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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 _ Exs. C_D_E.pdf (14 pages) (455987 bytes)

Exhibit C

Articles Since 2001
By Dr. Gerald L. Ford

These articles are available @ www.fordbubala.com/articles

"Lanham Act Surveys: 2001" was published in the 2001 Practising Law Institute course handbook Strategies for Litigating Copyright, Trademark & Unfair Competition Cases.

"Lanham Act Surveys: 2002" was published in the 2002 Practising Law Institute course handbook Strategies for Litigating Copyright, Trademark & Unfair Competition Cases.

"Survey Evidence - Successful Challenges Since Daubert" was published in 2003 in the International Trademark Association 125th Annual Meeting proceedings.

"Lanham Act Surveys: 2003" was published in 2003 in the American Intellectual Property Law Association annual proceedings. This paper, "Lanham Act Surveys: 2003," was reprinted in the 78th Intellectual Property Institute of Canada proceedings, 2004.

"Lanham Act Surveys: 2004" was published in the Law Education Institute National CLE Conference proceedings, 2005.

"Lanham Act Surveys: 2005" was presented at a meeting of the Intellectual Property Law Section of the State Bar of Georgia, 2006. This paper, "Lanham Act Surveys: 2005" was reprinted in the NAD Annual Conference proceedings, 2006, and in the Law Education Institute National CLE Conference proceedings, 2007.

"Intellectual Property Surveys: 2006" was electronically published on the members-only section of the INTA website.

"Intellectual Property Surveys: 2007" was electronically published on the members-only section of the INTA website.

"Intellectual Property Surveys: 2008-2009" was electronically published on the members-only section of the INTA website. This paper was reprinted in the USC Gould School of Law - 2010 Intellectual Property Institute proceedings. This paper was also reprinted in the Intellectual Property Owners Association Annual Meeting Proceedings, 2010 and the Proceedings of the California CPA Education Foundation, IP Damage Institute 2010.

"False Advertising Surveys January 1998 - December 2010" was published in the 2011 Practising Law Institute course handbook Hot Topics in Advertising Law 2011.

"Intellectual Property Surveys: 2010" was electronically published on the members-only section of the INTA website.

"Intellectual Property Surveys: Annual Cumulative Update 2010" was electronically published on the members-only section of the INTA website.

Exhibit D

DR. GERALD L. FORD

TRIAL TESTIMONY 1992 - 2011

2011

Sara Lee Corporation v. Kraft Foods, Inc. et al.
U.S. District Court, Northern District of Illinois

The Gap, Inc. and Gap (Apparel) LLC v. G.A.P Adventures Inc.
U.S. District Court, Southern District of New York

2010

Clinique Laboratories LLC v. Absolute Dental Cheyenne, Inc.
Trademark Trial and Appeal Board

2009

The Procter & Gamble Company v. Georgia-Pacific Consumer
Products LP
U.S. District Court, Southern District of Ohio

2008

Levi Strauss & Co. v. Abercrombie & Fitch Trading Co.
U.S. District Court, Northern District of California

Google Inc. v. Nikolaus Gubernator
Trademark Trial and Appeal Board

adidas America, Inc. and adidas AG v. Payless ShoeSource, Inc.
U.S. District Court, District of Oregon

2007

Nissan Motor Co. Ltd. and Nissan North America, Inc. v. Nissan
Computer Corporation and the Internet Center
U.S. District Court, Central District of California

2006

Phillips-Van Heusen Corp., Calvin Klein, Inc., and Calvin Klein
Trademark Trust v. Calvin Clothing Company, Inc. and Star Ride
Kids, Inc.
U.S. District Court, Southern District of New York

Joel D. Wallach v. Longevity Network, Ltd.
U.S. District Court, Central District of California,
Western District

Trial Testimony continued

2005

General Motors Corporation v. Chevy Duty, Inc.
U.S. District Court, Eastern District of Michigan,
Southern Division

2004

A&W Food Services of Canada Inc. and A&W Trade Marks Inc. v.
McDonald's Restaurants of Canada Limited.
Federal Court, Toronto, Canada

Callaway Golf Company v. Dunlop Slazenger Group Americas,
Inc.
U.S. District Court for the District of Delaware

Nova Development v. Individual Software, Inc.
Arbitration (JAMS)

The PE Corporation and Roche Molecular Systems, Inc. v. MJ
Research Incorporated and Michael and John Finney
U.S. District Court, District of Connecticut

2002

Sara Lee Corporation v. Kayser-Roth Corporation
Trademark Trial and Appeal Board

Kirkbi AG and Lego Canada Inc. v. Ritvik Holdings Inc./
Gestions Ritvik Inc. and Ritvik Toys Inc./Jouets Ritvik Inc.
Federal Court of Canada, Toronto, Ontario

2001

Harrods Limited v. Sixty Internet Domain Names
U.S. District Court, Eastern District of Virginia

The State of California Acting in a Higher Education Capacity
by and through The Board of Trustees of the California State
University v. Bello's Sporting Goods
State of California, Superior Court, San Luis Obispo

2000

Rally Accessories, Inc. d/b/a/ Rally Manufacturing, Inc., v.
Quest Industries, Inc.
U.S. District Court, Southern District of Florida

Jack Daniel's Properties, Inc. v. Quest Associates, Ltd.
Trademark Trial and Appeal Board

Trial Testimony continued

1999

Daimler Chrysler Corporation v. Ted L. Vanzant, dba Country Craft

U.S. District Court, Central District of California

Hewlett-Packard Company v. Nu-kote International, Inc.

U.S. District Court, Northern District of California

1998

Nexus Products Company v. Russ Calvin, Inc., et al.

Superior Court of California, County of Santa Barbara

1-800-FLOWERS, Inc. v. Michael Segura, d/b/a FLOWER STAR, et al.

U.S. District Court, Eastern District of New York

Haverly Systems, Inc. v. Omni Flow Computers, Inc.

Trademark Trial and Appeal Board

1997

Kendall-Jackson Winery, Ltd. v. E. & J. Gallo Winery

U.S. District Court, Northern District of California

Leonard Studio Equipment, Inc. v. Desmar Corporation and Meccanica Italiana Srl.

U.S. District Court, District of New Jersey

1996

Black & Decker (U.S.) Inc. v. GSL Engineering Ltd., GSL Consumer Products Ltd., GSL Rechargeable Products Ltd., et al.

U.S. District Court, Eastern District of Virginia

1995

Berner International Corporation v. Mars Sales Company

U.S. District Court, Western District of Pennsylvania

Mavrides, et al. v. Hammond, et al.

U.S. District Court, Northern District of California

Peter Morton, et al. v. Rank Organization, et al.

Arbitration, Los Angeles

1994

The Princeton Review Management Corp. v. Stanley H. Kaplan Educational Center, Ltd.

Arbitration, New York

Trial Testimony continued - 1994

Al-Site Corp. v. The Bonneau Company
U.S. District Court, Central District of California

1993

American Professional Testing Service, Inc. v. Harcourt Brace
Jovanovich Legal and Professional Publications, Inc.
U.S. District Court, Central District of California

Devon Industries, Inc. v. American Medical Manufacturing, Inc.,
et al.
U.S. District Court, Central District of California

United Services of America Federal Credit Union dba USA Federal
Credit Union v. USA Federal Credit Union
U.S. District Court, Southern District of California

In re: Circuit Breaker Litigation
U.S. District Court, Central District of California

P. Leiner Nutritional Products v. Pharmavite Corporation
U.S. District Court, Central District of California

Mouldings, Inc. v. Kellogg Company
U.S. District Court, District of Utah, Central Division

1992

Adray, et al. v. Adry-Mart, et al.
U.S. District Court, Central District of California

Mag Instrument, Inc. v. Martin Heller et al.
Superior Court of California, County of San Bernardino

Baldwin Corporation v. Frank Su Enterprise Corporation, Frank
Su, and Decorators Accessories, Ltd.
U.S. District Court, Central District of California

Mag Instrument Inc. v. Vermont American Corporation
Trademark Trial and Appeal Board

Better Carpet Care, Inc., dba A-1 Carpet Care v. A-1 Carpet
Market
Superior Court of California, County of Orange

DEPOSITION TESTIMONY 1992 - 2011

2011

H-D Michigan, LLC v. Safety National Casualty Corporation
Trademark Trial and Appeal Board

The Coca-Cola Company v. Pepsico, Inc.
U.S. District Court, Southern District of Texas

Georgia-Pacific Consumer Products LP and Georgia-Pacific LLC
v. Four-U-Packaging, Inc.
U.S. District Court, Northern District of Ohio

Target Brands, Inc. and Target Corporation v. Fairweather Ltd.,
International Clothiers Inc. and Les Ailes de La Mode
Incorporees
Federal Court, Toronto, Canada

Fortune Dynamic, Inc. v. Victoria's Secret Stores Brand
Management, Inc.
U.S. District Court, Central District of California

2009

Dixie Consumer Products LLC v. Huhtamaki Americas, Inc.
U.S. District Court, Northern District of Georgia

Autodesk, Inc. v. Dassault Systèmes Solidworks Corporation
U.S. District Court, Northern District of California

Good Sportsman Marketing LLC and IP Holdings, Inc. v. Non Typical
Inc.
U.S. District Court, Eastern District of Texas

2008

Dayals (Fiji) Artesian Waters Limited v. Fiji Water Company
LLC; Paramount International Expert, Ltd.; and Roll
International Corporation
U.S. District Court, Central District of California

adidas American, Inc. and adidas AG v. Wal-Mart Stores, Inc.
U.S. District Court, District of Oregon

Deposition Testimony continued

2007

HomeLife Communities Group v. HomeLife Realty Services, Inc.
and HomeLife Securities, Inc.

U.S. District Court, Northern District of Georgia

Luppen Holdings, Inc. v. Pitney Bowes, Inc. & Staples, Inc.

U.S. District Court, Central District of California

E. & J. Gallo Winery v. Cantine Rallo, S.p.A.

U.S. District Court, Eastern District of California

adidas American, Inc. and adidas AG v. Kmart Corporation and
Footstar, Inc.

U.S. District Court, District of Oregon

2006

NFL Properties LLC v. AllAuthentic Corporation

U.S. District Court, Southern District of New York

The Board of Trustees of the University of Alabama v. New Life
Art, Inc. and Daniel A. Moore

U.S. District Court, Northern District of Alabama

2005

Children's Medical Center of Dallas v. Columbia Hospital at
Medical City Dallas Subsidiary, L.P.

U.S. District Court, Northern District of Texas

Board of Supervisors of the Louisiana State University and
Agricultural and Mechanical College, Board of Regents of the
University of Oklahoma, Ohio State University, University of
Southern California, Pasadena Tournament of Roses, and The
Collegiate Licensing Company v. Smack Apparel Company and Wayne
Curtiss

U.S. District Court for the Eastern District of Louisiana

The Boyds Collection, Ltd. v. The Bearington Collection

U.S. District Court, Middle District of Pennsylvania

Mag Instrument, Inc. v. Dollar Tree Stores, Inc. and Dollar
Tree Distribution, Inc.

U.S. District Court, Central District of California

2004

Nissan North America and Nissan Jidosha Kabushiki Kaisha dba
Nissan Motor Co., Ltd v. Europacific Parts International, Inc.
dba Service & Value Expeditors, and Interstate Automotive
Distributors dba Genuine Parts Advantage and Metro Automotive

U.S. District Court, Central District of California

Deposition Testimony continued

2003

XtraPlus Corporation v. Google, Inc.
U.S. District Court, Northern District of California

The Iams Company v. Nutro Products, Inc.
U.S. District Court, Southern District of Ohio

adidas America, Inc. and adidas-Salomon AG v. Steve Madden,
Ltd., and Steve Madden Retail, Inc.
U.S. District Court, District of Oregon

2002

Masterfoods USA, a division of Mars, Incorporated v. Arcor USA,
Incorporated, and Arcor S.A.I.C.
U.S. District Court, Western District of New York

Diophtics Medical Products, Inc. v. The Cooper Companies, Inc.
U.S. District Court, Northern District of California

2001

Manufacture des Montres Jaguar, S.A., Manufacturas de Montres
Jaguar, S.L., and Festina, U.S.A., Inc. v. Jaguar Cars Limited,
The Jaguar Collection Limited and Jaguar Cars, a division of
Ford Motor Company
U.S. District Court, Southern District of New York

Magnivision, Inc. v. The Bonneau Company
U.S. District Court, Central District of California

2000

Kelly Blue Book Company, Inc. v. Primedia Intertec National
Market Reports, Primedia Intertec Inc., & Primedia Inc.
U.S. District Court, Central District of California

JMYZ, Inc. v. The Gap, Inc. and Old Navy, Inc.
U.S. District Court, Southern District of Florida

1999

In re: Certain Two-Handle Centerset Faucets and Escutcheons
and Components Thereof
U.S. International Trade Commission, Washington, D.C.

TriStar Pictures, Inc. and Zorro Productions, Inc. v. Del Taco,
Inc. and Wongdoody
U.S. District Court, Southern District of California

Deposition Testimony continued

1997

Summit Bottling, Inc. v. Water Star Bottling, Inc. et al.
U.S. District Court, District of Utah, Northern Division

Kellogg Company v. Exxon Corporation
U.S. District Court, Western District of Tennessee

Galen Rowell and Richard Johnson v. Price/Costco
U.S. District Court, Northern District of California

1996

Saban Entertainment, Inc. and Saban International, N.V. v.
Rubie's Costumes Co., Inc.
U.S. District Court, Eastern District of New York

Breath Asure, Inc. v. Merlin Offshore International, Inc. et
al.
U.S. District Court, Central District of California

Men's Wearhouse, Inc. v. T.H.C., Inc.
U.S. District Court, Eastern District of Michigan

1995

Hugo Boss Fashions Inc., et al. v. Brookhurst, Inc., et al.
U.S. District Court, Southern District of New York

Wilden Pump & Engineering Co. v. Charles Horvath (PTE), et al.
U.S. District Court, Central District of California

Barbara Arner v. Sharper Image Corporation, Remington Products,
et al.
U.S. District Court, Central District of California

1993

The Famous Amos Chocolate Chip Cookie Corporation v. Wally Amos
U.S. District Court, Northern District of California

Atari Games Corporation & Tengen, Inc. v. Nintendo of America
U.S. District Court, Northern District of California

Calgene, Inc. v. Enzo Biochem, Inc.
U.S. District Court, Eastern District of California

Health Net v. U.S.A. Healthnet Inc.
U.S. District court, Central District of California

Exhibit E

PROFESSIONAL HISTORY

Dr. Gerald L. Ford
Ford Bubala & Associates
Peter's Landing, Suite 211
16400 Pacific Coast Highway
Huntington Beach, California 92649
Telephone (562) 592-4581
Facsimile (562) 592-3867

EDUCATION



Doctor of Business Administration (D.B.A.)
University of Southern California, 1977
Master of Business Administration (M.B.A.)
University of Southern California, 1969
Bachelor of Arts (B.A.)
San Jose State University, 1967

PROFESSIONAL AFFILIATIONS

American Academy of Advertising
American Marketing Association
American Association for Public Opinion Research
Council of American Survey Research Organizations
International Trademark Association

PROFESSIONAL EXPERIENCE

Ford Bubala & Associates (Principal), 1975 - Present
Ford Bubala & Associates is a marketing and management consulting firm which provides a variety of consulting services in the areas of marketing management, marketing research, marketing planning, competitive evaluation, economic analysis, and strategy development.
Ford Bubala & Associates has been retained to provide consulting assistance for a diverse base of companies in consumer products, industrial products, and service sectors of the economy.

PRIOR EXPERIENCE

1970 - 1994

Emeritus faculty member, School of Business Administration, California State University, Long Beach. Teaching responsibilities included both graduate and undergraduate level courses. Courses taught covered a variety of subject areas, including marketing (e.g., marketing, marketing management, advertising, promotion, consumer behavior and marketing research) and management (e.g., principles of management; business policy and strategy; business policies, operations, and organizations; and integrated analysis).