries. Often the press will call to inquire about your products. We handle these in a timely fashion. Because we focus on the connectivity market, we can respond much more intelligently than the average public relations professional.

We prepare timely status reports and clip all articles.

### Editorial Support Pricing:

Please ask us to prepare a specific quote for editorial support based on your exact needs.

**Not only do you lose an opportunity,  
but your competitors gain one.**

## Strategic Counsel

**C**onnect Public Relations focuses completely on the connectivity marketplace. Over the years we have helped 85 technology firms define and deliver their core messages.

Because of this focus and experience, we can offer seasoned, valuable advice to your management team about how to succeed in this marketplace.

We have successfully completed many assignments for our clients:

When **Microsoft** developed Windows for Workgroups (WFW), they hired Connect Public Relations to work with a group of their top corporate customers to gauge how well WFW would be accepted in corporate America. Our report foretold low acceptance in this group due to poor support for heterogeneous networks and a lack of relevant value-add.

**Symantec's** Peter Norton Group asked Connect Public Relations to help when they wanted to move into the network market. We developed the business plan for the new network division—which was successful enough to have grown to hundreds of people by the time it was sold to Hewlett Packard in 1996.

Although **Lexmark International** was a very successful printer company, they weren't well known when they brought Connect Public Relations on board in 1993. We helped them define their core messages of print quality, performance, flexibility and networkability.

By promoting these core messages, Lexmark has emerged over the last several years as a well-known business printer company—second only to Hewlett Packard.

**V-ONE** had a problem. Although first to market in the highly competitive virtual private network market, they had trouble articulating their mission. Connect Public Relations helped them

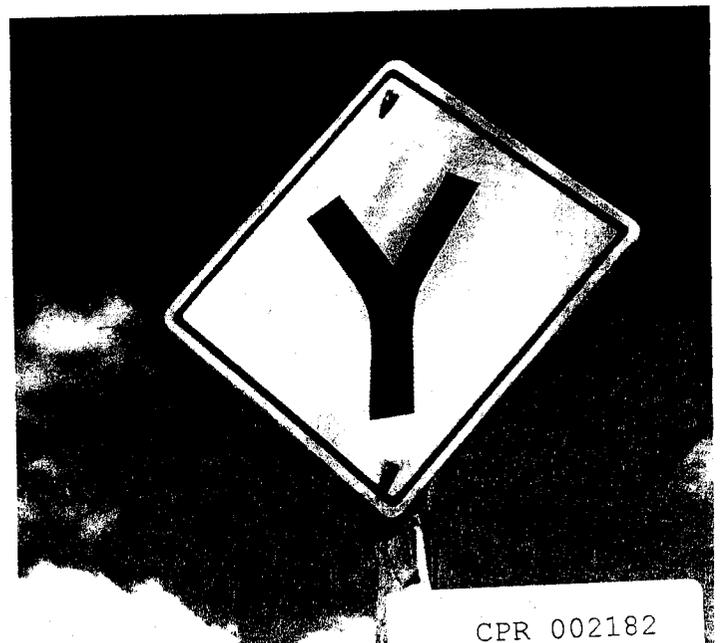
define and articulate their messages. As a result, analysts and press have begun to cover V-ONE much more favorably.

**Internet Security Systems (ISS)** had an enviable position as market leader in the hot new Internet security segment. The problem was that their story was complex and difficult to understand. They asked Connect Public Relations to help them articulate their message. As a result, ISS now finds that the press and analyst community has a much easier time seeing how ISS fits in with the rest of the security market.

### Strategic Counsel Pricing:

Please ask us to prepare a specific quote for strategic counsel based on your exact needs.

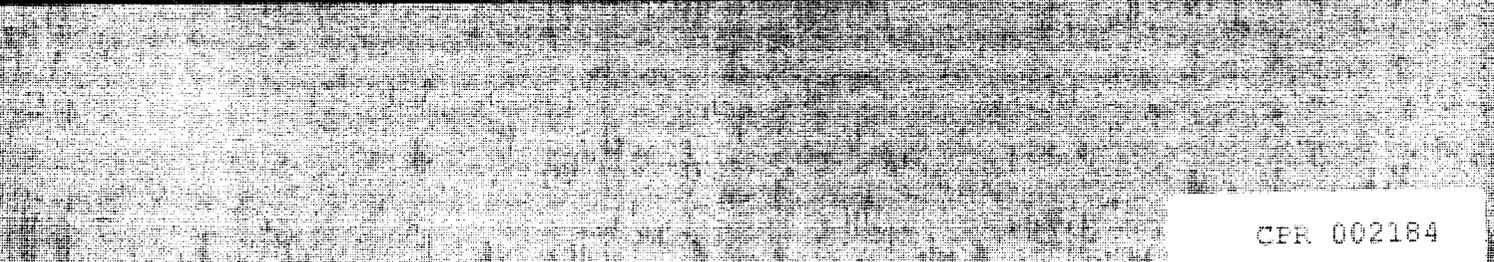
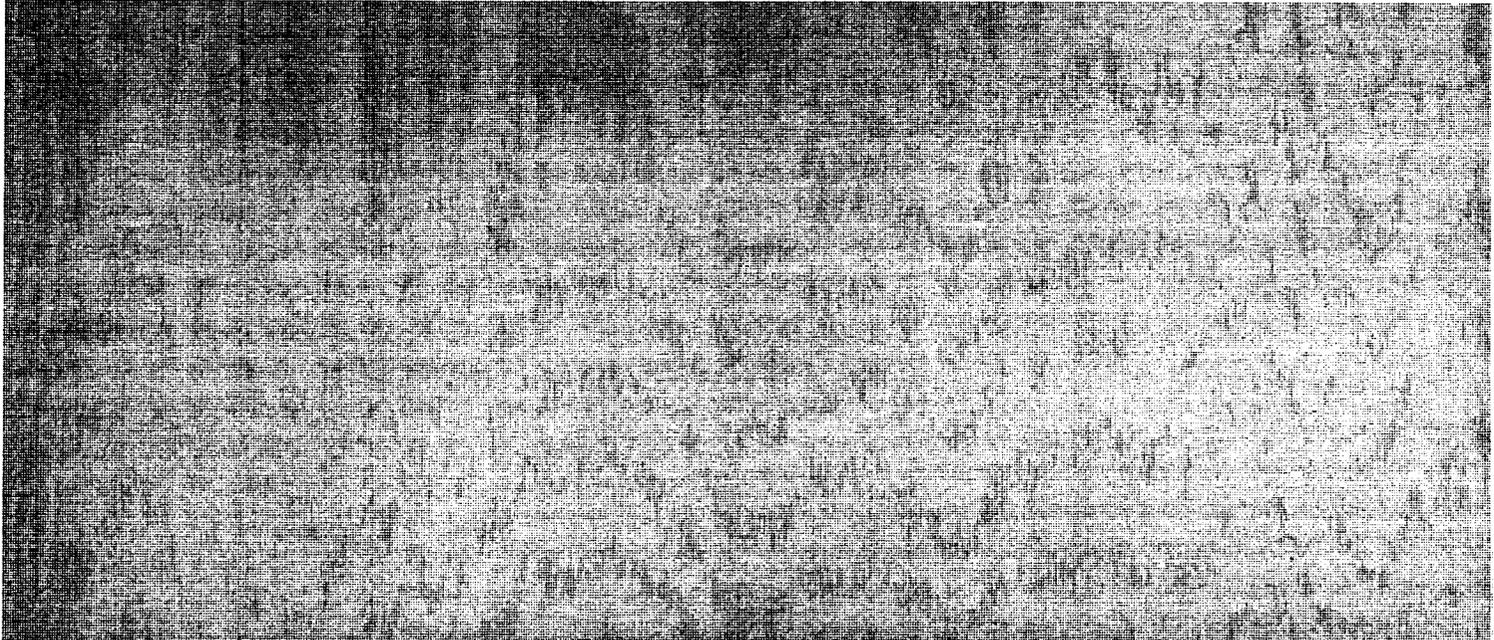
**We offer seasoned advice  
on how to succeed in this marketplace.**



CPR 002182



CPR 002183



CPR 002184

## International Press Summits

**T**wo of the fastest growing technology markets in the world are Asia Pacific and Latin America. But for most young, rapidly growing technology companies, justifying the tremendous expense of public relations in these areas can be very difficult. For example, it can cost up to \$40,000—and two weeks of your spokesperson's time—to adequately execute a full press tour through the Asia Pacific region!

That's where Connect's international press summits come in. We first developed these award-winning events in 1993. Since then dozens of companies have used them to better secure coverage in these important regions.

Our press summits provide all of the benefits of a formal, international press tour at a fraction of the price—and using much less of your people's time.

We're proud to have recently received the Adweek/Marketing Computers "ICON Award" for Best International Marketing Events.

**Nothing's more effective than  
a face-to-face meeting with a key analyst  
or journalist to promote your message.**

## Summit Descriptions

### When and where are they held?

We hold four conferences per year. We select a central location that minimizes travel for both you and the journalists:

<b>WINTER</b>	Latin America Press Summit Location – Florida or Caribbean
<b>SPRING</b>	Asia-Pacific Press Summit Location – Hawaii
<b>SUMMER</b>	Latin America Press Summit Location – Florida or Caribbean
<b>FALL</b>	Asia-Pacific Press Summit Location – Hawaii

You stay in a private, two-room suite. All of your meetings take place in this suite. You can bring and set up any equipment you may need for your meetings with the editors.

### Who will you meet?

You'll meet with 12 of the leading computer publications in the region.

## What is the format?

We run the conferences over a weekend. The schedule is packed with a mix of one-on-one press meetings and team activities that build rapport:

<b>FRIDAY</b>	
6:00 P	Cocktail reception — First chance to meet journalists
<b>SATURDAY</b>	
7:30 A	Breakfast
8:00 A	1st publication meeting
8:45 A	2nd publication meeting
9:30 A	3rd publication meeting
10:15 A	Break
10:30 A	4th publication meeting
11:15 A	5th publication meeting
12:00 P	6th publication meeting
1:30 P	Afternoon team activity — Typically a snorkel cruise on a private catamaran
6:30 P	Dinner — We split the group into smaller groups of 10–12 people
<b>SUNDAY</b>	
7:30 A	Breakfast
8:00 A	7th publication meeting
8:45 A	8th publication meeting
9:30 A	9th publication meeting
10:15 A	Break
10:30 A	10th publication meeting
11:15 A	11th publication meeting
12:00 P	12th publication meeting
1:30 P	Free time to meet privately with editors — or just relax
6:30 P	Final dinner — back together as a group one last time

## International Summit Pricing:

Prices for Connect's International Press Summits can run as low as \$6,500: (less than airfare alone for a regional press tour)

Single conference, \$8,500

Two-conference package (within 12 months), \$15,000 (12-percent discount)

Three-conference package (within 12 months), \$21,000 (18-percent discount)

Four-conference package (within 12 months), \$26,000 (24-percent discount)

Price covers all meetings, activities and meals. Attendee is responsible for airfare and hotel charges. Additional staff may attend for a fee of \$1,000 to cover activities and meals.

## International Summit Past Attendees:

### Asia-Pacific Vendors

AG Communication Systems  
Andrew Corporation  
Artisoft, Inc.  
AST  
Astral  
Asymetrix Corporation  
Attachmate Corporation  
CallWare Technologies, Inc.  
ChatCom, Inc.  
Cheyenne Software, Inc.  
Cisco  
Compaq CPG  
Computer Mail Services, Inc.  
Digital Products, Inc.  
DMTF  
Exabyte Corporation  
Firefox Group Limited  
Folio Corporation  
FTP Software, Inc.  
Gupta Corporation  
Imagery Software, Inc.  
Intel Corporation  
Internet Security Systems (ISS)  
KeyLabs, Inc.  
Knozall Systems, Inc.  
LAN Support Group  
Lantronix  
Lexmark International, Inc.  
Marcam Corporation  
Microtest, Inc.  
NetManage, Inc.  
NetWorth, Inc.  
Newport Systems Solutions, Inc.  
Patton Electronics Company  
RightFAX, Inc.  
Rockwell Network Systems  
SMC  
Sourcecom Corporation  
Starlight Networks  
Stellar One Corporation  
Symantec Corporation  
TGV  
The Wollongong Group  
Tricord Systems, Inc.  
Vinca Corporation  
WRQ  
Wingra Technologies, Inc.  
XTree Company

### Asia-Pacific Publications

Asia Computer Weekly (ACW)  
Asia Pacific Telecommunications  
Channels Asia  
China Infoworld  
Comms Network Australia  
Computerworld Australia  
Computerworld China  
Computerworld Hong Kong  
Computerworld Korea  
Computerworld Malaysia  
Computerworld New Zealand  
Computerworld Philippines  
Computerworld Today/OpenWorld  
Computerworld/Infoworld Taiwan  
High-Tech Information  
IDC  
Internet Magazine Japan  
IT Asia  
LAN Magazine  
Australia/New Zealand  
LAN Magazine Chinese Edition  
LAN Magazine Taiwan  
LAN Times Japan  
Network Magazine Taiwan  
Network World Australia  
OpenWorld/Computerworld Today  
PC Week Asia  
PC Week Australia  
PC Week Japan  
PC Week Taiwan  
PC World Korea

### Latin American Vendors

AG Communication Systems  
American Power Conversion  
Artisoft, Inc.  
Attachmate Corporation  
CallWare Technologies, Inc.  
ChatCom, Inc.  
Cheyenne Software, Inc.  
Cognos Corporation  
Compaq CPG  
Cubix Corporation  
Cyrix Corporation  
Dell Computer Corp.  
Distinct Corporation  
Eicon Technology, Inc.

Exabyte Corporation  
Firefox, Inc.  
FTP Software, Inc.  
Future Tech Corporation  
Geac  
Gupta Corporation  
Imagery Software, Inc.  
INSO Corporation  
Intermind Corporation  
KeyLabs, Inc.  
LAN Support Group  
Lantronix  
Lotus Development Corporation  
Natural Microsystems  
Network, Inc.  
Patton Electronics Company  
Retix Corporation  
RightFAX, Inc.  
Samsung Network Division  
Secure Computing Corporation  
Symantec Corporation  
The Wollongong Group  
Thomas Conrad Corporation  
Tricord Systems, Inc.  
WRQ

### Latin American Publications

BYTE Mexico  
Compu Magazine Argentina  
Computer Reseller News  
Computerworld Argentina  
Computerworld Brazil  
Computerworld Chili  
Computerworld Columbia  
Computerworld Mexico  
Computerworld Venezuela  
Datamation Argentina  
IDG Brazil  
Info Channel Mexico  
Informatica Exame Brazil  
Informatica Hoje  
LAN TIMES Brasil  
Microbyte Chile  
PC Magazine  
Brasil/Win Computing  
PC Magazine en Español  
PC Magazine Latin America  
PC Semanal/Personal Computing  
PC World  
PC World Ecuador  
PC World Latin America  
PC World Panama  
PC World Peru  
Personal Computing Mexico  
RED Magazine  
Revista Informatica Chile

## Press Tours

**I**n formal, face-to-face meetings with analysts and journalists you can build rapport, educate about your market and products, and sell your ability to successfully capture that market. No other activity can accomplish these goals as quickly or effectively. At Connect, we help with your press tour from start to finish to ensure the maximum benefit.

### Specifically, we will:

Help develop the core messages and goals for the tour.

Build lists of press and analyst targets.

Secure and confirm appointments.

Prepare a formal briefing book that describes your meetings in detail. You'll learn about the publication, the journalist, specific goals for the appointment and past experiences/coverage from the editor or analyst.

Train your spokespersons on press tour techniques in general (if needed).

Provide dry run and Q&A sessions to help your spokespersons prepare.

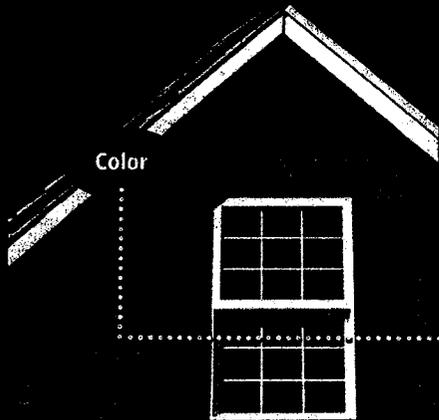
Accompany you on tour and capture and follow up on all action items that come out of the tour.

Prepare a formal trip report that details the results of each meeting.

### Press Tour Pricing:

\$250 per meeting we set up  
\$1,200 per day during the tour  
Out-of-pocket telephone, fax and travel expenses billed at cost





Color



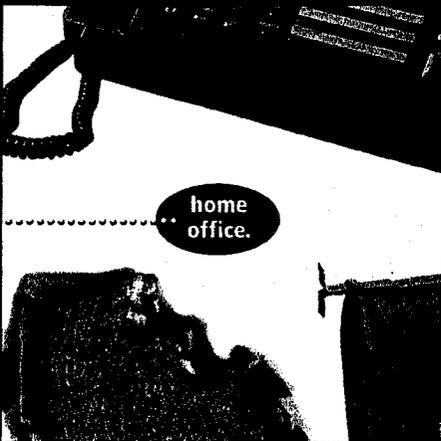
your



home



and



home office.

Lexmark's  
"Color Your World"  
1998 U.S. Press Tour

"Connect PR recently mounted the most impressive corporate press tour that editors and analysts who follow our company had ever seen. Connect combined the activities of multiple divisions into one seamless Lexmark leadership story, and delivered it in powerful multimedia. From concept to turnkey execution, Connect made our recent 'Color Tour' the most successful public relations event in Lexmark history."

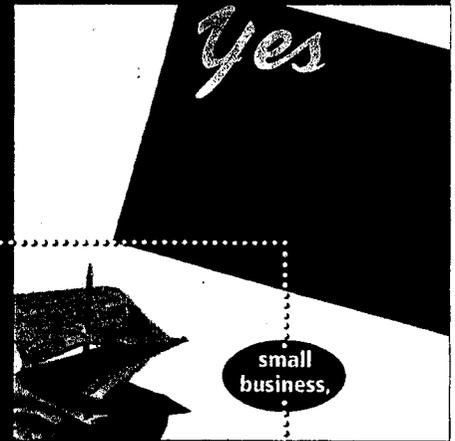
Paul Johns, Vice President, U.S. Marketing · Lexmark

"... the most impressive corporate press tour..."

"Connect knows how to reach the press..."

"We recently finished a highly successful press tour with Connect PR. We had worked with several high-tech agencies before Connect, but none of them offered the comprehensive, broad-based PR services that we needed—particularly with the media. Connect Public Relations knows how to reach the press and establish vital relationships with them. They are both creative and effective."

Ransom Love, President & CEO · Caldera Systems Inc.

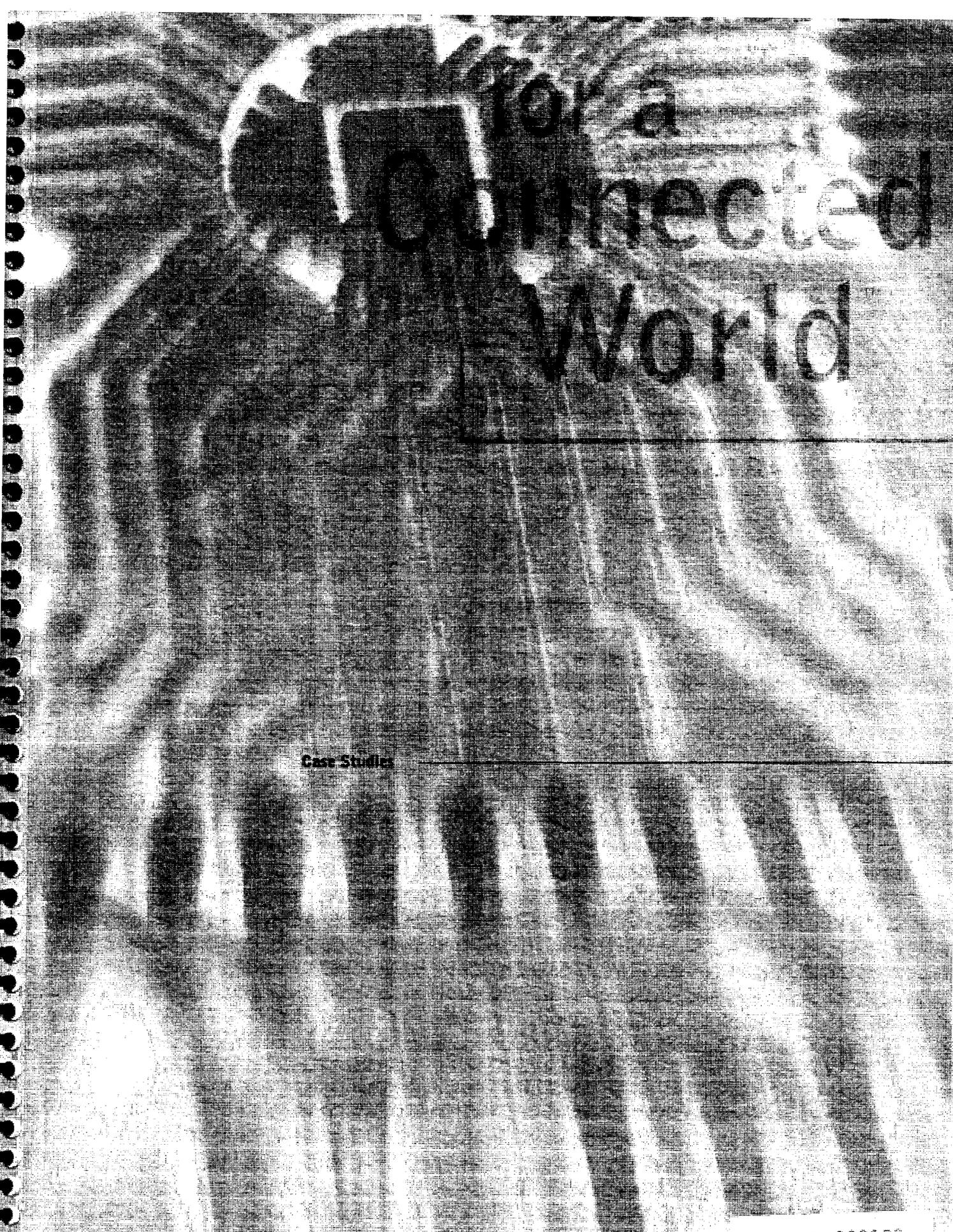


small business,



or enterprise.

CPR 002187



# of a Connected World™

Case Studies



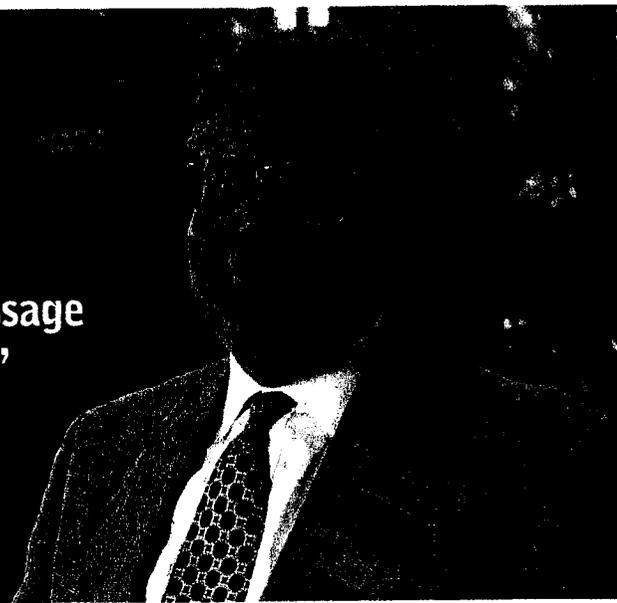
**Frank Roys had a challenge...**

to present a clear, simplified snapshot of a complex technology that editors, analysts and industry professionals could easily understand and envision.

**"Most people aren't sure what 'virtual private networking' is," Frank explains. "When we started rambling about 'encryption schemes' and 'access control management' we were often met with blank stares."**

V-ONE's product was superior and the market potential was enormous—but V-ONE's message wasn't coming across.

**"Connect PR helped clarify our message to the press and to end users."**



Frank Roys, Vice President of Marketing V-ONE

**Connect PR had the solution.**

**"We needed a punchy visual statement to effectively communicate our message," Frank says. "But I was concerned about our ability to script a powerful video piece. Connect PR has a number of clients experiencing tremendous product acceptance through video presentations. After meeting with Connect, I knew they had the experience to skillfully pull it off."**

The response was overwhelming positive—and immediate. Today, analysts applaud V-ONE's unique technology. And Frank has discovered "secondary benefits" from the video.

**"Connect helped sort out our messages. We rethought the ways we present our product to the press and to end-users. Based on the response to our video, we've turned expensive trade show 'demo' booths into simple 'information' booths that generate many more qualified leads. We're extremely pleased with our investment—especially given the secondary benefits."**

Thanks, Frank. We've enjoyed helping out.

We're the largest connectivity-specific PR firm in the world. We're driven by quality and results—not personalities.

Give us your toughest challenge. We'll help you implement the solution.



Formerly Network Associates  
[www.connectpr.com](http://www.connectpr.com)



**Sumiko Yost had a challenge...**

to find a quick, cost-effective way to heighten awareness of WRQ's software products among industry journalists in Asia Pacific, and to increase WRQ's market penetration there.

"WRQ is the 16th largest software company in the United States," Sumiko notes. "But we didn't have a strong foothold in Asia Pacific. Our PC/corporate network connectivity software is world class, but we hadn't developed the relationships we needed with the Asian media. We weren't sure how to best do that."

The marketing potential was enormous. Sumiko's budget was modest.

**"Connect's press summits help us penetrate the Asia Pacific market."**

**Connect PR had the solution.**

"Connect's press summits were exactly the right thing—at exactly the right time," Sumiko says. "Face-to-face interaction with some of Asia's top journalists has been a tremendous boost to our PR efforts."

Sumiko anticipates that Japan alone could soon become one of WRQ's most important markets.

"I continue building rapport with the editors I meet at the conferences. Many have become friends, as well as valuable business contacts. There's no substitute for learning market trends directly from the people that tend to steer and shape them. Connect's press summits have become a very useful tool for WRQ—we really look forward each time to attending."

Thanks, Sumiko. We've enjoyed having you there.

We're the largest connectivity-specific PR firm in the world. We're driven by quality and results—not personalities.

Give us your toughest challenge. We'll help you implement the solution.



Connect Public Relations is a privately-owned company with offices in Fresno, Utah and San Francisco, California • (801) 573-7888

**"... a tremendous boost to our PR efforts."**

Sumiko Yost, Marketing Manager – Asia • WRQ

**"Connect PR earned our loyalty by exceeding our expectations."**

**Lori Cross has high expectations...**

for press coverage of Symantec products, as well as responsiveness in a PR firm.

"We are the world leader in utility software for business and personal computing. We have extraordinarily high expectations in everything, including press coverage of our products," Lori explains. "Symantec has wonderful in-house PR capabilities, but we also need an experienced, out-of-house partner with a broad industry view to recommend strategies."

Lori knows exactly what she wants from a relationship with a PR firm. And when the pressure is on, Symantec expects stellar performance.

**Connect PR meets and exceeds those expectations.**

"We recently had a critical PR challenge come up without warning that needed immediate, concerted focus and action," Lori continues. "There was no time to discuss 'how'—things just needed to happen 'now.' I knew I could count on Connect to hit the ground running. Within 3 hours I saw tangible results and the issue was being remedied."

Lori enjoys the synergy between Symantec and Connect.

"Nearly 5 years ago, when we started with Connect PR, we put a few small projects in their hands. Things went well. We kept adding projects. Now, every time a project needs continued momentum or we launch a new product, my first call is to Connect."

Thanks, Lori. We enjoy the relationship too.

We're the largest connectivity-specific PR firm in the world. We're driven by quality and results—not personalities.

Give us your toughest challenge. We'll help you implement the solution.



Connect Public Relations is a privately-owned company with offices in Fresno, Utah and San Francisco, California • (801) 573-7888

**"I knew I could count on Connect..."**

Lori Cross, Director of Public Relations • Symantec

**Patrick Taylor had a challenge ...**

to pioneer their small company's unique approach to intranet/extranet security, ISS had to "zig" while 50 competitors were "zagging."

**"Connect PR helped us become the acknowledged market leader."**

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The technology was complicated, the environment was noisy and Patrick's budget was modest.

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Thanks, Patrick. We've enjoyed helping.

We're the largest connectivity-specific PR firm in the world. We're driven by quality and results—not personalities.

Give us your toughest challenge. We'll help you implement the solution.



Formerly Network Associates  
[www.connectpr.com](http://www.connectpr.com)

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# Public relations for a connected World

Media Kits

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## Media Kits

**G**reat media kits can help educate the press about your company, the market and your products.

To understand how important they are, and how to prepare an effective one, you must first understand the audiences with whom you are communicating.

First, most media people focus on either technology or business issues.

Technology-oriented writers have little patience for business issues.

Business-oriented writers have little appetite for technology issues.

In addition, most media writers have either analytical personalities or a "fact-finding" approach to processing new information.

For example, a technology-oriented writer with an analytical personality may want to primarily focus on your product's architecture. On the other hand,

a business-oriented writer with the same kind of analytical personality may be more interested in topics such as market share and profit projections.

It is important to give each media person the information that meets his or her specific, unique needs.

Most media kits focus solely on the factual needs of the media, with press releases, corporate backgrounders and the like. That's a good start, but the best coverage—reviews, features, trends—come from the analytical writers. For these types you'll also want in-depth media kit documents such as market white papers, technology briefs and case studies.

Connect PR specializes in building high-octane media kits that provide the appropriate level of background information necessary to accommodate all types of media interest.

Connect can help prepare everything you'll need for your media kit, including:

### Press Releases

**Corporate Backgrounders** – Think of a corporate backgrounder as a resume for your company. It provides "at-a-glance" background information such as your mission, your products, your channel, example customers, corporate milestones and biographies of key management.

**Product Backgrounders** – When the press is ready to write about your product(s), make sure they have all the facts they need right at their fingertips. The product backgrounder provides all model numbers, brief positioning statements, options and pricing, a version history and important milestones.

**Competitive Analyses** – These documents lay out your case for "product superiority." They define key product differentiators and then compare your products against each of the major competitors. A simple "bang-for-the-buck" chart wraps up these analyses.

	Technology-Oriented Writer	Business-Oriented Writer
Analytical Personality		
Fact-Finding Personality		

**"High-octane" media kits include specific information and details for targeted media audiences.**

**Customer Success Stories** – Nothing is more interesting to the press than a user. A customer success story should describe the challenges your customer faced and how your product was part of the solution to those challenges.

**Market White Papers** – The first question an analytical person asks is why. “Why will this market grow?” “Why did the Internet push market flounder while the Internet security market exploded?”

A market white paper answers these questions. Start with an explanation of what is driving the market, followed by a description of the segments and their growth rates, and finish with an accounting of how your company’s products are best suited to capture this new market.

**Technology Briefs** – It’s fine to tell a reviewer that your product is better than others! Better yet, explain how your basic architecture enables this improved performance. These technology briefs are short, simple documents that make extensive use of charts and diagrams to effectively communicate key technological advantages.

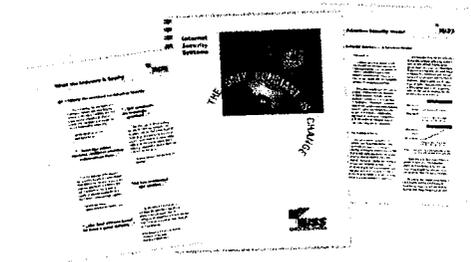
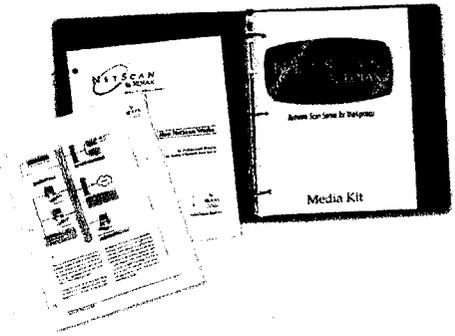
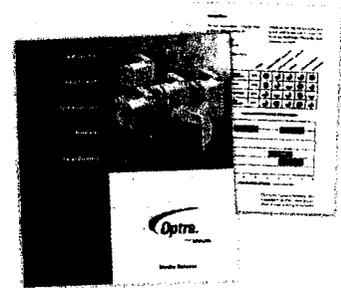
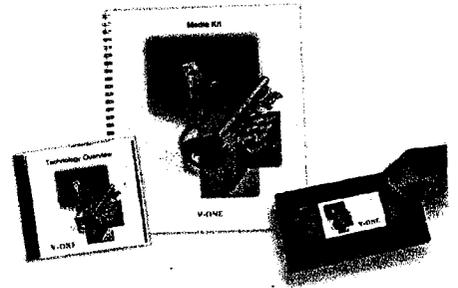
**Announcement Videos** – Wouldn’t it be great to have your best customer sitting next to you in every press meeting? Or that key industry analyst who thinks your approach is right on the money? Or that guy in engineering who explains the complex underpinnings of your technology on the whiteboard in a way that anyone can quickly grasp?

That’s the idea behind announcement videos. We start with a simple customer success story on video. Then we add soundbytes from key industry analysts talking about your company’s superiority. And finally we add simple, yet powerful animation that makes even the most complex technology easy to understand. We’ve found that these five-minute videos pack a real punch during press tours.

**Complete Kit Production and Assembly** – A full media kit that fully addresses all important issues can often run 50–100 pages or more. We are equipped to produce and assemble color media kits that look great—even on tight deadlines.

**Media Kit Pricing:**

- Press Releases, \$1,500
- Corporate Backgrounders, \$1,800
- Product Backgrounders, \$600 per product
- Competitive Analysis, \$3,600
- Customer Success Stories, \$1,000
- Market White Papers, \$6,000
- Technology Briefs, \$3,600
- Announcement Videos, please ask for quote
- Complete kit production and assembly, please ask for quote
- Out-of-pocket telephone, fax and travel expenses billed at cost





Pub  
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Buy People

**“Connect’s specific focus allows our people to become well versed in all aspects of the connectivity market. They are truly the best and the brightest. Clients are impressed with our team’s intelligence, clarity and knowledge of technology. These qualities in our staff help produce tremendous, direct benefits for our clients. We do so much more than simply phone editors. Our people bring profound market understanding and the rare ability to craft messages that bring optimal results.”**

**~ Neil Myers, President, Connect Public Relations**

**Neil Myers, president**



Neil Myers has been involved with the connectivity industry for over 15 years. He started one of the first network utility software firms, Pacific Software, back in early

1983. After selling Pacific Software in 1989, Neil started Connect Public Relations (then known as Network Associates) to provide strategic marketing consulting to such clients as Peter Norton Computing, Hewlett Packard and many others. In 1990, he merged Network Associates with Snapp & Associates, the leading networking public relations firm at that time, directed by Cheryl Snapp.

Neil's focus and commitment to excellence has fueled rapid growth for Connect Public Relations. In 1996, Connect (then Network Associates) became the first public relations firm ever to be listed on the prestigious "Inc. 500" list of the fastest-growing privately held companies.

**Holly Hagerman, partner**



Holly has been providing strategic counsel to Connect's clients since 1991.

Prior to joining us, she served as public relations manager for the U.S.

Ski Team and public relations assistant for ABC's "Good Morning America." But Holly was drawn to high-tech PR because of "the challenges of its rapid growth and ever-changing technology."

When Connect opened its European office in Salzburg, Austria, Holly managed that office and provided PR support for many accounts.

Holly is particularly enthusiastic about Connect's international press summits.

"Not only do our summits provide affordable and effective forums for vendors and the press to meet, but the relationship-building activities build friendships that can't be achieved in any other way," she explains.

**Sherri Walkenhorst, partner**



Sherri directs public relations processes in our organization and provides strategic counsel to our clients. With over 12 years communications experience, Sherri has

counseled companies ranging from market leaders to many emerging technology start-ups.

Prior to joining Connect in 1991, Sherri was managing editor and marketing manager for LAN Times.

With an insider's knowledge of the industry, her successes include effective launches of new products, companies and services as well as repositioning products in the marketplace. She recently received a Certificate of Excellence from the North American Precis Syndicate (NAPS) for an article she placed that received more than 1,800 placements, putting it in the top 1/4th of 1 percent of all releases distributed to the media through NAPS—including releases from most Fortune 500 companies, over 100 associations and all top 12 public relations firms.

**Susan Terry, partner**



Susan joined us in 1992 after a successful 13-year career with AT&T, where she consistently ranked in the top 10 percent in sales and marketing. Now, her many responsibilities include

human resource direction, administrative staff management, corporate financial accountability and general office management duties.

Susan is often referred to as the partner that pulls everyone's efforts together—the glue that keeps us running smoothly and cost efficiently.

"We do what it takes to make every client feel like our most important client," Susan says.

Her background has made her the logical choice to oversee development and implementation of all electronic communications.

Susan also directs sales for Connect PR's highly successful international press summit programs.

**Renee Thomas**, senior associate



As a senior associate and event manager, Renee works to gain exposure for our clients via international summits, speaker placements and special events.

"We consider it a success when every party that's involved in an event—editors, analysts and clients—comes away with useful information and results," Renee says.

Planning such events requires great attention to detail.

"For our international summits, the goal is to provide productive, quality meetings. I work to create an environment that is conducive to accomplishing this goal. Every item, from activities to meals, affects that environment," she explains.

Along with summit planning and other internal responsibilities, Renee works to secure speaking opportunities for Connect's clients at industry trade shows and conferences.

**Nancy Pomeroy**, senior associate



With eight years' of experience in high-tech public relations prior to joining Connect Public Relations, Nancy manages editorial support, product launches and other media relations. She has worked in

public relations managerial positions for Novell, WordPerfect, Corel, Caldera and Intelligent Technologies. Her expertise in speech writing, trade show support, collateral material production and coordination of media events makes her a valuable asset for our clients.

During her tenure with Caldera, she successfully placed executives in conference and speaking opportunities around the world, including interviews with CNN, CBS, ABC, NBC and Time magazine.

Nancy has worked as a news director/anchor and co-producer for several radio stations.

**Amy Neuberger**, senior associate



Among many responsibilities, Amy manages our Latin American press summits. She loves the pace of high-tech public relations and the way Connect PR keeps up.

"We have such a team-oriented environment here at Connect, where everyone pitches in and shares ideas to obtain optimal results for our clients," Amy says.

Amy headed efforts as one of our clients recently prepared for a successful IPO. She helped prepare a competitive analysis of competitors' directions, positioning and key technologies. With the help of her team, the client—now the industry leader—very successfully positioned and publicized their IPO.

Amy has facilitated premium placements for clients in PC Week, InternetWeek and numerous other U.S. and Latin American publications.

**Noelle Cahow**, associate



Noelle serves as an editorial support and media relations specialist.

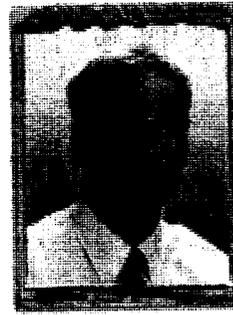
Prior to joining Connect, she worked in several positions that required tightly honed

customer relations skills and communication abilities. She enjoyed the challenge, which influenced her to complete her BA studies in communications at Brigham Young University.

Now, Noelle's challenges include the ever-changing nature of the high-tech connectivity industry—a challenge she loves.

"I'm inquisitive by nature, and I love to learn," she says. "The high-tech industry and its clients fascinate me. I love attending trade shows and learning about new products and technology. We're lucky to represent such great clients—people who are appreciative and committed to working hard with us to achieve their public relations goals."

**Donald Duggan**, managing partner



Donald has been involved in managing service-related businesses for over 20 years. Prior to joining Connect Public Relations, he served as vice president and co-founder of

Gensys Corp., and vice president of Impell Corporation. He joined Connect in 1994, after working as a management consultant for us for several years.

As chief operating officer, Donald explains his responsibility as "creating an environment where our talented team can focus fully on PR and communications to obtain successful results for our clients."

According to Donald, successful service companies have many common features, one of which is a complete focus on the client.

"If the client is not successful, we're not successful," he adds. "All Connect PR processes and structures are in place for one reason—to produce results for our clients."

**Mike Bradshaw**, senior associate



Since 1993, Mike Bradshaw has served as a senior associate with Connect Public Relations.

He continues to provide media relations support, public relations consultation and

strategic counsel for a number of our clients—from emerging technology start-ups to market leaders in the connectivity industry.

"There's never a dull moment in technology public relations," Mike says.

With a strong background in both marketing and public relations, Mike enjoys the personal communications aspect of his work.

"However," he adds, "The technology itself is fascinating! I enjoy working with the editorial community to help make everyone's job a little easier. Our goal is to create win-win situations for our clients and for the press."

**Heather Kovacs**, associate



Heather is part of our editorial calendar tracking team and helps manage our success story process. She has also implemented a method for turning qualified user sites into usable success

stories—or case studies—for potential placement in various media. Users range from the United States Pentagon to a veterinary clinic in Australia. Client use of audio/visual success stories has also been implemented under Heather's management.

Heather became interested in high-tech public relations while working in a large PR firm in New York.

"Technology is such an integral part of our lives—whether it be in business or our personal lives," she explains. "Working for Connect Public Relations, I learn more about what drives society—I get totally immersed in it."

**Meredith McIntyre**, associate



Meredith joined the Connect team in 1995.

Her work with various editors and publications has resulted in numerous Editor's Choice and product comparison

awards for our clients. For six years prior to joining Connect Public Relations, she held various communications-related positions in the hospitality industry.

"We go the extra mile in working to secure editorial awards for our clients," she says. "Many times, consumer buying decisions are based on these product awards. When our clients' products win awards, it's a win-win for everyone involved. It's just as rewarding for us as it is for our clients!"

**Jennifer Ashton**, associate



Jennifer conducts our success story placement process while also supporting editorial activity and media relations efforts.

She has worked in several managing editor

positions for various publications and has been published in newspapers, newsletters and national magazines.

Before graduating from college, Jennifer served as managing editor of the university's PR Student Society of America (PRSSA) newsletter—receiving 1st place in a competition of PRSSA newsletters nationwide.

What inviting qualities drew Jennifer to high-tech public relations?

"High-tech companies recognize and appreciate the value of PR as a management function. I enjoy working with these organizations to meet and exceed expectations," she says.

**Tiffany Brown**, associate



Among a host of responsibilities, Tiffany has helped greatly expand Connect Public Relations' success story placement process.

Placements for our clients in numerous trade

and vertical publications skyrocketed within months after Tiffany came on board.

Currently, her focus includes newspaper and radio campaigns for our clients.

Tiffany enjoys working to facilitate communication between editorial contacts and clients.

"Both editors and clients have tight schedules and specific requirements," she explains. "It's rewarding work to respond in a timely manner. I also enjoy helping provide convenient opportunities for our clients to share information with exactly the right analysts and press audiences to help move them in their corner of this marketplace."

**Aimee Baglietto**, associate



Aimee manages our editorial calendar process among other PR responsibilities. These calendars are listings of planned articles created by publications to share editorial plans.

"We work extremely hard to stay current on many 'off-calendar' opportunities as well," Aimee explains. "Our process is designed to track every buyer's guide, feature, award and review—and every other opportunity we can find that may help our clients better communicate their messages to analysts and to the press."

"The atmosphere here at Connect PR is very synergistic," Aimee adds. "As a smaller firm, everyone is involved, to some degree, with every service. We all stay well informed, which helps us better handle client requests quickly and efficiently."

[www.connectpr.com](http://www.connectpr.com)

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# EXHIBIT B

# C

SPECIAL REPORT  
THE LAND OF THE  
FREE PO

TECHNOLOGY MARKETING INTELLIGENCE

VOL. XVIII NO. 8  
August 1998/55

**Jupiter**  
CEO  
Gene  
DeRose  
gets the  
funk out

CPR 001966



### Patrick Taylor had a challenge...

to pioneer their small company's unique approach to intranet/extranet security, ISS had to "zig" while 50 competitors were "zagging."

**"Connect PR helped us become the acknowledged market leader."**

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The technology was complicated, the environment was noisy and Patrick's budget was modest.

### Connect PR had the solution.

"Connect got our message out," Patrick continues.

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Thanks, Patrick. We've enjoyed helping.

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Give us your toughest challenge. We'll help you implement the solution.



Formerly Network Associates

[www.ct](http://www.ct)

CPR 001967



Best International Marketing Event

CONNECT PUBLIC RELATIONS  
SPONSORS BOTH ASIA PACIFIC  
AND LATIN AMERICA

### Sumiko Yost had a challenge...

to find a quick, cost-effective way to heighten awareness of WRQ's software products among industry journalists in Asia Pacific, and to increase WRQ's market penetration there.

"WRQ is the 16th largest software company in the United States," Sumiko notes. "But we didn't have a strong foothold in Asia Pacific. Our PC/corporate network connectivity software is world class, but we hadn't developed the relationships we needed with the Asian media. We weren't sure how to best do that."

The marketing potential was enormous. Sumiko's budget was modest.



**"Connect's press summits  
help us penetrate  
the Asia Pacific market."**

Sumiko Yost, Marketing Manager-Asia • WRQ, Reflection and Express Software, Seattle, WA

INTERNATIONAL PRESS  
SUMMITS. IN EACH CASE,  
WE BRING CONNECTIVITY  
VENDORS TOGETHER  
WITH 12 LEADING COMPUTER  
INDUSTRY JOURNALISTS  
FROM THAT SPECIFIC REGION  
FOR ONE-ON-ONE MEETINGS  
AND INFORMAL ASSOCIATION—  
PROVIDING AN EXCELLENT  
FORUM FOR ESTABLISHING  
AND STRENGTHENING  
INTERPERSONAL RELATION-  
SHIPS WITH EDITORS.

### Connect PR had the solution.

"Connect's press summits were exactly the right thing—at exactly the right time," Sumiko says. "Face-to-face interaction with some of Asia's top journalists has been a tremendous boost to our PR efforts."

Sumiko anticipates that Japan alone could soon become one of WRQ's most important markets.

"I continue building rapport with the editors I meet at the conferences. Many have become friends, as well as valuable business contacts. There's no substitute for learning market trends directly from the people that tend to steer and shape them. Connect's press summits have become a very useful tool for WRQ—we really look forward each time to attending."

Thanks, Sumiko. We've enjoyed having you there.

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CPR 001968

*Inside back cover*

# EXHIBIT C

# Section 1: Executive Summary



*And yet, from the ashes  
of the dot com bust  
appears a Phoenix:  
Broadband.*

The economy is in a slump. Capital expenditures are flat. High tech companies are suffering. And yet, from the ashes of the dot com bust there appears a Phoenix: *Broadband*. In a recent column, Forbes publisher Rich Karlgaard commented on this trend:

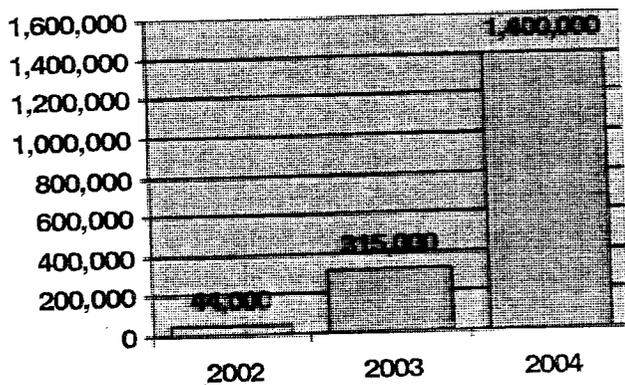
*With little fanfare the Internet had a great year, a rebirth of sorts, in 2002. Broadband access to U.S. homes grew 56 percent. Wi-Fi networks broke out everywhere. Yahoo and Amazon turned the corner to consistent profitability. Ebay continued to rock.*

There are many ways to deliver broadband to homes and businesses: ISDN, DSL, Ethernet, Fixed Wireless, and a host of other solutions. But none provides the combined benefits of fiber. Fiber boasts very high transmission speeds, high capacity, and (with recent improvements) reasonable costs.

It is no surprise, then, that analysts predict explosive growth for "fiber to the home" (FTTH). According to the FTTH Council, Fiber to the Home is poised growing at a decidedly non-recessionary 440 percent AGR over the next few years.

UTOPIA's mission is an important one. Left entirely to the private sector, the communities UTOPIA serves would most likely be slow to realize the benefits this broadband revolution will bring. By providing the infrastructure, UTOPIA can jumpstart the broadband revolution in Utah.

**FTTH Homes Passed**



Source: FTTH Council, 1/2003

TRADE SECRET/COMMERCIALY SENSITIVE

From a communications standpoint, we feel UTOPIA must achieve three goals to ensure their success:

- **EDUCATION:** Before the community can *believe* in UTOPIA's vision, they must *understand* it. We propose a series of activities to educate your constituency about the MetroNet.
- **PERSUASION:** Understanding is not necessarily believing. Our second goal is to convince the community that the MetroNet is the best approach.
- **PROGRESS:** The first steps (education and persuasion) build trust. To keep this trust UTOPIA must show continual progress.

The rest of this document provides the details about how we propose to realize these three goals. But why should UTOPIA select Connect Public Relations?

- **MARKET UNDERSTANDING:** Connect Public Relations has provided communication services to every corner of the networking industry (both telecom and data) for the last 14 years. Some of our clients have been large (Seimens, Symantec and Sun), while others have been small (F5 Networks, Occam Networks). But all have benefited from our deep understanding of the market.
- **TRACK RECORD:** Connect Public Relations is the largest PR firm in Utah. We obtain more than 800 stories per month for our clients. We meet with hundreds of analysts and media each month. In short, *we get results*.
- **THINK GLOBAL, ACT LOCAL:** Connect Public Relations is a large firm, with a long history in your market. We have worked for more than 150 different firms around the world. Yet we are a local firm, headquartered in Provo, Utah. With Connect UTOPIA gets the advantage of a national-level firm combined with the ease of working with a local agency.

TRADE SECRET/COMMERCIALY  
SENSITIVE

## Section 2: Project Goals



As discussed in the previous section, we propose three high level goals for the UTOPIA communications effort:

- Education
- Persuasion
- Demonstration of Progress

The first two goals, education and persuasion, are difficult. You will be asking people to form new opinions or, in some cases, change their opinion. This is hard work. The final goal, demonstration of progress, is substantially easier.

Further complicating the process is the wide range of audiences we need to communicate with:

- Governing board
- Current (and prospective) member communities
- Industry infrastructure:
  - FTTH/FTTB national community*
  - Service providers*
  - Vendors*
  - Suppliers*
- General public
  - Business*
  - Consumer*

We have designed a mix of tactics to reach these broad constituencies and achieve our three goals. Each tactic is described in the pages that follow.

TRADE SECRET/COMMERCIALY  
SENSITIVE

### **Communication Plan & Strategy**

This proposal lays out our strategy and tactics in broad strokes. The first task we will accomplish if we are selected will be to prepare a detailed communications plan and strategy. Among the items we will detail in this document are:

- Target audiences
- Core messages
- Brand messages and personality
- Schedule of activities
- Goals & targets
- Measurement metrics

### **Public Relations Activities**

We feel public relations provides the broadest reach for the least amount of money. Furthermore, because of the perceived independence of the press, public relations has more impact on your audience.

The public relations activities we propose include:

- Assembling a target analyst and media list
- Building a full editorial calendar
- Creating a full media kit, including:
  - UTOPIA backgrounder
  - Architectural blueprint document
  - A series of "What's in it for me" papers targeted to:
    - Communities
    - Infrastructure players
    - Public at large
  - Press releases
- Writing contributed articles which we will place in various media outlets under UTOPIA bylines
- Finding and securing speaking engagements for UTOPIA spokespeople
- Securing and managing in-person press meetings for UTOPIA spokespeople
- Securing ad-hoc media coverage for UTOPIA

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SENSITIVE

### **Newsletter**

Newsletters provide an excellent tool to teach, persuade and inform your audiences. Consequently, they help us achieve all three goals. We propose using two forms of newsletters: Hardcopy and electronic. As part of this activity we will:

- Design the newsletter templates
- Create content for the newsletter
- Produce the newsletters on a regular schedule:
  - Monthly for the electronic version
  - Quarterly for the hardcopy version

We can manage the printing process if UTOPIA so desires.

### **Web Site**

UTOPIA needs a Web site targeted to their various constituents. Since UTOPIA's constituents include such varied audiences as public agencies, infrastructure players, business and consumer, we feel there should be two distinct Web sites.

We suggest UTOPIA target the first site towards those partners who would help build the network:

- Governing board
- Current (and prospective) member communities
- Infrastructure players

This site would contain content appropriate for these audiences not generally available to the public. The personality of this Web site should be professional, simple and businesslike.

The second site would be UTOPIA's "public face", targeted to business and consumers served by UTOPIA. It would contain content geared towards users, with an accessible, friendly personality.

Connect would provide the following services:

- General design
- Content production
- Web site maintenance

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SENSITIVE

### ***Presentations***

UTOPIA spokespeople will be called upon to make a variety of presentations. Connect can help in the following ways:

- PowerPoint templates
- Presentation creation
- Spokesperson training

### ***Town Hall Meetings***

One way to get the word out is holding town meetings in the communities served by UTOPIA. Connect can help by:

- Publicizing these town hall meetings
- Creating direct mail invitations
- Managing the meetings

TRADE SECRET/COMMERCIALY  
SENSITIVE

# Section 3: Pricing



We have presented a very aggressive plan in our proposal. We think it is likely that UTOPIA would select a subset of these activities. We have attached a full 12 month budget in appendix A. We summarize those numbers here.

We have indicated a 10% discount in our pricing. This reflects our opinion that this project will boost Utah's technology sector. As Utah's largest PR firm we stand to benefit from this increase, and thus are happy to offer this pricing consideration. Please note that this is the first discount we have offered in our 14 year history.

<b>Summary of Proposal Costs</b>			
<b>Work Package</b>	<b>Total Estimated Cost</b>	<b>Less pricing considerations</b>	<b>Net proposed amount</b>
<i>Communications plan &amp; strategy</i>	\$6,600	\$660	\$5,940
<i>Public relations activities</i>	\$121,250	\$12,125	\$109,125
<i>Newsletter</i>	\$45,600	\$4,560	\$41,040
<i>Web site</i>	\$41,400	\$4,140	\$37,260
<i>Presentations</i>	\$18,600	\$1,860	\$16,740
<i>Town hall meetings</i>	\$27,300	\$2,730	\$24,570
<b>TOTAL</b>	<b>\$260,750</b>	<b>\$26,075</b>	<b>\$234,675</b>

## Section 4: Qualifications and Experience



To accomplish the goals we have set out for UTOPIA requires a senior, talented team. The team leaders we propose are:

### **Neil Myers**

Neil Myers is founder and president of Connect Public Relations. Myers has been involved with the hi-tech industry for more than 20 years. He started one of the first network utility software firms, Pacific Software, in 1983. After selling Pacific Software in 1989, Myers started Connect PR to provide strategic marketing consulting to such clients as Microsoft, Intel, HP and others.

Myers' focus and commitment to excellence has fueled rapid growth for Connect PR. In 1996, Connect PR (then Network Associates) became the first PR firm ever to be listed on the prestigious Inc. 500 list of fastest growing privately-held companies.

Myers received a BS degree in engineering from the University of California at Berkeley. An avid pilot, he lives in Santa Barbara, Calif., where he enjoys spending time with his family.

### **Sherri Walkenhorst**

As a partner of Connect Public Relations, Sherri Walkenhorst directs public relations processes within the organization and provides strategic counsel to clients. With more than 14 years communications experience, Walkenhorst has counseled companies ranging from market leaders to emerging technology start-ups.

Prior to joining Connect Public Relations in 1991, Walkenhorst served as managing editor and marketing manager for LAN Times and as the marketing manager for a telecommunications company.

With an insider's knowledge of the industry, Walkenhorst's successes include effective launches of new products, companies and services as well as repositioning products in the market place.

### **Mike Bradshaw**

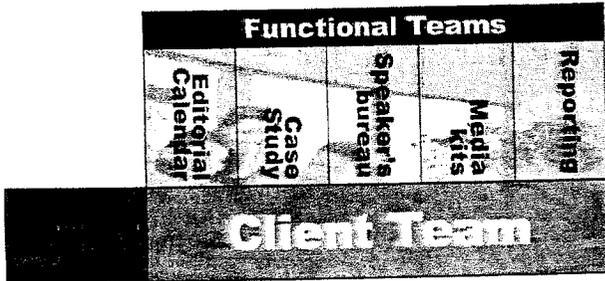
Mike Bradshaw is one of Connect's most senior members. With 10 years high-tech communications experience, Bradshaw has counseled a wide variety of high-tech companies ranging from market leaders like Sun Microsystems and Symantec to emerging technology start-ups.

Bradshaw specializes in developing communication programs that reach diverse audiences — from business and financial media to industry influencers and vertical market media. He has vast experience building multi-faceted PR programs that include executive visibility, message development, media and analyst relations, product evaluations, corporate profiles, IPOs and acquisitions.

Bradshaw earned his BA in Communications and Marketing from BYU. When he's not in the office, his pastimes include skiing, snowmobiling, or other extreme type activities such as early morning piano practicing with his children.

**Project Participation and Resources**

Connect's account teams are structured to ensure maximum accountability and productivity. Our "modified matrix" team approach makes sure every responsibility is fully owned by a specific team member with domain expertise in that area.



As the account team lead, Mike Bradshaw will respond to the day-to-day activities and provide strategic counsel for PR and media efforts for UTOPIA. Neil Myers and Sherri Walkenhorst will provide strategic counsel, including messaging, speaker training and marketing consulting.

Additional team members from our editorial calendar team, writing and design team, and support team will provide the resources needed to support the public relations activities outlined in this proposal.

**Track Record and Clients**

Connect Public Relations was founded in 1989 and is a privately held company. Owners include Neil Myers, Sherri Walkenhorst and Holly Hagerman.

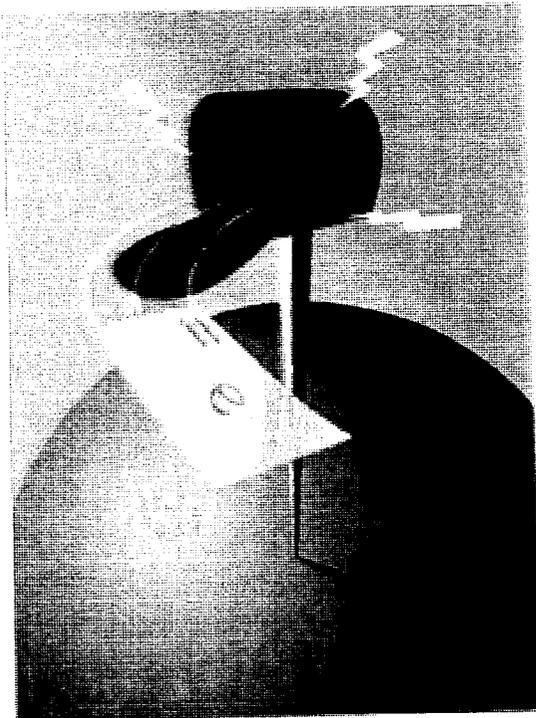
We have worked for more than 150 different firms around the world.

**Connect Public Relations At-A-Glance**

Year agency was founded	1989
Number of full-time agency employees	25
Number of offices and their locations	Provo, UT San Francisco, CA
Agency PR billings for the last fiscal year	\$4.5M
Current PR clients	<ul style="list-style-type: none"> <li>• Air2Web</li> <li>• Certain Software</li> <li>• Dilithium Networks</li> <li>• <b>Efficient Networks</b></li> <li>• F5 Networks</li> <li>• Mobile Automation</li> <li>• Network Instruments</li> <li>• <b>Occam Networks</b></li> <li>• Optika</li> <li>• Rendition Networks</li> <li>• <b>Siemens ICN</b></li> <li>• Symantec</li> <li>• Symark</li> <li>• Teriatech</li> </ul>

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## Section 5: References



### **Symantec**

**THE CHALLENGE:** Symantec has evolved from a company providing problem-solving tools for individuals to the global leader in Internet security. Our goal was to communicate that message to select media and to deliver results.

**STRATEGIES:** Communicate Symantec's security expertise through profiles of some of the company's security experts. We created bios and began pitching a "profile of a virus hunter".

Communicate Symantec's vision and strategy for the security marketplace through interviews with John Thompson, chairman, president and CEO of Symantec. Specific outlets were chosen according to influence, reach and specific target markets.

### **RESULTS**

Bloomberg Markets  
BusinessWeek online  
CNBC Squawk Box  
CNET  
CNNFN *In the Money*  
CRN  
Dallas Morning News  
Dow Jones  
GCN  
Government Computer News  
Greater Milwaukee Today

Interactive Week  
Knight Ridder News Service  
Military Information Technology  
Newsbytes  
PBS Nightly Business Report  
Red Herring  
San Francisco Chronicle  
The New-Times  
USA Today  
Wall Street Journal

**NEXT STEPS:** Both campaigns have been highly successful, but we are only in the beginning stages. For the profile series, we are expanding the campaign to include additional security experts. For company profiles, we are now expanding our list of media outlets as well as the executives who will be discussing the company's vision.

### **CONTACT:**

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2500 Broadway, Ste 200  
Santa Monica, CA 90404  
310-449-4258  
[LCross@symantec.com](mailto:LCross@symantec.com)

### **Efficient Networks**

Connect Public Relations has represented Efficient Networks (now a division of Siemens) for the last three years. In that time, Efficient has received more press than at any other time in their history. Efficient has received press this year in more than 200 publications, including:

Barron's	InternetWeek
Boston Globe	Investor's Business Daily
Broadband Networking News	ISP Weekly
Broadband Solutions	Los Angeles Times
Broadband Week	Maximum PC
Business Communications Review	Merger & Acquisitions
Business 2.0	Miami Herald
BusinessWeek	Net Economy
BusinessWeek International	Network Computing
Cable World	Network Magazine
Communications News	Network World
ComputerWorld	New York Post
CRN	New York Times
Daily Deal	Orlando Sentinel
Dallas Business Journal	Palm Beach Post
Dallas Morning News	PC Magazine
eWeek	Reuters America, Inc.
Financial Times	San Francisco Chronicle
Forbes	San Jose Mercury News
Forbes Global Business & Finance	Seattle Post-Intelligencer
Fortune	Seattle Times
Global Finance	Sun
Global Telephony	Tele.com Magazine
Globe & Mail	Telecom Business
Government Computer News	Telecommunications Reports
Industry Week	Teleconnect
Information Security	Telephony
Information Week	Toronto Star
InfoWorld	USA Today
Interactive Week	Wall Street Journal
International Herald Tribune	Washington Post

However, Efficient Networks was faced with serious challenges as the CLEC market has been collapsing around them. They tasked Connect with getting the kind of coverage that would help position Efficient as a leader.

Our strategy was to establish Mark Floyd, president of Efficient Networks, as a visionary in the broadband marketplace. With the broadband industry in turmoil, we wanted Mark to communicate his vision for the future of the market and the promise of new technologies.

Through interviews established with local business media, national business media and trade media, Mark clearly articulated how Efficient is going to drive the adoption of high-speed Internet connections.

Profiles on Mark appeared in Forbes Magazine, The Dallas Morning News, InfoWorld and other high-level publications. The articles were positive for the broadband industry and demonstrated that Mark was keeping a close eye on changing trends in the marketplace.

***CONTACT:***

Suzanne Crow  
1881 Campus Commons Drive  
Reston, VA 20191  
703-262-2689  
Suzanne.crow@icn.siemens.com

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## **Optika**

Connect Public Relations has represented Optika more than three years. In that time, we have worked to promote Optika as a provider of imaging, workflow and collaboration software for ERP and other line-of business systems.

**THE CHALLENGE:** Our biggest challenge was the lack of significant product news until the last quarter of 2002 when their product Acorde 3.0 was announced.

**STRATEGIES:** Our strategy for dealing with this was to couple several smaller announcements to generate more interest with the press and analyst communities.

The PR efforts helped Optika received press last year in more than 115 publications including:

ABA Banking Journal	IndustryWatch.com
Air Transport Intelligence	InformationWeek
Bank Systems and Tech	InfoWorld
Bloomberg	IntelligentEnterpriseonline
Business Solutions	Internet World
ChamberBiz.com	InternetWeek
Cnet.com	iSource
CNNiw	ITToolbox
Collections & Credit Risk	ITWeb
ColoradoBiz	KMWorld
Computerworld	KnightRidder Tribune
Dallas News	Miamitodaynews.com
DataWarehouse.com	New Straits Times
Denver Post	Q&A Magazine
Direct Magazine	Rocky Mountain News
DM Review	Silicon Valley Business Ink
Document Imaging Report	Software Magazine
eAI Journal	The Gazette
eBizQ	Transform Magazine
Electronic Commerce	University Business
FrontRange Tech Biz	Web Services Journal

### **CONTACT:**

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Colorado Springs, CO 80920  
719-260-4202  
sburwell@optika.com

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## **Siemens ICN**

**THE CHALLENGE:** Siemens's customers are some of the most well-known and successful university, government entities and private companies in the world, but they had been unable to showcase this to the media and potential customers in these critical markets.

**STRATEGY:** Connect was tasked with helping Siemens create a clear message to the media in these markets. After pinpointing several of their customers in the healthcare, education, government and financial industries, Connect executed a successful case study program to promote their successes among key vertical market media.

**RESULTS:** Siemens ICN is now armed with prominent media coverage in many of their key target markets.

"Our sales teams has noticed a dramatic benefit form the media coverage we have received. Media contacts in these industries now know and understand our technology and how it is being used by customers in their field, says Suzanne Crow, Siemens' Sr. Manager of Public Relations. "And the customers have loved the publicity too because it helps them gain added recognition for their work within their own organizations."

### **CONTACT:**

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Reston, VA 20191  
703-262-2689  
suzanne.crow@icn.siemens.com

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### **F5 Networks**

Connect Public Relations has represented F5 Networks since their official launch in 1999. In March of 2001, F5 was named to PC Magazine's Internet Business 100 and in August of that same year they were ranked #2 in the Layer-4-7 Switch market. Today F5 has more than 4,000 customers and nearly 500 employees.

The PR efforts resulted in coverage in the following publications:

Bloomberg	Internet World
Business 2.0	Investor's Business Daily
Business Week	MSNBC.com
ComputerWorld	.Net Magazine
Communications News	New Architect
CNET	Network Computing
CNN Money	Network Magazine
CRN	Network World
Dow Jones	PC Magazine
East Side Journal – VARBusiness	Puget Sound Business Journal
Enterprise Systems Journal	Seattle Post-Intelligencer
eWeek	Seattle Times
Forbes	TechRepublic.com
Government Computer News	The451.com
Information Week	Wall Street & Technology
InfoWorld	Washington CEO
Interactive Week	Web Services Journal
InternetWeek	

#### **CONTACT:**

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# Section 6: Appendices

## Appendix A: Pricing Details



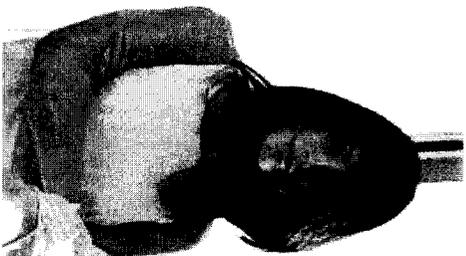
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# EXHIBIT D



## Connect Public Relations® is now Connect Marketing™.

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Clients in the News

Hacker Infoblox and F5 Do DNS and Global Load Balancing Right

### 2011 State of Video Study

How can you effectively use videos in your marketing?

SEARCH MORE

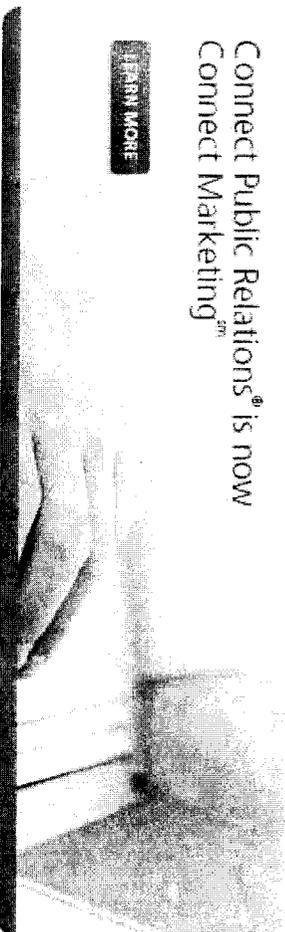
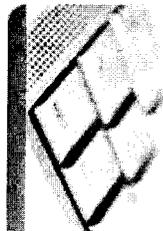
### Media Affinity Survey

Where are companies turning for vital information?

SEARCH MORE

### Connect Public Relations® is now Connect Marketing™

SEARCH MORE



## Connect Marketing Blog

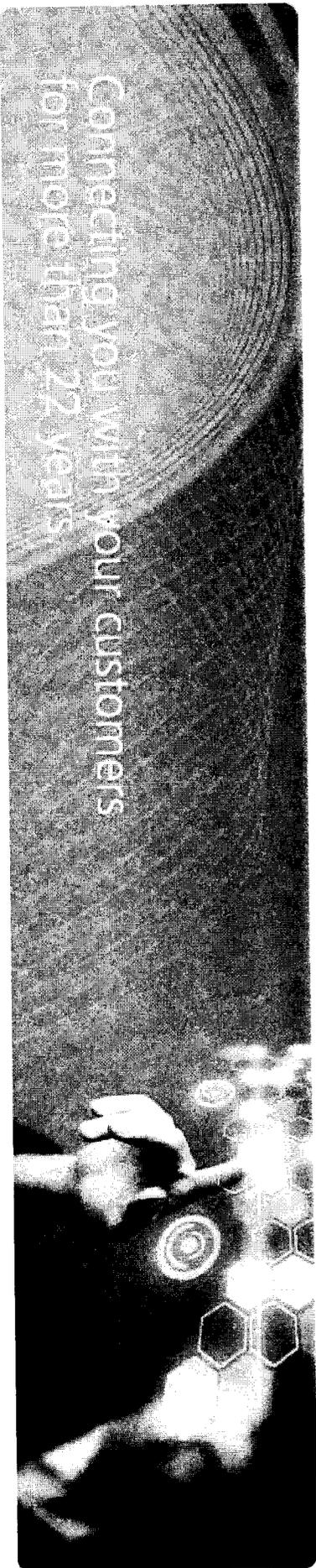
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August 7, 2011

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For 22 years we've been doing technology PR. Our goal has been to reach out to technology media and analysts to get coverage for our clients. About 5 years ago our clients started asking for more. They still wanted to reach traditional media, but wanted to include social media as well.

That drove us into new areas — blogs, forums, Facebook, Twitter and so on. But it didn't stop there. In this brave new Web 2.0 arena we also needed to build content. Infographs, videos, slide shows and so on. And we needed to engage with this new media. We had to monitor blogs and forums, engage where needed, measure what was being said, etc.

One day, about two years ago, we realized PR was no longer an accurate description of what we did. It is an important part of what we do, but not the complete story. We decided Connect Marketing™ was a more complete description.

So, welcome to Connect Marketing™. There are four parts of our new brand:

**Connect Strategic™** is where we help our clients build effective messaging as well as conduct primary research (focus groups and surveys). **Connect Public Relations®** is the continuation of the traditional PR activities we've pursued for 22 years. It is still our core. **Connect Social™** is where we focus on all things Web 2.0 — social media, social networking, social content and social reference. And **Connect Studios™** is where we build meaningful, exciting, fun content — infographs, websites, videos and so on.

Take a look at our new website for more details on each area. And welcome to Connect Marketing™!



Public Relations



Marketing



Strategic



Studios



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[How We Can Help](#)

[Resources](#)

[Experience](#)

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## Sitemap

### Connect Marketing<sup>sm</sup> Home

#### Connect Strategic<sup>sm</sup>

- [How We Can Help](#)
- [Research](#)
- [Messaging](#)
- [Measurement](#)
- [Writing](#)
- [Resources](#)
  - [How to Design an Effective Survey](#)
  - [How to Develop Effective Messaging](#)
- [Experience](#)
- [Blog Entries](#)

### Connect Public Relations<sup>®</sup>

- [How We Can Help](#)
- [Media Relations](#)
- [Analyst Relations](#)
- [Speaker Placement](#)
- [Resources](#)
  - [How to Create a Target List](#)
  - [How to Write a Press Release](#)
  - [Other Useful Resources](#)
- [Experience](#)
- [Blog Entries](#)

### Connect Social<sup>sm</sup>

- [How We Can Help](#)
- [Social Media](#)

### Connect Studios<sup>sm</sup>

- [How We Can Help](#)
- [Creative Design](#)
- [Infographs](#)
- [Brochures](#)
- [Data Sheets](#)
- [PowerPoint Presentations](#)
- [Videos & More](#)
  - [Video](#)
  - [Animation](#)
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  - [Web](#)
    - [Microsites](#)
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    - [Website Refreshes](#)

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- [How to Create an Effective Infographic](#)

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#### Blog Entries

### Experience

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- [Current/Past Clients](#)
- [Media References](#)
- [Awards/Recognition](#)
- [Symantec Case Study](#)
- [F5 Networks Case Study](#)

### About Us

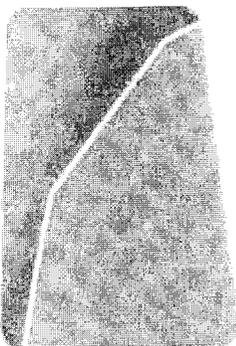
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- [Bios](#)
- [Career Opportunities](#)
- [Why Choose Connect<sup>sm</sup>?](#)
- [Who We Are Looking For](#)
- [What Happened to Connect Public Relations<sup>®</sup>?](#)

### Blog



## How effective is your marketing?

- Research
- Messaging
- Measurement
- Writing



Connect<sup>sm</sup> is driven by results — we judge our success by the exposure your company receives. Measuring the results of a marketing campaign can be a challenge, but Connect<sup>sm</sup> will work with you to determine your goals and the metrics by which to measure them.

We have developed a comprehensive set of tools to show you how effective your marketing is:

- Metric determination
- Custom URLs
- Bitly integration
- Impression tracking
- Integration of interactions into lead generation/tracking system
- Tracking of click-throughs and site activity

Connect<sup>sm</sup> also prepares regular reports detailing the results of our work. These reports list all the coverage you have received, including articles placed, case studies and all other media coverage. With Connect<sup>sm</sup>, you can see exactly what you get for your marketing dollar.

## Writing



Get your message across.

- [Research](#)
- [Messaging](#)
- [Measurement](#)
- [Writing](#)

Good business writing tells a convincing story. At its heart is an important, interesting idea relevant to readers. The story has purpose, clarity and a logical flow. Its voice and style are appropriate to the topic and audience. Its tone is authentic. It grabs your attention, makes you think, even take action.

Years ago, FedEx had a short, simple mission statement for its multibillion-dollar global enterprise and vast number of customers, employees and shareholders:

"10:30"

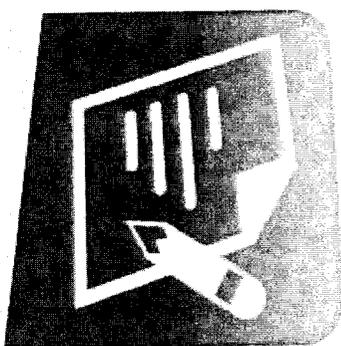
Of course, that's the arrival time of the FedEx customer guarantee — with quite a company story behind it. For all FedEx stakeholders, it had indisputable purpose, clarity and logic, regardless of language. For FedEx employees, it inspired, focused and drove their work each day.

What's your company's story? Does it help drive your strategy? Is it written powerfully enough to spur thought, influence and sales in your markets?

While Connect™ can help you develop your core company story, our writing team can cast it in many forms: a press release, blog, video, brochure, podcast, white paper, web page, speech or any other communications vehicle.

Your written communications will benefit from our decades of experience. Our seasoned writers learn new subjects fast and can make the most complex ones clear and compelling.

Before starting, they always seek to understand your audience and the purpose of the written communication. What will the reader take away from it?



Only then do they begin building the story, weaving in your key strategic messages as well as examples, metaphors and narrative illustrations to carry the reader to its conclusion.

Connect Marketing<sup>sm</sup> highly values the written word and especially a well-told story. We can meet your writing needs with the same passion for your subject as you. We strive to spark a fire in your readers, influence your markets and drive sales. Those are the measures of our success.

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## How to Design an Effective Survey



### How to Design an Effective Survey

#### How to Develop Effective Messaging

#### **What Is an Effective Survey?**

A well-executed survey can provide several benefits for your company. It can generate thought leadership for your company or provide media buzz about a specific product. When conducted by a third party, it lends an authoritative voice to the results, showing the advantages your products offer. But the survey has to be effective in order for you to see any benefit.

An effective survey has two main qualities. First, it must be newsworthy. The media will not show interest in a stale or boring topic. For example, the transition from CRT to LCD monitors is a topic that is years out of date. The second vital quality for a survey is that it must lead to a conversation that will be beneficial for your company. If you produce security software, a survey that reports on consumers' eating habits may be interesting, but it will do nothing for your company.

#### **Preparing the Survey**

To design your survey, first consider the conversation you would like to engage in with the media. For example, Connect™ had a client which wanted to promote a product that monitors application traffic, to help IT staff reduce website downtime. IT professionals seemed unconvinced of the product's usefulness, believing that in the event that a company's website was down, a customer would simply return later to purchase the product. When a survey of consumers revealed that in fact customers simply purchased from a competitor rather than wait for a functional website, this provided a much more newsworthy talking point, which improved exposure for the monitoring solution.

CPR 003148



Once you select a topic, create a plan for the survey, including the process and your hypothesis regarding the results. Then, before creating the questions, outline the general question groups. This will help ensure that the survey covers all the relevant points. Having an excess of questions is preferable to realizing there was an important question you should have asked but didn't.

### **Selecting the Questions**

There are several question formats you should take advantage of when preparing the survey.

- A simple yes/no format is ideal for questions such as basic information about the respondents and their organizations.
- Multiple-choice questions will likely form the majority of a survey. Allowing respondents to choose from a list instead of creating open-ended responses makes the data easier to analyze, and it keeps them on topic.
- Ratings questions include a scale to rank options presented. For example, the question might ask IT professionals to rank in order of importance five issues they will need to budget for during the coming year.

As you consider the format of your questions, you will want to get the most information out of the fewest questions, without being overly complex. For example, this question is not as effective as it could be:

*Q. Do you currently use server virtualization in your data center?*

If the answer is "no," further questions are necessary to find out if the respondent's company has plans to implement virtualization in the future. A more effective question might be:

*Q. Please select your firm's current involvement in server virtualization.*

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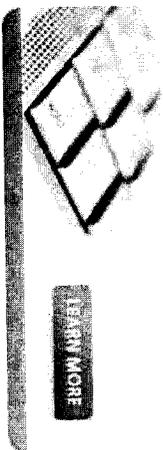


Clients in the News

Hacker Infoblox and F5 Do DNS and Global Load Balancing Right

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How can you effectively use videos in your marketing?



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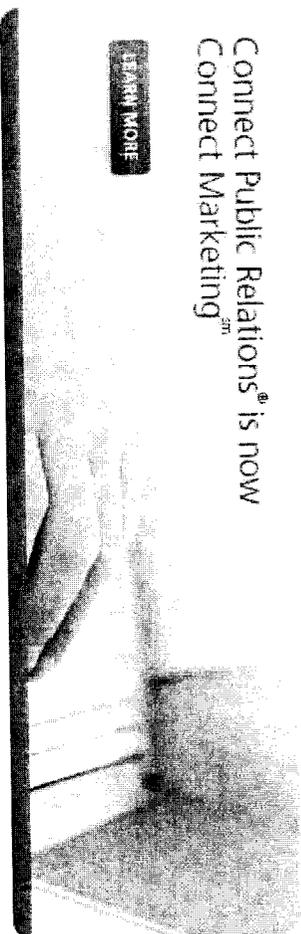
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Where are companies turning for vital information?



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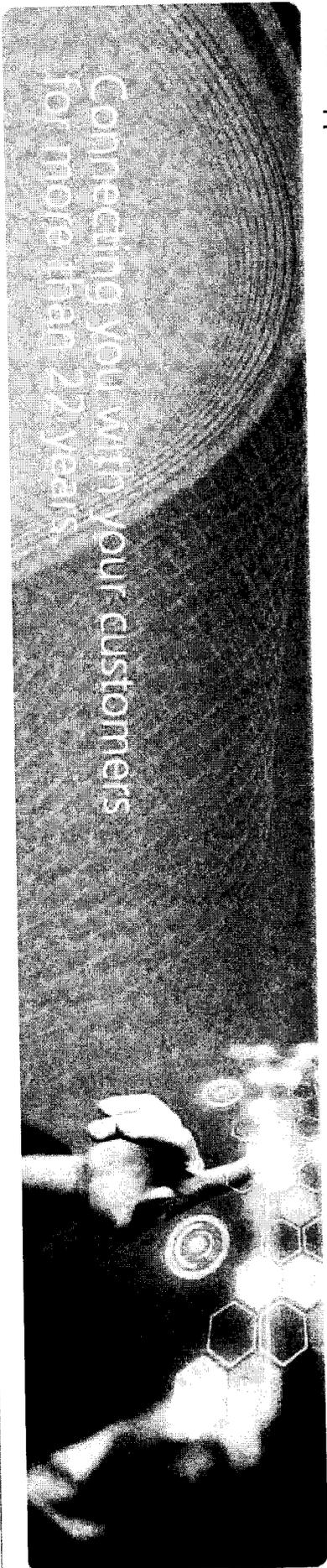
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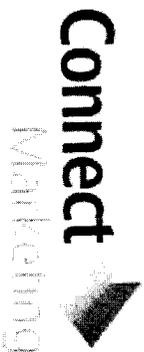
Take a look at our new website for more details on each area. And welcome to Connect Marketing™!



Public Relations



Marketing



Public Relations



Marketing



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How We Can Help

Resources

Experience

About Us

Blog

Home : Sitemap

## Sitemap

Connect Marketing<sup>sm</sup> Home

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How We Can Help

Research

Messaging

Measurement

Writing

Resources

How to Design an Effective Survey

How to Develop Effective Messaging

Experience

Blog Entries

Connect Public Relations<sup>\*</sup>

How We Can Help

Media Relations

Analyst Relations

Speaker Placement

Resources

How to Create a Target List

How to Write a Press Release

Other Useful Resources

Experience

Blog Entries

Connect Social<sup>sm</sup>

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Bios

Career Opportunities

Why Choose Connect<sup>sm</sup>?

Who We Are Looking For

What Happened to Connect Public Relations<sup>\*</sup>?

Blog

Connect Studios<sup>sm</sup>

How We Can Help

Creative Design

Infographs

Brochures

Data Sheets

PowerPoint Presentations

Videos & More

Video

Animation

Audio

Web

Microsites

Flash Animation

Website Refreshes

Resources

How to Create an Effective Online Video

How to Create an Effective Infographic

Experience

Blog Entries

Experience

Client References

Current/Past Clients

Media References

Awards/Recognition

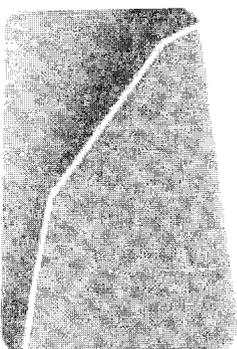
Symantec Case Study

F5 Networks Case Study



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- Integration of interactions into lead generation/tracking system
- Tracking of click-throughs and site activity

Connect<sup>sm</sup> also prepares regular reports detailing the results of our work. These reports list all the coverage you have received, including articles placed, case studies and all other media coverage. With Connect<sup>sm</sup>, you can see exactly what you get for your marketing dollar.





Get your message across.

Research

Messaging

Measurement

Writing

Good business writing tells a convincing story. At its heart is an important, interesting idea relevant to readers. The story has purpose, clarity and a logical flow. Its voice and style are appropriate to the topic and audience. Its tone is authentic. It grabs your attention, makes you think, even take action.

Years ago, FedEx had a short, simple mission statement for its multibillion-dollar global enterprise and vast number of customers, employees and shareholders:

"10:30"

Of course, that's the arrival time of the FedEx customer guarantee — with quite a company story behind it. For all FedEx stakeholders, it had indisputable purpose, clarity and logic, regardless of language. For FedEx employees, it inspired, focused and drove their work each day.

What's your company's story? Does it help drive your strategy? Is it written powerfully enough to spur thought, influence and sales in your markets?

While Connect<sup>SM</sup> can help you develop your core company story, our writing team can cast it in many forms: a press release, blog, video, brochure, podcast, write paper, web page, speech or any other communications vehicle.

Your written communications will benefit from our decades of experience. Our seasoned writers learn new subjects fast and can make the most complex ones clear and compelling.

Before starting, they always seek to understand your audience and the purpose of the written communication. What will the reader take away from it?



Connect  
STRATEGIC 2011 STATE  
OF VIDEO STUDY



Once you select a topic, create a plan for the survey, including the process and your hypothesis regarding the results. Then, before creating the questions, outline the general question groups. This will help ensure that the survey covers all the relevant points. Having an excess of questions is preferable to realizing there was an important question you should have asked but didn't.

### Selecting the Questions

There are several question formats you should take advantage of when preparing the survey.

- A simple yes/no format is ideal for questions such as basic information about the respondents and their organizations.
- Multiple-choice questions will likely form the majority of a survey. Allowing respondents to choose from a list instead of creating open-ended responses makes the data easier to analyze, and it keeps them on topic.
- Ratings questions include a scale to rank options presented. For example, the question might ask IT professionals to rank in order of importance five issues they will need to budget for during the coming year.

As you consider the format of your questions, you will want to get the most information out of the fewest questions, without being overly complex. For example, this question is not as effective as it could be:

*Q. Do you currently use server virtualization in your data center?*

If the answer is "no," further questions are necessary to find out if the respondent's company has plans to implement virtualization in the future. A more effective question might be:

*Q. Please select your firm's current involvement in server virtualization.*

CPR 003149

- *Don't use and have no plans to use*
- *Discussing*
- *Currently in trials*
- *Implementing*
- *Already using*

Once the survey is designed, testing it on a few people will give you a sense of whether the questions are worded correctly. Unexpected responses can help you make any needed corrections before the full-scale survey is conducted.

With correct design and preparation, conducting a survey can provide you with valuable insight about your industry and clients, and it can help you promote your company and products. It also allows you to interact more directly with clients and influential figures in your industry, helping you to establish your thought leadership and improve market positioning.

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## How to Develop Effective Messaging

Say what you want to say.

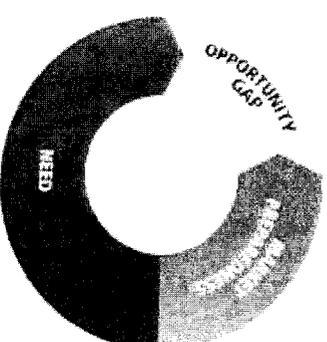


### How to Design an Effective Survey How to Develop Effective Messaging

Connect™ has worked with more than 1500 different spokesperson over the years, and we've drawn on more than 22 years of experience to determine what makes messaging effective.

If you were in front of your ideal audience — the most influential editors and analysts in your industry — what would you tell them? The last thing you should do is simply stand in front of them and tell them what you do. Instead, take these steps.

1. First you will need to set the stage by discussing the problem which has been the impetus for your company's product. As Theodore Levitt of Harvard Business School famously stated, "People don't want a quarter-inch drill [when they go to a hardware store], they want a quarter-inch hole." If people are sold on the problem, they will be sold on the solution. In particular, editors and journalists are inundated with so much material that only something truly novel will catch their attention enough to warrant publishing. For example, showing how the need for mobile bandwidth has exploded within just the last few years is a relevant problem.
2. It's not enough to show that there is a need. For your story to make a difference, you have to show that the need is growing, using market drivers — facts about the market that are widely known to be true. As the need grows but the market preparedness doesn't, a gap springs up. This is the opportunity that the market influencers are looking for, and what you need to show in order to make your messaging effective.
3. Once you have established that there is a need in the market, you will need to show the options for meeting the need. There is always someone else in the market who has a solution for meeting the need. Rather than ignoring the competition, you should list all the current, reasonable alternatives, and then show how they all fall short of adequately meeting that need.
4. Once you have thoroughly examined the alternatives, your audience will naturally ask you what you do. This gives you the opportunity to explain how you are uniquely positioned to fill the needs gap.



By taking the time to pique the interest of your audience, and allow them to fully understand the issues and come to their own conclusions, they

- *Don't use and have no plans to use*
- *Discussing*
- *Currently in trials*
- *Implementing*
- *Already using*

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## How to Develop Effective Messaging

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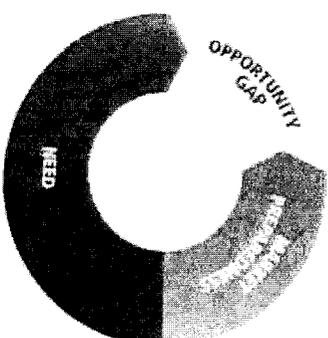


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4. Once you have thoroughly examined the alternatives, your audience will naturally ask you what you do. This gives you the opportunity to explain how you are uniquely positioned to fill the needs gap.



By taking the time to pique the interest of your audience, and allow them to fully understand the issues and come to their own conclusions, they

will naturally understand that your product is worth their time to cover. This is a much more effective way to approach messaging than a more straightforward approach of simply stating what you do.

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Connecting the companies  
that connect the world.



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[Client Experience](#)

[Media Relations](#)

[Analyst Relations](#)

[Speaker Placement](#)



New media? Old media? When the world needs to hear, understand and act on your strategic messages, Connect<sup>sm</sup> doesn't think in those terms, even though we have all of today's media channels covered.

Instead we think about our relationships. With your industry's influencers. They may be journalists, editors, bloggers, consultants or customer champions. Most often, they're all of the above.

**Who we know.** We've carefully built our relationships with key influencers across a number of industries, especially high technology. We've done so over years if not decades, going back to our founding in 1989. They know us not as spin doctors but as hard-working, reliable sources of timely, quality information about our clients' products and services.

In short, we help them do their jobs of keeping their constituencies abreast of the latest industry news, with our clients as credits **993153**

noteworthy sources.

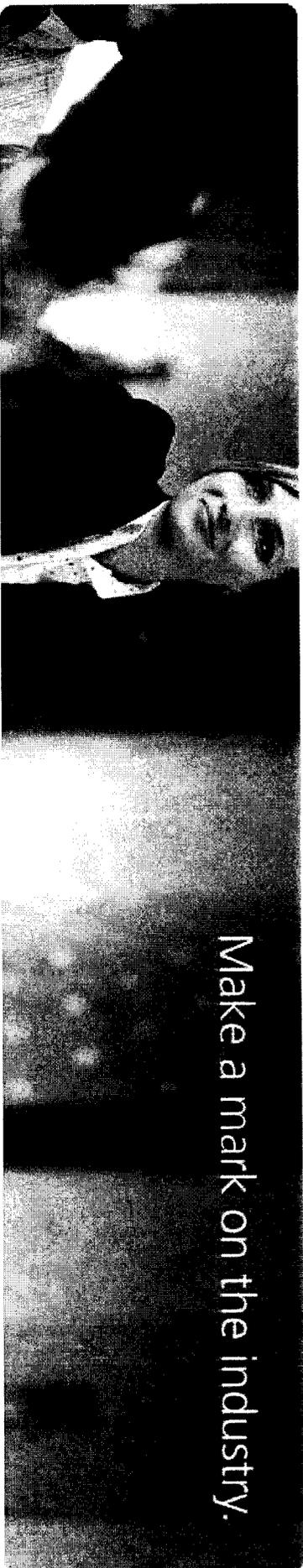
**What we know.** To help us understand what media channels are most effective, we regularly survey high-level executives across both private and public sectors to learn how they stay informed. For all their awareness of social media today, our *2011 Media Affinity Study* revealed that their top two information sources are technology and trade magazines. "Old" media, in fact, has as much drawing power as ever.

Whether its media relations, analyst relations or speaker placements, Connect<sup>sm</sup> has the capabilities, experience and relationships to execute effective public relations strategies that can deliver tangible results to your business.

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Make a mark on the industry.

#### Media Relations

#### Analyst Relations

#### Speaker Placement

Our *2011 Media Affinity Study* showed that, for the 500 top executives we surveyed, traditional media like technology and trade magazines were primary information sources for most (80 percent and 76 percent respectively). Today's media relations challenge is how to best take advantage of the additional media channels such as blogs and forums that have grown up in the past 20 years.

**What matters most.** Connect<sup>sm</sup> has stayed apace with the development of these online channels. Their power lies in the near real-time speed and breadth of the Internet. Nonetheless, when placing client news in whatever channels are most appropriate for their objectives, our media relationships matter most in gaining coverage.

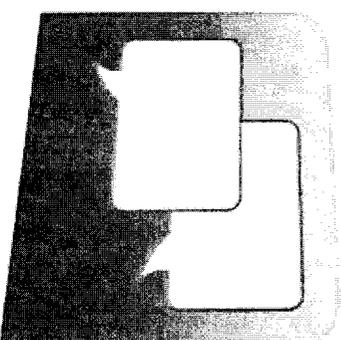
Many of the people behind the blogs, forums and other so-called new media are the same with whom we established close relationships while they were writers or editors for print media. Quite a few now work in both camps.

**Conversation architects.** In many respects, we consider ourselves "conversation architects" who specialize in steering an industry's narrative forward by providing influencers with valuable new information and insights from our clients.

Connect<sup>sm</sup> focuses its media relations initiatives on market, customer and prospect engagement. Article placements, while still important, are not as important as other metrics such as share of voice, message penetration and changes in brand perception are better measure "expressions" — the extent to which our client messages get relayed and amplified within their industry — than the more traditional "impressions."

In fact, one client that used to measure its media relations efforts by impressions, would count more than 100 million impressions most months with upwards of 200 million impressions in good months. So what? Were new prospects engaged? Were sales cycles accelerated? Were sales closed? They couldn't say, as they weren't measuring what actions resulted from their efforts.

CPR 003155



**Strategy execution.** Unlike most other agencies, we help our clients put their media relations efforts in the broader context of helping to drive their overall marketing and sales strategies. We work with them to develop an integrated strategic plan that will build credibility through thought leadership, then help them execute that plan across all media channels relevant to their target audiences.

Connect<sup>sm</sup> seeks more than influencer and editorial coverage for your company; we seek coverage that matters — to your business, your brand and your bottom line.

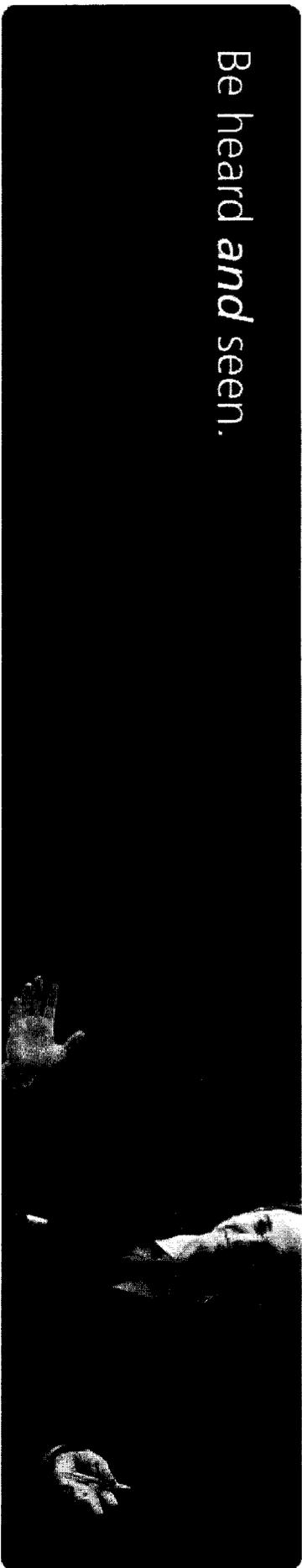
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## Speaker Placement

# Be heard *and* seen.



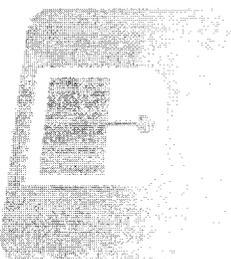
- [Media Relations](#)
- [Analyst Relations](#)
- [Speaker Placement](#)

As a leading high-tech media relations agency, Connect<sup>sm</sup> knows the value of visibility. Through Connect<sup>sm</sup>'s speaker placement program, your company can make itself heard through representation at the most important events in your industry. Speaking engagements are one of the best ways to bring your company into the spotlight, establish thought leadership and make professional connections that will prove valuable to your business.

Connect<sup>sm</sup> monitors more than 500 national conferences and industry events each year. In the past 12 months, we have placed more than 100 speakers for our clients at trade events. Our program includes the following services:

- Customized event target list based on the importance of the event in your industry, including attendees, potential media coverage, competitors attending or speaking and audience type
- Tracking of submission deadlines and requirements
- Full integration with media relations to provide speaker topic recommendations based on upcoming product releases, new thought leadership, executive platforms, etc.
- Writing speaker abstracts and bios, learning objectives, outlines, etc.
- Management of speaker submissions
- Tracking and follow up on submissions to help secure speaker placement
- Speaker handbook, which includes speaker deadlines, requirements and event information

Connect<sup>sm</sup> can find the right event for you to share your vision with the most prominent influencers in your field.



# EXHIBIT E



How We Can Help



# CONNECT MARKETING<sup>SM</sup>

See how Connect will take you to the top

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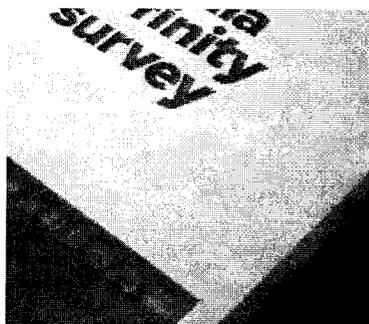
CLIENTS IN THE NEWS

THE 10 HIGHEST-RATED TECH COMPANY CEOs



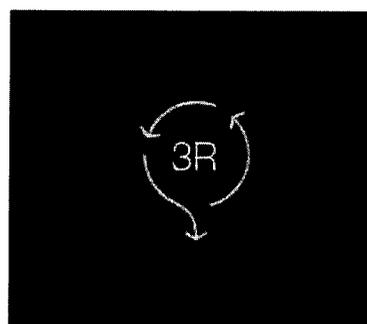
### STATE OF VIDEO STUDY

How can you effectively use videos in your marketing?



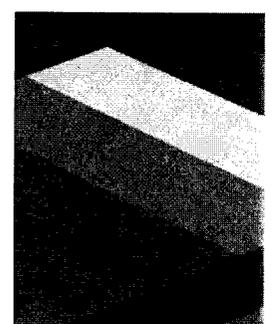
### MEDIA AFFINITY SURVEY

Where are companies turning for vital information?



### SOCIAL MEDIA STRATEGY

Three reasons B2B social media programs fail.



### THE HONEY STICK PROJECT

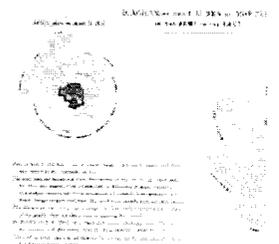
Leading research on internet...

## CONNECT MARKETING BLOG

### Why Infographics?

Infographics are all the rage these days in marketing departments. But why? What can an infographic do that other marketing tools can't? And, just as importantly, what are the limits of infographics?

Most believe infographics are new, but early examples can be found as far back as the 17th century. Look at this infographic.



Florence Nightengale produced in 1857 to convince Queen Victoria to improve conditions in military hospitals. It is a little rough (I assume she used an early v  
illustrator), but I can see a cleaned-up version passing easily in todays world ...

[Continue reading](#)

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How We Can Help  
SERVICES

# SERVICES

Connect Public Relations® and Connect PR® provide the following services:

- Communications services, namely, delivery of messages by electronic transmission;
- Marketing, namely, business marketing services; market research and marketing consulting services; public and media relations services; sales promotion marketing consultation services in the fields of computer hardware and software; marketing consultation services in the field of computer networks; marketing services, namely, designing online marketing programs for social networking websites and business networking website;
- Marketing and market research and consulting services; public and media relations services and sales promotion services.

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HOW WE CAN HELP CLIENT EXPERIENCE

Overview

Do traditional media even matter anymore? According to our recent Media Affinity Study — *absolutely*. Traditional media such as technology press, business press and vertical press are one of the five key ways IT buyers learn about new technology and research products.

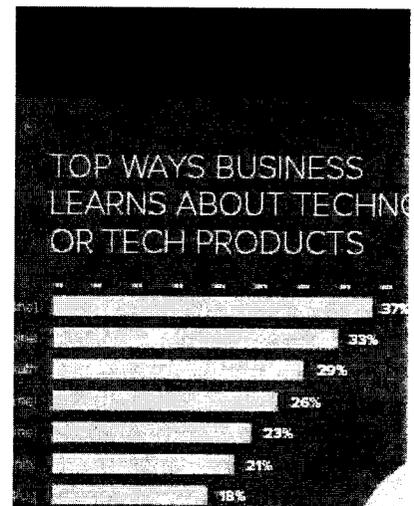
Media Relations

Analyst Relations

Speaker Placement

Connect Public Relations® has been working to get our clients stories told by traditional media since 1989. Today we secure more than 25,000 articles each year in the form of news stories, product reviews, contributed articles, thought leadership stories and so on.

Whether it is working with editors, coordinating analysts or even placing your spokespeople at speaking events, Connect Public Relations® can help.



4/4/2014

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# CONNECT PR®



# CONNECT PUBLIC RELATIONS®

Building brand visibility

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## HOW WE CAN HELP CLIENT EXPERIENCE

Overview

### MEDIA RELATIONS

Media Relations

Do traditional media — magazines, newspapers, broadcast and so on — still matter? After all, social media has become very important very quickly. However, according to our Media Affinity Study, traditional media are still in the top five in terms of how buyers learn about new products and services. It makes sense because traditional media have a very broad reach and provide a level of credibility and reliability that social media cannot yet match.

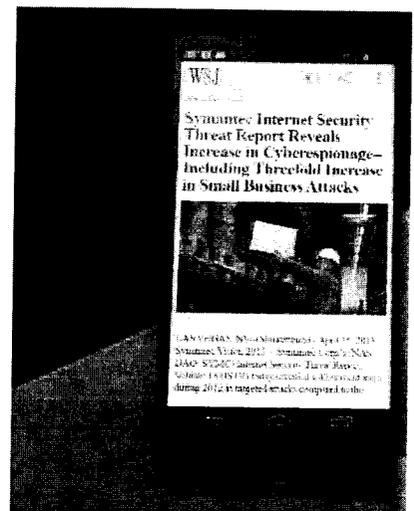
Analyst Relations

Speaker Placement

Outreach to traditional media builds brand awareness, establishes thought leadership and communicates news about products and services. Taken as a whole, these efforts provide a high level of visibility for your company.

Connect Public Relations® can help. We have deep experience and relationships with the media contacts that matter. We know what they want, and need, and use that to secure more than 25,000 placements for our clients, from news stories to in-depth reviews and profiles.

For example, Connect® has helped Symantec establish its Internet Security Threat Report (ISTR) as the industry's premier report on the Internet threat landscape. In the



2013 report, with Connect's help, outreach around the ISTR resulted in thousands of articles in outlets such as *Associated Press*, *Reuters*, *Wall Street Journal*, *Economic Times*, and *CIO*.

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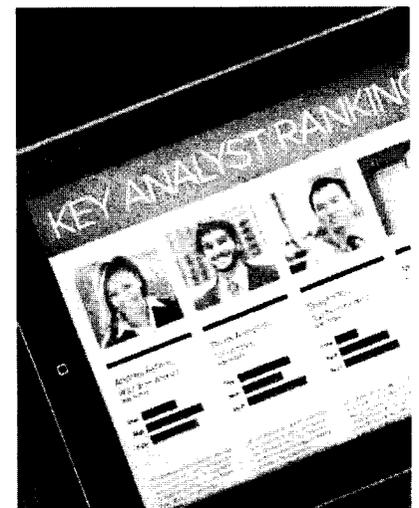
Speaker Placement

### ANALYST RELATIONS

Analysts are an important audience for any high tech marketer. First, they directly influence markets through reports and consulting. Second, traditional media depend on analysts for both background validation as well as quotes for articles. It is therefore important to formally influence analysts as part of your public relations efforts.

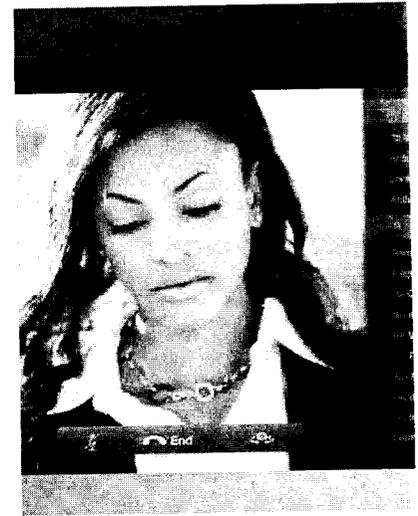
At Connect<sup>SM</sup> we help clients manage this process with a formal analyst relations methodology:

1. Identify key analysts. We work with hundreds of analysts in many market segments. The first step is to create a list of both the formal and traditional analysts that follow your market segment as well as informal consultants and blogger/analysts
2. Build rapport. We put you in front of these analysts in both formal as well as informal settings so that you can build rapport with them. By rapport we don't simply mean they like you (although that is important), but rather that they view you as a visionary in either a technology or a business sense (or both). If they see



this vision they are more likely to believe in your company.

- 3. Educate. We help you educate the analysts on your company, your solutions and your overall vision. Our goal is to get the analysts to believe in your approach. Step one is that they understand it.
- 4. Nurture. Once these steps are complete we nurture the relationship over time by keeping them abreast of news, sharing market traction with them, and putting you in contact with them from time to time to build on the relationship.



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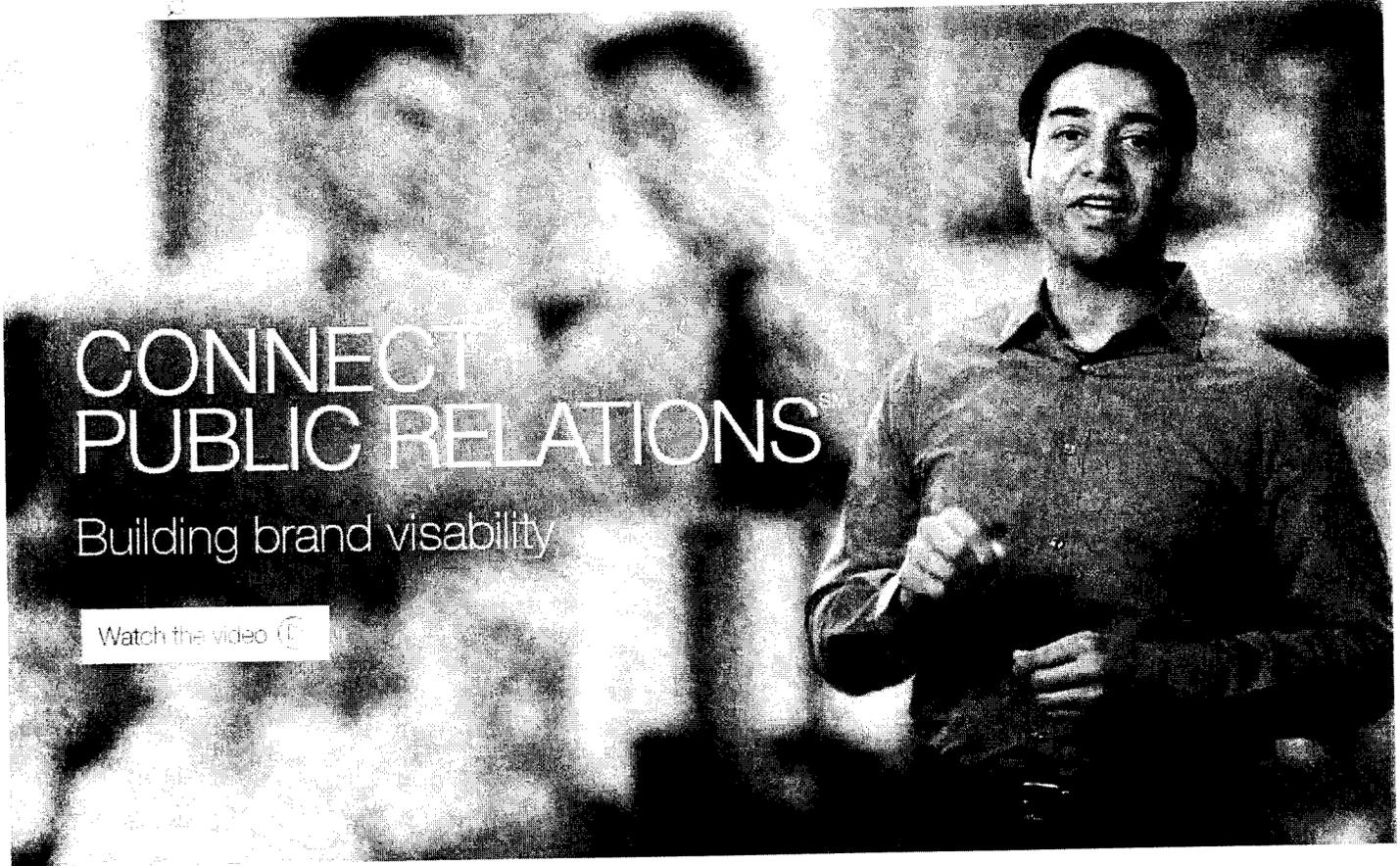
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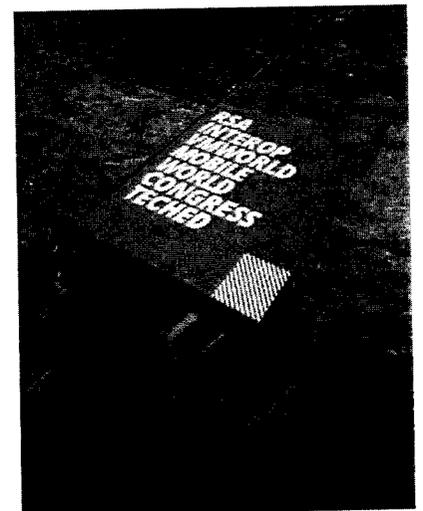
Speaker Placement

### SPEAKER PLACEMENT

As a leading high-tech media relations agency, Connect<sup>SM</sup> knows the value of visibility. Through Connect<sup>SM</sup>'s speaker placement program, your company can make itself heard through representation at the most important events in your industry. Speaking engagements are one of the best ways to bring your company into the spotlight, establish thought leadership and make professional connections that will prove valuable to your business.

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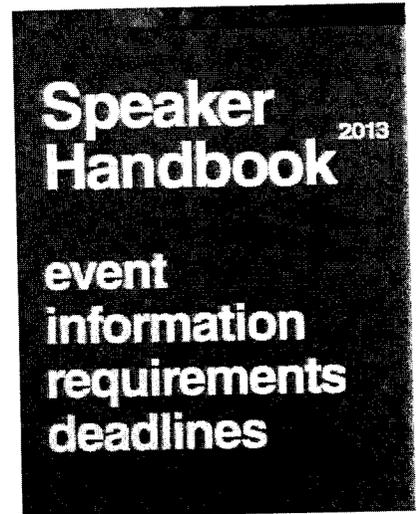
- Customized event target list based on the importance of the event in your industry, including attendees, potential media coverage, competitors attending or speaking and audience type
- Tracking of submission deadlines and requirements
- Full integration with media relations to provide speaker topic recommendations



based on upcoming product releases, new thought leadership, executive platforms, etc.

- Writing speaker abstracts and bios, learning objectives, outlines, etc.
- Management of speaker submissions
- Tracking and follow up on submissions to help secure speaker placement
- Speaker handbook, which includes speaker deadlines, requirements and event information

Connect™ can find the right event for you to share your vision with the most prominent influencers in your field.



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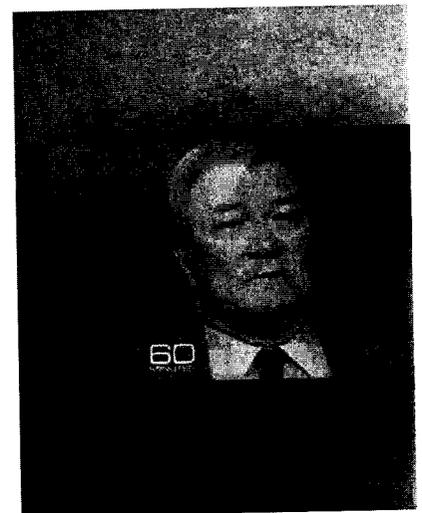
HOW WE CAN HELP    CLIENT EXPERIENCE

In 2010 Symantec became aware of a serious emerging threat called Stuxnet. The Symantec team realized that they could help solve the problem while simultaneously improving their share of voice in the security industry. They worked with Connect<sup>SM</sup> to create and implement a comprehensive public relations campaign.

The goals of the campaign were to establish Symantec's leadership on the issue, and to help prevent the propagation of misinformation. To accomplish this, Connect<sup>SM</sup> used a variety of media, both traditional and social.

The campaign included 20 Stuxnet-related posts written for the Symantec Response blog, which is followed by a large number of IT administrators, business owners, reporters and Internet security experts. It also included a series of tweets regarding progress on the research, as well as a presentation at the Virus Bulletin 2010 conference. The presentation was a unique opportunity that involved a demonstration of Stuxnet's ability to affect industrial machinery, and a dossier of research results distributed to professionals of various industries in order to foster collaborative security efforts.

The results of the campaign exceeded expectations. To date, Symantec spokespeople have fielded more than 60 related media interviews. Symantec has



been included in more than 780 print/online stories, 28 broadcast/radio segments, more than 400 blog posts and more than 2,000 tweets all on the topic of Stuxnet. Overall, Symantec received more than a 50 percent of voice regarding Stuxnet, while no single competitor registered even 10 percent. The campaign was instrumental in cementing Symantec's reputation as a leader in cyber security.

FOLLOW US



LOCATIONS

**San Francisco**

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info@connectmarketing.com

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**Phoenix**

25816 South 193 Place  
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How We Can Help  
 About Us

## ABOUT CONNECT MARKETING<sup>SM</sup>



Business-to-business marketing is changing dramatically. Traditional methods of promoting your business are no longer sufficient — you need to employ fully integrated marketing tools to succeed in today's global economy.

For more than 25 years, Connect<sup>SM</sup> has been a leading high-tech marketing agency utilizing connectivity — technology that connects people. We've helped more than 400 high technology enterprises get noticed. We know technology, and our experienced account managers will dive right in, get to know you and your business, and get the results you expect.

Over the years Connect<sup>SM</sup> has grown from a small firm focused exclusively on public relations to a full-service high tech marketing agency. Our four divisions provide a comprehensive set of marketing services.

**Connect Strategic<sup>SM</sup>** provides foundational services for your marketing campaigns, including strategy and message development.

**Connect Public Relations<sup>®</sup>** offers traditional PR services, including press releases and media and analyst relations.

**Connect Social<sup>SM</sup>** specializes in utilizing the power of Web 2.0 to promote your company, through utilizing social media, social networking, direct content and reference content.

**Connect Studios<sup>SM</sup>** leverages the power of creativity to produce videos, infographics, website content and multimedia presentations to give your marketing materials extra polish.

### CONNECT MARKETING<sup>SM</sup>, INC.

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### ADDITIONAL LINKS

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About Us

## WHY CHOOSE CONNECT?<sup>SM</sup>

Simply put, we get the results your company is looking for. At Connect<sup>SM</sup>, our employees are driven, proactive self-starters who deliver on their promises and great content for our clients. Connect<sup>SM</sup> provides a wide range of services for our clients globally from social media advisement and survey development to video production and campaign content composition.

Our agency is accountable for its work. We stand by our work and will stop at nothing to ensure it is nothing less than the best. We bill by project so our clients advance exactly how much each activity will cost. This makes budgeting simple, and the client knows what they are getting from the start, with no surprises at the project.

Connect<sup>SM</sup> employees take pride in their work and are extremely proactive. If you have to babysit your agency, then you have the wrong agency. We know what's next — you don't have to tell us. Our employees take pride in their work and their relationships with clients. With more than 22 years of experience in the tech industry, Connect<sup>SM</sup> can strategically guide you in the right direction for your business.

We are also passionate about what we do. Most agencies are excited about one thing — money. What makes us excited is *results*. That's why we don't have account minimums. No matter how large or small your company is, we'll share your passion. Perhaps that's why our client tenure averages four times the industry average. We take pride in our work, and our agency.

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# EXHIBIT 2

KARL R. CANNON (Registration No. 36,468)  
BRETT J. DAVIS (Registration No. 46,655)  
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Attorneys for Connect Public Relations, Inc.

**Opposed Mark: CONNECT**  
**U.S. Trademark Application Serial Number: 77/714,693**  
**Published: March 2, 2010**

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

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CONNECT PUBLIC RELATIONS, INC., a Utah	)	
corporation,	)	
	)	
Opposer	)	<b>AFFIDAVIT OF</b>
	)	<b>DR. GLENN L CHRISTENSEN</b>
v.	)	
	)	
DIGITALMOJO, INC., a California corporation,	)	Opposition No. 91196299
	)	
Applicant.	)	
	)	
	)	

---

I, Dr. Glenn L. Christensen, make this affidavit and hereby on oath state, based upon my personal knowledge:

**I. Introduction**

1. I am the Garrett Research Fellow and Associate Professor of Marketing in the Marriott School of Management at Brigham Young University. I have held this position since

2002. In my university appointment, I conduct academic research focused on consumer psychology. Additionally, I have taught courses in consumer behavior, marketing management, and marketing strategy. I currently teach graduate (MBA) courses in marketing management and brand strategy.

2. In addition to my work at the university, I consult with various firms, conduct marketing research surveys for clients, and have been retained as an expert witness in cases involving Lanham Act intellectual property litigation.

## **II. Education and Specialization**

3. I received my Bachelor of Arts in Communications with an emphasis in Public Relations at Brigham Young University in 1994. In 1997, I earned my Masters of Business Administration in Marketing at the Marriott School of Management at Brigham Young University. For the next five years I taught various marketing courses as I pursued my PhD in marketing focused on consumer psychology and consumer behavior in the Smeal College of Business at Penn State University. I earned my PhD in Marketing and Consumer Behavior from Penn State in 2002. My curriculum vitae is appended to this report in Exhibit A.

4. My research focuses on the mind of the consumer as she/he engages in consumer decision making, employs mental imagery of possible future consumption, responds to service providers, evaluates service failures, interprets advertisements, brands and trademarks, formulates and pursues consumption goals, and experiences product involvement. The mind of a consumer is a fascinating topography to explore.

5. I have published scholarly articles in the *Journal of Marketing* (a premier scholarly journal in my discipline), the *Emory Law Journal*, *The Trademark Reporter*, *Psychology and Marketing*, the *Arizona State Law Journal*, *Qualitative Market Research*, *Advances in Consumer*

*Research, European Advances in Consumer Research, and Advances in Business Management and Forecasting.*

6. I have presented my research numerous times at premier international consumer and marketing research conferences, including the Association for Consumer Research conference where, in 2000, my research was honored with the Nicosia Award for best competitive paper.

7. In my academic research and consulting practice I have conducted and participated in numerous consumer research studies across a spectrum of industries and consumption contexts.

8. I am a member of the Association for Consumer Research (ACR), the American Marketing Association (AMA), and the International Trademark Association (INTA).

9. I am being compensated in this matter.

### **III. Research Questions**

10. I was asked by Clayton, Howarth & Cannon, P.C., counsel for Opposer, Connect Public Relations, Inc., to carefully review Opposer's ConnectPR® and Connect Public Relations® registered trademarks, and Applicant's (Digitalmojo, Inc.) proposed registration of the trademark, Connect, and assess the similarity, if any, of the parties' respective marks and the similarity, if any, of parties' goods and services under a likelihood of confusion analysis. I was also asked to assess whether, in my opinion, Connect Public Relations, Inc. continues to employ the Connect Public Relations® and ConnectPR® registered trademarks in its marketing of goods and services under an abandonment analysis.

### **IV. Analysis of the Marks**

11. To further refine my analysis of the likelihood of confusion between the marks of these two firms, I will focus on two of the most important factors that are central to an

assessment of the likelihood of confusion—(1) similarity of the marks and (2) similarity of the goods and services.<sup>1</sup> These two important factors are derived from first two elements in the DuPont multifactor test for the likelihood of confusion.<sup>2</sup>

12. The focus of my analysis (i.e. the data for this research) will be the descriptions of the various marks as they are found on the USPTO federal registry.

13. As with all research I conduct, the need to ensure objectivity and integrity in the research processes exerted a pervasive impact throughout this investigation. I personally am responsible for the research including analyzing the marks, forming my opinions, and preparing this report.

#### Similarity of the Marks

14. Opposer holds several federal registrations for two marks that are at issue in this instance, namely, Connect Public Relations<sup>®</sup> and ConnectPR<sup>®</sup>. The trademark registrations for the Connect Public Relations<sup>®</sup> and the ConnectPR<sup>®</sup> marks are presented in Exhibit B.

15. To begin, looking closely at the totality of the Connect Public Relations<sup>®</sup> mark, reveals that the mark contains at least two clear and distinct features—a dominant initial portion of the word mark and a secondary identifier. When conducting an analysis of any trademark, the whole mark in its totality must be considered in forming an opinion. However, the dominant portion of a mark is more likely to be used by a customer as a source identifier while any less-dominant portion is less likely to be used as a source indicator. It is my opinion that the

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<sup>1</sup> While no one factor is held to be dispositive, recent empirical research shows that these two factors are the most important and most often relied upon by the courts in assessing the likelihood of confusion, see Barton Beebe, *An Empirical Study of the Multifactor Tests for Trademark Infringement*, 94 Cal. L. Rev. 1581, 1624 (2006) (“The data clearly show that the similarity of the marks factor is by far the most important factor in the multifactor test.”); See also, Kevin Blum, Ariel Fox, Christina J. Hayes, and James (Hanjun) Xu, *Consistency of Confusion? A Fifteen-Year Revisiting of Barton Beebe’s Empirical Analysis of Multifactor Tests for Trademark Infringement*, 2010 Stan. Tech. L. Rev. 3.

<sup>2</sup> In re E.I. du Pont de Nemours & Co., 476 F.2d 1357, 177 USPQ 563 (CCPA 1973)

dominant, initial portion “connect” of the word mark is the aspect of the mark customers will rely on as a source identifier. This is because the term “connect” is the first part of the mark<sup>3</sup> as well the only part of the mark that is not disclaimed in the registrations.<sup>4</sup> Further, I note that there is evidence in Opposer’s promotional material that customers and trade partners already truncate their references to Opposer’s firm, focusing just on the dominant initial portion of the mark, Connect, to identify the firm. For example, in Opposer’s document labeled with the production number CPR001224, there is a callout highlight where a Washington Post reporter is quoted as saying, “Connect is one of the most responsive agencies...” Further, a customer is quoted in another promotional brochure, “Connect’s press summits help us penetrate the Aisa Pacific Market.”<sup>5</sup> Finally, on Opposer’s website home page, there is a quote from its customer, “Connect earned our loyalty by exceeding our expectations.”<sup>6</sup>

16. Similarly, ConnectPR<sup>®</sup> is nearly an identical mark to Connect Public Relations<sup>®</sup>. In my opinion, the only difference between the marks is that the disclaimed term (public relations) is not written out but abbreviated with the common shorthand, PR. My analysis of this mark is identical to the previous Connect Public Relations<sup>®</sup> mark. It is my opinion that the dominant, initial portion of the mark, Connect is the feature of the mark that customers will rely upon as a source identifier.

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<sup>3</sup> Presto Products, Inc. v. Nice-Pak Products, Inc., 9 U.S.P.Q.2d 1895 (T.T.A.B. 1988) (“[I]t is often the first part of a mark which is most likely to be impressed upon the mind of a purchaser.”); See also, J. Thomas McCarthy, MCCARTHY ON TRADEMARKS AND UNFAIR COMPETITION §23:45 @ 23-227(4<sup>th</sup> ed. 2008).

<sup>4</sup> Public Relations and its commonly employed abbreviation, PR are disclaimed in the registrations, see Exhibit B; See also, J. Thomas McCarthy, MCCARTHY ON TRADEMARKS AND UNFAIR COMPETITION §23:45 @ 23-228, (4<sup>th</sup> ed. 2008) (“A disclaimed segment of a composite registration is not the ‘dominant’ part.”)

<sup>5</sup> CPR001968; Many other examples could be given of this customer focus on the initial dominant portion of the mark, Connect to refer to Opposer’s firm. For example see also, CPR001967, quoting another customer “Connect got our message out.”; CPR001278, quoting a trade partner, “Connect has the experience, discipline, and talent...”; CPR001273, quoting a customer, “Connect has helped put us on the map...”

<sup>6</sup> www.connectpr.com accessed August 5, 2011

17. Finally, analysis of the Applicant's proposed mark Connect is again straightforward. Of course, Connect is the source indicator and is dominant given that are no other aspects to the mark.

18. Taken together, Connect is the initial, common, and dominant aspect of the Opposer's marks and it is my opinion that Connect is the element common to all the marks that customers will rely upon as a source indicator and there is evidence that I have reviewed that customers do indeed rely upon Connect to refer to Opposer's firm.

19. With this analysis in hand, I will now turn to an assessment of the similarity of the marks in question. The Applicant's PTO application for the word mark Connect is appended to this document in Exhibit C.

20. Comparing the relevant and dominant portion of the Opposer's marks with the Applicant's proposed Connect mark, it is my opinion that the marks are similar as to sound, sight, and meaning.<sup>7</sup> For purposes of a customers' source identification, it is my opinion that the marks are essentially identical.

21. In summary, given the essentially identical nature of the dominant portions of the marks at question in this instance, it is my opinion that this great similarity significantly increases the likelihood of customer confusion between the marks. I will now turn to the second research question, an assessment of the similarity of the goods and services.

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<sup>7</sup> J. Thomas McCarthy, MCCARTHY ON TRADEMARKS AND UNFAIR COMPETITION §23:21 @ 23-141, (4<sup>th</sup> ed. 2008).

### Similarity of the Goods and Services

22. In beginning my analysis of the similarity of the goods and services between the Opposer's goods and services and the Applicant's proposed goods and services, it is important to identify the parameters of this factor that are relevant in forming my opinion.

23. One relevant parameter guiding my analysis in this area is that as the degree of similarity between the marks increases, the less similarity in the goods and services offered is needed to support the likelihood of customer confusion.<sup>8</sup>

24. Another parameter is that when the marks are essentially identical as in the present instance, there need only be a "viable relationship between the goods or services in order to support a holding of likelihood of confusion."<sup>9</sup> Given this parameter, a guiding question becomes, "Is there evidence in these data to identify a relationship between the services offered?"

25. The first step is to look closely at the Opposer's registered marks to determine the breadth<sup>10</sup> of its registrations for goods and services. To do this, my analysis will focus directly on the registered marks presented in Exhibit B.

26. Opposer's service mark, U.S. Trademark Registration Number 2,366,850 is for ConnectPR. This is a registration for that mark in conjunction with "Marketing and market research and consulting services; Public and media relations services and sales promotion services, in class 35."<sup>11</sup> It is my opinion that the breadth of this registration is for a service firm

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<sup>8</sup> Ibid., §23:21 @ 23-139-140, ("[T]he greater the similarity in the marks, the lesser the similarity required in the goods or services of the parties to support a finding of likely confusion.")

<sup>9</sup> In re Concordia Int'l Forwarding Corp., 222 USPQ 355 at 356 (TTAB 1983).

<sup>10</sup> I understand that the Opposer's registrations and the Applicant's application are evaluated on the basis of the descriptions of the goods and services presented in the registrations and application regardless of the Opposer's or Applicant's actual or intended use. For this reason, I have focused my investigation on the actual registrations and application at hand.

<sup>11</sup> This registration is duplicated exactly in the service mark, U.S. Trademark Registration Number 2,373,504, for Connect Public Relations. "For: Marketing and market research and consulting services; Public and media relations

involved in all the activities relating to marketing and public relations for their clients. It is my opinion based on my experience that this would include working with firms to market their products, communicate directly with their customers, improve their strategies, manage media coverage and impressions, position their products in their customers' minds, create media to promote their products, create and manage social media exposure, sell their products, etc. My own review of the Opposer's website and other materials indicates that they are engaged in these activities in its trade practice.<sup>12</sup> There are a myriad of activities that would fall under the normal marketplace practice of such a marketing and public relations firm for clients. It is also my opinion that there is nothing in this registration that limits these activities to any specific market, customer, or industry. Nor is there anything, in my opinion, in this registration that limits the specific kinds or types of marketing and public relations services in which Opposer can participate.

27. Opposer's next service mark, U.S. Trademark Registration Number 2,365,074 is again for ConnectPR. This mark is for, "Communications services, namely, delivery of messages by electronic transmission, in class 38."<sup>13</sup> In my opinion, I understand this to mean a business that would provide communication services for clients, where messages would be delivered by electronic means. In my view, this could include at least in part, facsimile transmission of press releases for clients, emailing customers on behalf of clients, online media messaging for clients, etc. I note that here again that it is my opinion that the breadth of this

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services and sales promotion services, in class 35." My opinion is the same for this Connect Public Relations mark as it stated above for the corresponding ConnectPR mark.

<sup>12</sup> For example, see [www.connectpr.com](http://www.connectpr.com), accessed August 5, 2011.

<sup>13</sup> This registration is duplicated exactly in the service mark, U.S. Trademark Registration Number 2,383,778, for Connect Public Relations. "For: Communications services, namely, delivery of messages by electronic transmission, in class 38." My opinion is the same for this Connect Public Relations mark as it stated above for the corresponding ConnectPR mark.

registration is quite wide and does not limit the offering of communication services to any specific market, customer, or industry. Nor does this registration limit, in my opinion, any form of electronic media that might be employed in the delivery of communication services.

28. The next mark, U.S. Trademark Registration Number 2,713,691 is again for ConnectPR, (U.S. Trademark Registration 3,330,353 is also for ConnectPR in the same class). In my opinion, this trademark is for the goods and services that are part of the processes of conducting marketing and public relations consultancy activities for clients. Specifically, it is for “Printed publications, namely, reports, press kits, and brochures in the fields of market research and consulting, public and media relations, sales promotion, strategic marketing planning, development of market positioning and messaging, background editorial support of sales promotion material, and seminar creation and operation, in Class 16.”<sup>14</sup> Again it is my opinion based on my analysis of this registration that there is no limit on the breadth of this registration as to market, customer, or industry.

29. The next trademark, U.S. Trademark Registration Number 2,383,777 is again for the mark, ConnectPR. This mark is for, “Prerecorded audio recordings, prerecorded video recordings, and prerecorded audio-visual recordings featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services; Electronic publications featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sale promotions

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<sup>14</sup> This registration is duplicated exactly in the trademark registration for Connect Public Relations, U.S. Trademark Registration Number 2,362,916. “For: Printed publications, namely, reports, press kits, and brochures in the fields of market research and consulting, public and media relations, sales promotion, strategic marketing planning, development of market positioning and messaging, background editorial support of sales promotion material, and seminar creation and operation, in Class 16.” My opinion is the same for this Connect Public Relations mark as it stated above for the corresponding ConnectPR mark.

services on computer disks and CD-ROMs, in Class 9.”<sup>15</sup> In my opinion, this a registration for audio-visual materials created in support of a marketing and public relations activities. This registration in my view is not limited as to market, customer, or industry. However the identification of goods in this registration is in the fields of audio-visual materials related to marketing, market research, and public relations consulting.

30. Having presented my opinion regarding the of Opposer’s marks, I now turn in my analysis to Applicant’s proposed mark, Connect. In this analysis I will look for a relationship, if any, between the goods and services described as being potentially offered by the Applicant and the breadth of the Opposer’s registrations for goods and services as presented above. Applicant’s registration for the proposed Connect mark is presented in Exhibit C.

31. I will first investigate the Class 35 goods and services description of the Applicant’s proposed Connect mark, Serial Number 77714693.

32. The first description is for: “Business marketing services in the nature of agency representation of companies marketing a variety of services to home owners and renters, namely, utility hook-ups, telecommunication services, home security services, home warranties, home and yard maintenance, furniture and appliance rental.” In my opinion, the “business marketing services” as described in Applicant’s proposed Connect registration is a form of marketing activity for a client to market and promote their products and services to customers. Given the broad breadth of the Opposer’s registrations, it is my opinion that the activities described in Applicant’s registration are a form or subset of the marketing activities that is a part of Opposer’s

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<sup>15</sup> This registration is duplicated exactly in the trademark registration for Connect Public Relations, U.S. Trademark Registration Number 2,373,505. “For: Printed publications, namely, reports, press kits, and brochures in the fields of market research and consulting, public and media relations, sales promotion, strategic marketing planning, development of market positioning and messaging, background editorial support of sales promotion material, and seminar creation and operation, in Class 16.” My opinion is the same for this Connect Public Relations mark as it stated above for the corresponding ConnectPR mark.

registrations. Thus it is my opinion that there is more than a “relationship” between the Opposer’s goods and services and the Applicant’s proposed goods and services in this specific description. Rather it is my opinion that these specific “business marketing services” are a subset, subtype, form, or subcategory of the broader rubric of “marketing and market research and consulting services” as contained in the registrations to Opposer (U.S. Trademark Registration Numbers 2,373,504 and 2,366,850).

33. The next description is for: “Comparative marketing and advertising services for providers of residential and business telecommunications services, namely, for providers of broadband cable, DSL, fiber-optic and satellite Internet access services, cable and satellite television, voice over IP, and long-distance telephone services.” These specific “comparative marketing and advertising services” for business clients (i.e. “providers”) are, in my opinion, a subset, type, or subcategory of the broader rubric of “marketing and market research and consulting services” as contained in the registrations to Opposer (U.S. Trademark Registration Numbers 2,373,504 and 2,366,850).

34. On this point, there is also some evidence that a specific business customer segment the Applicant is planning to target with its “comparative marketing and advertising services,” (specifically, “providers of broadband cable, DSL, fiber-optic and satellite Internet access services”), is a customer segment that Opposer is already targeting and serving. Exhibit D attached hereto presents a client proposal for marketing and public relations services from Opposer to the Utopia fiber-optic Internet service provider.<sup>16</sup> Further, the Opposer lists the cable, telephone, and Internet service provider, Veracity Networks as a current client listed on its website.<sup>17</sup> Thus there is initial evidence Opposer is currently and Applicant is planning to target

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<sup>16</sup> CPR001185-CPR0001202

<sup>17</sup> [www.connectpr.com](http://www.connectpr.com), accessed August 5, 2011.

and serve the same customer segments. In my opinion, targeting and serving the same customer segments will likely pit these marks in direct competition with each other which, given the essentially identical character of the marks, will in turn increase the likelihood that these marks will be encountered by the same customers which will of course increase the likelihood of confusion.

35. The next description is for: "Operation of telephone call centers for others." In my opinion, this activity is so broadly defined that it would include call centers that are used for marketing and thus would constitute a form of marketing service (for example, telemarketing) which would thus be a subset, type, or subcategory of "marketing and market research and consulting services" as contained in the registrations to Opposer (U.S. Trademark Registration Numbers 2,373,504 and 2,366,850).

36. The next description is for: "Marketing of high speed telephone, Internet, and wireless access, and directing consumers to access providers." This in my opinion is another subset, type, or subcategory of "marketing and market research and consulting services" as contained in the registrations to Opposer (U.S. Trademark Registration Numbers 2,373,504 and 2,366,850).

37. The next descriptions are for: "Providing an online directory information service featuring information regarding, and in the nature of, classifieds; advertising and information distribution services, namely, providing classified advertising space via the global computer network; promoting the goods and services of others over the Internet; providing online computer databases and on-line searchable databases featuring classified listings and want ads." In my opinion, all of these activities revolving around online classified advertising are a form of marketing service. This in my opinion, is a subset, type, or subcategory of "marketing and

market research and consulting services” as contained in the registrations to Opposer (U.S. Trademark Registration Numbers 2,373,504 and 2,366,850).

38. The next description is for, “Online business networking services.” This in my opinion is a type of marketing service for businesses together. As such, it is, in my opinion, a subset, type, or subcategory of “marketing and market research and consulting services” as contained in the registrations to Opposer (U.S. Trademark Registration Numbers 2,373,504 and 2,366,850).

39. Another description is for, “Providing an online interactive website obtaining users comments concerning business organizations, service providers, and other resources; providing information, namely, compilations, rankings, ratings, reviews, referrals and recommendations relating to business organizations, service providers, and other resources using a global computer network.” This, in my opinion is a form of marketing and market research which is in turn a subset, type, or subcategory of “marketing and market research and consulting services” as contained in the registrations to Opposer (U.S. Trademark Registration Numbers 2,373,504 and 2,366,850).

40. The last relevant description in class 35 is for, “Arranging for others the initiation and termination of telecommunication services and utility services in the nature of water, gas and electricity and consultation rendered in connection therewith.” To the extent this “initiation” represents sales promotion or other marketing service, it is my opinion that this is a subset, type, or subcategory of “marketing and market research and consulting services” as contained in the registrations to Opposer (U.S. Trademark Registration Numbers 2,373,504 and 2,366,850).

41. Finally, another description in class 38 is for, “Providing online chat rooms for registered users for transmission of messages concerning classifieds, virtual community and

social networking.” To the extent this service involves and revolves around classified advertising, it would, in my opinion, be a form of marketing service. Thus, in my opinion it would be a subset, type, or subcategory of “marketing and market research and consulting services” as contained in the registrations to Opposer (U.S. Trademark Registration Numbers 2,373,504 and 2,366,850).

42. Taken together, there are several key descriptions of the proposed goods and services, as identified above in the Applicant’s Connect proposed registration, which, in my opinion, fall within the breadth of the Opposer’s registrations. The Applicant’s proposed goods and services that I have analyzed in this report are, in my opinion, quite similar and even identical as a subset to the Opposer’s goods and services as described in its registrations. Given that there need only be a “relationship” between the goods and services of these essentially identical marks, it is my opinion that in this case there is more than a “relationship” because the Applicant’s goods and services are a subset of the Opposer’s goods and services. Therefore, the likelihood of customer confusion is high.

#### **V. Summary of Opinions on Likelihood of Confusion**

43. It is my opinion that Opposer’s ConnectPR<sup>®</sup> and Connect Public Relations<sup>®</sup> registered trademarks, and Applicant’s proposed Connect mark are essentially identical. Thus as to similarity of the marks, it is my opinion that these are essentially identical marks.

44. Further, as to the similarity of the goods and services described in the registrations of these marks, it is my opinion that these marks are quite similar and even identical as a subset in the areas I have described in this report. Further I note that the Applicant proposes to target and serve its marketing goods and services to customers segments already targeted and served by

the Opposer. Taken together, it is my opinion that the similarity of these goods and services is quite high which makes customer confusion more likely.

45. In summary, it is my considered opinion, based on my examination of these marks, my experience, and my education, that there is likely to be customer confusion between the Opposer's marks and the Applicant's proposed mark. This is because of the essentially identical nature of the marks, the close, even identical, similarity between the goods and services described, and because there is initial evidence that the same customer segments are or will be targeted and served by both marks.

**VI. Analysis of Alleged Abandonment of the Connect Public Relations® and ConnectPR® Marks**

46. I now turn my analysis to the question of the continued use of Connect Public Relations® and ConnectPR® marks by the Opposer in the marketing of their goods and services. In doing so, I will look closely for evidence, if any, that the Opposer has ceased marketing its goods and services under the Connect Public Relations® and the ConnectPR® marks for any appreciable length of time.

47. In my opinion, it is clear from my preceding analysis of the similarity of the marks that Opposer was actively employing the Connect Public Relations® and the ConnectPR® marks in commerce in 2011 when I initially reviewed the materials cited in this report. To assess continued use of the marks since that date, if any, I examined DigitalMojo's Second Petitions to Cancel, Connect's Motions for Reconsideration, a copy of Connect's website as of March 21, 2013<sup>18</sup>, Connect's current website<sup>19</sup>, as well as my own analysis of Opposer's use of the marks on the Internet.

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<sup>18</sup> CPR003093 – CPR003222

<sup>19</sup> <http://www.connectmarketing.com>, accessed February 10, 2014.

48. As part of my own analysis I used the publically available Internet Archive<sup>20</sup> to examine Opposer's website at different points in the past to look for evidence, if any, of the use of the Connect Public Relations® and the ConnectPR® marks in marketing their goods and services. In the archive, there is evidence of the Opposer's use of the marks as far back as 1999 for marketing its goods and services<sup>21</sup> as well as use since 2011 (in 2012<sup>22</sup> as well as in 2013<sup>23</sup>). Looking at the printout of Connect's website as of March 21, 2013, in my opinion, Opposer is using the Connect Public Relations® and the ConnectPR® marks in commerce on its site on that date<sup>24</sup>. Accessing the Opposer's website recently, it is clear, in my opinion, that Opposer is currently and actively using both the ConnectPR® and the Connect Public Relations® marks in marketing its services in commerce.<sup>25</sup>

49. Since my initial examination of Opposer's marks in 2011, in my opinion, Opposer has undertaken a rebranding effort under the umbrella brands of Connect<sup>SM</sup>, and Connect Marketing<sup>SM</sup>.<sup>26</sup> Opposer is attempting, in my opinion, to create an expanded brand hierarchy<sup>27</sup> under the dominant initial portion of its marks—Connect.<sup>28</sup> On the printout of the March 21, 2013 webpage, Opposer overtly describes just such a strategy as their goal. In describing to their

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<sup>20</sup> [www.internetarchive.org](http://www.internetarchive.org), accessed February 10, 2014; the Internet Archive is a repository and archive of world's knowledge as it appeared on the web. Through the use of its web crawling software, it takes snapshots of web pages and stores them at the time of the capture in its archive. This allows the inspection of websites as they appeared in the past. I have used and relied upon this resources several times in both my academic and professional research.

<sup>21</sup> <http://web.archive.org/web/19990208012346/http://www.connectpr.com/>, accessed February 10, 2014.

<sup>22</sup> <http://web.archive.org/web/20120429060224/http://www.connectmarketing.com/pr.asp#res>, accessed February 10, 2014; on this example snapshot, the Connect Public Relations® is used.

<sup>23</sup> <http://web.archive.org/web/20120630111211/http://www.connectmarketing.com/pr.asp>, accessed February 10, 2014; on this example snapshot, the Connect Public Relations® is used.

<sup>24</sup> See for example: CPR 003114, CPR 003153, CPR003197

<sup>25</sup> <http://www.connectmarketing.com/pr.asp>, accessed February 10, 2014.

<sup>26</sup> See <http://www.connectmarketing.com>, accessed February 10, 2014.

<sup>27</sup> For a detailed discussion of this fundamental brand management strategy, see KEVIN LANE KELLER, STRATEGIC BRAND MANAGEMENT, CH. 11, 357-402 (4th ed. 2013).

<sup>28</sup> For my analysis of the dominant initial portion of the marks, see supra at p. 4-5.

customers their changing brand hierarchy, they describe a process many growing firms experience: “One day, about two years ago, we realized PR was no longer an accurate description of what we did. It is an important part of what we do, but not the complete story. We decided Connect Marketing<sup>SM</sup> was a more complete description.”<sup>29</sup> Opposer then, in my opinion, goes on to detail this “expansion” into a new brand hierarchy where Connect Marketing<sup>SM</sup> is the umbrella brand, and four new subbrands represent specific services offered<sup>30</sup>—one of which is their registered mark, Connect Public Relations<sup>®</sup>.

50. In my opinion, FedEx<sup>®</sup> executed a similar brand architecture and hierarchy strategy several years ago when they expanded their brand from just FedEx<sup>®</sup> to an array of specific services offered under the FedEx<sup>®</sup> mark. For many years, the company marketed its goods and services under the Federal Express<sup>®</sup> mark. As the company grew and expanded into new markets and added new services, in 2000 the company adopted a new brand architecture strategy that would, as then CEO Federick W. Smith said, “...leverage and extend one of our greatest assets, the FedEx brand, and...provide our customers an integrated set of business solutions.”<sup>31</sup> The stated goal was to create a “single branding system leveraging the power of the FedEx brand so more customers can use FedEx reliability as a strategic competitive advantage.”<sup>32</sup> This new and expanded brand hierarchy introduced into the market in 2000 is pictured below in Figure 1.

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<sup>29</sup> CPR003114

<sup>30</sup> *Ibid.*, “Connect Strategic<sup>SM</sup> is where we help our clients build effective messaging as well as conduct primary research (focus groups and surveys). Connect Public Relations<sup>®</sup> is the continuation of the traditional PR activities we’ve pursued for 22 years. It is still our core. Connect Social<sup>SM</sup> is where we focus on all things Web 2.0 — social media, social networking, social content and social reference. And Connect Studios<sup>SM</sup> is where we build meaningful, exciting, fun content — infographs, websites, videos and so on.” Figure 2 below graphically portrays this expanded brand hierarchy

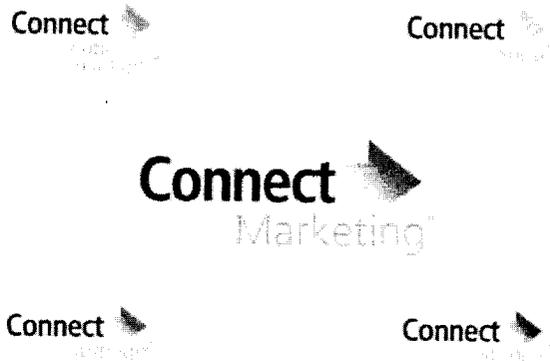
<sup>31</sup> <http://www.fedex.com/us/about/news/pressreleases/archives/pressrelease200190095.html?link=4>, accessed February 10, 2014.

<sup>32</sup> *Ibid.*



**Figure 1: Expanded FedEx Brand Hierarchy introduced in 2000**

51. In my opinion, Opposer is currently attempting a brand expansion, similar to what FedEx did in 2000, to more specifically identify the variety of “marketing and market research and consulting services”<sup>33</sup> it offers to the marketplace. Figure 2 details this new architecture.



**Figure 2: Connect Public Relations, Inc.’s Expanded Brand Hierarchy<sup>34</sup>**

<sup>33</sup> See Opposer’s U.S. Trademark Registration Numbers 2,373,504 and 2,366,850 analyzed above.

<sup>34</sup> CPR003114



# EXHIBIT A

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# GLENN L. CHRISTENSEN

Garrett Research Fellow & Associate Professor of Marketing  
Marriott School of Management  
Brigham Young University

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## EDUCATION

**PhD**, The Smeal College of Business Administration, Department of Marketing  
The Pennsylvania State University, 2002, University Park, Pennsylvania

**MBA**, Marriott School of Management, Brigham Young University, 1997, Provo, Utah  
Emphasis: Marketing Management, Marketing Research

**BA**, Brigham Young University, 1994, Provo, Utah, Honors graduate with thesis  
Major: Communications, Public Relations

## HONORS & AWARDS

- ◆ Garrett Research Fellowship, Marriott School of Management, 2008
- ◆ Department of Business Management Outstanding Researcher Award, 2008
- ◆ Marketing Management Association (MMA) Teaching Excellence Award, 2008
- ◆ Marriott School of Management, Merrill J. Bateman Teaching Award Finalist, 2008
- ◆ 6<sup>th</sup> Annual Hormel Foods MMA Master Teaching Competition Award Finalist, 2008
- ◆ The Marriott School of Management Teaching Excellence Award, 2006
- ◆ Women's Intercollegiate Athletics teaching recognition, Brigham Young University, 2005
- ◆ Fellow, American Marketing Association Sheth Doctoral Consortium, 2001
- ◆ The Franco Nicosia Competitive Paper Award, best competitive paper, Association for Consumer Research conference, 2000
- ◆ Ossian R. MacKenzie Doctoral Teaching Award, Penn State, 2001-2002
- ◆ Fred Brand Jr. Outstanding Graduate Student Teaching Award, Penn State, 1999- 2000
- ◆ Selected to represent the Penn State Marketing Department as a presenter at the 30th Albert Haring Symposium, Indiana University, March 2000
- ◆ Interfraternity Council and Pan-Hellenic Council outstanding teaching recognition, 1999
- ◆ Honors graduate with thesis, Brigham Young University, 1994

## RESEARCH GRANTS

Marriott School of Management Research Grant, awarded each year, 2004-2009  
Institute of Marketing Research Grant, Marriott School of Management, 2007, 2009-2010  
J.C. Penny Research Grant, Marriott School of Management, 2005  
Kevin and Debra Rollins Center for eBusiness Research Grant, Marriott School, 2003  
Global Management Center Research Grant, Marriott School of Management, 2003

## RESEARCH FOCUS

Consumer dreams and consumption visions; Consumer goals and goal hierarchies; Consumer involvement; Service recovery; Trademarks, trademark law, consumer psychology, and likelihood of consumer confusion

## PEER-REVIEWED RESEARCH PUBLICATIONS

"Sophisticated but Confused: Brand Extension and Motivation as Factors Increasing the Likelihood of Source Confusion," (2011), with Eric DeRosia and Thomas R. Lee, *Psychology and Marketing*, 28 (5), 457-478.

"When Consumer Well-Being Meets Small Business Ownership: Transforming Financial Service Systems to Eradicate Disparate Treatment and Discrimination," (2010) with Sterling A. Bone and Jerome D. Williams, *Journal of Macromarketing*, 30 (4), 419. (extended abstract)

- "An Empirical and Consumer Psychology Analysis of Trademark Distinctiveness," (2009), with Thomas R. Lee and Eric D. DeRosia, *Arizona State Law Review*, 41 (4), 1033-1109.
- "Blind Insights: A New Technique for Testing A Priori Hypotheses with Qualitative Methods," (2009), with Eric D. DeRosia, *Qualitative Market Research*, 12 (1), 15-35.
- "Trademarks, Consumer Psychology, and the 'Sophisticated' Consumer," (2008), with Thomas R. Lee and Eric D. DeRosia, *Emory Law Review*, 57 (3), 575-650.
- "Sophistication, Bridging the Gap, and the Likelihood of Confusion: An Empirical and Theoretical Analysis," (2008), with Thomas R. Lee and Eric D. DeRosia, *The Trademark Reporter*, 98 (4), 913-949, (Lead Article).
- "Forecasting Deep Consumer Resonance: An Application of the Zaltman Metaphor Elicitation Technique (ZMET)," (2008), with James Forr, and Eric D. DeRosia in *Advances in Business Management and Forecasting*, Vol. 5, eds, Kenneth D. Lawrence and Michael D. Geurts, Greenwich, Conn: JAI Press, 133-156.
- "A Cultural Models Approach to Service Recovery Expectations," (2007), with Torsten Ringberg and Gaby Odekerken-Schröder, *Journal of Marketing*, 71 (July), 194-214.
- "Improving Sales Forecasts by Testing Underlying Hypotheses about Consumer Behavior: A Proposed Qualitative Method," (2006), with Eric D. DeRosia and David B. Whitlark, in *Advances in Business Management and Forecasting*, Vol. 4, eds, Kenneth D. Lawrence and Michael D. Geurts, Oxford, UK: Elsevier Science, 183-197.
- "Using the Zaltman Metaphor Elicitation Technique (ZMET) to Map Consumers' Mental Models," (2002), with Jerry C. Olson, *Psychology and Marketing*, 19 (June), 477-502.

**PEER-REVIEWED  
INTERNATIONAL  
CONFERENCE  
PROCEEDINGS  
PUBLICATIONS**

- "Involved with What? The Impact of Goal Heterogeneity on High Enduring Involvement," (2001) with Jerry C. Olson, abstracted in *Advances in Consumer Research*, Vol. 28, ed. Mary C. Gilly and Joan Meyers-Levy, Association for Consumer Research, Valdosta, GA: Association for Consumer Research, 392. (Nicosia Award winner for best conference paper).
- Rejected, Shackled, and Alone: The Experience of Systemic Restricted Consumer Choice among Minority Entrepreneur Consumers," (2011) with Sterling A. Bone and Jerome D. Williams, in *Asia-Pacific Advances in Consumer Research*, Vol. 9, eds, Zhihong Yi, Jing Jian Xiao, June Cotte, and Linda Price.
- "The Stonewall Metaphor: Making an Impact with Transformative Consumer Research," (2007), with Eric D. DeRosia in *Advances in Consumer Research*, Vol. 34, eds, Gavan J. Fitzsimons and Vicki G. Morwitz, Duluth, MN: Association for Consumer Research, 8-9.
- "Hierarchicality in Consumption Visions: Imagic Anticipation and Dynamics Within the Goal Structure," (2006) with Jerry C. Olson and William T. Ross, *European Advances in Consumer Research*, Vol. 7, ed. Karin M. Ekström and Helene Brembeck, Duluth, MN: Association for Consumer Research, 584-585.
- "Balance in the (Re)making: A Deep Metaphor Analysis Of Consumer Recovery Expectations," (2006), with Torsten Ringberg, *European Advances in Consumer Research*, Vol. 7, ed. Karin M. Ekström and Helene Brembeck, Duluth, MN: Association for Consumer Research, 440-441.

"The Influence of Socio-Cultural Frameworks on Consumers' Service Recovery Expectations," (2003), with Torsten Ringberg, extended abstract in *Advances in Consumer Research*, Vol. 30, eds. Punam Anand Keller and Dennis W. Rook, Valdosta, GA: Association for Consumer Research, 385-386.

"Why Consumption Vision? Understanding Consumer Value in Anticipatory Consumption Imaging," (2004), with Jerry C. Olson and William T. Ross, extended abstract in *Advances in Consumer Research*, Vol. 31, eds. Barbara E. Kahn and Mary Frances Luce, Valdosta, GA: Association for Consumer Research, 130-131.

"The Phenomenology of a Goal: Consumption Visions Across Consumer Behavior," (2003), with Jerry C. Olson and William T. Ross, *European Advances in Consumer Research*, Vol. 6, eds. Darach Turley and Stephen Brown, Valdosta, GA: Association for Consumer Research, 108.

**RESEARCH  
UNDER  
REVIEW**

"Finding Success with Graduate Marketing Students," with David B. Whitlark, invited for second review at the *Journal of Marketing Education*.

**RESEARCH IN  
PROGRESS**

"Rejected, Shackled, and Alone: The Experience of Systemic Restricted Consumer Choice among Minority Entrepreneur Consumers," with Sterling A. Bone and Jerome D. Williams, targeted for the *Journal of Consumer Research*.

"Advertising and Equity Turnover," with Eric DeRosia, Grant McQueen, and Keith Vorkink, targeted for *Review of Finance*.

"Recovery in the Balance," with Torsten Ringberg, targeted for the *Journal of Services Marketing*.

"Exploring the Forms of Anticipatory Mental Imagery: An Empirical Investigation of Imaginative Hedonism's Taxonomy of Consumption Visions," with William T. Ross and Jerry C. Olson, targeted for the *International Journal of Research in Marketing*.

"Adaptive Service Recovery," with Torsten Ringberg, targeted for the *Harvard Business Review*.

"The Phenomenology of a Consumer Goal: Consumption Visions Across Consumer Behavior," with William T. Ross and Jerry C. Olson, targeted for the *Journal of Consumer Research*.

"The Surprising Consequences of Mental Imagery Responses to Advertisements," with Eric DeRosia targeted for the *Journal of Consumer Research*.

"Why Consumption Vision? Finding Consumer Value in Anticipatory Mental Imagery," with Jerry C. Olson and William T. Ross, targeted for the *Journal of the Academy of Marketing Science*.

"Involved With What? Finding The Locus of Consumer Involvement," with Jerry C. Olson, targeted for the *Journal of Consumer Research*.

“Mapping Consumers’ Mental Models across Levels of Involvement,” with William T. Ross and Jerry C. Olson, targeted for the *Journal of Marketing*.

**INVITED RESEARCH  
PRESENTATIONS**

“Branding in the Channel: Building B2B Brands” (2010), AgReserves Strategic Seminar, Salt Lake City, Utah, July.

“An Empirical and Consumer Psychology Analysis of Trademark Distinctiveness,” (2009), with Thomas R. Lee & Eric D. DeRosia, Intellectual Property Scholars Conference [plenary session]. New York, New York, June.

“The Power of Branding,” (2008), Economic Self-Reliance Conference, Provo, Utah, November.

“The Financial Aspects of Marketing Management,” (2008), Marketing Management Association Conference, Chicago, Illinois, March.

“Internet Surveys and Intellectual Property Litigation,” (2007), Presented to the Utah Bar Association, Intellectual Property Section, Salt Lake City, Utah, September.

**CONFERENCE  
PRESENTATIONS**

Rejected, Shackled, and Alone: The Experience of Systemic Restricted Consumer Choice among Minority Entrepreneur Consumers,” (2011) with Sterling A. Bone and Jerome D. Williams, Asia-Pacific Association for Consumer Research, July, Beijing, China

“Transformative Consumer Research Roundable” (2011), Asia-Pacific Association for Consumer Research, July, Beijing, China

“When Consumer Well-Being Meets Small Business Ownership: Transforming Financial Service Systems to Eradicate Disparate Treatment and Discrimination,” (2010), with Sterling A. Bone & Jerome D. Williams, Association for Consumer Research, Jacksonville, FL, October. Curriculum

“When Consumer Well-Being Meets Small Business Ownership: Transforming Financial Service Systems to Eradicate Disparate Treatment and Discrimination,” (2010), with Sterling A. Bone & Jerome D. Williams, Macromarketing Conference, Laramie, WY, June.

“Unintended Consequences: How Brand Extensions Make Brands More Vulnerable to Consumer Confusion,” (2010), with Eric D. DeRosia & Thomas R. Lee, American Marketing Association Winter Marketing Educators' Conference. New Orleans, Louisiana, February.

“Analyzing the Response of Minority Small Business Entrepreneurs to Marketplace Discrimination,” (2009), with Jerome D. Williams & Sterling A. Bone, Cross Cultural Research Conference, Puerto Vallarta, Mexico, December.

“An Empirical and Consumer Psychology Analysis of Trademark Distinctiveness,” (2009), with Thomas R. Lee & Eric D. DeRosia, Intellectual Property Scholars Conference [plenary session]. New York, New York, June.

“The Plight and Pilgrimage of Minority Small Business Entrepreneurs: Exploring the Experience of Vulnerable Populations with ZMET,” (2009), with Sterling A. Bone & Elise Briggs, 2009 Public Policy and Marketing Conference, Washington D.C., June.

- “Best Practices in Marketing Pedagogy,” (2009), Marketing Management Association Conference, Chicago, Illinois, March.
- “Capitalizing on Customer Feedback: New Paradigms and Strategic Imperatives,” (2008), with Torsten Ringberg, AMA Winter Educators Conference, San Diego, California, February.
- “Trademarks and the Reasonably Prudent Buyer: A Theoretical and Empirical Analysis of Consumer Sophistication,” (2008), with Thomas R. Lee & Eric D. DeRosia, International Trademark Association Learned Professors Trademark Symposium. New York, New York, January.
- “Improving Graduate Business Education: Three Keys for Creating Peak Learning Experiences,” (2008), with David B. Whitlark, Marketing Educators’ Association Conference, Salt Lake City, Utah, April.
- “The Financial Aspects of Marketing Management,” (2008), Marketing Management Association Conference, Chicago, Illinois, March.
- “The Power of Branding,” (2008), Economic Self-Reliance Conference, Provo, Utah, Nov.
- “Consumer Protection Regulations and the Vulnerability of Small Entrepreneurial Business Bank Customers: A Qualitative Investigation,” (2007), with Sterling Bone, Public Policy and Marketing Conference, Washington D. C., June.
- “The Stonewall Metaphor: Making an Impact with Transformative Consumer Research,” (2006), with Eric D. DeRosia, Association for Consumer Research Conference, Orlando, Florida, October.
- “Hierarchicality in Consumption Visions: Imagic Anticipation and Dynamics Within the Goal Structure,” (2005), with Jerry C. Olson & William T. Ross, European Association for Consumer Research Conference, Goteborg, Sweden, June, Competitive paper.
- “Balance in the (Re)making: A Deep Metaphor Analysis Of Consumer Recovery Expectations,” (2005), with Torsten Ringberg, European Association for Consumer Research Conference, Goteborg, Sweden, June, Competitive paper.
- Presenter and Participant at the Association for Consumer Research (ACR)/Marketing Science Institute (MSI) Qualitative Data Analysis Workshop (2005), Omaha, Nebraska, May.
- “Why Consumption Vision? Understanding Consumer Value in Anticipatory Consumption Imaging,” (2003), with Jerry C. Olson & William T. Ross, Association for Consumer Research Conference, Atlanta, GA, October, Competitive paper.
- “The Phenomenology of a Goal: Consumption Visions across Consumer Behavior,” (2003), Jerry C. Olson & William T. Ross, European Association for Consumer Research Conference, Dublin, Ireland, June, Competitive paper.
- “Three Orientations Toward Expectations of Service Recovery,” (2002), with Torsten Ringberg, Association for Consumer Research Conference, Atlanta, GA, October, Competitive Paper.

“Involved with What? The Impact of Goal Heterogeneity on High Enduring Involvement,” (2000), with Jerry C. Olson, Association for Consumer Research Conference, Salt Lake City, Utah, October. (Nicosia Award winner for best paper)

Presenter at the 30<sup>th</sup> Albert Haring Symposium (2000), Indiana University, March.

“The Remarkable Impact of Service Recovery,” (1999), with Peter B. Everett, Frontiers in Services Conference, Vanderbilt University, Nashville, Tennessee, October.

**SELECTED  
PROFESSIONAL  
EXPERIENCE**

**Expert Witness 2005-Present**

Trademark Infringement Litigation—Expert to Likelihood of Consumer Confusion

- ◆ Conducted Likelihood of Confusion Surveys for clients including General Motors, Volkswagen, & Ameritrade in support of Lanham Act litigation.

**Consulting 1997-2004**

Research Associate, Olson, Zaltman and Associates (Boston, MA and State College, PA)

- ◆ Trained consumer researchers at Proctor & Gamble in the use of the Zaltman Metaphor Elicitation Technique (ZMET).
- ◆ Analyzed ZMET data on several projects for clients such as Disney, Johnson & Johnson, Motorola, Proctor and Gamble, General Mills, and McNeal Corp.

**TEACHING  
INTERESTS**

Marketing Strategy, Brand Management, Consumer Behavior, Marketing Management, Services Marketing

**TEACHING  
EXPERIENCE**

**Marketing Management (M.B.A. 550) 2009-Present**

- ◆ Taught multiple sections of this case-based, core MBA course. Employed rigorous semester projects and interactive learning experiences in the classroom to give theoretical constructs life and impact.

**Brand Management (M.B.A. 657) 2008-Present**

- ◆ Taught multiple section of this case-based MBA course. Employed applied class projects for a client to give relevance and application to theoretical ideas and course concepts. Student ratings = 6.9 - 7.6 range on an 8-point scale.

**Marketing Strategy (Business Management 459) 2006-Present**

- ◆ Taught multiple sections of this case-based, senior-level capstone marketing strategy course. Employed the StratSim Marketing simulation to imbue the course with application and relevance. Student ratings = 7.4 – 7.9 range, 7.7 average on an 8-point scale.

**Marketing Management (Business Management 341) 2003-2005**

- ◆ Taught nine sections of this survey course in marketing management. Employed both PharmaSim and StratSim Marketing simulations to imbue the course with application and relevance. Student ratings = 7.2 average on an 8-point scale.

**Marketing Management for non-business majors (Business Management 340) 2003-2004**

- ◆ Taught multiple sections of this introductory course in marketing geared for non-business majors. Student ratings = 6.8 average on an 8-point scale.

**Marketing Management Policies and Programs (Marketing 450w) 2000-2002**

- ◆ Taught multiple sections of this writing-intensive, senior capstone course in marketing strategy. The course is case-study based and integrates the StratSim marketing simulation game. Student ratings = 6.6 average on a 7-point scale.

**Marketing Management (Bus M 341) & Marketing Strategy (Bus M 459) Summer 2000**

- ◆ Taught these two sections as a visiting instructor in the Marriott School. Student ratings = 6.4 and 6.0 respectively on 7-point scales.

**Buyer Behavior (Marketing 330)**

**1999**

- ◆ Taught multiple sections of this consumer behavior course. Focused on consumer behavior as it informs effective marketing strategy. Employed AutoSim, a computer simulation of the small car market. Student ratings = 6.5 average on 7-point scale.

**Contemporary American Marketing (Marketing 221)**

**1998**

- ◆ Introductory course in marketing. Student ratings = 6.4 average on 7-point scale.

**EDITORIAL  
SERVICE**

*Ad Hoc* Journal Reviewer: **Journal of the Academy of Marketing Science  
Psychology and Marketing  
Journal of Consumer Affairs**

Competitive Paper Reviewer, **Association for Consumer Research  
European Association for Consumer Research  
American Marketing Association**

**PROFESSIONAL  
MEMBERSHIPS**

- ◆ Association for Consumer Research (ACR)
- ◆ American Marketing Association (AMA)
- ◆ International Trademark Association (INTA)

# EXHIBIT B

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,366,850

United States Patent and Trademark Office

Registered July 11, 2000

SERVICE MARK  
PRINCIPAL REGISTER

CONNECTPR

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

FOR: MARKETING AND MARKET RESEARCH AND CONSULTING SERVICES; PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-0-2000; IN COMMERCE 2-0-2000.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

SN 75-456,494, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,373,504

United States Patent and Trademark Office

Registered Aug. 1, 2000

**SERVICE MARK  
PRINCIPAL REGISTER**

**CONNECT PUBLIC RELATIONS**

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

FOR: MARKETING AND MARKET RESEARCH AND CONSULTING SERVICES; PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 5-0-1998; IN COMMERCE 5-0-1998.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

SN 75-456,519, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Int. Cl.: 38

Prior U.S. Cls.: 100, 101, and 104

Reg. No. 2,365,074

**United States Patent and Trademark Office**

Registered July 4, 2000

**SERVICE MARK  
PRINCIPAL REGISTER**

**CONNECTPR**

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

TRANSMISSION, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 2-0-2000; IN COMMERCE 2-0-2000.

SN 75-456,495, FILED 3-25-1998.

FOR: COMMUNICATIONS SERVICES, NAMELY,  
DELIVERY OF MESSAGES BY ELECTRONIC

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Int. Cl.: 38

Prior U.S. Cls.: 100, 101, and 104

Reg. No. 2,383,778

**United States Patent and Trademark Office**

Registered Sep. 5, 2000

**SERVICE MARK  
PRINCIPAL REGISTER**

**CONNECT PUBLIC RELATIONS**

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

FOR COMMUNICATIONS SERVICES, NAMELY,  
DELIVERY OF MESSAGES BY ELECTRONIC  
TRANSMISSION, IN CLASS 38 (U.S. CLS. 100, 101  
AND 104).

FIRST USE 5-0-1999; IN COMMERCE 5-0-1999.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT  
TO USE "PUBLIC RELATIONS", APART FROM THE  
MARK AS SHOWN.

SN 75-456,520, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 2,383,777

**United States Patent and Trademark Office**

Registered Sep. 5, 2000

**TRADEMARK  
PRINCIPAL REGISTER**

**CONNECTPR**

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

FOR: PRERECORDED AUDIO RECORDINGS, PRERECORDED VIDEO RECORDINGS, AND PRERECORDED AUDIO-VISUAL RECORDINGS FEATURING TOPICS IN THE FIELDS OF MARKETING AND MARKET RESEARCH AND CONSULTING SERVICES, PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES; ELECTRONIC PUBLICATIONS FEATURING TOPICS IN THE FIELDS OF MARKETING AND

MARKET RESEARCH AND CONSULTING SERVICES, PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES ON COMPUTER DISCS AND CD-ROMS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 3-0-2000; IN COMMERCE 3-0-2000.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

SN 75-456,498, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 2,373,505

United States Patent and Trademark Office

Registered Aug. 1, 2000

**TRADEMARK  
PRINCIPAL REGISTER**

**CONNECT PUBLIC RELATIONS**

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

FOR: PRERECORDED AUDIO RECORDINGS, PRERECORDED VIDEO RECORDINGS, AND PRERECORDED AUDIO-VISUAL RECORDINGS FEATURING TOPICS IN THE FIELDS OF MARKETING AND MARKET RESEARCH AND CONSULTING SERVICES, PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES; ELECTRONIC PUBLICATIONS FEATURING TOPICS IN THE FIELDS OF MARKETING AND

MARKET RESEARCH AND CONSULTING SERVICES, PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES ON COMPUTER DISCS AND CD-ROMS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 7-0-1998; IN COMMERCE 7-0-1998.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

SN 75-456,523, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

United States Patent and Trademark Office

Reg. No. 2,713,692

Registered May 6, 2003

TRADEMARK  
PRINCIPAL REGISTER

CONNECTPR

CONNECT PUBLIC RELATIONS, INC. (UTAH  
CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

FOR: PRINTED PUBLICATIONS, NAMELY, RE-  
PORTS, PRESS KITS AND BROCHURES IN THE  
FIELDS OF MARKET RESEARCH AND CONSULT-  
ING, PUBLIC AND MEDIA RELATIONS, SALES  
PROMOTION, STRATEGIC MARKETING PLAN-  
NING, DEVELOPMENT OF MARKET POSITION-  
ING AND MESSAGING, BACKGROUND  
EDITORIAL SUPPORT OF SALES PROMOTION  
MATERIAL, AND SEMINAR CREATION AND OP-

ERATION, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37,  
38 AND 50).

FIRST USE 9-0-2002; IN COMMERCE 9-0-2002.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "PUBLIC RELATIONS", APART  
FROM THE MARK AS SHOWN.

SN 75-456,497, FILED 3-25-1998.

INGA ERVIN, EXAMINING ATTORNEY

Int. CL: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

Reg. No. 2,362,916

**United States Patent and Trademark Office**

Registered June 27, 2000

**TRADEMARK  
PRINCIPAL REGISTER**

**CONNECT PUBLIC RELATIONS**

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

FOR: PRINTED PUBLICATIONS, NAMELY, REPORTS, PRESS KITS AND BROCHURES IN THE FIELDS OF MARKET RESEARCH AND CONSULTING, PUBLIC AND MEDIA RELATIONS, SALES PROMOTION, STRATEGIC MARKETING PLANNING, DEVELOPMENT OF MARKET POSITIONING AND MESSAGING, BACKGROUND EDI-

TORIAL SUPPORT OF SALES PROMOTION MATERIAL, AND SEMINAR CREATION AND OPERATION, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 6-0-1998; IN COMMERCE 6-0-1998.  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

SN 75-456,522, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

Reg. No. 3,330,353

United States Patent and Trademark Office

Registered Nov. 6, 2007

TRADEMARK  
PRINCIPAL REGISTER

CONNECTPR

CONNECT PUBLIC RELATIONS, INC. (UTAH  
CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

MOTION MATERIALS, AND SEMINAR CREATION  
AND OPERATION, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23,  
29, 37, 38 AND 50).

FOR: PRINTED PUBLICATIONS, NAMELY, RE-  
PORTS, BROCHURES AND PRESS KITS COM-  
PRISED OF BROCHURES, FLYERS, AND PRESS  
RELEASES, IN THE FIELDS OF MARKET RE-  
SEARCH AND CONSULTING, PUBLIC AND MED-  
IA RELATIONS, SALES PROMOTION, STRATEGIC  
MARKETING PLANNING, DEVELOPMENT OF  
MARKET POSITIONING AND MESSAGING, BACK-  
GROUND EDITORIAL SUPPORT OF SALES PRO-

FIRST USE 1-0-2006; IN COMMERCE 1-0-2006.

OWNER OF U.S. REG. NOS. 2,365,074, 2,366,850,  
AND 2,383,777.

SN 78-169,520, FILED 9-30-2002.

CAROLINE WOOD, EXAMINING ATTORNEY

# EXHIBIT C



United States Patent and Trademark Office

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## Trademarks > Trademark Electronic Search System (TESS)

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# CONNECT

**Word Mark** CONNECT

**Goods and Services**

IC 009. US 021 023 026 036 038. G & S: audio recordings featuring music; video recordings featuring music; downloadable audio and video recordings featuring music; prerecorded music on CD, DVD and other media

IC 035. US 100 101 102. G & S: Business marketing services in the nature of agency representation of companies marketing a variety of services to home owners and renters, namely, utility hook-ups, telecommunication services, home security services, home warranties, home and yard maintenance, furniture and appliance rental; comparative marketing and advertising services for providers of residential and business telecommunications services, namely, for providers of broadband cable, DSL, fiber-optic and satellite Internet access services, cable and satellite television, voice over IP, and long-distance telephone services; operation of telephone call centers for others; marketing of high speed telephone, Internet, and wireless access, and directing consumers to access providers; providing an online directory information service featuring information regarding, and in the nature of, classifieds; advertising and information distribution services, namely, providing classified advertising space via the global computer network; promoting the goods and services of others over the Internet; providing online computer databases and on-line searchable databases featuring classified listings and want ads; online business networking services; providing telephone directory information via global communications networks; providing an online interactive website obtaining users comments concerning business organizations, service providers, and other resources; providing information, namely, compilations, rankings, ratings, reviews, referrals and recommendations relating to business organizations, service providers, and other resources using a global computer network; providing telephone directory information via global communications networks; arranging for others the initiation and termination of telecommunication services and utility services in the nature of water, gas and electricity and consultation rendered in connection therewith

IC 038. US 100 101 104. G & S: providing online chat rooms for registered users for transmission of messages concerning classifieds, virtual community and social networking; providing on-line chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest;

providing email and instant messaging services

IC 042. US 100 101. G & S: computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in social networking; computer software development; application service provider (ASP) featuring software to enable uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communications network; providing temporary use of non-downloadable software applications for classifieds, virtual community, social networking, photo sharing, video sharing, and transmission of photographic images; computer services, namely, hosting online web facilities for others for organizing and conducting online meetings, gatherings, and interactive discussions; computer services in the nature of customized web pages featuring user-defined information, personal profiles and information

IC 045. US 100 101. G & S: on-line social networking services; internet based dating, introduction and social networking services

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 77714693

**Filing Date** April 15, 2009

**Current Filing Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** March 2, 2010

**Owner** (APPLICANT) Digitalmojo, Inc. CORPORATION CALIFORNIA 8344 Clairemont Mesa Blvd., Suite 100 San Diego CALIFORNIA 92111

**Attorney of Record** Thomas W. Cook

**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [TOP](#) [HELP](#)

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

# EXHIBIT D

# Section 1: Executive Summary



*And yet, from the ashes  
of the dot com bust  
appears a Phoenix:  
Broadband.*

The economy is in a slump. Capital expenditures are flat. High tech companies are suffering. And yet, from the ashes of the dot com bust there appears a Phoenix: *Broadband*. In a recent column, Forbes publisher Rich Karlgaard commented on this trend:

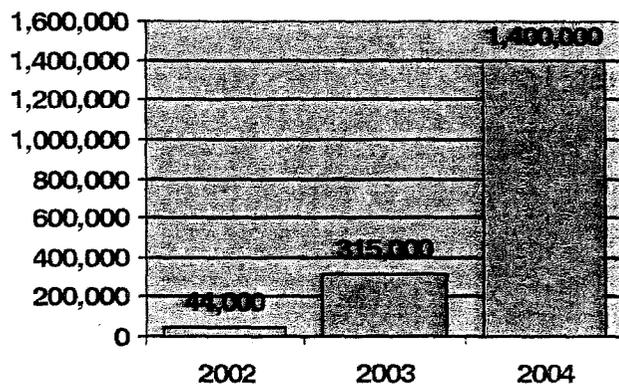
*With little fanfare the Internet had a great year, a rebirth of sorts, in 2002. Broadband access to U.S. homes grew 56 percent. Wi-Fi networks broke out everywhere. Yahoo and Amazon turned the corner to consistent profitability. Ebay continued to rock.*

There are many ways to deliver broadband to homes and businesses: ISDN, DSL, Ethernet, Fixed Wireless, and a host of other solutions. But none provides the combined benefits of fiber. Fiber boasts very high transmission speeds, high capacity, and (with recent improvements) reasonable costs.

It is no surprise, then, that analysts predict explosive growth for "fiber to the home" (FTTH). According to the FTTH Council, Fiber to the Home is poised growing at a decidedly non-recessionary 440 percent AGR over the next few years.

UTOPIA's mission is an important one. Left entirely to the private sector, the communities UTOPIA serves would most likely be slow to realize the benefits this broadband revolution will bring. By providing the infrastructure, UTOPIA can jumpstart the broadband revolution in Utah.

**FTTH Homes Passed**



Source: FTTH Council, 1/2003

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From a communications standpoint, we feel UTOPIA must achieve three goals to ensure their success:

- **EDUCATION:** Before the community can *believe* in UTOPIA's vision, they must *understand* it. We propose a series of activities to educate your constituency about the MetroNet.
- **PERSUASION:** Understanding is not necessarily believing. Our second goal is to convince the community that the MetroNet is the best approach.
- **PROGRESS:** The first steps (education and persuasion) build trust. To keep this trust UTOPIA must show continual progress.

The rest of this document provides the details about how we propose to realize these three goals. But why should UTOPIA select Connect Public Relations?

- **MARKET UNDERSTANDING:** Connect Public Relations has provided communication services to every corner of the networking industry (both telecom and data) for the last 14 years. Some of our clients have been large (Seimens, Symantec and Sun), while others have been small (F5 Networks, Occam Networks). But all have benefited from our deep understanding of the market.
- **TRACK RECORD:** Connect Public Relations is the largest PR firm in Utah. We obtain more than 800 stories per month for our clients. We meet with hundreds of analysts and media each month. In short, *we get results*.
- **THINK GLOBAL, ACT LOCAL:** Connect Public Relations is a large firm, with a long history in your market. We have worked for more than 150 different firms around the world. Yet we are a local firm, headquartered in Provo, Utah. With Connect UTOPIA gets the advantage of a national-level firm combined with the ease of working with a local agency.

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## Section 2: Project Goals



As discussed in the previous section, we propose three high level goals for the UTOPIA communications effort:

- Education
- Persuasion
- Demonstration of Progress

The first two goals, education and persuasion, are difficult. You will be asking people to form new opinions or, in some cases, change their opinion. This is hard work. The final goal, demonstration of progress, is substantially easier.

Further complicating the process is the wide range of audiences we need to communicate with:

- Governing board
- Current (and prospective) member communities
- Industry infrastructure:
  - FTTH/FTTB national community*
  - Service providers*
  - Vendors*
  - Suppliers*
- General public
  - Business*
  - Consumer*

We have designed a mix of tactics to reach these broad constituencies and achieve our three goals. Each tactic is described in the pages that follow.

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### **Communication Plan & Strategy**

This proposal lays out our strategy and tactics in broad strokes. The first task we will accomplish if we are selected will be to prepare a detailed communications plan and strategy. Among the items we will detail in this document are:

- Target audiences
- Core messages
- Brand messages and personality
- Schedule of activities
- Goals & targets
- Measurement metrics

### **Public Relations Activities**

We feel public relations provides the broadest reach for the least amount of money. Furthermore, because of the perceived independence of the press, public relations has more impact on your audience.

The public relations activities we propose include:

- Assembling a target analyst and media list
- Building a full editorial calendar
- Creating a full media kit, including:
  - UTOPIA backgrounder
  - Architectural blueprint document
  - A series of “What’s in it for me” papers targeted to:
    - Communities
    - Infrastructure players
    - Public at large
  - Press releases
- Writing contributed articles which we will place in various media outlets under UTOPIA bylines
- Finding and securing speaking engagements for UTOPIA spokespeople
- Securing and managing in-person press meetings for UTOPIA spokespeople
- Securing ad-hoc media coverage for UTOPIA

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## **Newsletter**

Newsletters provide an excellent tool to teach, persuade and inform your audiences. Consequently, they help us achieve all three goals. We propose using two forms of newsletters: Hardcopy and electronic. As part of this activity we will:

- Design the newsletter templates
- Create content for the newsletter
- Produce the newsletters on a regular schedule:
  - Monthly for the electronic version
  - Quarterly for the hardcopy version

We can manage the printing process if UTOPIA so desires.

## **Web Site**

UTOPIA needs a Web site targeted to their various constituents. Since UTOPIA's constituents include such varied audiences as public agencies, infrastructure players, business and consumer, we feel there should be two distinct Web sites.

We suggest UTOPIA target the first site towards those partners who would help build the network:

- Governing board
- Current (and prospective) member communities
- Infrastructure players

This site would contain content appropriate for these audiences not generally available to the public. The personality of this Web site should be professional, simple and businesslike.

The second site would be UTOPIA's "public face", targeted to business and consumers served by UTOPIA. It would contain content geared towards users, with an accessible, friendly personality.

Connect would provide the following services:

- General design
- Content production
- Web site maintenance

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### ***Presentations***

UTOPIA spokespeople will be called upon to make a variety of presentations. Connect can help in the following ways:

- PowerPoint templates
- Presentation creation
- Spokesperson training

### ***Town Hall Meetings***

One way to get the word out is holding town meetings in the communities served by UTOPIA. Connect can help by:

- Publicizing these town hall meetings
- Creating direct mail invitations
- Managing the meetings

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# Section 3: Pricing



We have presented a very aggressive plan in our proposal. We think it is likely that UTOPIA would select a subset of these activities. We have attached a full 12 month budget in appendix A. We summarize those numbers here.

We have indicated a 10% discount in our pricing. This reflects our opinion that this project will boost Utah's technology sector. As Utah's largest PR firm we stand to benefit from this increase, and thus are happy to offer this pricing consideration. Please not that this is the first discount we have offered in our 14 year history.

<b>Summary of Proposal Costs</b>			
<b>Work Package</b>	<b>Total Estimated Cost</b>	<b>Less pricing considerations</b>	<b>Net proposed amount</b>
<i>Communications plan &amp; strategy</i>	\$6,600	\$660	\$5,940
<i>Public relations activities</i>	\$121,250	\$12,125	\$109,125
<i>Newsletter</i>	\$45,600	\$4,560	\$41,040
<i>Web site</i>	\$41,400	\$4,140	\$37,260
<i>Presentations</i>	\$18,600	\$1,860	\$16,740
<i>Town hall meetings</i>	\$27,300	\$2,730	\$24,570
<b>TOTAL</b>	<b>\$260,750</b>	<b>\$26,075</b>	<b>\$234,675</b>

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## Section 4: Qualifications and Experience



To accomplish the goals we have set out for UTOPIA requires a senior, talented team. The team leaders we propose are:

### **Neil Myers**

Neil Myers is founder and president of Connect Public Relations. Myers has been involved with the hi-tech industry for more than 20 years. He started one of the first network utility software firms, Pacific Software, in 1983. After selling Pacific Software in 1989, Myers started Connect PR to provide strategic marketing consulting to such clients as Microsoft, Intel, HP and others.

Myers' focus and commitment to excellence has fueled rapid growth for Connect PR. In 1996, Connect PR (then Network Associates) became the first PR firm ever to be listed on the prestigious Inc. 500 list of fastest growing privately-held companies.

Myers received a BS degree in engineering from the University of California at Berkeley. An avid pilot, he lives in Santa Barbara, Calif., where he enjoys spending time with his family.

### **Sherri Walkenhorst**

As a partner of Connect Public Relations, Sherri Walkenhorst directs public relations processes within the organization and provides strategic counsel to clients. With more than 14 years communications experience, Walkenhorst has counseled companies ranging from market leaders to emerging technology start-ups.

Prior to joining Connect Public Relations in 1991, Walkenhorst served as managing editor and marketing manager for LAN Times and as the marketing manager for a telecommunications company.

With an insider's knowledge of the industry, Walkenhorst's successes include effective launches of new products, companies and services as well as repositioning products in the market place.

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### **Mike Bradshaw**

Mike Bradshaw is one of Connect's most senior members. With 10 years high-tech communications experience, Bradshaw has counseled a wide variety of high-tech companies ranging from market leaders like Sun Microsystems and Symantec to emerging technology start-ups.

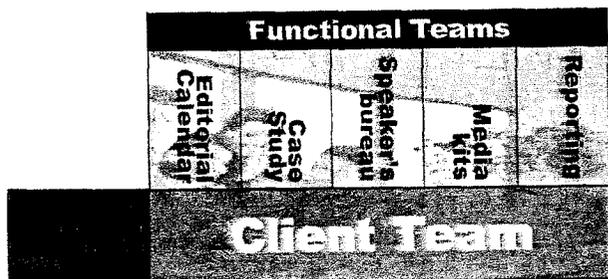
Bradshaw specializes in developing communication programs that reach diverse audiences — from business and financial media to industry influencers and vertical market media. He has vast experience building multi-faceted PR programs that include executive visibility, message development, media and analyst relations, product evaluations, corporate profiles, IPOs and acquisitions.

Bradshaw earned his BA in Communications and Marketing from BYU. When he's not in the office, his pastimes include skiing, snowmobiling, or other extreme type activities such as early morning piano practicing with his children.

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### **Project Participation and Resources**

Connect's account teams are structured to ensure maximum accountability and productivity. Our "modified matrix" team approach makes sure every responsibility is fully owned by a specific team member with domain expertise in that area.



As the account team lead, Mike Bradshaw will respond to the day-to-day activities and provide strategic counsel for PR and media efforts for UTOPIA. Neil Myers and Sherri Walkenhorst will provide strategic counsel, including messaging, speaker training and marketing consulting.

Additional team members from our editorial calendar team, writing and design team, and support team will provide the resources needed to support the public relations activities outlined in this proposal.

### **Track Record and Clients**

Connect Public Relations was founded in 1989 and is a privately held company. Owners include Neil Myers, Sherri Walkenhorst and Holly Hagerman.

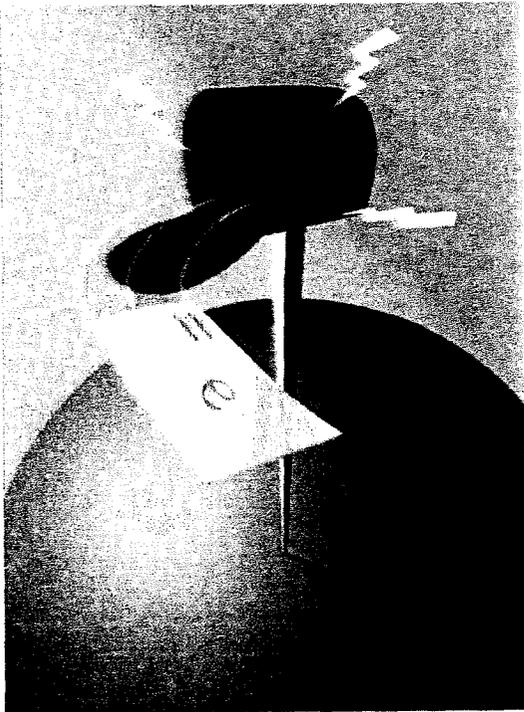
We have worked for more than 150 different firms around the world.

### **Connect Public Relations At-A-Glance**

Year agency was founded	1989
Number of full-time agency employees	25
Number of offices and their locations	Provo, UT San Francisco, CA
Agency PR billings for the last fiscal year	\$4.5M
Current PR clients	<ul style="list-style-type: none"> <li>• Air2Web</li> <li>• Certain Software</li> <li>• Dilithium Networks</li> <li>• <b>Efficient Networks</b></li> <li>• F5 Networks</li> <li>• Mobile Automation</li> <li>• Network Instruments</li> <li>• <b>Occam Networks</b></li> <li>• Optika</li> <li>• Rendition Networks</li> <li>• <b>Siemens ICN</b></li> <li>• Symantec</li> <li>• Symark</li> <li>• Teriatech</li> </ul>

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## Section 5: References



### **Symantec**

**THE CHALLENGE:** Symantec has evolved from a company providing problem-solving tools for individuals to the global leader in Internet security. Our goal was to communicate that message to select media and to deliver results.

**STRATEGIES:** Communicate Symantec's security expertise through profiles of some of the company's security experts. We created bios and began pitching a "profile of a virus hunter".

Communicate Symantec's vision and strategy for the security marketplace through interviews with John Thompson, chairman, president and CEO of Symantec. Specific outlets were chosen according to influence, reach and specific target markets.

### **RESULTS**

Bloomberg Markets  
BusinessWeek online  
CNBC Squawk Box  
CNET  
CNNFN *In the Money*  
CRN  
Dallas Morning News  
Dow Jones  
GCN  
Government Computer News  
Greater Milwaukee Today

Interactive Week  
Knight Ridder News Service  
Military Information Technology  
Newsbytes  
PBS Nightly Business Report  
Red Herring  
San Francisco Chronicle  
The New-Times  
USA Today  
Wall Street Journal

**NEXT STEPS:** Both campaigns have been highly successful, but we are only in the beginning stages. For the profile series, we are expanding the campaign to include additional security experts. For company profiles, we are now expanding our list of media outlets as well as the executives who will be discussing the company's vision.

### **CONTACT:**

Lori Cross  
2500 BroadWay, Ste 200  
Santa Monica, CA 90404  
310-449-4258  
[LCross@symantec.com](mailto:LCross@symantec.com)

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## **Efficient Networks**

Connect Public Relations has represented Efficient Networks (now a division of Siemens) for the last three years. In that time, Efficient has received more press than at any other time in their history. Efficient has received press this year in more than 200 publications, including:

Barron's	InternetWeek
Boston Globe	Investor's Business Daily
Broadband Networking News	ISP Weekly
Broadband Solutions	Los Angeles Times
Broadband Week	Maximum PC
Business Communications Review	Merger & Acquisitions
Business 2.0	Miami Herald
BusinessWeek	Net Economy
BusinessWeek International	Network Computing
Cable World	Network Magazine
Communications News	Network World
ComputerWorld	New York Post
CRN	New York Times
Daily Deal	Orlando Sentinel
Dallas Business Journal	Palm Beach Post
Dallas Morning News	PC Magazine
eWeek	Reuters America, Inc.
Financial Times	San Francisco Chronicle
Forbes	San Jose Mercury News
Forbes Global Business & Finance	Seattle Post-Intelligencer
Fortune	Seattle Times
Global Finance	Sun
Global Telephony	Tele.com Magazine
Globe & Mail	Telecom Business
Government Computer News	Telecommunications Reports
Industry Week	Teleconnect
Information Security	Telephony
Information Week	Toronto Star
InfoWorld	USA Today
Interactive Week	Wall Street Journal
International Herald Tribune	Washington Post

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However, Efficient Networks was faced with serious challenges as the CLEC market has been collapsing around them. They tasked Connect with getting the kind of coverage that would help position Efficient as a leader.

Our strategy was to establish Mark Floyd, president of Efficient Networks, as a visionary in the broadband marketplace. With the broadband industry in turmoil, we wanted Mark to communicate his vision for the future of the market and the promise of new technologies.

Through interviews established with local business media, national business media and trade media, Mark clearly articulated how Efficient is going to drive the adoption of high-speed Internet connections.

Profiles on Mark appeared in Forbes Magazine, The Dallas Morning News, InfoWorld and other high-level publications. The articles were positive for the broadband industry and demonstrated that Mark was keeping a close eye on changing trends in the marketplace.

***CONTACT:***

Suzanne Crow  
1881 Campus Commons Drive  
Reston, VA 20191  
703-262-2689  
Suzanne.crow@icn.siemens.com

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## **Optika**

Connect Public Relations has represented Optika more than three years. In that time, we have worked to promote Optika as a provider of imaging, workflow and collaboration software for ERP and other line-of business systems.

**THE CHALLENGE:** Our biggest challenge was the lack of significant product news until the last quarter of 2002 when their product Acorde 3.0 was announced.

**STRATEGIES:** Our strategy for dealing with this was to couple several smaller announcements to generate more interest with the press and analyst communities.

The PR efforts helped Optika received press last year in more than 115 publications including:

ABA Banking Journal	IndustryWatch.com
Air Transport Intelligence	InformationWeek
Bank Systems and Tech	InfoWorld
Bloomberg	IntelligentEnterpriseonline
Business Solutions	Internet World
ChamberBiz.com	InternetWeek
Cnet.com	iSource
CNNiw	ITToolbox
Collections & Credit Risk	ITWeb
ColoradoBiz	KMWorld
Computerworld	KnightRidder Tribune
Dallas News	Miamitodaynews.com
DataWarehouse.com	New Straits Times
Denver Post	Q&A Magazine
Direct Magazine	Rocky Mountain News
DM Review	Silicon Valley Business Ink
Document Imaging Report	Software Magazine
eAI Journal	The Gazette
eBizQ	Transform Magazine
Electronic Commerce	University Business
FrontRange Tech Biz	Web Services Journal

### **CONTACT:**

Shelly Burwell  
7450 Campus Dr., 2<sup>nd</sup> Floor  
Colorado Springs, CO 80920  
719-260-4202  
sburwell@optika.com

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SENSITIVE

## **Siemens ICN**

**THE CHALLENGE:** Siemens's customers are some of the most well-known and successful university, government entities and private companies in the world, but they had been unable to showcase this to the media and potential customers in these critical markets.

**STRATEGY:** Connect was tasked with helping Siemens create a clear message to the media in these markets. After pinpointing several of their customers in the healthcare, education, government and financial industries, Connect executed a successful case study program to promote their successes among key vertical market media.

**RESULTS:** Siemens ICN is now armed with prominent media coverage in many of their key target markets.

"Our sales teams has noticed a dramatic benefit form the media coverage we have received. Media contacts in these industries now know and understand our technology and how it is being used by customers in their field, says Suzanne Crow, Siemens' Sr. Manager of Public Relations. "And the customers have loved the publicity too because it helps them gain added recognition for their work within their own organizations."

### **CONTACT:**

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1881 Campus Commons Drive  
Reston, VA 20191  
703-262-2689  
suzanne.crow@icn.siemens.com

TRADE SECRET/COMMERCIALY  
SENSITIVE

### **F5 Networks**

Connect Public Relations has represented F5 Networks since their official launch in 1999. In March of 2001, F5 was named to PC Magazine's Internet Business 100 and in August of that same year they were ranked #2 in the Layer-4-7 Switch market. Today F5 has more than 4,000 customers and nearly 500 employees.

The PR efforts resulted in coverage in the following publications:

Bloomberg	Internet World
Business 2.0	Investor's Business Daily
Business Week	MSNBC.com
ComputerWorld	.Net Magazine
Communications News	New Architect
CNET	Network Computing
CNN Money	Network Magazine
CRN	Network World
Dow Jones	PC Magazine
East Side Journal - VARBusiness	Puget Sound Business Journal
Enterprise Systems Journal	Seattle Post-Intelligencer
eWeek	Seattle Times
Forbes	TechRepublic.com
Government Computer News	The451.com
Information Week	Wall Street & Technology
InfoWorld	Washington CEO
Interactive Week	Web Services Journal
InternetWeek	

#### **CONTACT:**

Alane Moran  
501 Elliott Ave  
Seattle, WA 98119  
206-272-6850  
[amoran@f5.com](mailto:amoran@f5.com)

TRADE SECRET/COMMERCIALY  
SENSITIVE

# Section 6: Appendices

## Appendix A: Pricing Details



**CONNECT PUBLIC RELATIONS**

**UTOPIA PROPOSAL**

TRADE SECRET/COMMERCIALY  
SENSITIVE

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CPR 001202

# EXHIBIT 3

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

Reg. No. 2,362,916

**United States Patent and Trademark Office**

Registered June 27, 2000

**TRADEMARK  
PRINCIPAL REGISTER**

**CONNECT PUBLIC RELATIONS**

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

FOR: PRINTED PUBLICATIONS, NAMELY, REPORTS, PRESS KITS AND BROCHURES IN THE FIELDS OF MARKET RESEARCH AND CONSULTING, PUBLIC AND MEDIA RELATIONS, SALES PROMOTION, STRATEGIC MARKETING PLANNING, DEVELOPMENT OF MARKET POSITIONING AND MESSAGING, BACKGROUND EDI-

TORIAL SUPPORT OF SALES PROMOTION MATERIAL, AND SEMINAR CREATION AND OPERATION, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 6-0-1998; IN COMMERCE 6-0-1998.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

SN 75-456,522, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2014-04-08 21:30:59 EDT

Mark: CONNECT PUBLIC RELATIONS

CONNECT PUBLIC RELATIONS

US Serial Number: 75456522

Application Filing Date: Mar. 25, 1998

US Registration Number: 2362916

Registration Date: Jun. 27, 2000

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jun. 29, 2010

Publication Date: Jul. 20, 1999

Notice of Allowance Date: Oct. 12, 1999

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## Mark Information

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Mark Literal Elements: CONNECT PUBLIC RELATIONS

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "PUBLIC RELATIONS"

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## Goods and Services

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Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services.
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "\*" identify additional (new) wording in the goods/services.

**For:** Printed publications, namely, reports, press kits and brochures in the fields of market research and consulting, public and media relations, sales promotion, strategic marketing planning, development of market positioning and messaging, background editorial support of sales promotion material, and seminar creation and operation

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1998

Use in Commerce: Jun. 1998

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## Basis Information (Case Level)

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Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

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## Current Owner(s) Information

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Owner Name: CONNECT PUBLIC RELATIONS, INC.

Owner Address: 80 EAST 100 NORTH  
PROVO, UTAH 84606  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

---

## Attorney/Correspondence Information

---

### Attorney of Record

Attorney Name: KARL R CANNON

Docket Number: T6674

Attorney Primary Email Address: [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com)

Attorney Email Authorized: No

### Correspondent

Correspondent Name/Address: KARL R CANNON  
CLAYTON, HOWARTH & CANNON, P.C.  
P.O. BOX 1909

SANDY, UTAH 84091  
UNITED STATES

Phone: 801-255-5335

Fax: 801-255-5338

Correspondent e-mail: [doCKETclerk@chcpat.com](mailto:doCKETclerk@chcpat.com)

Correspondent e-mail No  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jun. 29, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Jun. 29, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 28, 2010	TEAS SECTION 8 & 9 RECEIVED	
Sep. 12, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Sep. 12, 2006	ASSIGNED TO PARALEGAL	67723
Jun. 27, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jun. 27, 2006	TEAS SECTION 8 & 15 RECEIVED	
Mar. 17, 2006	CASE FILE IN TICRS	
Jun. 27, 2000	REGISTERED-PRINCIPAL REGISTER	
May 01, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 27, 2000	ASSIGNED TO EXAMINER	61751
Apr. 24, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 24, 2000	USE AMENDMENT FILED	
Oct. 12, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 20, 1999	PUBLISHED FOR OPPOSITION	
Jun. 18, 1999	NOTICE OF PUBLICATION	
Mar. 23, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 27, 1998	NON-FINAL ACTION MAILED	61751
Aug. 20, 1998	ASSIGNED TO EXAMINER	73711
Aug. 19, 1998	ASSIGNED TO EXAMINER	

## Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 27, 2010

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jun. 29, 2010

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 1

Registrant: CONNECT PUBLIC RELATIONS, INC.

### Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: 1814/0863

Pages: 3

Date Recorded: Jul. 24, 1998

Supporting Documents: [assignment-tm-1814-0863.pdf](#)

Assignor

Name: NETWORK ASSOCIATES CONSULTING, INC.

Execution Date: May 13, 1998

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

**Assignee**

Name: CONNECT PUBLIC RELATIONS, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 80 EAST 100 NORTH  
PROVO, UTAH 84606

**Correspondent**

Correspondent Name: THORPE, NORTH & WESTERN, L.L.P.

Correspondent Address: KARL R. CANNON  
P.O. BOX 1219  
SANDY, UTAH 84091-1219

**Domestic Representative - Not Found**

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## Proceedings

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**Summary**

Number of Proceedings: 2

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**Type of Proceeding: Opposition**

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Proceeding Number: 91200184

Filing Date: Jun 08, 2011

Status: Terminated

Status Date: Aug 27, 2012

Interlocutory Attorney: CHERYL S GOODMAN

**Defendant**

Name: Fireman's Fund Insurance Company

Correspondent Address: MINA I HAMILTON  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
221 NORTH FIGUEROA STREET, SUITE 1200  
LOS ANGELES CA , 90012  
UNITED STATES

Correspondent e-mail: [hamilton@lbbslaw.com](mailto:hamilton@lbbslaw.com) , [tespinoza@lbbslaw.com](mailto:tespinoza@lbbslaw.com) , [makous@lbbslaw.com](mailto:makous@lbbslaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	SU - Non-Final Action - Mailed Plaintiff(s)	<u>85114558</u>	

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CONNON  
CLAYTON HOWARTH & CANNON PC  
PO BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES

Correspondent e-mail: [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com) , [kcannon@chcpat.com](mailto:kcannon@chcpat.com) , [kiamont@chcpat.com](mailto:kiamont@chcpat.com) , [bdavis@chcpat.com](mailto:bdavis@chcpat.com) , [jallen@chcpat.com](mailto:jallen@chcpat.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT MARKETING	Fifth Extension - Granted	<u>85061230</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061232</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061227</u>	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	<u>85061221</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061210</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061206</u>	
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>

CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

<b>Entry Number</b>	<b>History Text</b>	<b>Date</b>	<b>Due Date</b>
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

**Type of Proceeding: Opposition**

**Proceeding Number:** 91196299      **Filing Date:** Aug 30, 2010  
**Status:** Pending      **Status Date:** Aug 30, 2010  
**Interlocutory Attorney:** BENJAMIN U OKEKE

**Defendant**

**Name:** Digitalmojo, Inc.  
**Correspondent Address:** THOMAS W COOK  
3030 BRIDGEWAY, SUITE 425-430  
SAUSALITO CA , 94965-2810  
UNITED STATES  
**Correspondent e-mail:** thomascooklaw@pacbell.net

**Associated marks**

<b>Mark</b>	<b>Application Status</b>	<b>Serial Number</b>	<b>Registration Number</b>
CONNECT	Notice of Allowance - Issued <b>Plaintiff(s)</b>	<u>77714693</u>	

**Name:** Connect Public Relations, Inc.

**Correspondent Address:** KARL R CANNON  
CLAYTON HOWARTH & CANNON PC  
P.O. BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES

**Correspondent e-mail:** kcannon@chcpat.com , ttetzi@chcpat.com , docketclerk@chcpat.com , bdavis@chcpat.com

**Associated marks**

<b>Mark</b>	<b>Application Status</b>	<b>Serial Number</b>	<b>Registration Number</b>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>
CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>

CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

<b>Entry Number</b>	<b>History Text</b>	<b>Date</b>	<b>Due Date</b>
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
28	D OPP/RESP TO MOTION	May 07, 2013	
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013	
30	PROCEEDINGS RESUMED	Aug 14, 2013	

# EXHIBIT 4

**Int. Cl.: 35**

**Prior U.S. Cls.: 100, 101, and 102**

**Reg. No. 2,373,504**

**United States Patent and Trademark Office**

**Registered Aug. 1, 2000**

**SERVICE MARK  
PRINCIPAL REGISTER**

**CONNECT PUBLIC RELATIONS**

CONNECT PUBLIC RELATIONS, INC. (UTAH COR-  
PORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

FOR: MARKETING AND MARKET RESEARCH  
AND CONSULTING SERVICES; PUBLIC AND  
MEDIA RELATIONS SERVICES AND SALES PRO-  
MOTION SERVICES, IN CLASS 35 (U.S. CLS. 100,  
101 AND 102).

FIRST USE 5-0-1998; IN COMMERCE 5-0-1998.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT  
TO USE "PUBLIC RELATIONS", APART FROM THE  
MARK AS SHOWN.

SN 75-456,519, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

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Mark: CONNECT PUBLIC RELATIONS

CONNECT PUBLIC RELATIONS

US Serial Number: 75456519

Application Filing Date: Mar. 25, 1998

US Registration Number: 2373504

Registration Date: Aug. 01, 2000

Register: Principal

Mark Type: Service Mark

Status: The Trademark Trial and Appeal Board has terminated a cancellation proceeding. For further information, see TTABVUE on the Trademark Trial and Appeal Board web page.

Status Date: Oct. 18, 2011

Publication Date: Sep. 21, 1999

Notice of Allowance Date: Dec. 14, 1999

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## Mark Information

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Mark Literal Elements: CONNECT PUBLIC RELATIONS

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "PUBLIC RELATIONS"

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## Goods and Services

---

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: Marketing and market research and consulting services; public and media relations services and sales promotion services

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: May 1998

Use in Commerce: May 1998

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## Basis Information (Case Level)

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Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

---

## Current Owner(s) Information

---

Owner Name: CONNECT PUBLIC RELATIONS, INC.

Owner Address: 80 EAST 100 NORTH  
PROVO, UTAH 84606  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

---

## Attorney/Correspondence Information

---

### Attorney of Record

Attorney Name: KARL R CANNON

Docket Number: T6671

Attorney Primary Email [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com)  
Address:

Attorney Email No  
Authorized:

### Correspondent

Correspondent Name/Address: KARL R CANNON  
CLAYTON HOWARTH & CANNON PC  
PO BOX 1909

SANDY, UTAH 84091-1909  
UNITED STATES

Phone: 801-255-5335

Fax: 801-255-5338

Correspondent e-mail: [doCKETclerk@chcpat.com](mailto:doCKETclerk@chcpat.com)

Correspondent e-mail No  
Authorized:

Domestic Representative - Not Found

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## Prosecution History

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Date	Description	Proceeding Number
Oct. 18, 2011	TTAB RELEASE CASE TO TRADEMARKS	54427
Oct. 18, 2011	CANCELLATION TERMINATED NO. 999999	54427
Oct. 18, 2011	CANCELLATION DISMISSED NO. 999999	54427
Aug. 29, 2011	CANCELLATION INSTITUTED NO. 999999	54427
Aug. 04, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Aug. 04, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 02, 2010	TEAS SECTION 8 & 9 RECEIVED	
Sep. 30, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68502
Sep. 27, 2006	ASSIGNED TO PARALEGAL	68502
Aug. 01, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 01, 2006	TEAS SECTION 8 & 15 RECEIVED	
Mar. 09, 2006	CASE FILE IN TICRS	
Aug. 01, 2000	REGISTERED-PRINCIPAL REGISTER	
May 24, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 22, 2000	ASSIGNED TO EXAMINER	61751
May 17, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 24, 2000	USE AMENDMENT FILED	
Dec. 14, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 21, 1999	PUBLISHED FOR OPPOSITION	
Aug. 20, 1999	NOTICE OF PUBLICATION	
Apr. 07, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 27, 1998	NON-FINAL ACTION MAILED	
Aug. 20, 1998	ASSIGNED TO EXAMINER	61751
Aug. 19, 1998	ASSIGNED TO EXAMINER	73711

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## Maintenance Filings or Post Registration Information

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**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Aug. 01, 2010

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## TM Staff and Location Information

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**TM Staff Information - None**

**File Location**

**Current Location:** Not Found

**Date in Location:** Aug. 04, 2010

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## Assignment Abstract Of Title Information

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**Summary**

**Total Assignments:** 1

**Registrant:** CONNECT PUBLIC RELATIONS, INC.

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**Assignment 1 of 1**

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**Conveyance:** CHANGE OF NAME

Reel/Frame: 1814/0863

Pages: 3

Date Recorded: Jul. 24, 1998

Supporting Documents: [assignment-tm-1814-0863.pdf](#)

**Assignor**

Name: NETWORK ASSOCIATES CONSULTING, INC.

Execution Date: May 13, 1998

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

**Assignee**

Name: CONNECT PUBLIC RELATIONS, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 80 EAST 100 NORTH  
PROVO, UTAH 84606

**Correspondent**

Correspondent Name: THORPE, NORTH & WESTERN, L.L.P.

Correspondent Address: KARL R. CANNON  
P.O. BOX 1219  
SANDY, UTAH 84091-1219

Domestic Representative - Not Found

---

## Proceedings

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**Summary**

Number of Proceedings: 3

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**Type of Proceeding: Cancellation**

---

Proceeding Number: 92054427

Filing Date: Aug 22, 2011

Status: Pending

Status Date: Oct 19, 2011

Interlocutory Attorney: BENJAMIN U OKEKE

**Defendant**

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CANNON  
CLAYTON HOWARTH & CANNON PC  
PO BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>

**Plaintiff(s)**

Name: DigitalMojo, inc.

Correspondent Address: THOMAS W COOK  
THOMAS COOK INTELLECTUAL PROPERTY ATTORNEYS  
3030 BRIDGEWAY , SUITE 425  
SAUSALITO CA , 94965  
UNITED STATES

Correspondent e-mail: [tom@thomascooklaw.com](mailto:tom@thomascooklaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT	Notice of Allowance - Issued	<u>77714693</u>	

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 22, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 29, 2011	Oct 08, 2011
3	PENDING, INSTITUTED	Aug 29, 2011	
4	P'S CERTIFICATE OF SERVICE	Aug 30, 2011	
5	D'S MOTION TO DISMISS - RULE 12(B)	Sep 15, 2011	
6	ANSWER	Oct 03, 2011	
7	BOARD'S DECISION: DISMISSED W/ PREJUDICE	Oct 18, 2011	

8	TERMINATED	Oct 18, 2011
9	P'S OPPOSITION/RESPONSE TO MOTION	Oct 17, 2011
10	P'S CONSENTED MOTION TO REOPEN TIME TO RESPOND TO MOTION TO DISMISS.	Oct 24, 2011
11	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 08, 2011
12	D'S CORRECTION OF #9	Nov 08, 2011
13	D'S OPPOSITION/RESPONSE TO MOTION	Nov 28, 2011
14	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Feb 06, 2012
15	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Oct 01, 2012
16	ANSWER	Apr 18, 2013
17	D MOTION	Apr 18, 2013

**Type of Proceeding: Opposition**

**Proceeding Number:** 91200184

**Filing Date:** Jun 08, 2011

**Status:** Terminated

**Status Date:** Aug 27, 2012

**Interlocutory Attorney:** CHERYL S GOODMAN

**Defendant**

**Name:** Fireman's Fund Insurance Company

**Correspondent Address:** MINA I HAMILTON  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
221 NORTH FIGUEROA STREET, SUITE 1200  
LOS ANGELES CA , 90012  
UNITED STATES

**Correspondent e-mail:** [hamilton@lbbbslaw.com](mailto:hamilton@lbbbslaw.com) , [tespinoza@lbbbslaw.com](mailto:tespinoza@lbbbslaw.com) , [makous@lbbbslaw.com](mailto:makous@lbbbslaw.com)

**Associated marks**

<b>Mark</b>	<b>Application Status</b>	<b>Serial Number</b>	<b>Registration Number</b>
CONNECT2MARKETING	SU - Non-Final Action - Mailed <b>Plaintiff(s)</b>	<u>85114558</u>	

**Name:** Connect Public Relations, Inc.

**Correspondent Address:** KARL R CONNON  
CLAYTON HOWARTH & CANNON PC  
PO BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES

**Correspondent e-mail:** [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com) , [kcannon@chcpat.com](mailto:kcannon@chcpat.com) , [klamont@chcpat.com](mailto:klamont@chcpat.com) , [bdavis@chcpat.com](mailto:bdavis@chcpat.com) , [jallen@chcpat.com](mailto:jallen@chcpat.com)

**Associated marks**

<b>Mark</b>	<b>Application Status</b>	<b>Serial Number</b>	<b>Registration Number</b>
CONNECT MARKETING	Fifth Extension - Granted	<u>85061230</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061232</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061227</u>	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	<u>85061221</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061210</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061206</u>	
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>
CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>

CONNECTPR

Section 8 and 15 - Accepted and Acknowledged

78169520

3330353

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

**Type of Proceeding: Opposition**

**Proceeding Number:** 91196299

**Filing Date:** Aug 30, 2010

**Status:** Pending

**Status Date:** Aug 30, 2010

**Interlocutory Attorney:** BENJAMIN U OKEKE

**Defendant**

**Name:** Digitalmojo, Inc.

**Correspondent Address:** THOMAS W COOK  
3030 BRIDGEWAY, SUITE 425-430  
SAUSALITO CA, 94965-2810  
UNITED STATES

**Correspondent e-mail:** [thomascooklaw@pacbell.net](mailto:thomascooklaw@pacbell.net)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT	Notice of Allowance - Issued Plaintiff(s)	<u>77714693</u>	

**Name:** Connect Public Relations, Inc.

**Correspondent Address:** KARL R CANNON  
CLAYTON HOWARTH & CANNON PC  
P.O. BOX 1909  
SANDY UT, 84091-1909  
UNITED STATES

**Correspondent e-mail:** [kcannon@chcpat.com](mailto:kcannon@chcpat.com), [ttetzl@chcpat.com](mailto:ttetzl@chcpat.com), [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com), [bdavis@chcpat.com](mailto:bdavis@chcpat.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>
CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

<b>Entry Number</b>	<b>History Text</b>	<b>Date</b>	<b>Due Date</b>
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
28	D OPP/RESP TO MOTION	May 07, 2013	
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013	
30	PROCEEDINGS RESUMED	Aug 14, 2013	

# EXHIBIT 5

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 2,373,505

United States Patent and Trademark Office

Registered Aug. 1, 2000

**TRADEMARK  
PRINCIPAL REGISTER**

**CONNECT PUBLIC RELATIONS**

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

FOR: PRERECORDED AUDIO RECORDINGS, PRERECORDED VIDEO RECORDINGS, AND PRERECORDED AUDIO-VISUAL RECORDINGS FEATURING TOPICS IN THE FIELDS OF MARKETING AND MARKET RESEARCH AND CONSULTING SERVICES, PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES; ELECTRONIC PUBLICATIONS FEATURING TOPICS IN THE FIELDS OF MARKETING AND

MARKET RESEARCH AND CONSULTING SERVICES, PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES ON COMPUTER DISCS AND CD-ROMS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 7-0-1998; IN COMMERCE 7-0-1998.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

SN 75-456,523, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2014-04-08 21:34:16 EDT

Mark: CONNECT PUBLIC RELATIONS

CONNECT PUBLIC RELATIONS

US Serial Number: 75456523  
US Registration Number: 2373505  
Register: Principal  
Mark Type: Trademark  
Status: The registration has been renewed.  
Status Date: Aug. 04, 2010  
Publication Date: Jul. 06, 1999  
Application Filing Date: Mar. 25, 1998  
Registration Date: Aug. 01, 2000  
Notice of Allowance Date: Sep. 28, 1999

## Mark Information

Mark Literal Elements: CONNECT PUBLIC RELATIONS  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)  
Disclaimer: "PUBLIC RELATIONS"

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: Prerecorded audio recordings, prerecorded video recordings, and prerecorded audio-visual recordings featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services; electronic publications featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services on computer discs and CD-ROMs

International Class(es): 009 - Primary Class  
U.S Class(es): 021, 023, 026, 036, 038  
Class Status: ACTIVE  
Basis: 1(a)  
First Use: Jul. 1998  
Use in Commerce: Jul. 1998

## Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

## Current Owner(s) Information

Owner Name: CONNECT PUBLIC RELATIONS, INC.  
Owner Address: 80 EAST 100 NORTH  
PROVO, UTAH 84606  
UNITED STATES  
Legal Entity Type: CORPORATION  
State or Country Where Organized: UTAH

## Attorney/Correspondence Information

Attorney of Record  
Attorney Name: KARL R CANNON  
Docket Number: T6675  
Attorney Primary Email Address: [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com)  
Attorney Email Authorized: No  
Correspondent  
Correspondent: KARL R CANNON

Name/Address: CLAYTON HOWARTH & CANNON PC  
PO BOX 1909  
SANDY, UTAH 84091  
UNITED STATES

Phone: 801-255-5335

Fax: 801-255-5338

Correspondent e-mail: [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com)

Correspondent e-mail No  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Aug. 04, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Aug. 04, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 02, 2010	TEAS SECTION 8 & 9 RECEIVED	
Sep. 30, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68502
Sep. 27, 2006	ASSIGNED TO PARALEGAL	68502
Aug. 01, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 01, 2006	TEAS SECTION 8 & 15 RECEIVED	
Mar. 09, 2006	CASE FILE IN TICRS	
Aug. 01, 2000	REGISTERED-PRINCIPAL REGISTER	
May 24, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 22, 2000	ASSIGNED TO EXAMINER	61751
May 15, 2000	STATEMENT OF USE PROCESSING COMPLETE	
May 15, 2000	EXTENSION 1 GRANTED	
Mar. 24, 2000	USE AMENDMENT FILED	
Mar. 24, 2000	EXTENSION 1 FILED	
Sep. 28, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 06, 1999	PUBLISHED FOR OPPOSITION	
Jun. 04, 1999	NOTICE OF PUBLICATION	
Mar. 23, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 07, 1998	NON-FINAL ACTION MAILED	
Nov. 30, 1998	ASSIGNED TO EXAMINER	61751
Nov. 17, 1998	ASSIGNED TO EXAMINER	62520

## Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 01, 2010

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Aug. 04, 2010

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 1

Registrant: CONNECT PUBLIC RELATIONS, INC.

### Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: 1814/0863

Pages: 3

Date Recorded: Jul. 24, 1998

Supporting Documents: [assignment-tm-1814-0863.pdf](#)

**Assignor**

Name: NETWORK ASSOCIATES CONSULTING, INC.

Execution Date: May 13, 1998

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

**Assignee**

Name: CONNECT PUBLIC RELATIONS, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 80 EAST 100 NORTH  
PROVO, UTAH 84606

**Correspondent**

Correspondent Name: THORPE, NORTH & WESTERN, L.L.P.

Correspondent Address: KARL R. CANNON  
P.O. BOX 1219  
SANDY, UTAH 84091-1219

Domestic Representative - Not Found

## Proceedings

**Summary**

Number of Proceedings: 2

**Type of Proceeding: Opposition**

Proceeding Number: 91200184

Filing Date: Jun 08, 2011

Status: Terminated

Status Date: Aug 27, 2012

Interlocutory Attorney: CHERYL S GOODMAN

**Defendant**

Name: Fireman's Fund Insurance Company

Correspondent Address: MINA I HAMILTON  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
221 NORTH FIGUEROA STREET, SUITE 1200  
LOS ANGELES CA , 90012  
UNITED STATES

Correspondent e-mail: [hamilton@lbbslaw.com](mailto:hamilton@lbbslaw.com) , [tespinoza@lbbslaw.com](mailto:tespinoza@lbbslaw.com) , [makous@lbbslaw.com](mailto:makous@lbbslaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	SU - Non-Final Action - Mailed	<u>85061238</u>	

**Plaintiff(s)**

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CONNOR  
CLAYTON HOWARTH & CANNON PC  
PO BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES

Correspondent e-mail: [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com) , [kcannon@chcpat.com](mailto:kcannon@chcpat.com) , [klamont@chcpat.com](mailto:klamont@chcpat.com) , [bdavis@chcpat.com](mailto:bdavis@chcpat.com) , [jallen@chcpat.com](mailto:jallen@chcpat.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT MARKETING	Fifth Extension - Granted	<u>85061230</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061232</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061227</u>	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	<u>85061221</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061210</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061206</u>	
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>

CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>
CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

**Type of Proceeding: Opposition**

**Proceeding Number:** 91196299 **Filing Date:** Aug 30, 2010  
**Status:** Pending **Status Date:** Aug 30, 2010

**Interlocutory Attorney:** BENJAMIN U OKEKE

**Defendant**

**Name:** Digitalmojo, Inc.

**Correspondent Address:** THOMAS W COOK  
3030 BRIDGEWAY, SUITE 425-430  
SAUSALITO CA , 94965-2810  
UNITED STATES

**Correspondent e-mail:** thomascooklaw@pacbell.net

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT	Notice of Allowance - Issued Plaintiff(s)	<u>77714693</u>	

**Name:** Connect Public Relations, Inc.

**Correspondent Address:** KARL R CANNON  
CLAYTON HOWARTH & CANNON PC  
P.O. BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES

**Correspondent e-mail:** kcannon@chcpat.com , ttetzl@chcpat.com , docketclerk@chcpat.com , bdavis@chcpat.com

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>

CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>
CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

<b>Entry Number</b>	<b>History Text</b>	<b>Date</b>	<b>Due Date</b>
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
28	D OPP/RESP TO MOTION	May 07, 2013	
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013	
30	PROCEEDINGS RESUMED	Aug 14, 2013	

# EXHIBIT 6

Int. Cl.: 38

Prior U.S. Cls.: 100, 101, and 104

Reg. No. 2,383,778

**United States Patent and Trademark Office**

Registered Sep. 5, 2000

**SERVICE MARK  
PRINCIPAL REGISTER**

**CONNECT PUBLIC RELATIONS**

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

FOR: COMMUNICATIONS SERVICES, NAMELY, DELIVERY OF MESSAGES BY ELECTRONIC TRANSMISSION, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 5-0-1999; IN COMMERCE 5-0-1999.  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

SN 75-456,520, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2014-04-08 21:34:57 EDT

Mark: CONNECT PUBLIC RELATIONS

CONNECT PUBLIC RELATIONS

US Serial Number: 75456520      Application Filing Date: Mar. 25, 1998  
US Registration Number: 2383778      Registration Date: Sep. 05, 2000  
Register: Principal  
Mark Type: Service Mark  
Status: The registration has been renewed.  
Status Date: Sep. 11, 2010  
Publication Date: Aug. 31, 1999      Notice of Allowance Date: Nov. 23, 1999

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## Mark Information

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Mark Literal Elements: CONNECT PUBLIC RELATIONS  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)  
Disclaimer: "PUBLIC RELATIONS"

---

## Goods and Services

---

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: Communications services, namely, delivery of messages by electronic transmission

International Class(es): 038 - Primary Class

U.S Class(es): 100, 101, 104

Class Status: ACTIVE

Basis: 1(a)

First Use: May 1999

Use in Commerce: May 1999

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## Basis Information (Case Level)

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Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

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## Current Owner(s) Information

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Owner Name: CONNECT PUBLIC RELATIONS, INC.  
Owner Address: 80 EAST 100 NORTH  
PROVO, UTAH 84606  
UNITED STATES  
Legal Entity Type: CORPORATION      State or Country Where UTAH  
Organized:

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## Attorney/Correspondence Information

---

### Attorney of Record

Attorney Name: KARL R CANNON      Docket Number: T6672  
Attorney Primary Email: [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com)      Attorney Email No  
Address:      Authorized:

### Correspondent

Correspondent Name/Address: KARL R CANNON  
CLAYTON, HOWARTH & CANNON, P.C.  
P O BOX 1909  
SANDY, UTAH 84091-1219

UNITED STATES

Phone: 801-255-5335

Fax: 801-255-5338

Correspondent e-mail: [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com)

Correspondent e-mail No  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Sep. 11, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67603
Sep. 11, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Sep. 07, 2010	TEAS SECTION 8 & 9 RECEIVED	
Apr. 28, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67603
Mar. 05, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 05, 2007	TEAS SECTION 8 & 15 RECEIVED	
Feb. 13, 2006	CASE FILE IN TICRS	
Sep. 05, 2000	REGISTERED-PRINCIPAL REGISTER	
Jun. 03, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 25, 2000	ASSIGNED TO EXAMINER	61751
May 23, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 24, 2000	USE AMENDMENT FILED	
Nov. 23, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 31, 1999	PUBLISHED FOR OPPOSITION	
Jul. 30, 1999	NOTICE OF PUBLICATION	
May 03, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 28, 1999	EXAMINER'S AMENDMENT MAILED	
Mar. 23, 1999	NON-FINAL ACTION MAILED	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 27, 1998	NON-FINAL ACTION MAILED	
Aug. 20, 1998	ASSIGNED TO EXAMINER	61751
Aug. 19, 1998	ASSIGNED TO EXAMINER	73711

## Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 05, 2010

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Sep. 11, 2010

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 1

Registrant: CONNECT PUBLIC RELATIONS, INC.

### Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [1814/0863](#)

Pages: 3

Date Recorded: Jul. 24, 1998

Supporting Documents: [assignment-tm-1814-0863.pdf](#)

Assignor

Name: NETWORK ASSOCIATES CONSULTING, INC.  
Legal Entity Type: CORPORATION

Execution Date: May 13, 1998  
State or Country Where Organized: UTAH

**Assignee**

Name: CONNECT PUBLIC RELATIONS, INC.  
Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 80 EAST 100 NORTH  
PROVO, UTAH 84606

**Correspondent**

Correspondent Name: THORPE, NORTH & WESTERN, L.L.P.  
Correspondent Address: KARL R. CANNON  
P.O. BOX 1219  
SANDY, UTAH 84091-1219

Domestic Representative - Not Found

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## Proceedings

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**Summary**

Number of Proceedings: 2

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**Type of Proceeding: Opposition**

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Proceeding Number: 91200184

Filing Date: Jun 08, 2011

Status: Terminated

Status Date: Aug 27, 2012

Interlocutory Attorney: CHERYL S GOODMAN

**Defendant**

Name: Fireman's Fund Insurance Company

Correspondent Address: MINA I HAMILTON  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
221 NORTH FIGUEROA STREET, SUITE 1200  
LOS ANGELES CA , 90012  
UNITED STATES

Correspondent e-mail: [hamilton@lbbslaw.com](mailto:hamilton@lbbslaw.com) , [tespinoza@lbbslaw.com](mailto:tespinoza@lbbslaw.com) , [makous@lbbslaw.com](mailto:makous@lbbslaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	SU - Non-Final Action - Mailed Plaintiff(s)	<u>85114558</u>	

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CONNON  
CLAYTON HOWARTH & CANNON PC  
PO BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES

Correspondent e-mail: [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com) , [kcannon@chcpat.com](mailto:kcannon@chcpat.com) , [klamont@chcpat.com](mailto:klamont@chcpat.com) , [bdavis@chcpat.com](mailto:bdavis@chcpat.com) , [jallen@chcpat.com](mailto:jallen@chcpat.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT MARKETING	Fifth Extension - Granted	<u>85061230</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061232</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061227</u>	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	<u>85061221</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061210</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061206</u>	
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>
CONNECT PUBLIC RELATIONS			

CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>
CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

<b>Entry Number</b>	<b>History Text</b>	<b>Date</b>	<b>Due Date</b>
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

**Type of Proceeding: Opposition**

**Proceeding Number:** 91196299 **Filing Date:** Aug 30, 2010  
**Status:** Pending **Status Date:** Aug 30, 2010  
**Interlocutory Attorney:** BENJAMIN U OKEKE

**Defendant**

**Name:** Digitalmojo, Inc.  
**Correspondent Address:** THOMAS W COOK  
3030 BRIDGEWAY, SUITE 425-430  
SAUSALITO CA , 94965-2810  
UNITED STATES  
**Correspondent e-mail:** [thomascooklaw@pacbell.net](mailto:thomascooklaw@pacbell.net)

**Associated marks**

<b>Mark</b>	<b>Application Status</b>	<b>Serial Number</b>	<b>Registration Number</b>
CONNECT	Notice of Allowance - Issued	<u>77714693</u>	

**Plaintiff(s)**

**Name:** Connect Public Relations, Inc.  
**Correspondent Address:** KARL R CANNON  
CLAYTON HOWARTH & CANNON PC  
P.O. BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES  
**Correspondent e-mail:** [kcannon@chcpat.com](mailto:kcannon@chcpat.com) , [tetzl@chcpat.com](mailto:tetzl@chcpat.com) , [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com) , [bdavis@chcpat.com](mailto:bdavis@chcpat.com)

**Associated marks**

<b>Mark</b>	<b>Application Status</b>	<b>Serial Number</b>	<b>Registration Number</b>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>
CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>

CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

<b>Entry Number</b>	<b>History Text</b>	<b>Date</b>	<b>Due Date</b>
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
28	D OPP/RESP TO MOTION	May 07, 2013	
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013	
30	PROCEEDINGS RESUMED	Aug 14, 2013	

# EXHIBIT 7

**Int. Cl.: 38**

**Prior U.S. Cls.: 100, 101, and 104**

**Reg. No. 2,365,074**

**United States Patent and Trademark Office**

**Registered July 4, 2000**

**SERVICE MARK  
PRINCIPAL REGISTER**

**CONNECTPR**

CONNECT PUBLIC RELATIONS, INC. (UTAH COR-  
PORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

FOR: COMMUNICATIONS SERVICES, NAMELY,  
DELIVERY OF MESSAGES BY ELECTRONIC

TRANSMISSION, IN CLASS 38 (U.S. CLS. 100, 101  
AND 104).

FIRST USE 2-0-2000; IN COMMERCE 2-0-2000.

SN 75-456,495, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2014-04-08 21:35:28 EDT

Mark: CONNECTPR

CONNECTPR

US Serial Number: 75456495                      Application Filing Date: Mar. 25, 1998  
US Registration Number: 2365074                      Registration Date: Jul. 04, 2000  
Register: Principal  
Mark Type: Service Mark  
Status: The registration has been renewed.  
Status Date: Jul. 06, 2010  
Publication Date: Aug. 31, 1999                      Notice of Allowance Date: Nov. 23, 1999

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## Mark Information

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Mark Literal Elements: CONNECTPR  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

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## Goods and Services

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Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [.] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Communications services, namely, delivery of messages by electronic transmission

International Class(es): 038 - Primary Class

U.S Class(es): 100, 101, 104

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 2000

Use in Commerce: Feb. 2000

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## Basis Information (Case Level)

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Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

---

## Current Owner(s) Information

---

Owner Name: CONNECT PUBLIC RELATIONS, INC.  
Owner Address: 80 EAST 100 NORTH  
PROVO, UTAH 84606  
UNITED STATES  
Legal Entity Type: CORPORATION                      State or Country Where UTAH  
Organized:

---

## Attorney/Correspondence Information

---

Attorney Name: KARL R CANNON                      Docket Number: T6706  
Attorney of Record  
Correspondent  
Correspondent Name/Address: KARL R CANNON  
CLAYTON, HOWARTH & CANNON, P.C.  
P.O. BOX 1909  
SANDY, UTAH 84091  
UNITED STATES  
Phone: 801-255-5335                      Fax: 801-255-5338

**Prosecution History**

Date	Description	Proceeding Number
Jul. 06, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Jul. 06, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 02, 2010	TEAS SECTION 8 & 9 RECEIVED	
Oct. 04, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Oct. 02, 2006	ASSIGNED TO PARALEGAL	67723
Jul. 05, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 05, 2006	TEAS SECTION 8 & 15 RECEIVED	
Mar. 17, 2006	CASE FILE IN TICRS	
Jul. 04, 2000	REGISTERED-PRINCIPAL REGISTER	
May 10, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 08, 2000	ASSIGNED TO EXAMINER	61751
May 07, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 24, 2000	USE AMENDMENT FILED	
Nov. 23, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 31, 1999	PUBLISHED FOR OPPOSITION	
Jul. 30, 1999	NOTICE OF PUBLICATION	
May 03, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 28, 1999	EXAMINER'S AMENDMENT MAILED	
Mar. 23, 1999	NON-FINAL ACTION MAILED	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 27, 1998	NON-FINAL ACTION MAILED	
Aug. 18, 1998	ASSIGNED TO EXAMINER	61751
Aug. 18, 1998	ASSIGNED TO EXAMINER	69196

**Maintenance Filings or Post Registration Information**

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Jul. 04, 2010

**TM Staff and Location Information**

**TM Staff Information - None**

**File Location**

**Current Location:** Not Found

**Date in Location:** Jul. 06, 2010

**Assignment Abstract Of Title Information****Summary**

**Total Assignments:** 1

**Registrant:** CONNECT PUBLIC RELATIONS, INC.

**Assignment 1 of 1**

**Conveyance:** CHANGE OF NAME

**Reel/Frame:** 1814/0863

**Pages:** 3

**Date Recorded:** Jul. 24, 1998

**Supporting Documents:** [assignment-tm-1814-0863.pdf](#)

**Assignor**

**Name:** NETWORK ASSOCIATES CONSULTING, INC.

**Execution Date:** May 13, 1998

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** UTAH

**Assignee**

**Name:** CONNECT PUBLIC RELATIONS, INC.  
**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** UTAH

**Address:** 80 EAST 100 NORTH  
 PROVO, UTAH 84606

**Correspondent**

**Correspondent Name:** THORPE, NORTH & WESTERN, L.L.P.  
**Correspondent Address:** KARL R. CANNON  
 P.O. BOX 1219  
 SANDY, UTAH 84091-1219

**Domestic Representative - Not Found****Proceedings****Summary****Number of Proceedings:** 2**Type of Proceeding: Opposition****Proceeding Number:** 91200184**Filing Date:** Jun 08, 2011**Status:** Terminated**Status Date:** Aug 27, 2012**Interlocutory Attorney:** CHERYL S GOODMAN**Defendant****Name:** Fireman's Fund Insurance Company

**Correspondent Address:** MINA I HAMILTON  
 LEWIS BRISBOIS BISGAARD & SMITH LLP  
 221 NORTH FIGUEROA STREET, SUITE 1200  
 LOS ANGELES CA , 90012  
 UNITED STATES

**Correspondent e-mail:** [hamilton@lbbslaw.com](mailto:hamilton@lbbslaw.com) , [tespinoza@lbbslaw.com](mailto:tespinoza@lbbslaw.com) , [makous@lbbslaw.com](mailto:makous@lbbslaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	SU - Non-Final Action - Mailed Plaintiff(s)	85114558	

**Name:** Connect Public Relations, Inc.

**Correspondent Address:** KARL R CONNON  
 CLAYTON HOWARTH & CANNON PC  
 PO BOX 1909  
 SANDY UT , 84091-1909  
 UNITED STATES

**Correspondent e-mail:** [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com) , [kcannon@chcpat.com](mailto:kcannon@chcpat.com) , [kiamont@chcpat.com](mailto:kiamont@chcpat.com) , [bdavis@chcpat.com](mailto:bdavis@chcpat.com) , [jallen@chcpat.com](mailto:jallen@chcpat.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT MARKETING	Fifth Extension - Granted	85061230	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061232	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061227	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	85061221	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061210	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061206	
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850



CONNECTPR

Section 8 and 15 - Accepted and  
Acknowledged

78169520

3330353

**Prosecution History**

<b>Entry Number</b>	<b>History Text</b>	<b>Date</b>	<b>Due Date</b>
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
28	D OPP/RESP TO MOTION	May 07, 2013	
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013	
30	PROCEEDINGS RESUMED	Aug 14, 2013	

# EXHIBIT 8

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,366,850

**United States Patent and Trademark Office**

Registered July 11, 2000

**SERVICE MARK  
PRINCIPAL REGISTER**

**CONNECTPR**

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

FOR: MARKETING AND MARKET RESEARCH AND CONSULTING SERVICES; PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-0-2000; IN COMMERCE 2-0-2000.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

SN 75-456,494, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY



## Domestic Representative - Not Found

**Prosecution History**

Date	Description	Proceeding Number
Aug. 23, 2011	CANCELLATION INSTITUTED NO. 999999	54395
Jul. 15, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
Jul. 15, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 02, 2010	TEAS SECTION 8 & 9 RECEIVED	
Jan. 20, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	73376
Jul. 11, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 11, 2006	TEAS SECTION 8 & 15 RECEIVED	
Mar. 17, 2006	CASE FILE IN TICRS	
Jul. 11, 2000	REGISTERED-PRINCIPAL REGISTER	
May 16, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 15, 2000	ASSIGNED TO EXAMINER	61751
May 05, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 24, 2000	USE AMENDMENT FILED	
Mar. 24, 2000	EXTENSION 1 FILED	
Oct. 12, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 20, 1999	PUBLISHED FOR OPPOSITION	
Jun. 18, 1999	NOTICE OF PUBLICATION	
Mar. 23, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 27, 1998	NON-FINAL ACTION MAILED	
Aug. 18, 1998	ASSIGNED TO EXAMINER	61751
Aug. 18, 1998	ASSIGNED TO EXAMINER	69196
Jul. 24, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	

**Maintenance Filings or Post Registration Information**

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Jul. 11, 2010

**TM Staff and Location Information**

**TM Staff Information - None**

**File Location**

**Current Location:** Not Found

**Date in Location:** Jul. 15, 2010

**Assignment Abstract Of Title Information****Summary**

**Total Assignments:** 1

**Registrant:** CONNECT PUBLIC RELATIONS, INC.

**Assignment 1 of 1**

**Conveyance:** CHANGE OF NAME

**Reel/Frame:** 1814/0863

**Pages:** 3

**Date Recorded:** Jul. 24, 1998

**Supporting Documents:** assignment-tm-1814-0863.pdf

**Assignor**

**Name:** NETWORK ASSOCIATES CONSULTING, INC.

**Execution Date:** May 13, 1998

**Legal Entity Type:** CORPORATION

**State or Country Where:** UTAH

Organized:

**Assignee**

Name: CONNECT PUBLIC RELATIONS, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 80 EAST 100 NORTH  
PROVO, UTAH 84606

**Correspondent**

Correspondent Name: THORPE, NORTH & WESTERN, L.L.P.

Correspondent Address: KARL R. CANNON  
P.O. BOX 1219  
SANDY, UTAH 84091-1219

Domestic Representative - Not Found

## Proceedings

**Summary**

Number of Proceedings: 3

**Type of Proceeding: Cancellation**

Proceeding Number: 92054395

Filing Date: Aug 22, 2011

Status: Pending

Status Date: Aug 22, 2011

Interlocutory Attorney: BENJAMIN U OKEKE

**Defendant**

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CANNON  
CLAYTON HOWARTH & CANNON PC  
PO BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECTPR	Cancellation Pending Plaintiff(s)	<u>75456494</u>	<u>2366850</u>

Name: DigitalMojo, Inc.

Correspondent Address: THOMAS W COOK  
THOMAS COOKE INTELLECTUAL PROPERTY ATTORNEYS  
3030 BRIDGEWAY, SUITE 425-430  
SAUSALITY CA , 94965  
UNITED STATES

Correspondent e-mail: [tom@thomascooklaw.com](mailto:tom@thomascooklaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT	Notice of Allowance - Issued	<u>77714693</u>	

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 22, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 23, 2011	Oct 02, 2011
3	PENDING, INSTITUTED	Aug 23, 2011	
4	CERTIFICATE OF SERVICE FOR PETITION TO CANCEL	Aug 25, 2011	
5	D'S MOTION TO DISMISS - RULE 12(B)	Sep 15, 2011	
6	ANSWER	Oct 03, 2011	
7	P'S OPPOSITION/RESPONSE TO MOTION	Oct 17, 2011	
8	P'S MOTION TO REOPEN TIME TO RESPOND TO MOTION TO DISMISS	Oct 24, 2011	
9	D'S REPLY IN SUPPORT OF MOTION	Nov 07, 2011	
10	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 08, 2011	
11	P'S CORRECTION	Nov 08, 2011	
12	D'S OPPOSITION/RESPONSE TO MOTION	Nov 28, 2011	

13 P'S MOTION TO AMEND PLEADING/AMENDED PLEADING Feb 06, 2012  
 14 P'S MOTION TO AMEND PLEADING/AMENDED PLEADING Oct 01, 2012  
 15 ANSWER Apr 18, 2013  
 16 D MOTION Apr 18, 2013

**Type of Proceeding: Opposition**

**Proceeding Number:** 91200184

**Filing Date:** Jun 08, 2011

**Status:** Terminated

**Status Date:** Aug 27, 2012

**Interlocutory Attorney:** CHERYL S GOODMAN

**Defendant**

**Name:** Fireman's Fund Insurance Company

**Correspondent Address:** MINA I HAMILTON  
 LEWIS BRISBOIS BISGAARD & SMITH LLP  
 221 NORTH FIGUEROA STREET, SUITE 1200  
 LOS ANGELES CA , 90012  
 UNITED STATES

**Correspondent e-mail:** [hamilton@lbbslaw.com](mailto:hamilton@lbbslaw.com) , [tespinoza@lbbslaw.com](mailto:tespinoza@lbbslaw.com) , [makous@lbbslaw.com](mailto:makous@lbbslaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	SU - Non-Final Action - Mailed Plaintiff(s)	<u>85114558</u>	

**Name:** Connect Public Relations, Inc.

**Correspondent Address:** KARL R CONNON  
 CLAYTON HOWARTH & CANNON PC  
 PO BOX 1909  
 SANDY UT , 84091-1909  
 UNITED STATES

**Correspondent e-mail:** [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com) , [kcannon@chcpat.com](mailto:kcannon@chcpat.com) , [kiamont@chcpat.com](mailto:kiamont@chcpat.com) , [bdavis@chcpat.com](mailto:bdavis@chcpat.com) , [jallen@chcpat.com](mailto:jallen@chcpat.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT MARKETING	Fifth Extension - Granted	<u>85061230</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061232</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061227</u>	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	<u>85061221</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061210</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061206</u>	
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>
CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011

3	PENDING, INSTITUTED	Jun 09, 2011
4	ANSWER	Jul 19, 2011
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012
7	BOARD'S ORDER	Feb 21, 2012
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012
11	SUSPENDED	May 16, 2012
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012
14	TERMINATED	Aug 27, 2012

**Type of Proceeding: Opposition**

**Proceeding Number:** 91196299 **Filing Date:** Aug 30, 2010  
**Status:** Pending **Status Date:** Aug 30, 2010  
**Interlocutory Attorney:** BENJAMIN U OKEKE

**Defendant**

**Name:** Digitalmojo, Inc.  
**Correspondent Address:** THOMAS W COOK  
3030 BRIDGEWAY, SUITE 425-430  
SAUSALITO CA , 94965-2810  
UNITED STATES  
**Correspondent e-mail:** [thomascoklaw@pacbell.net](mailto:thomascoklaw@pacbell.net)

**Associated marks**

<b>Mark</b>	<b>Application Status</b>	<b>Serial Number</b>	<b>Registration Number</b>
CONNECT	Notice of Allowance - Issued Plaintiff(s)	<u>77714693</u>	

**Name:** Connect Public Relations, Inc.  
**Correspondent Address:** KARL R CANNON  
CLAYTON HOWARTH & CANNON PC  
P.O. BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES  
**Correspondent e-mail:** [kcannon@chcpat.com](mailto:kcannon@chcpat.com) , [ttetzi@chcpat.com](mailto:ttetzi@chcpat.com) , [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com) , [bdavis@chcpat.com](mailto:bdavis@chcpat.com)

**Associated marks**

<b>Mark</b>	<b>Application Status</b>	<b>Serial Number</b>	<b>Registration Number</b>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>
CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

<b>Entry Number</b>	<b>History Text</b>	<b>Date</b>	<b>Due Date</b>
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	

5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011
8	MOTION TO CONSOLIDATE	Aug 26, 2011
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011
17	COPY OF #16	Dec 30, 2011
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012
19	P'S MOTION TO STRIKE	Jan 09, 2012
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012
27	PROCEEDINGS RESUMED	Mar 21, 2013
28	D OPP/RESP TO MOTION	May 07, 2013
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013
30	PROCEEDINGS RESUMED	Aug 14, 2013

# EXHIBIT 9

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 2,383,777

**United States Patent and Trademark Office**

Registered Sep. 5, 2000

**TRADEMARK  
PRINCIPAL REGISTER**

**CONNECTPR**

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

FOR: PRERECORDED AUDIO RECORDINGS, PRERECORDED VIDEO RECORDINGS, AND PRERECORDED AUDIO-VISUAL RECORDINGS FEATURING TOPICS IN THE FIELDS OF MARKETING AND MARKET RESEARCH AND CONSULTING SERVICES, PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES; ELECTRONIC PUBLICATIONS FEATURING TOPICS IN THE FIELDS OF MARKETING AND

MARKET RESEARCH AND CONSULTING SERVICES, PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES ON COMPUTER DISCS AND CD-ROMS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 3-0-2000; IN COMMERCE 3-0-2000.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

SN 75-456,498, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2014-04-08 21:36:41 EDT

Mark: CONNECTPR

CONNECTPR

US Serial Number: 75456498      Application Filing Date: Mar. 25, 1998  
US Registration Number: 2383777      Registration Date: Sep. 05, 2000  
Register: Principal  
Mark Type: Trademark  
Status: The registration has been renewed.  
Status Date: Sep. 11, 2010  
Publication Date: Jul. 13, 1999      Notice of Allowance Date: Oct. 05, 1999

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## Mark Information

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Mark Literal Elements: CONNECTPR  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)  
Disclaimer: "PUBLIC RELATIONS"

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## Goods and Services

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Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: Prerecorded audio recordings, prerecorded video recordings, and prerecorded audio-visual recordings featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services; electronic publications featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services on computer discs and CD-ROMs

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2000

Use in Commerce: Mar. 2000

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## Basis Information (Case Level)

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Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

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## Current Owner(s) Information

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Owner Name: CONNECT PUBLIC RELATIONS, INC.  
Owner Address: 80 EAST 100 NORTH  
PROVO, UTAH 84606  
UNITED STATES  
Legal Entity Type: CORPORATION      State or Country Where UTAH  
Organized:

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## Attorney/Correspondence Information

---

Attorney Name: KARL R CANNON      Docket Number: T6709  
Attorney Primary Email [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com)      Attorney Email No  
Address:      Authorized:  
Correspondent

**Correspondent Name/Address:** KARL R CANNON  
CLAYTON HOWARTH & CANNON PC  
PO BOX 1909  
SANDY, UTAH 84091  
UNITED STATES

**Phone:** 801-255-5335

**Fax:** 801-255-5338

**Correspondent e-mail:** [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com)

**Correspondent e-mail No Authorized:**

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Sep. 11, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67603
Sep. 11, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Sep. 07, 2010	TEAS SECTION 8 & 9 RECEIVED	
Apr. 28, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67603
Mar. 05, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 05, 2007	TEAS SECTION 8 & 15 RECEIVED	
Feb. 13, 2006	CASE FILE IN TICRS	
Sep. 05, 2000	REGISTERED-PRINCIPAL REGISTER	
Jun. 06, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 06, 2000	ASSIGNED TO EXAMINER	61751
May 23, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 24, 2000	USE AMENDMENT FILED	
Oct. 05, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 13, 1999	PUBLISHED FOR OPPOSITION	
Jun. 11, 1999	NOTICE OF PUBLICATION	
Mar. 23, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 07, 1998	NON-FINAL ACTION MAILED	
Nov. 30, 1998	ASSIGNED TO EXAMINER	61751
Nov. 17, 1998	ASSIGNED TO EXAMINER	62520
Jul. 24, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	

## Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Sep. 05, 2010

## TM Staff and Location Information

**TM Staff Information - None**

**File Location**

**Current Location:** Not Found

**Date in Location:** Sep. 11, 2010

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 1

**Registrant:** CONNECT PUBLIC RELATIONS, INC.

### Assignment 1 of 1

**Conveyance:** CHANGE OF NAME

**Reel/Frame:** 1814/0863

**Pages:** 3

**Date Recorded:** Jul. 24, 1998

**Supporting Documents:** [assignment-tm-1814-0863.pdf](#)

**Assignor**

Name: NETWORK ASSOCIATES CONSULTING, INC. Execution Date: May 13, 1998  
 Legal Entity Type: CORPORATION State or Country Where Organized: UTAH

**Assignee**

Name: CONNECT PUBLIC RELATIONS, INC. State or Country Where Organized: UTAH  
 Legal Entity Type: CORPORATION

Address: 80 EAST 100 NORTH  
 PROVO, UTAH 84606

**Correspondent**

Correspondent Name: THORPE, NORTH & WESTERN, L.L.P.  
 Correspondent Address: KARL R. CANNON  
 P.O. BOX 1219  
 SANDY, UTAH 84091-1219

Domestic Representative - Not Found

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## Proceedings

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**Summary**

Number of Proceedings: 2

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**Type of Proceeding: Opposition**


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Proceeding Number: 91200184 Filing Date: Jun 08, 2011  
 Status: Terminated Status Date: Aug 27, 2012  
 Interlocutory Attorney: CHERYL S GOODMAN

**Defendant**

Name: Fireman's Fund Insurance Company  
 Correspondent Address: MINA I HAMILTON  
 LEWIS BRISBOIS BISGAARD & SMITH LLP  
 221 NORTH FIGUEROA STREET, SUITE 1200  
 LOS ANGELES CA , 90012  
 UNITED STATES  
 Correspondent e-mail: [hamilton@lbbslaw.com](mailto:hamilton@lbbslaw.com) , [tespinoza@lbbslaw.com](mailto:tespinoza@lbbslaw.com) , [makous@lbbslaw.com](mailto:makous@lbbslaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	SU - Non-Final Action - Mailed	<u>85114558</u>	

**Plaintiff(s)**

Name: Connect Public Relations, Inc.  
 Correspondent Address: KARL R CONNON  
 CLAYTON HOWARTH & CANNON PC  
 PO BOX 1909  
 SANDY UT , 84091-1909  
 UNITED STATES  
 Correspondent e-mail: [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com) , [kcannon@chcpat.com](mailto:kcannon@chcpat.com) , [kiamont@chcpat.com](mailto:kiamont@chcpat.com) , [bdavis@chcpat.com](mailto:bdavis@chcpat.com) , [jallen@chcpat.com](mailto:jallen@chcpat.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT MARKETING	Fifth Extension - Granted	<u>85061230</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061232</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061227</u>	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	<u>85061221</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061210</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061206</u>	
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS			

CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>
CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

**Type of Proceeding: Opposition**

**Proceeding Number:** 91196299 **Filing Date:** Aug 30, 2010  
**Status:** Pending **Status Date:** Aug 30, 2010

**Interlocutory Attorney:** BENJAMIN U OKEKE

**Defendant**

**Name:** Digitalmojo, Inc.  
**Correspondent Address:** THOMAS W COOK  
3030 BRIDGEWAY, SUITE 425-430  
SAUSALITO CA , 94965-2810  
UNITED STATES  
**Correspondent e-mail:** thomascooklaw@pacbell.net

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT	Notice of Allowance - Issued	<u>77714693</u>	

**Name:** Connect Public Relations, Inc.

**Correspondent Address:** KARL R CANNON  
CLAYTON HOWARTH & CANNON PC  
P.O. BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES

**Correspondent e-mail:** kcannon@chcpat.com , tetzl@chcpat.com , docketclerk@chcpat.com , bdavis@chcpat.com

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>

CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

<b>Entry Number</b>	<b>History Text</b>	<b>Date</b>	<b>Due Date</b>
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
28	D OPP/RESP TO MOTION	May 07, 2013	
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013	
30	PROCEEDINGS RESUMED	Aug 14, 2013	

# EXHIBIT 10

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

Reg. No. 2,713,692

United States Patent and Trademark Office

Registered May 6, 2003

**TRADEMARK  
PRINCIPAL REGISTER**

**CONNECTPR**

CONNECT PUBLIC RELATIONS, INC. (UTAH  
CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

FOR: PRINTED PUBLICATIONS, NAMELY, RE-  
PORTS, PRESS KITS AND BROCHURES IN THE  
FIELDS OF MARKET RESEARCH AND CONSULT-  
ING, PUBLIC AND MEDIA RELATIONS, SALES  
PROMOTION, STRATEGIC MARKETING PLAN-  
NING, DEVELOPMENT OF MARKET POSITION-  
ING AND MESSAGING, BACKGROUND  
EDITORIAL SUPPORT OF SALES PROMOTION  
MATERIAL, AND SEMINAR CREATION AND OP-

ERATION, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37,  
38 AND 50).

FIRST USE 9-0-2002; IN COMMERCE 9-0-2002.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "PUBLIC RELATIONS", APART  
FROM THE MARK AS SHOWN.

SN 75-456,497, FILED 3-25-1998.

INGA ERVIN, EXAMINING ATTORNEY



**Attorney of Record**

Attorney Name: KARL R CANNON

Docket Number: T6708.TM

**Correspondent**

Correspondent Name/Address: KARL R CANNON  
 CLAYTON HOWARTH & CANNON PC  
 PO BOX 1909  
 SANDY, UTAH 84091  
 UNITED STATES

Phone: 801-255-5335

Fax: 801-255-5338

**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Nov. 08, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - MAILED	
Nov. 08, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67603
Nov. 08, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67603
Nov. 06, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	67603
Nov. 06, 2013	TEAS SECTION 8 & 9 RECEIVED	
Jun. 12, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67603
May 06, 2009	TEAS SECTION 8 & 15 RECEIVED	
May 20, 2008	CASE FILE IN TICRS	
May 06, 2003	REGISTERED-PRINCIPAL REGISTER	
Jan. 31, 2003	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 30, 2003	ASSIGNED TO EXAMINER	76840
Jan. 23, 2003	STATEMENT OF USE PROCESSING COMPLETE	
Sep. 28, 2002	USE AMENDMENT FILED	
Oct. 08, 2002	PAPER RECEIVED	
Mar. 28, 2002	EXTENSION 5 GRANTED	
Mar. 28, 2002	EXTENSION 5 FILED	
Oct. 15, 2001	EXTENSION 4 GRANTED	
Sep. 18, 2001	EXTENSION 4 FILED	
Apr. 30, 2001	EXTENSION 3 GRANTED	
Mar. 27, 2001	EXTENSION 3 FILED	
Dec. 13, 2000	EXTENSION 2 GRANTED	
Sep. 19, 2000	EXTENSION 2 FILED	
May 15, 2000	EXTENSION 1 GRANTED	
Mar. 24, 2000	EXTENSION 1 FILED	
Sep. 28, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 06, 1999	PUBLISHED FOR OPPOSITION	
Jun. 04, 1999	NOTICE OF PUBLICATION	
Mar. 23, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 27, 1998	NON-FINAL ACTION MAILED	
Aug. 18, 1998	ASSIGNED TO EXAMINER	61751
Aug. 18, 1998	ASSIGNED TO EXAMINER	69196

**Maintenance Filings or Post Registration Information**

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** May 06, 2013

## TM Staff and Location Information

TM Staff Information - None  
File Location

Current Location: Not Found

Date in Location: Nov. 08, 2013

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 1

Registrant: CONNECT PUBLIC RELATIONS, INC.

### Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: 1814/0863

Pages: 3

Date Recorded: Jul. 24, 1998

Supporting Documents: [assignment-tm-1814-0863.pdf](#)

### Assignor

Name: NETWORK ASSOCIATES CONSULTING, INC.

Execution Date: May 13, 1998

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

### Assignee

Name: CONNECT PUBLIC RELATIONS, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 80 EAST 100 NORTH  
PROVO, UTAH 84606

### Correspondent

Correspondent Name: THORPE, NORTH & WESTERN, L.L.P.

Correspondent Address: KARL R. CANNON  
P.O. BOX 1219  
SANDY, UTAH 84091-1219

Domestic Representative - Not Found

## Proceedings

### Summary

Number of Proceedings: 2

### Type of Proceeding: Opposition

Proceeding Number: 91200184

Filing Date: Jun 08, 2011

Status: Terminated

Status Date: Aug 27, 2012

Interlocutory Attorney: CHERYL S GOODMAN

### Defendant

Name: Fireman's Fund Insurance Company

Correspondent Address: MINA I HAMILTON  
LEWIS BRISBOIS BIGGAARD & SMITH LLP  
221 NORTH FIGUEROA STREET, SUITE 1200  
LOS ANGELES CA , 90012  
UNITED STATES

Correspondent e-mail: [hamilton@lbbslaw.com](mailto:hamilton@lbbslaw.com) , [tespinoza@lbbslaw.com](mailto:tespinoza@lbbslaw.com) , [makous@lbbslaw.com](mailto:makous@lbbslaw.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	SU - Non-Final Action - Mailed	<u>85114558</u>	

### Plaintiff(s)

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CONNON  
CLAYTON HOWARTH & CANNON PC  
PO BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES

Correspondent e-mail: [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com) , [kcannon@chcpat.com](mailto:kcannon@chcpat.com) , [klamont@chcpat.com](mailto:klamont@chcpat.com) , [bdavis@chcpat.com](mailto:bdavis@chcpat.com) , [jallen@chcpat.com](mailto:jallen@chcpat.com)

### Associated marks

Mark	Application Status	Serial	Registration
------	--------------------	--------	--------------

		Number	Number
CONNECT MARKETING	Fifth Extension - Granted	<u>85061230</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061232</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061227</u>	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	<u>85061221</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061210</u>	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	<u>85061206</u>	
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>
CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

**Type of Proceeding: Opposition**

Proceeding Number: 91196299 Filing Date: Aug 30, 2010

Status: Pending Status Date: Aug 30, 2010

Interlocutory Attorney: BENJAMIN U OKEKE

**Defendant**

Name: Digitalmojo, Inc.

Correspondent Address: THOMAS W COOK  
3030 BRIDGEWAY, SUITE 425-430  
SAUSALITO CA , 94965-2810  
UNITED STATES

Correspondent e-mail: [thomascooklaw@pacbell.net](mailto:thomascooklaw@pacbell.net)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT	Notice of Allowance - Issued	<u>77714693</u>	

**Plaintiff(s)****Name:** Connect Public Relations, Inc.**Correspondent Address:** KARL R CANNON  
CLAYTON HOWARTH & CANNON PC  
P.O. BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES**Correspondent e-mail:** [kcannon@chcpat.com](mailto:kcannon@chcpat.com) , [tetzl@chcpat.com](mailto:tetzl@chcpat.com) , [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com) , [bdavis@chcpat.com](mailto:bdavis@chcpat.com)**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>
CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
	D OPP/RESP TO MOTION		

28	D OPP/RESP TO MOTION	May 07, 2013
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013
30	PROCEEDINGS RESUMED	Aug 14, 2013

# EXHIBIT 11

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

United States Patent and Trademark Office

Reg. No. 3,330,353

Registered Nov. 6, 2007

**TRADEMARK  
PRINCIPAL REGISTER**

**CONNECTPR**

CONNECT PUBLIC RELATIONS, INC. (UTAH  
CORPORATION)  
80 EAST 100 NORTH  
PROVO, UT 84606

MOTION MATERIALS, AND SEMINAR CREATION  
AND OPERATION, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23,  
29, 37, 38 AND 50).

FOR: PRINTED PUBLICATIONS, NAMELY, RE-  
PORTS, BROCHURES AND PRESS KITS COM-  
PRISED OF BROCHURES, FLYERS, AND PRESS  
RELEASES, IN THE FIELDS OF MARKET RE-  
SEARCH AND CONSULTING, PUBLIC AND MED-  
IA RELATIONS, SALES PROMOTION, STRATEGIC  
MARKETING PLANNING, DEVELOPMENT OF  
MARKET POSITIONING AND MESSAGING, BACK-  
GROUND EDITORIAL SUPPORT OF SALES PRO-

FIRST USE 1-0-2006; IN COMMERCE 1-0-2006.

OWNER OF U.S. REG. NOS. 2,365,074, 2,366,850,  
AND 2,383,777.

SN 78-169,520, FILED 9-30-2002.

CAROLINE WOOD, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2014-04-08 21:37:50 EDT

Mark: CONNECTPR

US Serial Number: 78169520  
US Registration Number: 3330353  
Register: Principal  
Mark Type: Trademark  
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.  
Status Date: Nov. 20, 2013  
Publication Date: Feb. 10, 2004  
Application Filing Date: Sep. 30, 2002  
Registration Date: Nov. 06, 2007  
Notice of Allowance Date: May 04, 2004

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## Mark Information

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Mark Literal Elements: CONNECTPR  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

---

## Related Properties Information

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Claimed Ownership of US 2365074, 2366850, 2383777  
Registrations:

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## Goods and Services

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Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services.
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of positioning and messaging, background editorial support of sales promotion materials, and seminar creation and operation
- Asterisks \*...\* identify additional (new) wording in the goods/services.

For: Printed publications, namely, [ reports, ] brochures [ and press kits ] comprised of brochures, [ flyers, ] and press releases, in the fields of market research and consulting, public and media relations, sales promotion, strategic marketing planning, development of market positioning and messaging, background editorial support of sales promotion materials, and seminar creation and operation

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 2006

Use in Commerce: Jan. 2006

---

## Basis Information (Case Level)

---

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

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## Current Owner(s) Information

---

Owner Name: Connect Public Relations, Inc.  
Owner Address: 80 East 100 North  
Provo, UTAH 84606  
UNITED STATES  
Legal Entity Type: CORPORATION  
State or Country Where Organized: UTAH

---

## Attorney/Correspondence Information

---

**Attorney of Record**

**Attorney Name:** Karl R. Cannon **Docket Number:** T6708.TM.A

**Correspondent**

**Correspondent Name/Address:** Karl R. Cannon  
CLAYTON, HOWARTH & CANNON, PC  
P O BOX 1909  
SANDY, UTAH 84091-1909  
UNITED STATES

**Phone:** (801) 255-5335 **Fax:** (801) 255-5338

**Domestic Representative - Not Found**

---

## Prosecution History

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Date	Description	Proceeding Number
Nov. 20, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - MAILED	
Nov. 20, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591
Nov. 06, 2013	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	64591
Nov. 20, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Nov. 06, 2013	TEAS SECTION 8 & 15 RECEIVED	
Nov. 06, 2007	REGISTERED-PRINCIPAL REGISTER	
Oct. 02, 2007	LAW OFFICE REGISTRATION REVIEW COMPLETED	67287
Oct. 02, 2007	ASSIGNED TO LIE	67287
Aug. 31, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 16, 2007	STATEMENT OF USE PROCESSING COMPLETE	74215
May 04, 2007	USE AMENDMENT FILED	74215
May 04, 2007	TEAS STATEMENT OF USE RECEIVED	
Nov. 04, 2006	EXTENSION 5 GRANTED	68973
Nov. 04, 2006	EXTENSION 5 FILED	68973
Nov. 06, 2006	TEAS EXTENSION RECEIVED	
May 16, 2006	EXTENSION 4 GRANTED	65362
May 04, 2006	EXTENSION 4 FILED	65362
May 04, 2006	TEAS EXTENSION RECEIVED	
Apr. 06, 2006	EXTENSION 3 GRANTED	65362
Nov. 04, 2005	EXTENSION 3 FILED	65362
Nov. 04, 2005	TEAS EXTENSION RECEIVED	
May 23, 2005	EXTENSION 2 GRANTED	64657
May 04, 2005	EXTENSION 2 FILED	64657
May 04, 2005	TEAS EXTENSION RECEIVED	
Nov. 16, 2004	EXTENSION 1 GRANTED	70991
Nov. 04, 2004	EXTENSION 1 FILED	70991
Nov. 04, 2004	TEAS EXTENSION RECEIVED	
May 04, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 10, 2004	PUBLISHED FOR OPPOSITION	
Jan. 21, 2004	NOTICE OF PUBLICATION	
Dec. 04, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 01, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 06, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 05, 2003	CASE FILE IN TICRS	
Oct. 06, 2003	PAPER RECEIVED	
Apr. 01, 2003	NON-FINAL ACTION E-MAILED	

Mar. 21, 2003

ASSIGNED TO EXAMINER

74309

### Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 110

Date in Location: Nov. 20, 2013

### Proceedings

#### Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: 91200184

Filing Date: Jun 08, 2011

Status: Terminated

Status Date: Aug 27, 2012

Interlocutory Attorney: CHERYL S GOODMAN

#### Defendant

Name: Fireman's Fund Insurance Company

Correspondent Address: MINA I HAMILTON  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
221 NORTH FIGUEROA STREET, SUITE 1200  
LOS ANGELES CA , 90012  
UNITED STATES

Correspondent e-mail: [hamilton@lbbslaw.com](mailto:hamilton@lbbslaw.com) , [tespinoza@lbbslaw.com](mailto:tespinoza@lbbslaw.com) , [makous@lbbslaw.com](mailto:makous@lbbslaw.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	SU - Non-Final Action - Mailed Plaintiff(s)	850614558	

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CONNON  
CLAYTON HOWARTH & CANNON PC  
PO BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES

Correspondent e-mail: [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com) , [kcannon@chcpat.com](mailto:kcannon@chcpat.com) , [kiamont@chcpat.com](mailto:kiamont@chcpat.com) , [bdavis@chcpat.com](mailto:bdavis@chcpat.com) , [jallen@chcpat.com](mailto:jallen@chcpat.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT MARKETING	Fifth Extension - Granted	85061230	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061232	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061227	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	85061221	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061210	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061206	
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR			

CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

**Type of Proceeding: Opposition**

**Proceeding Number:** 91196299      **Filing Date:** Aug 30, 2010  
**Status:** Pending      **Status Date:** Aug 30, 2010  
**Interlocutory Attorney:** BENJAMIN U OKEKE

**Defendant**

**Name:** Digitalmojo, Inc.  
**Correspondent Address:** THOMAS W COOK  
3030 BRIDGEWAY, SUITE 425-430  
SAUSALITO CA . 94965-2810  
UNITED STATES  
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**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT	Notice of Allowance - Issued	<u>77714693</u>	

**Plaintiff(s)**

**Name:** Connect Public Relations, Inc.  
**Correspondent Address:** KARL R CANNON  
CLAYTON HOWARTH & CANNON PC  
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**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>
CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>

CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

<b>Entry Number</b>	<b>History Text</b>	<b>Date</b>	<b>Due Date</b>
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
28	D OPP/RESP TO MOTION	May 07, 2013	
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013	
30	PROCEEDINGS RESUMED	Aug 14, 2013	

# EXHIBIT 12

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# RANDOM HOUSE WEBSTER'S UNABRIDGED DICTIONARY

Second Edition

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RANDOM HOUSE  
NEW YORK

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**mariposa lily** (mar'ə-pō'se, -zō), any lily of the genus *Calochortus*, of the western U.S. and Mexico, having tuliplike flowers of various colors. Also called **mar'iposa**, **mariposa tulip**. [1880-85; Amer.; < Sp *mariposa* butterfly, moth; so named because blooms were likened to butterflies]

**Mar-is** (mar'is), n. **Roger (Eugene)**, 1934-85, U.S. baseball player.

**mar-ish** (mar'ish), Archaic. —n. 1. a marsh. —adj. 2. marshy. [1800-50; ME *marais* < MF; see MARAIS]

**Mar-i-sat** (mar'ə-sat'), n. one of a series of geostationary communications satellites that relay telecommunications between ships at sea and shore stations. [*maritime* + *satellite*]

**Mar-i-sol** (mar'i-sol'), n. (*Marisol Escobar*) born 1930, Venezuelan artist, in U.S. since 1950.

**Mar-ist** (mar'ist, mar'-), n. *Rom. Cath.* Ch. a member of a religious order founded in Lyons, France, in 1816 for missionary and educational work in the name of the Virgin Mary. [1875-80; < F *Mariste*. See MARY, -IST]

**Mar-ita-in** (ma-rē-tān'), n. **Jacques (zhāk)**, 1882-1973, French philosopher and diplomat.

**mar-ital** (mar'i-tl), 1. of or pertaining to marriage; conjugal; matrimonial; marital vices; marital discord. 2. Archaic. of or pertaining to a husband. [1595-1605; < L *maritalis* of married people, deriv. of *maritus* of marriage. See MARRY, -AL'] —**mar'ital-ly**, adv.

**mar-ital ther-apy**, a psychotherapeutic treatment for married couples, who are seen by a therapist both individually and jointly to assist them in resolving various problems related to their marriage.

**mar-i-time** (mar'i-tim'), adj. 1. connected with the sea in relation to navigation, shipping, etc. 2. of or pertaining to the sea: *maritime resources*. 3. bordering on the sea: *maritime provinces*. 4. living near or in the sea: *maritime plants*. 5. characteristic of a sailor; nautical; *maritime clothing*. [1640-50; < L *maritimus* pertaining to the sea, equiv. to *mar-* (s. of *mare* sea) + *-itimus* adj. suffix]

**Maritime Alps**, a range of the Alps in SE France and NW Italy.

**maritime belt**, *Law*, the part of the sea that is within the jurisdiction of the bordering states.

**maritime law**, the body of law relating to maritime commerce and navigation, and to maritime matters generally. [1860-65]

**Maritime Provinces**, the Canadian provinces of Nova Scotia, New Brunswick, and Prince Edward Island. Also called **Mar-tim'es**. —**Mar-tim'er**, n.

**Mar-it-sa** (ma-rēt'sə), n. a river in S Europe, flowing from S Bulgaria along the boundary between Greece and European Turkey and into the Aegean. 300 mi. (485 km) long.

**Mar-i-u-pol** (mar'ē-ōō-pōl; Russ. mā-ryi-ōō-pōl), n. a city in SE Ukraine, on the Sea of Azov. 503,000. Formerly (1948-89), **Zhdanov**.

**Mar-i-us** (mār'ē-əs, mar'-), n. **Gaius**, c.155-86 B.C., Roman general and consul; opponent of Lucius Cornelius Sulla.

**Mar-i-vaux** (ma-rē-vō'), n. **Pierre Carlet de Chamblain de (pyer kar le' də shān blan' də)**, 1688-1763, French dramatist and novelist.

**mar-jo-laine** (mār'jō-lān'; Fr. mār zhō-lān'), n., pl. **laines** (-lānz'; Fr. -lən'). 1. (*italics*) French. marjoram. 2. a long, narrow cake with straight sides, usually consisting of layers of meringue and chocolate butter-cream and containing chopped nuts. [*< F OF majorane < ML majorana; see MARJORAM*]

**mar-jor-am** (mār'jō-rəm), n. any of several aromatic herbs belonging to the genus *Origanum*, of the mint family, esp. *O. majorana* (*sweet marjoram*), having leaves used as seasoning in cooking. Cf. **oregano**. [1350-1400; ME *majorane* < ML *majorana*, var. of *majoraca*, alter. of *L amāracus* < Gk *amárakos* marjoram]

**Mar-jo-ry** (mār'jō-rē), n. a female given name, form of **Margaret**. Also, **Mar-jorie**.

**mark**<sup>1</sup> (märk), n. 1. a visible impression or trace on something, as a line, cut, dent, stain, or bruise: a small mark on his arm. 2. a badge, brand, or other visible sign assumed or imposed: a mark of his noble rank. 3. a symbol used in writing or printing: a punctuation mark. 4. a sign, usually an X or cross, made instead of a signature by someone who does not know how or is unable to write his or her own name. 5. an affixed or impressed device, symbol, inscription, etc., serving to give information, identify, indicate origin or ownership, attest to character or comparative merit, or the like, as a trademark. 6. a sign, token, or indication: to bow as a mark of respect. 7. a symbol used in rating conduct, proficiency, attainment, etc., as of pupils in a school: good marks; bad marks. 8. something serving as an indication of position, as a landmark. 9. a recognized or required standard of quality, accomplishment, etc.; norm: His dissertation was below the mark. 10. distinction or importance; repute; note: a man of mark. 11. a distinctive wait or characteristic: the usual marks of a gentleman. 12. (*usually cap.*) U.S. Mil. a designation for an item of military equipment in production, used in combination with a numeral to indicate the order of adoption, and often abbreviated: a Mark-4 tank; an M-1 rifle. 13. an object aimed at; target: to aim at the mark. 14. an object, not desired or striven for, goal. 15. *Slang*. a. an object of derision, scorn, manipulation, or the like: He was an easy mark for criticism. b. the intended victim of a swindler, hustler, or the like: The cardsharp picked their marks from among the tourists on the cruise ship. 16. Track the starting line. 17. Boxing. the middle of the stomach. 18. *Lawn Bowling*. jack (def. 17). 19. Bowling. a strike or spare. 20. *Naut.* any of the distinctively marked points on a deep-sea lead line, occurring

at levels of 2, 3, 5, 7, 10, 13, 15, 17, and 20 fathoms above the lead. Cf. **deep** (def. 35). 21. a tract of land that may have been held in common by a primitive or early medieval community of peasants in Germany. 22. *Archaic or Hist.* a boundary; frontier. 23. **beside the mark**, not pertinent; irrelevant. 24. **bliss or save the mark!** (used as an exclamation of disapproval, contempt, impatience, etc.) Also, **God bless or save the mark!** 25. **make one's mark**, to attain success or fame; achieve one's ambition: He set out to make his mark as a writer. 26. **on your mark or marks!** (in calling the start of a race) take your places: *On your mark! Get set! Go!* Also, **get ready! ready!** 27. **wide of the mark**, far from the target or objective; inaccurate or irrelevant: My first guess was wide of the mark.

—*v.* 1. 28. to be a distinguishing feature of a day marked by rain. 29. to put a mark or marks on: to mark each box with an X. 30. to give a grade for: put a grade on: to mark the final exams. 31. **scant-mark** (def. 2). 32. to furnish with figures, signs, tags, etc., to indicate price, quality, brand name, or the like: We marked all the books with prices. 33. to trace or form by or as if by marks (often fol. by out): to mark out a plan of attack. 34. to indicate or designate by or as if by marks: to mark passages to be memorized. 35. to single out; destine (often fol. by out): to be marked out for promotion. 36. to record, as a score. 37. to make manifest: to mark approval with a nod. 38. to give heed or attention to: Mark my words! 39. to notice or observe: to mark a change in the weather.

—*v.* 40. to take notice; give attention; consider. 41. **scant-mark** (def. 1). 42. **mark down**, to reduce the price of: These towels have been marked down. 43. **mark off**, to mark the proper dimensions or boundaries of; separate: We marked off the limits of our lot with stakes. 44. **mark time**. See **time** (def. 45). 45. **mark up**, a. to mark or deface with marks. b. to mark with notations or symbols. c. to fix the selling price of (an article) by adding to the seller's cost an amount to cover expenses and profit: to mark up dresses 50 percent. d. to increase the selling price of. [bef. 900; (n.) ME: OE *mearc* mark, sign, banner, dividing line, borderland; c. G *mark* borderland, unit of weight, ON *mark* forest (orig., borderland), unit of weight, Goth *marka* boundary, borderland, *L margo* MARGIN; (v.) ME *marken*, OE *mearcian*; c. OFris *merkia*, OHG *markôn*, ON *marka* to plan]

—*Syn.* 10. eminence, consequence. 11. feature, stamp, print. 14. purpose, objective. 34. identify, label, tag. 37. 38. note. 39. eye, regard, spot.

**mark**<sup>2</sup> (märk), n. 1. the monetary unit of Germany since 1871; originally a silver coin. Cf. **Deutsche mark**, **ostmark**, **reichsmark**. 2. the markka of Finland. 3. Also, **merk**, a former money of account of England, equal to 13s. 4d. 4. a former coin of Estonia, the 1/10th part of a kroon; replaced by the sent after 1927. 5. a former European unit of weight, esp. for gold and silver, generally equal to 8 ounces (249 grams). [bef. 900; ME; OE *marc* unit of weight < ML *marca* < Gmc; see MARK<sup>1</sup>]

**Mark** (märk), n. 1. one of the four Evangelists; traditionally believed to be the author of the second Gospel. 2. the second Gospel: to read aloud from Mark. 3. King, Arthurian Romance. ruler of Cornwall, husband of Iselt and uncle of Sir Tristram. 4. Saint. See **Marcus**, Saint. 5. a male given name, form of **Marcus**.

**Mar-kan** (mār'kən), adj. Marcan.

**Mark An-to-ny** (märk an'tō-nē). See **Antony**, **Mark**.

**mark-down** (märk'daun'), n. 1. a reduction in price, usually to encourage buying. 2. the amount by which a price is reduced. [*Amer.*; n. use of *v.* phrase *mark down*]

**marked** (märkt), adj. 1. strikingly noticeable; conspicuous: with marked success. 2. watched as an object of suspicion or vengeance: a marked man. 3. having a mark or marks: beautifully marked birds; to read the marked pages. 4. *Ling.* a. (of a phoneme) characterized by the presence of a phonological feature that serves to distinguish it from an otherwise similar phoneme lacking that feature, as (d), which, in contrast to (t), is characterized by the presence of voicing. b. characterized by the presence of a marker indicating the grammatical function of a construction, as the plural in English, which, in contrast to the singular, is typically indicated by the presence of the marker -s. c. specifying an additional element of meaning, in contrast to a semantically related item, as *drake* in contrast to *duck*, where *drake* specifies "male" while *duck* does not necessarily specify sex. d. occurring less typically than an alternative form, as the word order in *Down, he fell* in contrast to the more usual order of *He fell down*. Cf. **unmarked** (def. 2). [ME; OE *gearweard*; see MARK<sup>1</sup>, -ED'] —**mark-ed-ly** (mär'kid-lē), adv. —**mark-ed-ness**, n.

—*Syn.* 1. striking, outstanding, obvious, prominent.

**mark-er** (mär'ker), n. 1. a person or thing that marks. 2. something used as a mark or indication, as a bookmark or tombstone. 3. a person who records the scores, points, etc., as in a game or contest. 4. a counter used in card playing. 5. *Genes.* See **genetic marker**.

**6. Psychol.** an object, as a book or topcoat left at a library table, used to establish territorial possession in a public place. 7. *Ling.* a. an element of a construction, as a coordinating conjunction, that is not a part of either immediate constituent or function of a construction. 8. a small radio beacon automatically operated, used for local navigation of vessels. 9. mile-marker. 10. Also called **mark-er pen**, **marking pen**. a pen designed for making bold, colorful, or indelible marks, as in making signs. 11. *Slang*. a. a debt, esp. a gambling debt. b. a written or signed promise to pay a debt, esp. a gambling debt, a promissory note or IOU. 12. Also called **mark-er crude**. *Com.* a grade of oil on which prices of other crude oils are based. 13. CB *Road Sign*. one's location while driving on a highway, as determined by the nearest milepost. [1480-90; MARK<sup>1</sup> + -ER]

**mark-er gene**, *Genetics*. See **genetic marker**.

**mark-et** (mär'kit), n. 1. an open place or a covered

building where buyers and sellers convene for the sale of goods; a marketplace: a farmers' market. 2. a store for the sale of food: a meat market. 3. a meeting of people for selling and buying. 4. the assemblage of people at such a meeting. 5. trade or traffic, esp. as regards a particular commodity: the market in cotton. 6. a body of persons carrying on extensive transactions in a specified commodity: the cotton market. 7. the field of trade or business: the best shoes in the market. 8. demand for a commodity: an unprecedented market for leather. 9. a body of existing or potential buyers for specific goods or services: the health-food market. 10. a region in which goods and services are bought, sold, or used: the foreign market; the New England market. 11. current price or value: a rising market for shoes. 12. See **stock market**. 13. **at the market**, at the prevailing price in the open market. 14. **in the market for**, ready to buy; interested in buying: I'm in the market for a new car. 15. **on the market**, for sale; available: Fresh asparagus will be on the market this week. —*v.* 16. to buy or sell in a market; deal. 17. to buy food and provisions for the home. —*v.* 18. to carry or send to market for disposal: to market produce every week. 19. to dispose of in a market; sell. [1100-1150; ME, late OE < VL *marcātus*, L *mercātus* trading, traffic, market] —**mar'ket-er**, n. —*Syn.* 19. vend, merchandise, peddle.

**mar-ket-a-ble** (mär'ki-tə-bəl), adj. 1. readily salable. 2. of or pertaining to selling or buying: marketable values; marketable areas. [1590-1600; MARKET + -ABLE] —**mar'ket-a-ble-ly**, adv. —**mar'ket-a-ble-ness**, n.

**mar'ket-a-ble-ly**, adv. —**mar'ket-a-ble-ness**, n. —**mar'ket-a-ble-ly**, adv.

**mar'ketable title**, *Law*, a title to real property that is free from encumbrances, litigation, and other defects and that can readily be sold or mortgaged to a reasonable buyer or mortgagee. Also called **good title**, **merchantable title**, **sound title**.

**mar'ket analysis**, *Com.* the process of determining factors, conditions, and characteristics of a market. —**mar'ket-an-aly-st**.

**mar'ket boat**, 1. a boat that transfers fish from a fishing fleet to a market on shore. 2. a boat for carrying produce to market. 3. a boat assigned or used to bring provisions to a ship. [1770-80, Amer.]

**mar'ket crab**, See **dungeness crab**.

**mar'ket-eer** (mär'ki-tēr'), n. a person who sells goods or services in or to a market. [1825-35; MARKET + -EER]

**mar'ket gar-den**, 1. a garden or farm for growing vegetables to be shipped esp. to local or nearby markets. Cf. **truck farm**. 2. *Brit.* See **truck farm**. 3. (*caps.*) Mil. the Allied code name for the unsuccessful invasion of Holland by British and American airborne and infantry forces on September 17, 1944. [1805-15] —**mar'ket gar-dener**. —**mar'ket gar-dening**.

**mar-ket-ing** (mär'ki-ting), n. 1. the act of buying or selling in a market. 2. the total of activities involved in the transfer of goods from the producer or seller to the consumer or buyer, including advertising, shipping, storing, and selling. [1555-65; MARKET + -ING]

**mar'ket let-ter**, a publication containing information concerning market conditions, expectations, etc., esp. one produced by a securities brokerage firm or other financial organization.

**mar'ket or-der**, *Stock Exchange*, an order to buy or sell a specified amount of a security at the best price available. Cf. **limit order**, **stop order**. [1915-20]

**mar-ket-place** (mär'kit-plās'), n. 1. an open area in a town where a market is held. 2. the commercial world; the realm of business, trade, and economics. 3. any sphere considered as a place where ideas, thoughts, artistic creations, etc., compete for recognition. Also, **mar'ket place**. [1350-1400; ME; see MARKET, PLACE]

**mar'ket price**, the price at which a commodity, security, or service is selling in the open market. Also called **market value**. [1400-50; late ME]

**mar'ket re-search**, the gathering and studying of data relating to consumer preferences, purchasing power, etc., esp. prior to introducing a product on the market. [1925-30]

**mar-ket-re-search** (mär'kit-rē'sürch, -rī'sürch'), *v.* t. to conduct market research on. [1965-70]

**mar'ket share**, *Econ.* the specific percentage of total industry sales of a particular product achieved by a single company in a given period of time.

**mar'ket town**, a town where a regularly scheduled market is held. [1400-50; late ME]

**mar'ket val-ue**, 1. the value of a business, property, etc., in terms of what it can be sold for on the open market; current value (distinguished from book value). 2. See **market price**. [1685-95]

**Mar-ke-vich** (mär-kä'vich; Russ. mür kye'vyvich'), n. **Igor (ē'gōr)**, 1912-83, Russian conductor and composer.

**Mark-ham** (mär'kəm), n. 1. (**Charles**) **Edwin**, 1852-1940, U.S. poet. 2. **Mount**, a mountain in Antarctica, SW of the Ross Sea. 15,100 ft. (4600 m). 3. a town in SE Ontario, in S Canada, near Toronto. 77,037. 4. a city in NE Illinois, near Chicago. 15,172.

**mar-khoor** (mär'kōōr), n., pl. **-khoors**, (*esp. collectively*) **-khoor**, *markhor*.

**mar-khor** (mär'kōr), n., pl. **-khors**, (*esp. collectively*) **-khor**, a wild goat, *Capra falconeri*, of mountainous regions from Afghanistan to India, having compressed, spirally horns and long, shaggy hair; all populations are threatened or endangered. Also, **markhor**. [1865-70;

CONCISE PRONUNCIATION KEY: *act, cap, darc, part, set, equal; if, ice; es, over, order, oil, book, boot, out, up, urge; chud; sing, shoe; thin; that; zh as in treasure. = a as in alone. e as in system. i as in easily. o as in gallop. u as in circus. \* as in fire (fī'r), hour (aū'r), i and n can serve as syllabic consonants, as in cradle (krād'l), and button (but'n). See the full key inside the front cover.*

# EXHIBIT 13

Generated on: This page was generated by TSDR on 2014-04-25 13:40:26 EDT

Mark: CONNECT

# CONNECT

US Serial Number: 77714693

Application Filing Date: Apr. 15, 2009

Register: Principal

Mark Type: Trademark, Service Mark

Status: Notice of Allowance (NOA) sent (issued) to the applicant. Applicant must file a Statement of Use or Extension Request within six months of the NOA issuance date.

Status Date: Mar. 18, 2014

Publication Date: Mar. 02, 2010

Notice of Allowance Date: Mar. 18, 2014

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## Mark Information

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Mark Literal Elements: CONNECT

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

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## Goods and Services

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Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "\*" identify additional (new) wording in the goods/services.

**For:** audio recordings featuring music; video recordings featuring music; downloadable audio and video recordings featuring music; prerecorded music on CD, DVD and other media

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(b)

**For:** Business marketing services in the nature of agency representation of companies marketing a variety of services to home owners and renters, namely, utility hook-ups, telecommunication services, home security services, home warranties, home and yard maintenance, furniture and appliance rental; comparative marketing and advertising services for providers of residential and business telecommunications services, namely, for providers of broadband cable, DSL, fiber-optic and satellite Internet access services, cable and satellite television, voice over IP, and long-distance telephone services; operation of telephone call centers for others; marketing of high speed telephone, Internet, and wireless access, and directing consumers to access providers; providing an online directory information service featuring information regarding, and in the nature of, classifieds; advertising and information distribution services, namely, providing classified advertising space via the global computer network; promoting the goods and services of others over the Internet; providing online computer databases and on-line searchable databases featuring classified listings and want ads; online business networking services; providing telephone directory information via global communications networks; providing an online interactive website obtaining users comments concerning business organizations, service providers, and other resources; providing information, namely, compilations, rankings, ratings, reviews, referrals and recommendations relating to business organizations, service providers, and other resources using a global computer network; providing telephone directory information via global communications networks; arranging for others the initiation and termination of telecommunication services and utility services in the nature of water, gas and electricity and consultation rendered in connection therewith

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(b)

**For:** providing online chat rooms for registered users for transmission of messages concerning classifieds, virtual community and social networking; providing on-line chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; providing email and instant messaging services

International Class(es): 038 - Primary Class

U.S Class(es): 100, 101, 104

Class Status: ACTIVE

Basis: 1(b)

**For:** computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in social networking; computer software development; application service provider (ASP) featuring software to enable uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communications network; providing temporary use of non-downloadable software applications for classifieds, virtual community, social networking, photo sharing, video sharing, and transmission of photographic images; computer services, namely, hosting online web facilities for others for organizing and conducting online meetings, gatherings, and interactive discussions; computer services in the nature of customized web pages featuring user-defined information, personal profiles and information

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(b)

For: on-line social networking services; internet based dating, introduction and social networking services

International Class(es): 045 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(b)

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### Basis Information (Case Level)

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Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: Yes	Currently ITU: Yes	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

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### Current Owner(s) Information

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Owner Name: Digitalmojo, Inc.  
Owner Address: 6165 Greenwich Drive  
Suite 300  
San Diego, CALIFORNIA 92122  
UNITED STATES  
Legal Entity Type: CORPORATION  
State or Country Where Organized: CALIFORNIA

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### Attorney/Correspondence Information

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Attorney of Record  
Attorney Name: Thomas W. Cook  
Docket Number: DIGI-1/CONNE  
Attorney Primary Email Address: [thomascooklaw@pacbell.net](mailto:thomascooklaw@pacbell.net)  
Attorney Email Authorized: Yes  
Correspondent  
Name/Address: THOMAS W COOK  
THOMAS COOK INTELLECTUAL PROPERTY ATTORNEYS  
3030 BRIDGEWAY, SUITE 425-430  
PO BOX 1989  
SAUSALITO, CALIFORNIA 94966-1989  
UNITED STATES  
Phone: 415-339-8550  
Fax: 415-339-8555  
Correspondent e-mail: [thomascooklaw@pacbell.net](mailto:thomascooklaw@pacbell.net)  
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

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### Prosecution History

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Date	Description	Proceeding Number
Mar. 18, 2014	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 04, 2014	TTAB RELEASE CASE TO TRADEMARKS	195476
Feb. 04, 2014	OPPOSITION TERMINATED NO. 999999	195476
Feb. 04, 2014	OPPOSITION DISMISSED NO. 999999	195476
Apr. 02, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Apr. 02, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 31, 2010	OPPOSITION INSTITUTED NO. 999999	196299
Jun. 29, 2010	OPPOSITION INSTITUTED NO. 999999	195476
Apr. 01, 2010	EXTENSION OF TIME TO OPPOSE RECEIVED	
Mar. 02, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 02, 2010	PUBLISHED FOR OPPOSITION	
Jan. 25, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	74215

Jan. 21, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 21, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 21, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 21, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 21, 2010	EXAMINERS AMENDMENT -WRITTEN	68356
Jan. 21, 2010	ASSIGNED TO EXAMINER	68356
Jan. 21, 2010	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jan. 11, 2010	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Dec. 28, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	74215
Dec. 28, 2009	ASSIGNED TO LIE	74215
Dec. 08, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 04, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 03, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 03, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 08, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 08, 2009	NON-FINAL ACTION E-MAILED	6325
Jul. 08, 2009	NON-FINAL ACTION WRITTEN	82093
Jun. 30, 2009	ASSIGNED TO EXAMINER	82093
Apr. 20, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

### TM Staff and Location Information

<b>TM Attorney:</b> VANSTON, KATHLEEN MARY	<b>TM Staff Information</b>
	<b>Law Office Assigned:</b> LAW OFFICE 107
	<b>File Location</b>
<b>Current Location:</b> INTENT TO USE SECTION	<b>Date in Location:</b> Mar. 18, 2014

### Proceedings

**Summary**

**Number of Proceedings:** 5

**Type of Proceeding: Cancellation**

<b>Proceeding Number:</b> <u>92054395</u>	<b>Filing Date:</b> Aug 22, 2011
<b>Status:</b> Pending	<b>Status Date:</b> Aug 22, 2011
<b>Interlocutory Attorney:</b> BENJAMIN U OKEKE	

**Defendant**

**Name:** Connect Public Relations, Inc.  
**Correspondent Address:** KARL R CANNON  
 CLAYTON HOWARTH & CANNON PC  
 PO BOX 1909  
 SANDY UT , 84091-1909  
 UNITED STATES

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
	<b>Plaintiff(s)</b>		

**Name:** DigitalMojo, Inc.

**Correspondent Address:** THOMAS W COOK  
 THOMAS COOKE INTELLECTUAL PROPERTY ATTORNEYS  
 3030 BRIDGEWAY, SUITE 425-430  
 SAUSALITY CA , 94965  
 UNITED STATES

**Correspondent e-mail:** [tom@thomascooklaw.com](mailto:tom@thomascooklaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT	Notice of Allowance - Issued	<u>77714693</u>	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 22, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 23, 2011	Oct 02, 2011
3	PENDING, INSTITUTED	Aug 23, 2011	
4	CERTIFICATE OF SERVICE FOR PETITION TO CANCEL	Aug 25, 2011	
5	D'S MOTION TO DISMISS - RULE 12(B)	Sep 15, 2011	
6	ANSWER	Oct 03, 2011	
7	P'S OPPOSITION/RESPONSE TO MOTION	Oct 17, 2011	
8	P'S MOTION TO REOPEN TIME TO RESPOND TO MOTION TO DISMISS	Oct 24, 2011	
9	D'S REPLY IN SUPPORT OF MOTION	Nov 07, 2011	
10	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 08, 2011	
11	P'S CORRECTION	Nov 08, 2011	
12	D'S OPPOSITION/RESPONSE TO MOTION	Nov 28, 2011	
13	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Feb 06, 2012	
14	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Oct 01, 2012	
15	ANSWER	Apr 18, 2013	
16	D MOTION	Apr 18, 2013	

**Type of Proceeding: Cancellation**

Proceeding Number: 92054427

Filing Date: Aug 22, 2011

Status: Pending

Status Date: Oct 19, 2011

Interlocutory Attorney: BENJAMIN U OKEKE

**Defendant**

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CANNON  
CLAYTON HOWARTH & CANNON PC  
PO BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>

**Plaintiff(s)**

Name: DigitalMojo, Inc.

Correspondent Address: THOMAS W COOK  
THOMAS COOK INTELLECTUAL PROPERTY ATTORNEYS  
3030 BRIDGEWAY , SUITE 425  
SAUSALITO CA , 94965  
UNITED STATES

Correspondent e-mail: tom@thomascooklaw.com

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT	Notice of Allowance - Issued	<u>77714693</u>	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 22, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 29, 2011	Oct 08, 2011
3	PENDING, INSTITUTED	Aug 29, 2011	
4	P'S CERTIFICATE OF SERVICE	Aug 30, 2011	
5	D'S MOTION TO DISMISS - RULE 12(B)	Sep 15, 2011	
6	ANSWER	Oct 03, 2011	
7	BOARD'S DECISION: DISMISSED W/ PREJUDICE	Oct 18, 2011	

8	TERMINATED	Oct 18, 2011
9	P'S OPPOSITION/RESPONSE TO MOTION	Oct 17, 2011
10	P'S CONSENTED MOTION TO REOPEN TIME TO RESPOND TO MOTION TO DISMISS.	Oct 24, 2011
11	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 08, 2011
12	D'S CORRECTION OF #9	Nov 08, 2011
13	D'S OPPOSITION/RESPONSE TO MOTION	Nov 28, 2011
14	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Feb 06, 2012
15	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Oct 01, 2012
16	ANSWER	Apr 18, 2013
17	D MOTION	Apr 18, 2013

**Type of Proceeding: Opposition**

**Proceeding Number:** 91196299

**Filing Date:** Aug 30, 2010

**Status:** Pending

**Status Date:** Aug 30, 2010

**Interlocutory Attorney:** BENJAMIN U OKEKE

**Defendant**

**Name:** Digitalmojo, Inc.

**Correspondent Address:** THOMAS W COOK  
3030 BRIDGEWAY, SUITE 425-430  
SAUSALITO CA , 94965-2810  
UNITED STATES

**Correspondent e-mail:** thomascooklaw@pacbell.net

**Associated marks**

<b>Mark</b>	<b>Application Status</b>	<b>Serial Number</b>	<b>Registration Number</b>
CONNECT	Notice of Allowance - Issued <b>Plaintiff(s)</b>	<u>77714693</u>	

**Name:** Connect Public Relations, Inc.

**Correspondent Address:** KARL R CANNON  
CLAYTON HOWARTH & CANNON PC  
P.O. BOX 1909  
SANDY UT , 84091-1909  
UNITED STATES

**Correspondent e-mail:** kcannon@chcpat.com , ttetzl@chcpat.com , docketclerk@chcpat.com , bdavis@chcpat.com

**Associated marks**

<b>Mark</b>	<b>Application Status</b>	<b>Serial Number</b>	<b>Registration Number</b>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456522</u>	<u>2362916</u>
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	<u>75456519</u>	<u>2373504</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456523</u>	<u>2373505</u>
CONNECT PUBLIC RELATIONS	Renewed	<u>75456520</u>	<u>2383778</u>
CONNECTPR	Renewed	<u>75456495</u>	<u>2365074</u>
CONNECTPR	Cancellation Pending	<u>75456494</u>	<u>2366850</u>
CONNECTPR	Renewed	<u>75456498</u>	<u>2383777</u>
CONNECTPR	Renewed	<u>75456497</u>	<u>2713692</u>
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	<u>78169520</u>	<u>3330353</u>

**Prosecution History**

<b>Entry Number</b>	<b>History Text</b>	<b>Date</b>	<b>Due Date</b>
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	

7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011
8	MOTION TO CONSOLIDATE	Aug 26, 2011
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011
14	WITHDRAWAL OF #13: CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011
17	COPY OF #16	Dec 30, 2011
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012
19	P'S MOTION TO STRIKE	Jan 09, 2012
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012
27	PROCEEDINGS RESUMED	Mar 21, 2013
28	D OPP/RESP TO MOTION	May 07, 2013
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013
30	PROCEEDINGS RESUMED	Aug 14, 2013

**Type of Proceeding: Opposition**

**Proceeding Number:** 91195476

**Filing Date:** Jun 29, 2010

**Status:** Terminated

**Status Date:** Feb 04, 2014

**Interlocutory Attorney:** CHRISTEN M ENGLISH

**Defendant**

**Name:** Digitalmojo, Inc.

**Correspondent Address:** THOMAS W COOK  
THOMAS COOK INTELLECTUAL PROPERTY ATTORNEYS  
3030 BRIDGEWAY, SUITE 425-430, PO BOX 1989  
SAUSALITO CA , 94966-1989  
UNITED STATES

**Correspondent e-mail:** [tom@thomascooklaw.com](mailto:tom@thomascooklaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT	Notice of Allowance - Issued Plaintiff(s)	<u>77714693</u>	

**Name:** Allconnect, Inc.

**Correspondent Address:** JOHN R HARRIS  
MORRIS MANNING & MARTIN LLP  
3343 PEACHTREE ROAD NE, 1600 ATLANTA FINANCIAL CENTER  
ATLANTA GA , 30326  
UNITED STATES

**Correspondent e-mail:** [jrh@mmmlaw.com](mailto:jrh@mmmlaw.com) , [dsineway@mmmlaw.com](mailto:dsineway@mmmlaw.com) , [zzhu@mmmlaw.com](mailto:zzhu@mmmlaw.com) , [trademark@mmmlaw.com](mailto:trademark@mmmlaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ALLCONNECT	Renewed	<u>75159393</u>	<u>2220770</u>
ALLCONNECT	Section 8 and 15 - Accepted and Acknowledged	<u>78539439</u>	<u>3234596</u>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 29, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 29, 2010	Aug 08, 2010
3	PENDING, INSTITUTED	Jun 29, 2010	
4	ANSWER	Jul 15, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Feb 09, 2011	
6	P'S MOTION FOR AN EXTENSION OF TIME	Mar 04, 2011	
7	D'S OPPOSITION/RESPONSE TO MOTION	Mar 17, 2011	
8	OPPOSER'S REPLY BRIEF	Apr 01, 2011	
9	MOTION; GRANTED; TRIAL DATES RESET	Apr 07, 2011	
10	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Apr 15, 2011	
11	EXTENSION OF TIME GRANTED	Apr 15, 2011	
12	ANSWER	Apr 21, 2011	
13	P MOT FOR EXT W/ CONSENT	Jun 20, 2011	
14	EXTENSION OF TIME GRANTED	Jun 21, 2011	
15	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Sep 02, 2011	
16	SUSPENDED	Sep 02, 2011	
17	P MOT FOR EXT W/ CONSENT	Dec 21, 2011	
18	EXTENSION OF TIME GRANTED	Dec 21, 2011	
19	P MOT FOR EXT W/ CONSENT	Mar 19, 2012	
20	EXTENSION OF TIME GRANTED	Mar 19, 2012	
21	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 18, 2012	
22	SUSPENDED	Jun 18, 2012	
23	P MOT FOR EXT W/ CONSENT	Dec 12, 2012	
24	EXTENSION OF TIME GRANTED	Dec 12, 2012	
25	P MOT FOR EXT W/ CONSENT	Mar 14, 2013	
26	EXTENSION OF TIME GRANTED	Mar 14, 2013	
27	P EXPERT DISCLOSURES	Apr 15, 2013	
28	P CONFIDENTIAL MSJ	Jul 03, 2013	
29	P MOT FOR SUMMARY JUDGMENT	Jul 03, 2013	
30	SUSP PEND DISP OF OUTSTNDNG MOT	Jul 09, 2013	
31	D CONFIDENTIAL RESPONSE TO MSJ	Aug 02, 2013	
32	D OPP/RESP TO MOTION	Aug 02, 2013	
33	P CONFIDENTIAL REPLY BRIEF	Aug 19, 2013	
34	P REPLY IN SUPPORT OF MOTION	Aug 19, 2013	
35	P MOT FOR SUMMARY JGT DENIED	Oct 15, 2013	
36	BOARD COMMUNICATION	Dec 06, 2013	
37	W/DRAW OF OPPOSITION	Jan 31, 2014	
38	BD DECISION: DISMISSED W/ PREJ	Feb 04, 2014	
39	TERMINATED	Feb 04, 2014	

**Type of Proceeding: Extension of Time**

Proceeding Number: 77714693

Filing Date: Apr 30, 2010

Status: Terminated

Status Date: Jun 30, 2010

Interlocutory Attorney:

**Defendant**

Name: Digitalmojo, Inc.

Correspondent Address: THOMAS W. COOK  
THOMAS COOK INTELLECTUAL PROPERTY ATTORN  
PO BOX 1989  
SAUSALITO CA , 94966-1989

UNITED STATES

Correspondent e-mail: [thomascooklaw@pacbell.net](mailto:thomascooklaw@pacbell.net)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT	Notice of Allowance - Issued	<u>77714693</u>	

**Name:** Connect Public Relations, Inc.

**Correspondent Address:** Karl R. Cannon  
CLAYTON, HOWARTH & CANNON, P.C.  
P.O. Box 1909  
Sandy UT , 84091  
UNITED STATES

**Correspondent e-mail:** [kcannon@chcpat.com](mailto:kcannon@chcpat.com), [ttetzi@chcpat.com](mailto:ttetzi@chcpat.com), [docketclerk@chcpat.com](mailto:docketclerk@chcpat.com), [bdavis@chcpat.com](mailto:bdavis@chcpat.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
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**Name:** Allconnect, Inc.

**Correspondent Address:** JOHN R. HARRIS  
MORRIS, MANNING & MARTIN, LLP  
3343 PEACHTREE ROAD NE, 1600 ATLANTA FINANCIAL CENTER  
ATLANTA GA , 30326  
UNITED STATES

**Correspondent e-mail:** [trademark@mmlaw.com](mailto:trademark@mmlaw.com) , [jharris@mmlaw.com](mailto:jharris@mmlaw.com) , [dsineway@mmlaw.com](mailto:dsineway@mmlaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
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Entry Number	History Text	Prosecution History		Due Date
		Date		
1	INCOMING - EXT TIME TO OPPOSE FILED	Apr 01, 2010		
2	EXTENSION OF TIME GRANTED	Apr 01, 2010		
3	INCOMING - EXT TIME TO OPPOSE FILED	Mar 30, 2010		
4	EXTENSION OF TIME GRANTED	Apr 05, 2010		
5	INCOMING - EXT TIME TO OPPOSE FILED	Apr 30, 2010		
6	EXTENSION OF TIME GRANTED	May 03, 2010		
7	INCOMING - EXT TIME TO OPPOSE FILED	Jun 30, 2010		
8	EXTENSION OF TIME GRANTED	Jun 30, 2010		