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

Proceeding	91198355
Party	Plaintiff Facebook, Inc.
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Date	06/14/2012
Attachments	Ford Testimony Deposition_ Trial Exhibit 1 _ Ex. A_ Appendices 5.pdf (19 pages)(421779 bytes)

APPENDIX B
OTHER UNAIDED SOCIAL NETWORKING MARKS

APPENDIX B

OTHER UNAIDED SOCIAL NETWORKING MARKS (Q4.0/Q4.1)

<u>SOCIAL NETWORKING MARKS</u>	<u>NUMBER OF MENTIONS</u>	<u>PERCENT (n=406)</u>
AdamForAdam	1	0.25
AIM	1	0.25
Amazon	2	0.49
AOL	4	0.99
app stores	1	0.25
Apple	1	0.25
Bing	1	0.25
BlackPlanet	1	0.25
Blogspot	2	0.49
Blogster	1	0.25
buzz	1	0.25
CenturyLink	1	0.25
CityVille	1	0.25
craigslist	3	0.74
Cyworld	1	0.25
Daywatch	1	0.25
deviantART	1	0.25
eBay	1	0.25
eHarmony	8	1.97
FarmVille	1	0.25
FormString	1	0.25
foursquare	5	1.23
Friendster	2	0.49
FrontierVille	1	0.25
Gmail	4	0.99
Golala	1	0.25
Google	15	3.69
Groupon	2	0.49
hi5	2	0.49
Hookt	1	0.25
Hotmail	2	0.49
Instagram	1	0.25
Internet Explorer	1	0.25
InTheRooms	1	0.25
iTunes	1	0.25
KSL	1	0.25
Lacebook	1	0.25
LinkedIn	34	8.37
Match	5	1.23
Messenger	1	0.25
MSN	2	0.49
MyLife	1	0.25
Myspace	184	45.32
myYearbook	6	1.48

OTHER UNAIDED SOCIAL NETWORKING MARKS continued

<u>SOCIAL NETWORKING MARKS</u>	<u>NUMBER OF MENTIONS</u>	<u>PERCENT (n=406)</u>
NCSA	1	0.25
Orbit	1	0.25
Pandora	1	0.25
PatientsLikeMe	1	0.25
Ping	1	0.25
Pogo	1	0.25
Ravelry	1	0.25
SeniorPeopleMeet	1	0.25
SinglesNet	1	0.25
Skype	7	1.72
Spacebook	1	0.25
Taggz	1	0.25
Tumbar	1	0.25
Tumblr	1	0.25
VampireFreaks	1	0.25
Yahoo	22	5.42
Yahoo chat	1	0.25
Yahoo Groups	1	0.25
Yahoo Messenger	1	0.25
Yelp	1	0.25
YouTube	9	2.22
Zeus	1	0.25

Appendix C

APPENDIX C
SUPERVISOR INSTRUCTIONS

Ford Bubala & Associates
16400 Pacific Coast Hwy., #211
Huntington Beach, California 92649
Telephone: 562/592-4581
Facsimile: 562/592-3867

FB&A
2/11
#1549

SUPERVISOR INSTRUCTIONS

LIST OF MATERIALS

- Screener/Questionnaire
- Supervisor Instructions
- Interview Instructions
- Sample

If any materials are missing, or any instructions are unclear, please notify Dr. Gerald Ford immediately.

STUDY OVERVIEW

This is a study among individuals who meet the survey screening criteria.

The protocol for this research study is a telephone interview.

QUOTA

The desired quota for this research study is 400 completed interviews.

SAMPLE

The sample for this study is a random digit telephone (cell phone and landline) sample.

INTERVIEWING DATES/TIMES

Interviewing is to begin as scheduled and continue until the quota is complete.

Initial attempts to contact/screen prospective respondents are to be conducted during afternoon and evening hours on weekdays and during daytime hours on weekends, in the time zone of prospective respondents. Callbacks are to be attempted at any time during the day/evening when it is suggested that the prospective respondent will be available.

Generally, Interviewers are to make an initial call and five callbacks to reach a prospective respondent.

SAMPLE SELECTION/REPLICATE USE

The sample has been sorted into replicate groups. Generally, for each replicate group, Interviewers are to make an initial call and five callbacks, when necessary, to each identified telephone number in the first replicate group before proceeding to the next replicate group.

INTERVIEWER STAFFING

No one Interviewer should complete more than 10% (i.e., 40) of the total interviews.

SCREENER/QUESTIONNAIRE AND BRIEFING

Specific details involving the execution of the Screener/Questionnaire are outlined in the Interviewer Instructions and on the Screener/Questionnaire. Please read and review the Interviewer Instructions and the Screener/Questionnaire prior to the distribution of materials and the briefing of the Interviewers.

Although the Screener/Questionnaire employed in this study is short, it is important that the Screener/Questionnaire is handled properly and that the questions are read verbatim. It is also important to stress that the responses be recorded accurately.

All Interviewers participating in this study are to be briefed. During the briefing, go over the question-by-question instructions with the Interviewers. Stress the need for reading the questions exactly as they are printed on the Screener/Questionnaire and recording accurately the responses of the interviewees.

During the briefing, please hold a practice interview. The practice interview gives the Interviewers practice in the mechanics of the Screener/Questionnaire. Please do additional practice, as necessary, until you are confident the Interviewers know how to properly conduct the interviews and thoroughly understand the mechanics of the study.

VALIDATION

Please validate approximately 35% of each Interviewer's completed interviews by either telephone monitoring validation or telephone callback validation. Validation includes either monitoring or telephone callback confirmation of the responses to the next-birthday question through Q3.0 (landline) or Q2.0 through Q3.1 (cell phone) and participation in the survey. Identify validated interviews by the Respondent ID, Supervisor Name, and Date.

For quality control purposes, please monitor approximately 35% of each Interviewer's work, by telephone, on the questions and responses to Q4.0 through Interviewer Certification. Please identify quality control monitored interviews by entering the Respondent ID, Supervisor Name and Date.

SHIPMENT OF COMPLETED INTERVIEWS

Daily Shipments

You are to send daily, via e-mail the results of all completed Screeners/Questionnaires for each Interviewer.

On the first day of interviewing, you are to ship the signature page for all signed Supervisor and Interviewer Instructions. On subsequent interviewing days, ship the signature page for any additional signed Supervisor and Interviewer Instructions, for Supervisors or Interviewers who began work on this project after the initial survey briefing.

Final Shipment of Materials

You should retain possession of all unused survey materials until instructed by Ford Bubala & Associates to make a final shipment of all remaining materials. When you are instructed by Ford Bubala & Associates to make your final shipment of materials, you are to return all survey materials.

Consistent with the Marketing Research Association Guidelines, you are not to keep any copies or photocopies of any materials related to this study. All materials related to this study are to be returned.

Shipping costs for the return of any materials not shipped in the final shipment and/or charges for any materials that need to be returned to you for signature, etc., will be at your expense.

SHIPPING INFORMATION

Please use UPS or Federal Express for your deliveries to us.

IF YOU USE UPS:

- Please use UPS Next Day Air Letter envelopes.
Ship Saver.
- UPS Account #75W369.

IF YOU USE FEDERAL EXPRESS:

- Please use FedEx Pak (soft) envelopes.
Ship Standard.
- Federal Express #1108-3076-9.

When filling out the Air Bill, please put our study number, #1549, in the space marked "Reference Number."

Ship materials to:

Dr. Gerald Ford
Ford Bubala & Associates
16400 Pacific Coast Highway, Suite 211
Huntington Beach, California 92649

SUPERVISOR INSTRUCTIONS
SIGNATURE PAGE

Study #1549

Note: After reading and reviewing these instructions and procedures, along with the Interviewer Instructions, and the Screener/Questionnaire, please print your name and then sign this set of instructions.

Name (Please Print)

Signature

Appendix D

APPENDIX D
INTERVIEWER INSTRUCTIONS

Ford Bubala & Associates
16400 Pacific Coast Hwy., #211
Huntington Beach, California 92649
Telephone: 562/592-4581
Facsimile: 562/592-3867

FB&A
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INTERVIEWER INSTRUCTIONS

STUDY OVERVIEW

This is a study among individuals who meet the survey screening criteria.

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The desired quota for this research study is 400 completed interviews.

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The sample for this study is a random digit telephone (cell phone and landline) sample.

SAMPLE SELECTION/REPLICATE USE

The sample has been sorted into replicate groups. Generally, for each replicate group, Interviewers are to make an initial call and five callbacks, when necessary, to each identified telephone number in the first replicate group before proceeding to the next replicate group.

INTERVIEWER STAFFING

No one Interviewer should complete more than 10% (i.e., 40) of the total interviews.

SCREENER/QUESTIONNAIRE PROCEDURES

All instructions for execution of the Screener/Questionnaire are on the Screener/Questionnaire. The instructions for execution of the Screener/Questionnaire are in all CAPITAL LETTERS.

In addition, please note the following:

- The Screener/Questionnaire utilized in this study is short; however, it is important (1) that the questions are read verbatim, and (2) that procedures are followed, and (3) that the responses are recorded accurately.
- Administer each Screener/Questionnaire in a completely uniform manner, reading each question exactly as it is written and allowing the respondent as much time as he/she desires to answer before proceeding to the next question. Do not change the wording of any question, and ask only the questions included on the Screener/Questionnaire. If a respondent indicates he/she does not understand a question or asks you to explain a question, simply repeat it exactly as worded on the Screener/Questionnaire. If necessary, repeat a question twice. If the respondent still does not understand or asks that the question be explained, terminate the interview.

- Do not allow a respondent to consult another person before responding to a question. If this situation occurs, the interview is to be terminated.
- At the completion of each interview, please certify the information on the Screener/Questionnaire by entering Respondent ID, Interviewer Name, and Date.
- Approximately 35% of your Screener interviews are to be validated by a Supervisor, either by telephone monitoring or by telephone callback confirmation of the responses to the next-birthday question through Q3.0 (landline) or Q2.0 through Q3.1 (cell phone) and participation in the survey.
- Approximately 35% of your Questionnaire interviews are to be telephone monitored by a Supervisor for quality control.
- In addition to your Supervisor, our firm will also conduct additional telephone validations of your completed interviews.

CALL/CALLBACK PROCEDURES

- Initial attempts to contact/screen prospective respondents are to be conducted during afternoon and evening hours on weekdays and during daytime hours on weekends, in the time zone of prospective respondents.
- Callbacks are to be attempted at any time during the day/evening when it is suggested that the prospective respondent will be available.
- In addition to the initial call, five additional callbacks should be attempted, if necessary, to complete a prospective respondent interview.

Incomplete Contacts

Terminated Contacts - No Callback

After dialing a telephone number, the attempt to prescreen/interview will be terminated and no callback attempted:

- (a) if it is determined that the number has been disconnected; or
- (b) if a prospective respondent refuses to participate/continue; or
- (c) if the prospective respondent with whom you need to speak will not be available during the time frame of the study; or
- (d) if there is a hearing or language problem; or
- (e) if the telephone number is a business or government agency.

Incomplete Contacts - Callback

For attempts to screen which result in a 'no answer,' a 'busy signal,' an 'answering machine/voice mail,' or for other procedurally incomplete contact reasons, proceed as follows:

- (a) No Answer (after four rings)

Where callbacks are necessary, they are to be attempted during a different time frame and/or on a subsequent day.

- (b) Answering Machine/Voice Mail/Computer Tone

Connection with an answering machine, voice mail, or computer tone should be treated the same as a 'no answer' (see above).

- (c) Busy Signal

A connection which produces a busy signal should be treated as a 'no' answer (see above).

- (d) Scheduled Callback

A callback occurs when a prospective respondent is not available at the time of your call and/or another person suggests a likely time to reach the prospective respondent.

INTERVIEWER INSTRUCTIONS
SIGNATURE PAGE

Study #1549

Note: After reading and reviewing these instructions and procedures, please print your name and then sign this set of instructions and return it to your Supervisor.

Name (Please Print)

Signature

Appendix E

APPENDIX E
SAMPLE DISPOSITION REPORT

	<u>Number</u>
Total Attempted Contacts	13,874
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Attempts with no contact	9,736
- No answer	2,698
- Answering machine	3,719
- Computer tone	120
- Telephone disconnected	2,702
- Telephone busy	152
- Blocked call	345
Attempts with contact	3,726
- Business/government	134
- General/scheduled callback	8
- Refusal	1,719
- Language problem	146
- Q2.0 Age	239
- Q3.1 Cell phone usage	103
- Respondent not available	1,099
- Interviewer terminated	17
- Over quota	261
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Qualified Contacts	
- Qualified refusal	6
- Completed Interviews	406
Total Eligible	412

Interview completion rate 406/412 = 98.54%

Appendix F

APPENDIX F
TECHNICAL NOTE

Calculation of the interval range, at a 95% confidence level, if the research were based upon a census of the population is as follows:

$$\frac{x}{1.96} = \sqrt{\frac{pq}{n-1}}$$

- x = the calculated (+/-) interval range
- 1.96 = the 95% confidence level for estimating the interval within which to expect the population proportion
- pq = the measure of sample dispersion
- n = the total sample size

The calculated response interval range for the fame of the Facebook mark among the general public is 94.58% +/-2.20% (i.e., if a census were taken, one would be 95% confident that the fame of the Facebook mark among the general public would be between 92.38% and 96.78%).

The calculated response interval range for the fame of the Facebook mark among internet users is 96.85% +/-1.86% (i.e., if a census were taken, one would be 95% confident that the fame of the Facebook mark among internet users would be between 94.99% and 98.71%).

The calculated response interval range for the fame of the Facebook mark among potential internet users is 96.36% +/-1.95% (i.e., if a census were taken, one would be 95% confident that the fame of the Facebook mark among potential internet users would be between 94.41% and 98.31%).

The calculated response interval range for the fame of the Facebook mark among social networking site users is 98.31% +/-1.65% (i.e., if a census were taken, one would be 95% confident that the fame of the Facebook mark among social networking site users would be between 96.66% and 99.96%).

The calculated response interval range for the fame of the Facebook mark among potential social networking site users is 97.93% +/-1.80% (i.e., if a census were taken, one would be 95% confident that the fame of the Facebook mark among potential social networking site users would be between 96.13% and 99.73%).