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

Proceeding	91200535
Party	Plaintiff Mr. Sanford J. Asman
Correspondence Address	SANFORD J ASMAN LAW OFFICE OF SANFORD J ASMAN 570 VININGTON COURT ATLANTA, GA 30350-5710 UNITED STATES sandy@asman.com
Submission	Motion to Suspend for Civil Action
Filer's Name	Sanford J. Asman
Filer's e-mail	sandy@asman.com
Signature	/sanford j. asman/
Date	12/07/2011
Attachments	111207_Motion.pdf ( 56 pages )(1215425 bytes )

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

In re Application of : Integrated Imaging, LLC  
Serial No. : 77859579  
Filed : October 28, 2009  
Mark : CASEWORKS WEB  
Published Official Gazette : January 4, 2011

SANFORD J. ASMAN,

Opposers,

v.

INTEGRATED IMAGING, LLC

Applicant.

Opposition No. 91200535

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**MOTION TO RESET DATES AND SUSPEND**

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Sanford J. Asman (“Opposer”), acting *pro se*, hereby moves for an Order (1) resetting the dates associated with the subject Opposition, and (2) to suspend the Opposition pending the disposition of a trademark infringement action in U.S. District Court, seeking, *inter alia*, the cancellation of the subject application, Ser. No. 77859579.

After the subject Opposition was brought, and discovery commenced, undersigned Opposer (who is also an attorney and acting *pro se* in the Opposition) became quite ill, as set in the attached letter (Exhibit 1) which was sent to Charles S. Sara, Esq., attorney for Applicant, on November 30, 2011.

Rather than agree to the reasonable request for extension, given the situation, Mr. Sera responded with a letter, dated December 2, 2011, a true copy of which is annexed as Exhibit 2 in which he declined such extension, despite the fact that it was requested as a result of significant

health issues which ultimately led to several hospitalizations for numerous tests, multiple instances requiring general anesthesia, and, ultimately, to surgery.

In view of the foregoing refusal by Applicant's attorney to grant the requested extension, Opposer hereby solicits an Order resetting the times in the Opposition.

Thereafter, on December 5, 2011, Opposer filed a trademark infringement action captioned *Sanford J. Asman v. Integrated Imaging, LLC* in U.S. District Court, Northern District of Georgia, Case No. 1:11-cv-04206-RWS ("the Civil Action"), which action seeks, *inter alia*, the cancellation of trademark application Ser. No. 77859579. A true copy of the Complaint filed in that action is attached as Exhibit 3.

In view of the foregoing, Opposer respectfully shows that good cause has been shown for both the solicited resetting of periods in the Opposition as well as for the suspension of the Opposition pending the disposition of the Civil Action.

Wherefore, Applicant hereby respectfully solicits an Order granting the relief solicited herein.

Dated: December 7, 2011

By:           /s/ Sanford J. Asman            
Sanford J. Asman, *pro se*  
Opposer

Law Office of Sanford J. Asman  
570 Vinington Court  
Atlanta, Georgia 30350  
Phone : 770-391-0215  
Fax : 770-668-9144  
Email : sandy@asman.com

**CERTIFICATE OF SERVICE**

Undersigned hereby certifies that, on the date set forth below, a copy of the foregoing:

**MOTION TO RESET DATES AND SUSPEND**

was served through the electronic filing system of the U.S. Patent and Trademark Office, Trademark Trial and Appeal Board, and by first class mail, postage prepaid, upon Opposer's counsel, addressed as follows:

Charles S. Sara, Esq.  
DeWitt Ross & Stevens, S.C.  
2 #. Mifflin Street, Suite 6000  
Madison, WI 53703

Dated: December 7, 2011

By: /s/ Sanford J. Asman  
Sanford J. Asman, *pro se*  
Opposer

Law Office of Sanford J. Asman  
570 Vinington Court  
Atlanta, Georgia 30350  
Phone : 770-391-0215  
Fax : 770-668-9144  
Email : sandy@asman.com

# **EXHIBIT 1**

**SANFORD J. ASMAN**  
**ATTORNEY AT LAW**  
570 VININGTON COURT  
ATLANTA, GEORGIA 30350 - U.S.A.

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Telephone: (770) 391-0215

E-mail: sandy@asman.com

Facsimile: (770) 668-9144

November 30, 2011

Charles S. Sara, Esq.  
DeWitt Ross & Stevens, S.C.  
2 E. Mifflin Street, Suite 6000  
Madison, WI 53703

Re: Trademark Opposition No. 91200535 regarding "CASEWORKS WEB"  
File No.: 17105-5020

Dear Mr. Sara:

I am writing this letter to advise you of the following. In early October, I began experiencing severe coughing which I initially attributed to a cold or allergy. Suffice it to say that it was impossible for me to carry on a conversation, work, or sleep. By mid-October, I was referred to an ENT whose initial diagnosis entailed taking more drugs than I have ever taken in my life (particularly since I don't even take aspirin normally), along with referrals to a surgeon to check out what might be causing the issue. The surgeon set me up for a series of tests which each required time in hospitals, with the ultimate conclusion that surgery would be required.

I was operated on on November 18<sup>th</sup> at which time it was determined that I had a 4" tear in my diaphragm, which was (hopefully) repaired, and a stomach/esophageal issue was also addressed. I was finally able to come into my office Monday, on a very restricted basis, and I understand that the expected recovery time will take another 4-6 weeks. The good news is that I eat and drink nothing, so I have lost about 15 pounds so far.

In any event, the purpose of this letter is to request your cooperation in connection with any discovery and dates in connection with the Opposition, in that I am now requesting that all dates in the matter be extended by two months, and that the time to respond to any discovery which may have been served also be extended. Please advise me of your expected cooperation so that I may prepare a Joint Motion on Consent. I would like to hear from you by the close of business Friday, and I thank you for your anticipated courtesy and professionalism.

Very truly yours,



Sanford J. Asman

# **EXHIBIT 2**



**DEWITT  
ROSS & STEVENS** s.c.  
LAW FIRM

www.dewittross.com

Capitol Square Office  
Two East Mifflin Street  
Suite 600  
Madison, WI 53703-2865  
Tel 608-255-8891  
Fax 608-252-9243

Metro Milwaukee Office  
13935 Bishop's Drive  
Suite 300  
Brookfield, WI 53005-6605  
Tel 262-754-2840  
Fax 262-754-2845

Please respond to: Capitol Square Office  
Direct line: 608-395-6784  
Email: [css@dewittross.com](mailto:css@dewittross.com)

December 2, 2011

**Via Email with Confirmation**

Sanford J. Asman, Esq.  
Law Office of Sanford J. Asman  
570 Vinington Court  
Atlanta, GA 30350-5710

RE: CASEWORKS WEB Trademark Opposition No. 91200535  
Your Reference No. 17105-5020  
Our Reference 34447.003

Dear Mr. Asman:

I confirm receipt of your letter dated November 30, 2011. I am sorry to hear of the situation you described in your letter.

While I am mindful of the issues you present in your letter, I must also weigh these against the best interests of my client, particularly since my client's Requests for Admissions now stand admitted. Further, I am concerned over the fact that we received no word from you in your capacity as both the opposing party and its legal representative since our telephone conference of September 15, 2011.

Owing to prior unfortunate experiences with other counsel in similar situations, I must regretfully request that you provide a doctor's excuse or similar evidence to show that you were unable to provide us with the required documents which were due October 15<sup>th</sup>, and that you were unable to alert us of this situation until now. With this information, we should be able to come to a suitable meeting of terms.

I look forward to hearing from you.

Very truly yours,

**DEWITT ROSS & STEVENS** s.c.

Charles S. Sara

CSS:sxb

cc: Integrated Imaging (w/o enc.)

# **EXHIBIT 3**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**SANFORD J. ASMAN, an individual,**

**Plaintiff,**

**vs.**

**INTEGRATED IMAGING, LLC, a limited  
liability company of Virginia,**

**Defendant.**

**Civil Action No.**

**COMPLAINT**

**Trademark Infringement**

**Unfair Competition**

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**COMPLAINT**

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Plaintiff Sanford J. Asman (“Asman”), acting *pro se*, complains of defendant Integrated Imaging, LLC (“Defendant”), as follows:

**NATURE OF THE ACTION**

1. This is an action to remedy acts of, *inter alia*, federal and common law trademark infringement; false designation of origin and misrepresentation in commerce; false advertising; unfair competition; dilution; and misappropriation, all caused by, *inter alia*, the defendant’s infringement of Asman’s federally registered “CaseWebs<sup>®</sup>” and “CaseSpace<sup>®</sup>” trademarks (“the Asman Marks”).

**PARTIES**

**Plaintiff**

2. Asman is an individual, having an address of 570 Vinington Court, Atlanta, Georgia 30350.

**Defendant**

3. Defendant is limited liability company of Virginia, whose address is 419 Salem Avenue, Roanoke, Virginia 24016.

**JURISDICTION AND VENUE**

4. This action arises under the federal Trademark Act, 15 U.S.C. §1051, *et seq.*, and under related federal and state common law.

5. This action is also based upon diversity, as the parties are residents of different states, *i.e.*, Asman is a Georgia resident, while Defendant is a Virginia resident, and the amount in controversy exceeds \$75,000.

6. Subject matter jurisdiction over this action is conferred upon this Court by 15 U.S.C. § 1121 and 28 U.S.C. § 1338. This Court has supplemental jurisdiction over the subject matter of plaintiff's state and common law claims pursuant to 28 U.S.C. § 1367.

7. Venue is properly laid in the Northern District of Georgia pursuant to 28 U.S.C. § 1391(b), in that, on information and belief, Defendant transacts business

within this judicial district, and Defendant has committed the torts complained of herein within this judicial district.

8. This Court has further personal jurisdiction over the defendants pursuant to O.C.G.A. § 9-10-91 in that Defendant has transacted, and continues to transact, business within the State of Georgia; Defendant has committed tortious acts or omissions within this state; Defendant has committed tortious injuries in this state; and Defendant regularly does and/or solicits business, and engages in other persistent courses of conduct, and derives substantial revenue from goods used or consumed or services rendered in this state.

### **STATEMENT OF FACTS**

#### **Plaintiff's Business and Plaintiff's Intellectual Property**

9. Asman is an attorney-at-law, and a member of the state bars of New York, New Jersey, and Georgia; a Registered Patent Attorney; and he is admitted, as a plenary member, to practice before the federal district courts for the Northern District of New York, Southern District of New York, Eastern District of New York, District of New Jersey, Northern District of Georgia, Middle District of Georgia, Eastern District of Wisconsin, and District of Colorado. In addition, Asman has been admitted *pro hac vice* before several other district courts in which he has litigated.

10. In connection with the foregoing court admissions, Asman, a sole practitioner, has handled dozens of intellectual property cases litigated in federal

courts throughout the country, including approximately two dozen such cases in the Atlanta Division of the Northern District of Georgia, alone.

11. By way of further background, in addition to being a member of various bars, Asman has a degree in Computer Science from the Massachusetts Institute of Technology, where Asman also taught and worked on the research staff, doing computer related research for Project MAC.

12. In the late 1970's microcomputers were introduced into the commercial marketplace, and Asman began combining his knowledge of computer programming with his legal practice by developing a series of software products which ran on microcomputers.

13. While Asman had built several microcomputers from components, Asman's first commercially purchased computer was a Radio Shack TRS-80, Model I, for which Asman wrote a word processing package.

14. Asman used his computer experience to modify the TRS-80 Model I in order to enable it to display and store both upper and lower case letters (as the original TRS-80 Model I computers did not include adequate memory needed to display and store lower case letters.

15. Asman used his computer and experience and engineering training to interface an IBM Selectric Computer Terminal/Printer to his TRS-80, whereby the combination of the modified TRS-80 Model I, the IBM Terminal, and Asman's

software gave Asman the ability to create, retrieve, edit, and print “letter quality” documents, at a time when dedicated, stand-alone word processors costing tens of thousands of dollars were all that was commercially available for the production of such documents.

16. Upon learning of Asman’s success in creating and using a microcomputer as a business tool in his practice, Asman, attorneys from other firms approached Asman, who was then practicing law in New Jersey, and requested that he set them up with similar systems for their own offices.

17. As a result, Asman created a New Jersey corporation (“MBA”) to market an “updated” and more reliable version of his system, in which a Radio Shack TRS-80 Model III microcomputer, a C. Itoh daisywheel printer, and Asman’s software were used. MBA marketed such systems for a number of years.

18. When the IBM PC was later introduced, in 1981, Asman’s company began marketing IBM “clone” computers sold by Leading Edge Products, as it was still necessary, in the early 1980’s to be able to sell a fully “integrated” system to law firms which, at the time, generally had no microcomputers, and lawyers generally insisted upon buying a fully “integrated” solution for their word processing needs.

19. While MBA was successful in marketing such systems, it became clear that the real “profit” was in the software, rather than in the hardware.

20. Accordingly, as more and more law firms acquired IBM-PC's and "clones", Asman decided to move away from the hardware side of the business and devote his efforts solely to writing and marketing legal application software.

21. In that regard, Asman decided to write software for use in his own legal practice, and to the extent that it appeared to be useful to him, to market it to others through MBA.

22. Asman had handled many residential real estate closings, and he realized that the paperwork associated with the preparation of the HUD-1 Uniform Settlement Statement, the collection and retention of the various tax, water, sewer, etc. searches, and expenses, disbursements, etc. associated with handling residential real estate transactions was so great that typical law firms handling real estate work generally had one or more "paralegals" who did nothing other than such work.

23. Based on Asman's familiarity with computer software and real estate closings, Asman developed a piece of software called "***MBA RESPA***", where MBA was a reference to the company started by Asman, and RESPA was the acronym for the Real Estate Settlement Procedures Act of 1974, which created and mandated the use of the Uniform Settlement Statement called the HUD-1.

24. ***MBA RESPA*** was a very popular piece of software with real estate firms, and it led to Asman writing and marketing other related software, including ***MBA Survey*** (which allowed one to "verify" a metes and bounds survey description),

*MBA Finance* (which performed numerous financial calculations as well as providing mortgage amortization tables for a variety of loan types, etc.), and “*The 1099 Reporter*” which real estate attorneys used to collect and retain data from real estate transactions and report them annually to the IRS using magnetic media.

25. From the foregoing experiences Asman confirmed that it was more profitable to remain solely in the software business than the hardware business, as hardware inventories were expensive, equipment became obsolete rapidly, and prices dropped over time, and as lawyers and law firms had generally embraced the use of microcomputers in their practice.

26. While Asman continued to market *MBA RESPA*, *MBA Finance*, *MBA Survey*, and *The 1099 Reporter* into the 1990’s, Asman learned that it was common for the very same real estate paralegals who “loved” *MBA RESPA* to surreptitiously “distribute” unlicensed copies to the paralegals with whom they dealt at other firms.

27. Numerous calls for “support” from unlicensed parties caused Asman to realize that there was an inherent “piracy” problem in marketing software intended to be used on “desktop” computers and distributed on disk.

28. As the IRS changed its reporting requirements annually, and as state real estate transfer taxes changed periodically, it was both necessary and desirable to create both “updates” and “enhancements” to the various software products being marketed by MBA.

29. Asman, in the interim, had continued to write software for his own practice, including general ledger software, trust accounting software, and billing software, but he did not license that software to others.

**CaseWebs**

30. In around 2000, while litigating a case captioned *Iguana, LLC v. Realtree Outdoor Products, Inc., Outland Sports, Inc., Lohman Mfg. Co., Inc., Hunters Specialties, Inc., Wal-Mart Stores, Inc., Connecticut Valley Arms, Inc., Drury Marketing, Inc., Rocky Shoes & Boots, Inc., and Bass Pro Outdoor World, L.P.*, Case No. 1:99-cv-810-CAP, it occurred to Asman that he could combine his legal training with his computer training to develop a web-based software system which would provide 24/7 access to all litigation being handled by Asman, by Asman, his clients, co-counsel, and others, whereby once a document was scanned, and entered into the system, it would be available from any location with Internet access. Asman developed such a system and called it “**CaseWebs**”.

31. **CaseWebs** was Asman’s first effort at writing a web-based legal application, and it turned out to be both very useful, and very well received by clients, co-counsel, and others.

32. Since the first version of **CaseWebs** was developed (ca. 2000) for use in the *Iguana v. Realtree, et als.* case, **CaseWebs** has been used in numerous cases, in both

state and federal courts, by Asman and other attorneys, as well as by clients, co-counsel, and others interested in following the progress of such cases.

33. From the perspective of a law firm *CaseWebs* provides numerous benefits relative to what is generally a “hodge podge” of different docketing and filing systems which vary from law firm to law firm and from case to case within any given law firm.

34. In particular, *CaseWebs* provides a single, well defined approach for handling litigation files, in that all physical documents are kept in loose leaf view binders having, *inter alia*, a spine adapted to receive a printed slip. The view binders used with *CaseWebs* are vinyl binders constructed with a clear pocket over the front cover, spine, and back cover on the outside. The pockets are open at the top to allow insertion of printed materials. The binders generally also include a 4 inch high horizontal pocket on their inside front cover and inside back cover. Such view binders are universally available from office supply stores, and they are typically made to hold different capacities, with 2” and 3” binders being the binders of choice for use in connection with *CaseWebs*.

35. Within the view binders, numbered index tabs (also generally available at legal supply sources and office supply stores) are used to retain documents, corresponding to the Pleadings, Correspondence, Discovery, and Miscellaneous items present in any given litigation.

36. In addition to paper documents, the binders used with *CaseWebs* can retain other items, including such things as CD/DVD holders.

37. The *CaseWebs* software not only keeps track of documents in cases, but it also keeps track of other items, in the form of computer readable files, including, *inter alia*, music, videos, and photographs, as well as any other type of computer readable file (PowerPoint presentations, spread sheets, .pdf files, etc.), whereby once entered into the *CaseWebs* system, and uploaded to the web-based secure servers used by *CaseWebs* such files are immediately available to any “user” who has been assigned access codes (*i.e.*, generally the users email address and a password) by the “Firm Administrator” of a law firm using *CaseWebs*, with such accessibility as may be appropriate. Thus, access to “confidential” documents can be easily restricted to only lawyers, law firm personnel, and the associated client, while access to non-confidential documents can be provided to other registered users who have been given access to a particular case, with all users having 24/7 access.

38. In addition to being able to retain data about specific documents in a case, the *CaseWebs* database also includes data associated, *inter alia*, with users, lawyers, judges, judicial staff, court web sites, case events, etc. Such data includes phone numbers, contact information, access to Local Rules, Court personnel, Electronic Filing (CM/ECF), etc.

39. Thus, *CaseWebs* provides immediate access to all litigation related information using a single integrated system from a single web site, namely, <http://www.casewebs.com>. Accordingly, *CaseWebs* has been called an “Integrated Case Information System”.

40. Further, since *CaseWebs* is web-based, it requires no installed software other than a standard browser and an installed .pdf reader, such as Adobe Acrobat Reader, to operate. Thus, *CaseWebs* can be used on any operating system (*i.e.*, Microsoft Windows, Mac OS, Linux), with any browser (*i.e.*, Internet Explorer, Firefox, Google Chrome, Safari), and it can be used with any Internet enabled device (*i.e.*, desktop computers, laptops, notebooks, netbooks, iPhones and Android based “smart phones”, as well as iPads and other “tablets”), any of which provide immediate access to every case, document, user, lawyer, court, and court personnel, all using a very simple, intuitive, user friendly interface, with no need to transfer files or take any action other than logging in to the *CaseWebs* web site. Using *CaseWebs* makes losing files, dragging boxes from the office to the home, misplacing documents, creating multiple copies of documents for those needing access, etc. all things of the past.

41. In addition to the foregoing, *CaseWebs* uses a standardized system for providing a dynamically produced .pdf file for creating the “spine” insert for the aforementioned view binders, whereby each spine insert provides, at a glance, the

court name, case caption, case number, judge and judicial staff information, a list of attorneys in the case (along with their phone numbers), and a “CaseLogo” which is a visual design (*i.e.*, a photo, trademark of a party, etc.) which makes it trivial to find a case binder, as the “CaseLogo” is also present on the web page associated with each particular matter.

42. For the reasons expressed above as well as for other reasons associated with features which have not been described, *CaseWebs* has developed, over the past decade, into an extremely useful and reliable tool for use by lawyers, law firms, and their clients.

43. While the view binders used for retaining physical documents have been described, in fact, it is rarely necessary to access the physical documents, as most litigators tend to have computers on their desktops (or notebooks, smart phones, tablets, etc.) whereby everything about all of their past and current cases is at their fingertips, all in a “paperless” environment which is accessible from wherever they happen to have Internet access.

44. While an overview of *CaseWebs* has been generally described above, *CaseWebs* actually includes many more features which allow a lawyer using *CaseWebs* to readily add documents to an existing matter. Thus, in the case of federal litigation, when an attorney receives the CM/ECF filing notice by email, it only takes a few steps to “cut and paste” the docket text into *CaseWebs*, download

the file from the CM/ECF server, enter the file into *CaseWebs*, and cause *CaseWebs* to issue automated emails to all users having access to the particular matter.

45. Other uses of *CaseWebs* include the ability to have “local counsel” or “co-counsel” who are hundreds or thousands of miles apart, have full access to the identical file in a matter of seconds without making copies, sending faxes, or doing anything other than giving them appropriate user access to a matter.

46. In situations in which discovery entails providing opposing counsel with documents from other matters, such access can be provided in seconds without any duplication, shipping, or delay. As such, *CaseWebs* has proven its ability to save substantial time and money for litigators who are often called upon to duplicate documents from other cases, particularly since a litigator can honestly represent to a Court that by giving opposing counsel access to *CaseWebs*, such opposing counsel is being provided with both immediate and *identical* access that the party has.

47. Once it became apparent to Asman that *CaseWebs* was providing a significant benefit to his practice and to his clients (who no longer needed to contact Asman to keep up-to-date with their respective matters, who were no longer being billed for time associated with merely finding out and tracking their litigation matters, and who were never frustrated by getting voicemail or waiting for a return phone call or email when they simply wanted to know what was going on in their matter), and once Asman realized that *CaseWebs* provided a wholly different

paradigm to attorneys, as they now had 24/7 access to all of their litigation files from anywhere, including such places as airports, wifi equipped airliners, cruise ships, foreign countries, etc. while simultaneously providing password protected secure web-servers rather than having to carry around files which had to be repeatedly copied, etc., Asman realized that *CaseWebs* could be further commercialized as a product which could be used, and licensed, by other lawyers and firms, thereby opening up a market greater than that which was present within Asman's own client base and those lawyers with whom Asman associated in particular cases.

48. In view of the numerous capabilities of the *CaseWebs* litigation system, as set forth above, it has been called an "integrated" litigation system, as set forth on the *CaseWebs* site in which it is referred to as an "Integrated Case Information System". See, Exhibit 1, the "specimen" filed on February 6, 2007 in the application for federal registration of the mark "*CaseWebs*", a date well prior to Defendant's initial use of the infringing "CaseWorks Web" mark.

49. Due to the successful deployment of *CaseWebs* for use by Asman, his clients, and others, Asman decided to rewrite *CaseWebs* so that it could be used by, and licensed to, other firms and marketed on a subscription basis.

50. On October 23, 2007, Asman received U.S. Trademark Reg. No. 3,316,614 ("the '614 Registration") in which the mark *CaseWebs* was registered on the

Principal Register of the United States Patent and Trademark Office. A true copy of the '614 Registration is attached hereto as Exhibit 2.

**CaseSpace**

51. As set forth above, Asman has a long history of having written legal application software for his own legal practice as well as for licensing to others.

52. As a practicing attorney, Asman realized was that it was extremely important to avoid the common practice of having different pieces of software handling different, but related, tasks. Thus, while it is common in law offices to use software such as Microsoft Outlook to retain client contact information, while using something like Timeslips for billing, and some other software (*i.e.*, Excel or even Word) to maintain docket lists, etc., such actions led to numerous problems of inconsistent data entered into different pieces of software.

53. Asman realized that the use of multiple, independent pieces of software, each with its own database, inevitably led to inconsistencies. For example, if a client moved or changed contact information (*i.e.*, an address, phone number, email, or personnel change), such change might be reflected in the Microsoft Outlook file, but not in the billing software. Similarly, if the title of a matter changed, such change might be made in the docketing software, but not in the billing software. Asman realized that such inconsistencies abound in the practice of law when different software, each having its own database, is used.

54. Based upon the foregoing, Asman incorporated what he considers to be one of the “truths” of life, *i.e.*, “It is better to be wrong than inconsistent.” into a desktop based legal practice legal application he had written to “integrate” the functions of client contact, matter management, docketing, and billing, whereby data resided in a single database, thereby providing a fully integrated legal system for all purposes other than those which were the subject of *Case Webs*.

55. Asman developed the aforementioned desktop software and called it “LegalNET”. While LegalNET was fully workable, Asman realized that it suffered from a number of shortcomings as it worked only on a single computer which had to be running under the Microsoft Windows operating system, and it had to have the correct version of the Microsoft .Net Framework installed.

56. While Asman considered marketing LegalNET, such thoughts were highly tempered by Asman’s prior experiences with licensing desktop software, including the support and piracy issues mentioned above.

57. One attorney who was aware of Asman’s LegalNET and wanted to see it operate was local counsel to Asman in a matter which Asman was then handling in the U.S. District Court for the Southern District of Florida. Asman’s local counsel asked Asman to demonstrate LegalNET to him.

58. In anticipation of that meeting, which coincided with a trip relating to the District Court litigation, Asman copied the LegalNET software from his desktop

computer to a newly acquired notebook computer which Asman brought with him to Miami for the express purpose of showing and demonstrating the LegalNET software to his co-counsel. To Asman's great surprise, embarrassment, and chagrin, when he attempted to start the LegalNET software it would not initialize or work, so no demonstration took place.

59. Upon returning to Atlanta, Asman realized that, unlike his prior notebook, on which LegalNET worked perfectly, the new notebook computer used a 64-bit processor, whereas the software on which LegalNET had been developed used a 32-bit processor, whereby the “kernel” in the Microsoft .Net framework (used in the LegalNET software) had to be substituted. Upon substitution of the proper kernel LegalNET worked perfectly on the new notebook. Nevertheless, Asman realized that with some lawyers using 32-bit systems, others using 64-bit systems, others having some mix, and most not even knowing there was a difference, support issues with respect to the stand-alone system would be substantial.

60. Upon reflection, Asman realized that the best way to address both the support and other issues inherent with LegalNET would be to rewrite it as a web-based system.

61. Asman thereafter wrote a new web-based system which included virtually all of the underlying features of LegalNET, while adding numerous other features, available only to web-based systems, *i.e.*, the ability to link to other sites.

62. Asman named his newly developed web-based fully integrated legal system “*CaseSpace*”.

63. Like *CaseWebs* before it, *CaseSpace* was also considered to be an “integrated” system, as reflected by the specimen filed in the U.S. Patent and Trademark Office on July 10, 2008, a true copy of which is annexed as Exhibit 3.

64. Asman applied for a federal registration of the mark “CaseSpace” on July 10, 2008, and U.S. Trademark Reg. No. 3,575,917 was registered on the Principal Register of the U.S. Patent and Trademark Office on February 17, 2009, a true copy of which is attached as Exhibit 4.

#### **Defendant’s Activities**

65. In, or around December 2009, Asman became aware that Defendant had filed U.S. trademark application Ser. No. 7789579 seeking federal registration for the mark “CaseWorks Web” for use in connection with a web-based “case management” system.

66. Upon learning of that trademark application Asman immediately objected to Charles Sara, the attorney for Defendant, in an email dated December 3, 2009, a true copy of which is attached as Exhibit 5, thereby placing Defendant on actual notice of Asman’s ownership of the Asman Marks, *i.e.*, CaseWebs<sup>®</sup> (U.S. Reg. No. 3,316,614) and CaseSpace<sup>®</sup> (U.S. Reg. No. 3,575,917).

67. The foregoing email (Exhibit 5) was followed up with further communications, all of which placed Defendant on actual notice of the Asman Marks, Asman's ownership thereof, and Asman's objection to the use of the "CaseWorks Web" mark.

68. Notwithstanding such actual notice, along with the constructive notice provided by Asman's federal registrations (*See*, Exhibits 2 and 4) pursuant to 15 U.S.C. § 1072, Defendant continued to use the infringing "CaseWorks Web" mark, along with the web site and domain "caseworksweb.com".

69. The foregoing "CaseWorks Web" mark and its use is likely to cause confusion with the Asman Marks, particularly since Asman has used such expressions as "CaseWebs works" and "CaseSpace works" when referring to the benefits of Asman's web-based legal software.

70. Defendant has falsely claimed that its use of the infringing "CaseWorks Web" is not likely to cause confusion, as Defendant's software is directed to the "health care" industry.

71. As an attorney Asman represents several clients who are in the health care industry, many of whom are familiar with Asman's legal software and the Asman Marks.

72. Further, Asman, was, for several years, Patent Counsel to a major corporation in the health care industry, whereby Asman has personal knowledge that

those in the health care industry use the services of attorneys and law firms, including those who are, or may become, customers of *CaseWebs* and/or *CaseSpace* software.

73. While Asman does not know the name and industry of every party who uses the software covered by the Asman Marks, Asman knows that a number of his clients are in the health care industry, and it is fair to assume that Asman is not the only attorney who represents clients in the health care industry, whereby the channels of trade and the actual and prospective customers for Asman's software overlap with those parties to whom Defendant is promoting its own software.

74. Since a time well before Defendant began using either the "CaseWorks Web" mark or the "casewebsworks.com" URL, Asman has, used, and has continued to use "Integrated Case Information System" on his *CaseWebs* site to further highlight and distinguish Asman's *CaseWebs* software (*See*, Exhibit 1) from other legal software.

75. Since a time well before Defendant began using either the "CaseWorks Web" mark or the "casewebsworks.com" URL, Asman has, used, and has continued to use "Integrated Legal System" on his *CaseSpace* site to further highlight and distinguish Asman's *CaseSpace* software (*See*, Exhibit 3 from other legal software.

76. In addition to the likelihood of confusion associated with the Asman Marks and the infringing "CaseWorks Web" mark, Defendant has further exacerbated the

likelihood of confusion by using, on the <http://www.caseworksweb.com> website, the expression “Powered by Integrated Imaging, LLC”, thereby including the word “Integrated” on its website (*See*, Exhibit 6).

**First Cause of Action**

**Federal Trademark Infringement in Violation of 15 USC §1114 and §1117**

**(“CaseWebs<sup>®</sup>” U.S. Reg. No. 3,316,614)**

77. Plaintiff hereby repeats each and every allegation contained in each of the foregoing paragraphs of this Complaint as though fully set forth herein.

78. Asman is the owner of U.S. Reg. No. 3,316,614, registered October 23, 2007 for the mark “CaseWebs<sup>®</sup>” for web-based legal software.

79. The use in commerce by Defendant of the marks “CaseWorks Web” is confusingly similar to Asman’s federally registered “CaseWebs<sup>®</sup>” mark.

80. Such use is and has been without the consent of Asman, the registrant of U.S. Reg. No. 3,316,614 (Exhibit 2) in violation of 15 U.S.C. §§ 1114 and 1117.

81. The aforesaid use by Defendant of the “CaseWorks Web” mark is a colorable imitation, counterfeit, copy, and/or confusingly similar to Asman’s “CaseWebs” mark, by Defendant, and such use is likely to cause confusion, or to cause mistake, or to deceive customers of Asman, potential customers of Asman, and

others seeking software from Asman, in violation of 15 U.S.C. §§ 1114 and 1117, and such use has, and will continue to cause such confusion until terminated.

82. Defendant has been under constructive notice of Asman's "CaseWebs<sup>®</sup>" mark since its registration, pursuant to 15 U.S.C. § 1072.

83. Asman placed Defendant on formal notice of its ownership of the foregoing "CaseWebs" mark and U.S. Reg. No. 3,316,614 (Exhibit 2) at least as early as December 3, 2009, by email directed to Defendant's attorney, a true copy of which is attached as Exhibit 5, hereto.

84. Notwithstanding both constructive and actual notice of the Asman Marks, Defendant has continued to offer its web-based software in commerce using the infringing "CaseWorks Web" mark.

### **Second Cause of Action**

#### **Federal Trademark Infringement in Violation of 15 USC §1114 and §1117**

##### **("CaseSpace<sup>®</sup>" U.S. Reg. No. 3,575,917)**

85. Plaintiff hereby repeats each and every allegation contained in each of the foregoing paragraphs of this Complaint as though fully set forth herein.

86. Asman is the owner of U.S. Reg. No. 3,575,917, registered February 17, 20097 for the mark "CaseSpace<sup>®</sup>".

87. The use in commerce by Defendant of the marks “CaseWorks Web” is confusingly similar to Asman’s federally registered “CaseSpace<sup>®</sup>” mark, particularly when combined with the feature set highlighted by Defendant on the <http://www.caseworksweb.com> web site.

88. Such use is and has been without the consent of Asman, the registrant of U.S. Reg. No. 3,575,917 (Exhibit 4 in violation of 15 U.S.C. §§ 1114 and 1117.

89. The aforesaid uses in commerce by Defendant’s use of the “CaseWorks Web” mark is a colorable imitation, counterfeit, copy, and/or confusingly similar to Asman’s “CaseSpace” mark, by Defendant, and such use is likely to cause confusion, or to cause mistake, or to deceive customers of Asman, potential customers of Asman, and others seeking software from Asman, in violation of 15 U.S.C. §§ 1114 and 1117, and such use has, and will continue to cause such confusion until terminated.

90. Defendant has been under constructive notice of Asman’s “CaseSpace<sup>®</sup>” mark since its registration, pursuant to 15 U.S.C. § 1072.

91. Asman placed Defendant on formal notice of its ownership of the foregoing “CaseSpace<sup>®</sup>” mark and U.S. Reg. No. 3,575,917 (Exhibit 4) at least as early as December 3, 2009, by email directed to Defendant’s attorney, a true copy of which is attached as Exhibit 5, hereto.

92. Notwithstanding both constructing and actual notice of the Asman Marks, Defendant has continued to offer its services in commerce using the infringing “CaseWorks Web” mark.

**Third Cause of Action**

**(“CaseSpace<sup>®</sup>” U.S. Reg. No. 3,575,917)**

**False Designation of Origin Pursuant to § 43 of the Lanham Act, 15 USC § 1125**

93. Plaintiff hereby repeats each and every allegation contained in each of the foregoing paragraphs of this Complaint as though fully set forth herein.

94. The aforesaid infringements of the Asman Marks by Defendant are likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or association of Defendants with Asman, or as to the origin, sponsorship, or approval of the goods, services, or commercial activities of Defendant by Asman, in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

95. Defendant’s wrongful acts entitle Asman to damages and injunctive relief pursuant to 15 U.S.C. §§ 1116 and 1117.

96. Upon information and belief, Defendant’s wrongful activities have caused, and, unless enjoined by this Court, will continue to cause, irreparable injury and other damages to Asman, his business, reputation, and his good will in the Asman Marks.

**Fourth Cause of Action**

**Common Law Trademark Infringement and Unfair Competition**

97. Plaintiff hereby repeats each and every allegation contained in each of the foregoing paragraphs of this Complaint as though fully set forth herein.

98. The use of the mark “CaseWorks Web” by Defendant is likely to cause confusion between the Defendant and/or its activities and Asman and his activities, and such use by Defendants infringes the valuable common law rights of Asman in the Asman Marks.

99. The Defendant’s aforesaid activities also constitute unfair competition with Asman by creating confusion as to the source or sponsorship of the services of Defendant and misappropriates the fine reputation and goodwill of Asman, both as an attorney and as the principal behind the marketing and use of both *CaseWebs* and *CaseSpace* software.

100. Defendant’s actions have injured Asman’s reputation and goodwill, and diverted from Asman the benefits and good will arising therefrom.

101. Defendant’s wrongful acts have damaged Asman in an amount to be determined at time of trial.

102. Defendant has have been on actual notice of the Asman Marks and registrations, as well as the *CaseWebs* and *CaseSpace* software and associated

websites, whereby Defendant has acted knowingly and willfully, whereby Asman is entitled to actual and punitive damages, in an amount to be proven at trial.

103. Defendant's wrongful acts have irreparably injured Asman, and threaten to continue to irreparably injure Asman, unless and until said acts are enjoined by this Court, as Asman has no adequate remedy at law.

104. Upon information and belief, Defendant's wrongful activities have caused, and, unless enjoined by this Court, will continue to cause, irreparable injury and other damages to Asman, his business, reputation, and his good will in the Asman Marks.

### **PRAYER FOR RELIEF**

**WHEREFORE**, Asman prays that:

A. Defendant, its officers, employees, agents, suppliers, web hosts, domain Registrar and all those acting in concert with them be permanently restrained and enjoined from using the mark "CaseWorks Web" or any other colorable imitation of the Asman Marks.

B. Defendant, and anyone associated with it, their respective officers, employees, agents, suppliers, and all those acting in concert with them be permanently restrained and enjoined from infringing the Asman Marks.

C. Defendant, and anyone associated with it, their respective officers, employees, agents, suppliers, and all those acting in concert with them be permanently restrained and enjoined from using the domain name “caseworksweb.com” or any other domain name which is a colorable infringement of the Asman Marks, and they should be required to transfer that domain to Asman.

D. A judgment in favor of Asman and against Defendant for the full value of Defendant’s profits, together with the damages of Asman, including lost profits, in an amount to be determined.

E. The amount of any judgment be trebled pursuant to 15 U.S.C. § 1117, due to the willful infringement of the Asman Marks by Defendant.

F. The costs of this action and Asman’s reasonable attorney’s fees, including the value of Asman’s services, be taxed against the Defendant, in accordance with 15 U.S.C. § 1117.

G. All advertising materials, brochures, handouts, source code, or any other materials containing the Asman Marks, or any colorable imitation thereof, including, but not limited to “CaseWorks Web” and the “caseworksweb.com” domain”, or any other similar mark be accounted for, and delivered to Asman for such disposal and/or destruction as Asman may exercise pursuant to 15 U.S.C. § 1118.

H. For a permanent injunction, pursuant to 15 U.S.C. § 1116 against Defendant and anyone associated with it, as well as each of its officers, agents,

servants, employees, and attorneys, and those persons in active concert or participation with them who receive actual notice of the Order by personal service or otherwise from:

(1) Using the Asman Marks (however spelled, whether capitalized, abbreviated, singular or plural, printed or stylized, whether used alone or in combination with any word or words, and whether used in caption, text, orally or otherwise); or any reproduction, counterfeit, copy, colorable imitation or confusingly similar variation of the Asman Marks as a trade name, trademark or service mark, or in any other manner which suggests in any way that Defendant and/or its activities originate from, are affiliated with, or are sponsored, authorized, approved or sanctioned by Asman, or that Asman and/or his activities are affiliated in any way with Defendant;

(2) Infringing the Asman Marks or any colorable imitation thereof;

(3) Using in connection with his activities any false or deceptive designation, representation, or description of Asman or the Asman Marks, whether by symbols or words or statements, which would damage or injure Asman or give Defendant an unfair competitive advantage in the marketplace;

(4) Using any internet web site or domain name or metatag which includes the Asman Mark or any similar marks, including, but not limited to “CaseWorks Web” or “CaseWorksWeb” (whether capitalized or not);

(5) Purchasing or using any searchable key words which include the Asman Marks or any colorable imitation thereof, including, but not limited to “CaseWorks Web” or “CaseWorksWeb”;

(6) Engaging in acts of state or common law trade name infringement, trademark infringement, service mark infringement, unfair competition or misappropriation which would damage or injure Asman;

(5) Diluting the trade name and trademarks of Asman;

(6) Inducing, encouraging, aiding, abetting or contributing to any of the aforesaid acts.

I. For an award of all profits derived from Defendant’s unlawful acts set forth herein, in an amount to be proven at time of trial, but not less than \$75,000.

J. For an award of treble damages pursuant to 15 U.S.C. § 1117.

K. For an award of punitive damages, in an amount to be proven at trial.

L. For the cancellation of U.S. Trademark Application Ser. No. 7789579 on the mark “CaseWorks Web”.

M. That Asman be awarded the costs of this civil action, together with Asman’s reasonable attorney fees, including the value of services provided by Asman, pursuant to 15 U.S.C. § 1116 and/or 15 U.S.C. § 1117.

N. For such other and further relief as this honorable Court may deem equitable and proper.

**Undersigned certifies compliance with LR 7.1D (Times New Roman 14).**

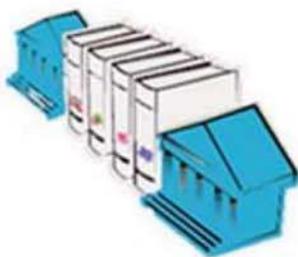
**PURSUANT TO RULE 38(b) OF THE FEDERAL RULES OF CIVIL  
PROCEDURE, TRIAL BY JURY IS DEMANDED.**

Dated: Decemeber 5, 2011

By: s/Sanford J. Asman  
Sanford J. Asman  
Georgia Bar No. 026118  
Plaintiff, *pro se*

Law Office of Sanford J. Asman  
570 Vinington Court  
Atlanta, Georgia 30350-5710  
Phone : (770) 391-0215  
Fax : (770) 668-9144  
E-mail : sandy@asman.com

**Exhibit 1**



**CaseWebs**<sup>tm</sup>  
*Your matters where they matter most!*

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## CaseWebs - Integrated Case Information System

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### CaseWebs Login

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**Please Sign In**

**User Name:**

**Password:**

**Remember me on this computer**

# LAW OFFICES OF SANFORD J. ASMAN

*Specializing in Patent, Trademark, Copyright, & Intellectual Property Law*

## CaseWebs - Integrated Case Information System

CaseWebs Available

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## Available for Viewing

### Patents

File No.	Matter
170707-1012	U.S. Patent No. 6,406,062 Hidden Image Game Piece (issued 6/18/02)

### Litigation

Caption	Court
Global Commerce Group, LLC -vs- ePrize, LLC, et als.	U.S. District Court, Northern District of Georgia, Atlanta Division

Sign Out

# LAW OFFICES OF SANFORD J. ASMAN

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## CaseWebs - Integrated Case Information System

CaseWebs Available

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## Available for Viewing

Caption	Court
<a href="#">Builders Insurance Group, Inc. -and- Ravello Solutions, LLC</a>	<a href="#">American Arbitration Association (Atlanta)</a>
<a href="#">Builders Insurance Group, Inc. -vs- Ravello Solutions, LLC</a>	<a href="#">U.S. District Court, Northern District of Georgia, Atlanta Division</a>
<a href="#">Ravello Solutions, LLC v. Speedbuilder Systems, LLC et al. (Appeal)</a>	<a href="#">U.S. Court of Appeals, 11th Circuit</a>
<a href="#">Ravello Solutions, LLC -vs- SpeedBuilder Systems, LLC, et al.</a>	<a href="#">U.S. District Court, Northern District of Georgia, Atlanta Division</a>

Sign Out

**Exhibit 2**

**Int. Cl.: 42**

**Prior U.S. Cls.: 100 and 101**

**United States Patent and Trademark Office**

**Reg. No. 3,316,614**

Registered Oct. 23, 2007

**SERVICE MARK  
PRINCIPAL REGISTER**

# CaseWebs

ASMAN, SANFORD J. (UNITED STATES INDIVIDUAL)  
570 VININGTON COURT  
ATLANTA, GA 303505710

FOR: PROVIDING ON-LINE NON-DOWNLOADABLE COMPUTER SOFTWARE FOR PROVIDING NETWORK BASED ACCESS TO LEGAL MATTERS; PROVIDING ON-LINE NON-DOWNLOADABLE COMPUTER SOFTWARE FOR PROVIDING ACCESS OVER THE INTERNET AND INTRANETS TO LITIGATION DOCUMENTS; AND PROVIDING ON-LINE NON-DOWNLOADABLE COMPUTER SOFTWARE FOR PROVIDING ACCESS TO LEGAL FILES

OVER THE INTERNET AND OVER INTRANETS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 1-1-2003; IN COMMERCE 1-1-2003.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 77-100,844, FILED 2-6-2007.

LEIGH CAROLINE CASE, EXAMINING ATTORNEY

**Exhibit 3**



**CaseSpace**<sup>tm</sup>  
*Your matters where they matter!*

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## CaseSpace - Integrated Case Information System

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### CaseSpace Login

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**Please Sign In**

**Email:**

**Password:**

**Remember me on this computer**



**CaseSpace**<sup>™</sup>  
Your matters where they matter!

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## CaseSpace - Integrated Case Information System

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### Cases Available

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### Available for Viewing

Caption	Court
<a href="#">Iguana, LLC -vs- Avon Products, Inc.</a>	<a href="#">U.S. District Court, Northern District of Georgia, Atlanta Division</a>
<a href="#">Iguana, LLC -vs- John Melnik</a>	<a href="#">U.S. District Court, Northern District of Georgia, Atlanta Division</a>
<a href="#">Iguana, LLC -vs- Patriot Performance Materials, Inc.</a>	<a href="#">U.S. District Court, Middle District of Georgia, Valdosta Division</a>
<a href="#">Iguana, LLC -vs- Patriot Performance Materials, Inc. (Thomas County)</a>	<a href="#">Superior Court, Thomas County, Georgia</a>
<a href="#">Iguana, LLC -vs- Paul E. Lanham, et als.</a>	<a href="#">U.S. District Court, Middle District of Georgia, Valdosta Division</a>
<a href="#">Stewart, Ernest G. -vs- Professional &amp; Temporary Services, Inc., et als.</a>	<a href="#">Superior Court, Thomas County, Georgia</a>
<a href="#">Tropeano, Jason -vs- Amon-Re' Laboratories, LLC, et als.</a>	<a href="#">Superior Court, Thomas County, Georgia</a>

Sign Out

# **Exhibit 4**

**Int. Cl.: 42**

**Prior U.S. Cls.: 100 and 101**

**United States Patent and Trademark Office**

**Reg. No. 3,575,917**

Registered Feb. 17, 2009

**SERVICE MARK  
PRINCIPAL REGISTER**

# CaseSpace

SANFORD J. ASMAN (UNITED STATES INDIVIDUAL)  
570 VININGTON COURT  
ATLANTA, GA 303505710

FOR: PROVIDING ON-LINE NON-DOWNLOADABLE COMPUTER SOFTWARE FOR PROVIDING NETWORK BASED ACCESS TO LEGAL MATTERS; PROVIDING ON-LINE NON-DOWNLOADABLE COMPUTER SOFTWARE FOR PROVIDING ACCESS OVER THE INTERNET AND INTRANETS TO LITIGATION DOCUMENTS; AND PROVIDING ON-LINE NON-DOWNLOADABLE COMPUTER SOFTWARE FOR PROVIDING NETWORK BASED ACCESS TO LEGAL FILES OVER THE INTERNET AND

OVER INTRANETS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 7-10-2008; IN COMMERCE 7-10-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 3,316,614.

SER. NO. 77-518,783, FILED 7-10-2008.

KATINA MISTER, EXAMINING ATTORNEY

**Exhibit 5**



Sandy Asman <sandy.asman@gmail.com>

---

## U.S. Trademark Application Ser. No. 7789579 on "CASEWORKS WEB"

---

Sanford J. Asman <sandy@asman.com>

Thu, Dec 3, 2009 at 6:48 PM

Reply-To: sandy@asman.com

To: css@dewittross.com

Hi, Chuck,

As I discussed with your assistant, Sherri, I am an attorney in Atlanta. In addition to my IP practice, I have also developed a considerable amount of legal software. In that regard, I am the owner of U.S. Reg. No. 3316614 on the mark "CaseWebs", as well as related U.S. Reg. No. 3575917 on the mark "CaseSpace", both of which relate to Internet based products which have been widely used for several years.

I recently became aware of the application which you filed seeking registration of "CASEWORKS WEB", along with the associated web site of your client, Integrated Imaging, LLC. As you might surmise, I think it is likely that the Trademark Examining Attorney to whom the application is assigned will not approve the application, particularly in view of the Notice of Pseudo Mark issued on November 5<sup>th</sup>. However, should the application be published for opposition, I will, of course deal with that, as well.

While my preference would be that your client chooses another mark, I am willing to discuss a potential amicable resolution to the issue addressed herein.

Please feel free to call me, or to have your client do so in that this matter involves a *pro se* issue on my part, rather than my representation of a client, whereby the ethics rules relating to direct communication are inapplicable. Accordingly, you should consider this email to be a courtesy on my part, as I specifically retain the right to contact your client directly.

Sandy

Sanford ("Sandy") J. Asman

Attorney at Law

570 Vinington Court

Atlanta, GA 30350

Phone: [\(770\) 391-0215](tel:(770)391-0215)

Fax: (770) 668-9144

Email: [sandy@asman.com](mailto:sandy@asman.com)

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**2 attachments**

 **USRegNo3316614.pdf**  
24K

 **USRegNo3575917.pdf**  
25K

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**Exhibit 6**


[Home](#)
[System Features](#)
[Pricing Models & Security](#)
[Testimonials](#)
[Problems & Solutions](#)
[Contact Us](#)


Focus on  
people...  
not on paper

CaseWorks Web  
is a powerful,  
easy-to-use case  
management and  
counseling system.

This innovative software is designed to easily transition counselors and service providers away from the burden of filing paper-based client forms. Unlike generalized EHR and EMR systems, CaseWorks Web has been designed to specifically meet the needs of the clinician and counseling service industries. Using the CaseWorks Web automated system will optimize your organization's service delivery and information management processes. This system gives your organization the ability to automate your workflow and manage all aspects of treating your clients.

#### Proven Results for Professionals

- Mental and Behavioral Health
- Community-Based Support Services
- Family Outreach and Assistance
- Special Needs Education
- Addiction Therapy, Substance Abuse Treatment and Rehabilitation
- Therapeutic Foster Care
- In-Home Health Evaluation
- Vocational Counseling
- Probation and Court Compliance Monitoring

Powered by [Integrated Imaging, LLC](#) | 419 Salem Avenue, Roanoke, VA 24016 | Ph: (540) 342-3669 | Toll Free: (888) 922-3669

CIVIL COVER SHEET

The JS44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form is required for the use of the Clerk of Court for the purpose of initiating the civil docket record. (SEE INSTRUCTIONS ATTACHED)

**I. (a) PLAINTIFF(S)**

Sanford J. Asman

**DEFENDANT(S)**

Integrated Imaging, LLC

**(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF** Fulton  
(EXCEPT IN U.S. PLAINTIFF CASES)

**COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT** \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

**(c) ATTORNEYS** (FIRM NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS)

Sanford J. Asman, pro se  
Law Office of Sanford J. Asman  
770-391-0215  
sandy@asman.com

**ATTORNEYS** (IF KNOWN)

**II. BASIS OF JURISDICTION**

(PLACE AN "X" IN ONE BOX ONLY)

- 1 U.S. GOVERNMENT PLAINTIFF
- 2 U.S. GOVERNMENT DEFENDANT
- 3 FEDERAL QUESTION (U.S. GOVERNMENT NOT A PARTY)
- 4 DIVERSITY (INDICATE CITIZENSHIP OF PARTIES IN ITEM III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES**

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) (FOR DIVERSITY CASES ONLY)

- | PLF                                   | DEF                        |   | PLF                        | DEF                                   |   |
|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|---|
| <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | CITIZEN OF THIS STATE                   | <input type="checkbox"/> 4 | <input type="checkbox"/> 4            | INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE     |
| <input type="checkbox"/> 2            | <input type="checkbox"/> 2 | CITIZEN OF ANOTHER STATE                | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 | INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE |
| <input type="checkbox"/> 3            | <input type="checkbox"/> 3 | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | <input type="checkbox"/> 6 | <input type="checkbox"/> 6            | FOREIGN NATION  |

**IV. ORIGIN**

(PLACE AN "X" IN ONE BOX ONLY)

- 1 ORIGINAL PROCEEDING
- 2 REMOVED FROM STATE COURT
- 3 REMANDED FROM APPELLATE COURT
- 4 REINSTATED OR REOPENED
- 5 TRANSFERRED FROM ANOTHER DISTRICT (Specify District)
- 6 MULTIDISTRICT LITIGATION
- 7 APPEAL TO DISTRICT JUDGE FROM MAGISTRATE JUDGE JUDGMENT

**V. CAUSE OF ACTION**

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE - DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Trademark ("Lanham") Act, 15 U.S.C. 1051, et seq. This is a trademark infringement action based upon Plaintiff's ownership of federal registrations on the marks CaseWebs (U.S. Reg. No. 3,316,614) and CaseSpace (U.S. Reg. No. 3,575,917). It also seeks cancellation of Defendant's pending U.S. Trademark Application Ser. No. 7789579 for the mark "CaseWebs Works".

The action is also based on diversity of citizenship.

**(IF COMPLEX, CHECK REASON BELOW)**

- 1. Unusually large number of parties.
- 2. Unusually large number of claims or defenses.
- 3. Factual issues are exceptionally complex
- 4. Greater than normal volume of evidence.
- 5. Extended discovery period is needed.
- 6. Problems locating or preserving evidence
- 7. Pending parallel investigations or actions by government.
- 8. Multiple use of experts.
- 9. Need for discovery outside United States boundaries.
- 10. Existence of highly technical issues and proof.

CONTINUED ON REVERSE

**FOR OFFICE USE ONLY**

RECEIPT # \_\_\_\_\_ AMOUNT \$ \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ MAG. JUDGE (IFP) \_\_\_\_\_  
 JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_ NATURE OF SUIT \_\_\_\_\_ CAUSE OF ACTION \_\_\_\_\_  
 (Referral)

**VI. NATURE OF SUIT** (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT - "0" MONTHS DISCOVERY TRACK

- 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT
- 152 RECOVERY OF DEFAULTED STUDENT LOANS (Excl. Veterans)
- 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS

CONTRACT - "4" MONTHS DISCOVERY TRACK

- 110 INSURANCE
- 120 MARINE
- 130 MILLER ACT
- 140 NEGOTIABLE INSTRUMENT
- 151 MEDICARE ACT
- 160 STOCKHOLDERS' SUITS
- 190 OTHER CONTRACT
- 195 CONTRACT PRODUCT LIABILITY
- 196 FRANCHISE

REAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- 210 LAND CONDEMNATION
- 220 FORECLOSURE
- 230 RENT LEASE & EJECTMENT
- 240 TORTS TO LAND
- 245 TORT PRODUCT LIABILITY
- 290 ALL OTHER REAL PROPERTY

TORTS - PERSONAL INJURY - "4" MONTHS DISCOVERY TRACK

- 310 AIRPLANE
- 315 AIRPLANE PRODUCT LIABILITY
- 320 ASSAULT, LIBEL & SLANDER
- 330 FEDERAL EMPLOYERS' LIABILITY
- 340 MARINE
- 345 MARINE PRODUCT LIABILITY
- 350 MOTOR VEHICLE
- 355 MOTOR VEHICLE PRODUCT LIABILITY
- 360 OTHER PERSONAL INJURY
- 362 PERSONAL INJURY - MEDICAL MALPRACTICE
- 365 PERSONAL INJURY - PRODUCT LIABILITY
- 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY

TORTS - PERSONAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- 370 OTHER FRAUD
- 371 TRUTH IN LENDING
- 380 OTHER PERSONAL PROPERTY DAMAGE
- 385 PROPERTY DAMAGE PRODUCT LIABILITY

BANKRUPTCY - "0" MONTHS DISCOVERY TRACK

- 422 APPEAL 28 USC 158
- 423 WITHDRAWAL 28 USC 157

CIVIL RIGHTS - "4" MONTHS DISCOVERY TRACK

- 441 VOTING
- 442 EMPLOYMENT
- 443 HOUSING/ ACCOMMODATIONS
- 444 WELFARE
- 440 OTHER CIVIL RIGHTS
- 445 AMERICANS with DISABILITIES - Employment
- 446 AMERICANS with DISABILITIES - Other

IMMIGRATION - "0" MONTHS DISCOVERY TRACK

- 462 NATURALIZATION APPLICATION
- 463 HABEAS CORPUS- Alien Detainee
- 465 OTHER IMMIGRATION ACTIONS

PRISONER PETITIONS - "0" MONTHS DISCOVERY TRACK

- 510 MOTIONS TO VACATE SENTENCE
- 530 HABEAS CORPUS
- 535 HABEAS CORPUS DEATH PENALTY
- 540 MANDAMUS & OTHER
- 550 CIVIL RIGHTS - Filed Pro se
- 555 PRISON CONDITION(S) - Filed Pro se

PRISONER PETITIONS - "4" MONTHS DISCOVERY TRACK

- 550 CIVIL RIGHTS - Filed by Counsel
- 555 PRISON CONDITION(S) - Filed by Counsel

FORFEITURE/PENALTY - "4" MONTHS DISCOVERY TRACK

- 610 AGRICULTURE
- 620 FOOD & DRUG
- 625 DRUG RELATED SEIZURE OF PROPERTY 21 USC 881
- 630 LIQUOR LAWS
- 640 R.R. & TRUCK
- 650 AIRLINE REGS.
- 660 OCCUPATIONAL SAFETY / HEALTH
- 690 OTHER

LABOR - "4" MONTHS DISCOVERY TRACK

- 710 FAIR LABOR STANDARDS ACT
- 720 LABOR/MGMT. RELATIONS
- 730 LABOR/MGMT. REPORTING & DISCLOSURE ACT
- 740 RAILWAY LABOR ACT
- 790 OTHER LABOR LITIGATION
- 791 EMPL. RET. INC. SECURITY ACT

PROPERTY RIGHTS - "4" MONTHS DISCOVERY TRACK

- 820 COPYRIGHTS
- 840 TRADEMARK

PROPERTY RIGHTS - "8" MONTHS DISCOVERY TRACK

- 830 PATENT

SOCIAL SECURITY - "0" MONTHS DISCOVERY TRACK

- 861 HIA (1395ff)
- 862 BLACK LUNG (923)
- 863 DIWC (405(g))
- 863 DIWW (405(g))
- 864 SSID TITLE XVI
- 865 RSI (405(g))

FEDERAL TAX SUITS - "4" MONTHS DISCOVERY TRACK

- 870 TAXES (U.S. Plaintiff or Defendant)
- 871 IRS - THIRD PARTY 26 USC 7609

OTHER STATUTES - "4" MONTHS DISCOVERY TRACK

- 400 STATE REAPPORTIONMENT
- 430 BANKS AND BANKING
- 450 COMMERCE/ICC RATES/ETC.
- 460 DEPORTATION
- 470 RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS
- 480 CONSUMER CREDIT
- 490 CABLE/SATELLITE TV
- 810 SELECTIVE SERVICE
- 875 CUSTOMER CHALLENGE 12 USC 3410
- 891 AGRICULTURAL ACTS
- 892 ECONOMIC STABILIZATION ACT
- 893 ENVIRONMENTAL MATTERS
- 894 ENERGY ALLOCATION ACT
- 895 FREEDOM OF INFORMATION ACT
- 900 APPEAL OF FEE DETERMINATION UNDER EQUAL ACCESS TO JUSTICE
- 950 CONSTITUTIONALITY OF STATE STATUTES
- 890 OTHER STATUTORY ACTIONS

OTHER STATUTES - "8" MONTHS DISCOVERY TRACK

- 410 ANTITRUST
- 850 SECURITIES / COMMODITIES / EXCHANGE

OTHER STATUTES - "0" MONTHS DISCOVERY TRACK

- ARBITRATION (Confirm / Vacate / Order / Modify)

(Note: Mark underlying Nature of Suit as well)

**\* PLEASE NOTE DISCOVERY TRACK FOR EACH CASE TYPE. SEE LOCAL RULE 26.3**

**VII. REQUESTED IN COMPLAINT:**

CHECK IF CLASS ACTION UNDER F.R.Civ.P. 23 DEMAND \$ \_\_\_\_\_

JURY DEMAND  YES  NO (CHECK YES ONLY IF DEMANDED IN COMPLAINT)

**VIII. RELATED/REFILED CASE(S) IF ANY**

JUDGE \_\_\_\_\_ DOCKET NO. \_\_\_\_\_

CIVIL CASES ARE DEEMED RELATED IF THE PENDING CASE INVOLVES: (CHECK APPROPRIATE BOX)

- 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 2. SAME ISSUE OF FACT OR ARISES OUT OF THE SAME EVENT OR TRANSACTION INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 4. APPEALS ARISING OUT OF THE SAME BANKRUPTCY CASE AND ANY CASE RELATED THERETO WHICH HAVE BEEN DECIDED BY THE SAME BANKRUPTCY JUDGE.
- 5. REPETITIVE CASES FILED BY PRO SE LITIGANTS.
- 6. COMPANION OR RELATED CASE TO CASE(S) BEING SIMULTANEOUSLY FILED (INCLUDE ABBREVIATED STYLE OF OTHER CASE(S)):

7. EITHER SAME OR ALL OF THE PARTIES AND ISSUES IN THIS CASE WERE PREVIOUSLY INVOLVED IN CASE NO. \_\_\_\_\_, WHICH WAS DISMISSED. This case  IS  IS NOT (check one box) SUBSTANTIALLY THE SAME CASE.

SIGNATURE OF ATTORNEY OF RECORD

DATE