

ESTTA Tracking number: **ESTTA653086**

Filing date: **01/29/2015**

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

Proceeding	91212477
Party	Plaintiff Balance Bar Company
Correspondence Address	R GLENN SCHROEDER SCHROEDER LAW PC 110 COOPER STREET , #605 BABYLON, NY 11702 UNITED STATES docket@schroederlawpc.com,gschroeder@schroederlawpc.com
Submission	Testimony For Plaintiff
Filer's Name	R. Glenn Schroeder
Filer's e-mail	docket@schroederlawpc.com,gschroeder@schroederlawpc.com
Signature	/r. glenn schroeder/
Date	01/29/2015
Attachments	Lifeso_Corrected_Testimony_Transcript_April_30_2014.pdf(1104222 bytes) Opposers_Exhibit_2.pdf(1815125 bytes) Opposers_Exhibit_3.pdf(2021848 bytes) Opposers_Exhibit_4.pdf(1371679 bytes) Opposers_Exhibit_5.pdf(1383450 bytes) Opposers_Exhibit_6.pdf(1326528 bytes) Opposers_Exhibit_7.pdf(1149613 bytes) Opposers_Exhibit_8.pdf(688999 bytes) Opposers_Exhibit_9.pdf(747097 bytes) Opposers_Exhibit_13_Part_1.pdf(3149403 bytes) Opposers_Exhibit_13_Part_2.pdf(2911455 bytes) Opposers_Exhibit_17.pdf(749710 bytes) Opposers_Exhibit_18.pdf(758718 bytes) Opposers_Exhibit_19.pdf(858594 bytes)

Pursuant to 37 C.F.R. §§ 2.125(e), 2.126(c), TBMP 703.01(p), and the Stipulated Protective Order, approved by the Board on February 20, 2014, the following testimony deposition transcript pages and exhibits have been designated as “Confidential” and are being filed with the Board under seal, under separate cover: Pages 122-140 and 151-192, and Exhibit Nos. 1, 10-12, 14-16 and 20-32.

Respectfully submitted,

Dated: 29 January 2015

By: /s/ R. Glenn Schroeder
R. Glenn Schroeder
Schroeder Law PC
110 Cooper Street #605
Babylon, New York 11702
Telephone: (631) 649-6109
Facsimile: (631) 649-8126
gschroeder@schroederlawpc.com

Attorney for Opposer,
Balance Bar Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **OPPOSER'S NOTICE OF FILING OF APRIL 30, 2014 CORRECTED CERTIFIED TESTIMONY DEPOSITION TRANSCRIPT AND EXHIBITS OF ERIN LIFESO** has been served via US mail and email this 29th day of January 2015 upon the following:

Johanna Wilbert, Esq.
Quarles & Brady LLP
411 East Wisconsin Avenue
Milwaukee, WI 53202
johanna.wilbert@quarles.com

/s/ R. Glenn Schroeder _____
R. Glenn Schroeder

ORIGINAL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

-----x

In re Application Serial Nos. 77/864,206 and
77/864,268

Published for Opposition on April 20, 2010 and
August 10, 2010

Trademark: SMART BALANCE

BALANCE BAR COMPANY,

Opposer,

- and -

GFA BRANDS, INC.,

Applicant.

Opposition Numbers: 91196954/91197748

-----x

2100 Smithtown Avenue
Ronkonkoma, New York

April 30, 2014
10:10 a.m.

Deborah Rozea, Reporter

REALTIME REPORTING, INC.
124 East Main Street, Suite 202
Babylon, New York 11702
516-938-4000
www.realtimereporting.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S:

For the Opposer:

SCHROEDER LAW, P.C.

110 Cooper Street - #605

Babylon, New York 11702

BY: R. GLENN SCHROEDER, ESQ.

For the Applicant:

QUARLES & BRADY, LLP

411 East Wisconsin Avenue

Milwaukee, Wisconsin 53202-4497

BY: JOHANNA M. WILBERT, ESQ.

ALSO PRESENT:

LEE GROSSKREUZ HECHTEL, ESQ.

KEITH FELSENFELD

SOFYA NODGORNYY

1
2 E R I N L I F E S O , called as a witness,
3 having been duly sworn by a Notary
4 Public, was examined and testified as
5 follows:

6 DIRECT EXAMINATION BY

7 MR. SCHROEDER:

8 Q. Please state your full name for
9 the record.

10 A. Erin Lifeso.

11 Q. What is your address?

12 A. 2100 Smithtown Avenue,
13 Ronkonkoma, New York 11779.

14 MR. SCHROEDER: Could you mark
15 these, please?

16 (Opposer's Exhibit 1, Copy of
17 multipage document entitled Balance Bar
18 Team Presentation, Balance Bar
19 1997-2000, Presented by: Lara Jackle
20 Dickinson, Bates stamped BB0000188
21 through BB0000260, marked for
22 identification.)

23 (Opposer's Exhibit 2, Copy of
24 advertisement, Bates stamped BB0000038,
25 marked for identification.)

1 Lifeso - Direct

2 (Opposer's Exhibit 3, Copy of
3 advertisement, Bates stamped BB0000039,
4 marked for identification.)

5 (Opposer's Exhibit 4, Copy of
6 advertisement, Bates stamped BB0000040,
7 marked for identification.)

8 (Opposer's Exhibit 5, Copy of
9 advertisement, Bates stamped BB0000041,
10 marked for identification.)

11 (Opposer's Exhibit 6, Copy of
12 advertisement, Bates stamped BB0000042
13 marked for identification.)

14 Q. Good morning. Please state your
15 full name for the record.

16 A. Erin Lifeso.

17 Q. Where are you currently employed?

18 A. At NBTY.

19 Q. How long have you worked for
20 NBTY?

21 A. I have officially worked at NBTY
22 since December of 2012.

23 Q. Let me back up.

24 What is your current position at
25 NBTY?

1 Lifeso - Direct

2 A. I'm the Senior Director of
3 Marketing for Balance Bar.

4 Q. Is that your title?

5 A. That's my title.

6 Q. Can you describe your general job
7 responsibilities in this?

8 A. Yeah.

9 I manage the Balance Bar brand
10 and business from a P & L perspective.
11 Advertising strategy. Managing the agencies.
12 Activation with consumers. Research.

13 Q. Have you held any other positions
14 at NBTY?

15 A. I have not.

16 Q. Did you have any prior experience
17 in the marketing industry prior to joining
18 NBTY?

19 A. I was with the Balance Bar
20 business for three years prior to acquisition
21 of Balance Bar by NBTY.

22 And then I was at Cadbury for
23 three and a half years prior to that.

24 Q. When you mentioned the experience
25 prior to NBTY, can you expand on that a little

1 Lifeso - Direct

2 bit?

3 A. With Balance Bar?

4 Q. Correct.

5 A. So, in January 2010 I left
6 Cadbury and joined Brynwood Partners,
7 B-R-Y-N-W-O-O-D. We just acquired the Balance
8 Bar business from Kraft, and I joined as their
9 Director of Marketing for Balance Bar, and
10 held that position -- got promoted in that
11 interim to Senior Director, but managed that
12 brand for three years, and then it was sold in
13 November of 2012 to NBTY, and I came with that
14 acquisition as still the Senior Brand Manager
15 for Balance Bar.

16 Q. Can you briefly describe your
17 educational experience?

18 A. Yeah.

19 I have a Bachelor's of Science
20 degree from Cornell University in Mechanical
21 and Aerospace Engineering, and I have an MBA
22 from Dartmouth Tuck School of Business.

23 Q. Can you give us a brief overview
24 of the history of the Balance Bar Company
25 going back to the beginning?

Lifeso - Direct

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A. Sure.

MS. WILBERT: Objection.
Foundation.

MR. SCHROEDER: You can answer.

A. It was founded in about 1992 in Santa Barbara, California by some athletes and scientists who had developed or worked on the 40-30-30 nutrition principal that was the foundation for all the Balance Bar products. They were private until '96, '97, and then they went public for a few years.

They then sold the business in 2000 to Kraft, and Kraft managed the business from 2000 until the end of 2009 when they sold the business to Brynwood Partners out of Greenwich, Connecticut.

And then Brynwood Partners managed the Balance Bar business from the end of '09 until the acquisition by NBTY at the end of 2012.

NBTY then acquired it at the end of 2012 and have managed it until today.

Q. And this history that you just gave us, how are you familiar with the

Lifeso - Direct

1
2 company's history?

3 A. So, we were provided at the time
4 that I joined the company in January 2010 with
5 documentation and files from Kraft at that
6 time of acquisition.

7 So, we basically got grounded
8 with the files that were provided to us, and
9 then, again, I have been in the business for
10 over four years now so I have built up
11 knowledge since the acquisition.

12 Q. Is it your understanding that the
13 company has used certain trademarks over this
14 period of time?

15 A. Yes.

16 Q. Can you expand on that?

17 A. Yes.

18 So, Balance and Balance Bar are
19 the two main trademarks that are registered,
20 that we use.

21 Our products are, you know,
22 promotional materials are everywhere basically
23 in market that we are advertising the brand.

24 Throughout the years they have
25 also added trademarks that they launched as

Lifeso - Direct

subbrands.

So, Balance Bar Gold, for example, would be trademarked or Balance Bare. So, how we use those trademarks as we launch different subbrands we leverage and use.

Also, if we had a tagline or slogan we would trademark those. So, "Have you found your Balance?" "Find your Balance." "Never be out of Balance." These are trademarked slogans.

Q. Are those slogans --

A. Or taglines.

Q. Are those slogans that you are currently using today?

A. Some of them we are using today.

Q. For example?

A. "Find your Balance" and "Have you found your Balance".

Q. You mentioned earlier, but let me just ask specifically, were business records and files transferred from Kraft to Brynwood Partners upon the sale of the company by Kraft?

A. Yes, they were.

Lifeso - Direct

1
2 Q. Were these business records and
3 files utilized and relied upon by Brynwood
4 Partners in continuing the operation of the
5 company?

6 A. Yes, they were.

7 Q. Did these business records and
8 files contain historical advertising and
9 marketing data?

10 A. Yes, they did.

11 Q. Was it part of your job
12 responsibilities to review these files?

13 A. Yes, and to pull together, you
14 know, maybe top line summaries of what they
15 contained for upper management.

16 Q. Was it important to become
17 familiar with these earlier materials as you
18 began to develop new campaigns?

19 A. Yes.

20 To have the history and
21 understanding of where the business came from
22 and those learnings from the prior owners were
23 very helpful in understanding the tonality of
24 the personality of the brand, and how reach
25 those consumers that we were targeting.

1 Lifeso - Direct

2 Q. Based on your overall knowledge
3 of the company, including your review of the
4 records that you just mentioned, to the best
5 of your knowledge have the Balance and Balance
6 Bar marks been used since 1992?

7 A. Yes.

8 Q. Are you aware of any periods of
9 time when they were not in use?

10 A. I'm unaware of any periods of
11 time when they would not be in use since we
12 have had product in market since it was
13 launched in '92.

14 (Handing.)

15 Q. I have just handed you what has
16 been marked as Opposer's Exhibit 1.

17 A. Okay.

18 Q. Can you please review Exhibit 1
19 and identify that document for me?

20 A. Yup.

21 This is titled Balance Bar Team
22 Presentation and this was presented to the
23 Balance Bar team around June 2010 by Lara
24 Jackle Dickinson.

25 She had been the marketer from

Lifeso - Direct

1
2 about '97 to 2000, 2001 timeframe on the
3 Balance Bar business when it was both
4 privately held, and then when it was sold to
5 Kraft for about a year she managed the
6 business, and she presented this document to
7 us in our offices.

8 Q. Was this something that you asked
9 her to do?

10 A. Yes.

11 CEO Michael Sands at the time had
12 been in contact with her, and had asked her to
13 come in, and basically take us through the
14 original brand DNA, historical strategies and
15 tactics that had been used back again from
16 that timeframe of about 1997 to about 2000,
17 and to pull out or tease out any elements that
18 still might be relevant for us as we were
19 launching -- what we called the relaunch of
20 the brand since we were just acquiring it in
21 2010.

22 Q. If you take a look at the page
23 marked BB190.

24 A. Yes.

25 Q. Would that appear to be an

Lifeso - Direct

1
2 accurate representation of the outline of this
3 presentation?

4 A. Yes, we walked through the entire
5 presentation basically in this outline.

6 Q. Could I ask you to turn to BB218.

7 A. Yes.

8 Q. To start with, can you explain
9 the significance of a Gold Effie, what that
10 is?

11 A. Yes.

12 So, it's an advertising award for
13 an advertising or marketing campaign.

14 So, the "Never be out of Balance"
15 campaign that was launched I believe in '90 --
16 in the '90s, late '90s apparently won a 2000
17 Gold Effie for its campaign.

18 Q. Can I ask you to walk us through
19 the 20 or so pages and to explain what we are
20 looking at?

21 A. Sure.

22 So, starting on 219?

23 Q. That's fine.

24 A. So, this is a print advertisement
25 leveraging the "Never be out of Balance"

Lifeso - Direct

trademark, and the campaign is around being hungry and how it can affect your concentration.

So, this is one of the advertisements that we put into market.

Q. Before you turn your page.

A. Yup.

Q. The lower right-hand corner under the ad, does that number mean anything, is it significant?

A. The 510-0 --

Q. Correct.

A. -- 32-99.

It is not significant. It would not have been on the ad itself in terms of, in market.

Most likely it's just identifying a number associated to the ad and the year, '99, I'm guessing.

Q. Okay.

A. Again, another ad under the same campaign with the objective to describe, and have a tongue in cheek kind of humor associated to how when you are hungry it

Lifeso - Direct

1
2 affects your concentration. Still under the
3 "Never be out of Balance" tagline.

4 The next page, on Page 221 is the
5 TV campaign. So, it's a 30-second spot in
6 boards so you can see snapshots, shot by shot
7 what would have been an actual TV commercial.
8 Again, around the same campaign of how being
9 hungry can affect your mood.

10 Q. Do you know where this campaign
11 would have run? Would it have been national
12 in scope? Do you know?

13 A. It could have been national in
14 scope.

15 I think later on there might be
16 the advertising. So, I think they ran this on
17 two different occasions, some local and some
18 were national based on what is in this
19 document.

20 222 is a description and an
21 advertisement saying that Balance Bar is the
22 official nutrition bar of the Los Angeles
23 Lakers. So, they are driving consumers to
24 engage with them through this endorsement.

25 Q. Do you know how that would have

Lifeso - Direct

1
2 taken place? Do you have any knowledge how
3 this endorsement would have taken place?

4 A. I believe one of the team members
5 had met somebody from the LA Lakers while
6 traveling and they created the partnership
7 based on a shared interest that Balance Bar
8 has the right nutritional properties or values
9 for the athletes of the LA Lakers.

10 That's my understanding from
11 Lara.

12 223, this basically is an outline
13 of the attributes of the product line and
14 showcasing the project line at the time, the
15 Original Balance Bars, the Balance + Bars, the
16 Balance Outdoors Bars as well as their
17 nutritional drink, Total Balance.

18 And it had a coupon on the
19 right-hand side for both the bars as well as
20 the ready to drink beverages.

21 Q. Would this have been an insert
22 into a newspaper?

23 A. It's possible.

24 It looks more like a handout to
25 me, but, again, I'm not a hundred percent

Lifeso - Direct

1
2 sure. It's like a three-folded brochure.

3 The next page, 224, is a trade ad
4 that they would take in to retailers to
5 showcase the value of the Balance Bar to the
6 retailer who had it at their set, at the
7 shelf, and how it's compared to the
8 competition and outperforming based on share.

9 Q. When you said trade ad, could you
10 expand on what exactly that means?

11 A. Yup.

12 So, this would not be consumer
13 facing but retailer facing. So, this wouldn't
14 go into the consumer's hands. This would be
15 to the retail side for them to be familiar and
16 educated on the brand and its points of
17 difference.

18 And when the sale reps would call
19 on them they could reference these trade
20 materials to gain distribution or, you know,
21 additional placements.

22 225. This is a campaign focused
23 on the Balance Outdoor product line that was
24 launched. Focused on the purest ingredients.
25 They also looked at how to differentiate

Lifeso - Direct

themselves from the competition.

The notes here show that the competition was more focused on active use energy bars whereas the Outdoor line is for active folks, but also they got the purer ingredients was their point of differentiation.

226 is another Balance Outdoor ad. The same vein as the prior page, as is 227; still, again, focusing on Balance Outdoor and promoting that and this is, again, a consumer print ad.

228 is another trade ad, focusing on Balance Outdoor in this case, and comparing it based on fact to the competition.

So, in this case comparing it to PowerBar and who outperforms. So, they are trying to obviously show that Balance Bar was outperforming PowerBar based on the data they had represented here in this trade ad.

229 and 230 is either a front and back or a double-sided trade-focused sell sheet around Balance Outdoor.

So, it walks them through the

Lifeso - Direct

four flavors of the products, some of the benefits, brings in some consumer research and then either the second page or the back to that first page.

230 includes the product specifications as well as the marketing support at the time of the launch for Balance Outdoor.

Q. Is a sell sheet any different than the trade ads that we mentioned before?

A. A trade ad can run in a trade publication whereas a spec sheet or sell sheet would be usually handed out to a retailer either in a meeting or at a trade show. That's, again, the usual placement or usage of those types of materials.

231 is a consumer facing print ad, and the note here is that it was targeting the female target, and it was, again, the Balance + product line launch, and it was run in Prevention Magazine as well as perhaps other natural food publications. Again, targeting the consumer user. Again, in this case, the older female target.

Lifeso - Direct

1
2 Q. Is Prevention Magazine a national
3 scope magazine?

4 A. My understanding is at the time
5 it was, yes.

6 Q. Is it still?

7 A. I would believe so as well.

8 Again, this page, 232 is
9 highlighting the benefits of the Balance +.
10 This would be focused on the retailer, not the
11 consumer. So, it would either be a trade ad
12 or a spec sheet of some kind.

13 That, again, highlights the
14 consumer information as well as the product
15 details that support why Balance + is a great
16 new product offering at the time.

17 Slide 233 -- Page 233.

18 So, Balance Bar launched under
19 the Jenny Craig label, a private label
20 business basically for Jenny Craig. It was
21 against the SlimFast Meal on the Go Bar and
22 this looks like either it would be three
23 one-third page consumer print ads or it could
24 have run together in theory as well.

25 Q. Do these particular products

Lifeso - Direct

1
2 include the Balance mark or Balance Bar mark
3 on them?

4 A. It is not my understanding that
5 they would have because it would have been
6 branded Jenny Craig.

7 234, this gets more into how
8 Balance Bar was leveraging celebrities or
9 celebrity-focused sponsors or endorsers.

10 Q. Do you have any knowledge how
11 that took place at that time?

12 A. I'm trying to remember if I
13 recall hearing how they reached out to these
14 folks. I'm not positive how they actually got
15 in touch with these trainers or celebrities.

16 Q. What would the sponsorship have
17 involved?

18 A. Them basically, the endorser
19 saying I use this product and I like it for
20 these reasons.

21 Q. Would that appear in an
22 advertisement?

23 A. It could.

24 Probably also would have been
25 online.

Lifeso - Direct

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q. On the product itself?

A. I don't believe they ever brought these folks onto their packaging in terms of an endorsement, in terms of packaging that I have seen.

But it was leveraged in PR. So, again, from a PR perspective you are looking to be in editorials or picked up in print ads or print write ups or on TV.

Am I continuing?

Q. Yes, please do.

A. 235, okay, so, again, this takes back to the outline where we are focusing on the next part of marketing PR events is media overview.

So, Page 236 outlines for the '99/2000 year their marketing plan. Main objectives being close the distribution gap, grow share and grow the category.

They had four areas they were focusing on in terms of the marketing. They were looking to the media side to build awareness. They were looking at promotions to drive trial. They leveraged public relations

Lifeso - Direct

1
2 to increase awareness as well, and then
3 events; which included getting samples out
4 there to the consumers to really have that
5 high touch or high engagement point.

6 237 shows the 2000 marketing plan
7 outlined. The line items here include the
8 buckets of advertising and the promotions.

9 Here is where they show the TV.
10 To your earlier question where would they have
11 run this Spot TV. They show both the Spot TV
12 as well as National Cablevision; April, May
13 timeframe as well as September and October
14 being when they were driving in TV.

15 The Blitz Programs happened in
16 key markets. So, they would go heavy for say
17 four to six weeks usually in one market or a
18 few markets. I believe they picked four
19 during the 2000 year based again on materials
20 provided here.

21 Q. Would a Blitz program include all
22 forms of marketing?

23 A. Yeah. It could include
24 billboards. Out of home billboards.
25 Definitely sampling activities tying in with

Lifeso - Direct

1
2 retailers.

3 So, you had additional displays
4 or activity demonstrations happening within
5 the retailer locations. You can see where
6 they have print as well here. So, they could
7 have had outdoor print as well as those
8 internet billboards. They could have had any
9 of these measures.

10 I think, again, there is another
11 page in here that outlines a little more what
12 they did in these Blitz Programs.

13 And the Promotion side, again,
14 this is a lot focused on reaching the consumer
15 either through the retailer or public
16 relations as well as coupons and direct
17 mailers.

18 Page 238 gives more detail behind
19 some of the programs we just looked at, top
20 line on that last chart. You got the top area
21 showing the TV and the cities and the flights
22 that they did.

23 So, a five-week flight from April
24 to May and they did a six-week flight during
25 the back to school, September, October,

Lifeso - Direct

1
2 timeframe.

3 They kind of walk through the
4 internet.

5 What they did on the Outdoor
6 print campaign. The event marketing in terms
7 of sampling. They reached over five million
8 mouths. So, they gave out five million pieces
9 of product to taste.

10 They go through all their
11 couponing which they did; Catalina, FSI, Mambo
12 Sprouts targets the natural food shoppers and
13 they used Smart Source Coupon Machines as
14 well.

15 And then they have Consumer
16 Promotions that they leveraged. A Global
17 ReLeaf which they plant a tree when someone
18 sent back a certain number of wrappers in
19 their name.

20 They had In-College Promotions
21 going on.

22 Q. You mentioned FSI. What is FSI?

23 A. It's a freestanding insert. You
24 would find it as an insert in your Sunday
25 paper with coupons.

1 Lifeso - Direct

2 Team Balance Bar. They had a
3 team that people who wanted to reach out and
4 be part of the Balance team, could reach out
5 and ask to be part of the community.

6 239 is much more in depth and
7 harder to read. Sorry.

8 Q. You can go forward. No problem.

9 A. Advertising plan.

10 Page 240 gets more into the Blitz
11 Marketing Media which you asked about a second
12 ago, but what this meant is that they, you
13 know, so they concentrated on a few test
14 markets. This one talks about Portland and
15 what they did in Portland.

16 For example, over a concentrated
17 period of time they did integrated PR, radio,
18 outdoor. They sponsored the Portland
19 Trailblazers team and actually had them take
20 on the 40-30-30 diet.

21 They heavied up the media so they
22 did TV in that market.

23 And then they also worked with
24 Fred Meyer who is a retailer to get more
25 displays and to make sure that the product was

1 Lifeso - Direct

2 tagged and shelved.

3 And also on advertising they
4 included Fred Meyer on their advertising in
5 that market.

6 Some additional programs they did
7 more niche or targeted.

8 Q. What page are you on?

9 A. Page 241.

10 So, they reached out to the gay
11 and lesbian community in some key markets:
12 Miami, LA, New York and San Francisco.

13 And they engaged in those market
14 in certain ways. They did sampling, both
15 community as well as national events.

16 They did targeted advertising in
17 The Advocate.

18 And then they did some
19 distribution of what they call premium items.
20 So, tank tops, fanny packs, sort of like ~~swank~~ swag
21 materials. JK

22 242, that is just an overview of
23 some of the event sponsorships that they did
24 as well throughout the year.

25 So, they had a team of people

Lifeso - Direct

1
2 within Balance Bar who actually managed
3 events. So, they had five full-time employees
4 plus the VP of Marketing who helped run all
5 these programs. So, they had a dedicated
6 staff and team.

7 They sponsored Adventure Racing.

8 They were also the Official Bar
9 of Squaw Valley which is a ski resort
10 community.

11 They sponsored the Mercedes Benz
12 Tennis Tournament.

13 The Avon three-day walk.
14 Hundreds of races and marathons.

15 Jazz fest. Music concerts.

16 Lakers sampling. Costco Lakers
17 Girl Sampling.

18 And then they tried to tie in
19 their print ads with these events and sampling
20 programs.

21 243 goes into a little more
22 detail around Adventure Racing, the Mercedes
23 Benz and the Lakers Sponsorship which included
24 anything from PR, radio, inclusion of the
25 logo.

1 Lifeso - Direct

2 I think I mentioned sampling
3 already, but a lot of samples, of course.
4 Billboard ads to kind of flush out those
5 events.

6 Page 244 lists where they ran in
7 print. So, here is, you know, the magazines
8 that they ran in, their print advertising.

9 So, Prevention, we've already
10 talked about. They also ran their print ads
11 in Runners World, Backpacker, Outside, Men's
12 Health, Shape, Self, Cosmopolitan, Women's
13 Sports and Fitness, Golf, People, Body and
14 Soul, Prevention and Diabetes Forecast.

15 Q. To the best of your knowledge are
16 these all magazines which have a national
17 scope?

18 A. To the best of my knowledge, yes.

19 But I am not actually familiar
20 with Diabetes Forecast.

21 Q. I think we can stop at that spot.

22 A. Okay. Great.

23 Q. I have handed you what's been
24 marked as Opposer's 2 through 6, and I would
25 ask you to look at each one of those exhibits

Lifeso - Direct

and then identify them for me.

A. Sure.

So, 2, which is labeled Page 38 as well appears to be the same ad that we just looked at in the Presentation from '97 to 2000. This is a full page, which would have been color at the time, print ad, targeting women with the Balance + line in Prevention Magazine, was what they call that on the document where they ran this advertisement.

Q. I asked you earlier, but let me ask you again, the number in the lower right corner, the '99, does that signify 1999?

A. That would be my understanding.

Q. Okay.

A. But I'm not a hundred percent sure.

Q. Okay.

A. Okay.

The next one, Exhibit 3, also Number 39 in the bottom corner, this is, again, another consumer facing print ad focused on Outdoor, Balance Outdoor, which was the product offering at the time that they

Lifeso - Direct

1
2 were launching, with the tag "Never be out of
3 Balance", including a product shot as well as
4 information for the consumer to better
5 understand the product.

6 Four, Exhibit 4 which is also
7 Number 40 -- I'm actually going to group the
8 next few together, 5 which is Number 41 and 6
9 which is 42.

10 Again, documents from the larger
11 document we just went through, Exhibit 1.

12 These are all consumer facing
13 print ads focused on the Balance Outdoor
14 product line. Again, featuring the "Never be
15 out of Balance" trademark tagline. Consumer
16 facing printing all from the same campaign.

17 MR. SCHROEDER: Could you mark
18 these, please?

19 (Opposer's Exhibit 7, Copy of
20 advertisement, Bates stamped BB0000093,
21 marked for identification.)

22 (Opposer's Exhibit 8, Copy of
23 advertisement, Bates stamped BB0000094,
24 marked for identification.)

25 (Opposer's Exhibit 9, Copy of

1 Lifeso - Direct

2 eight-page document entitled Balance Bar
3 Historical Print Ads, Bates stamped
4 BB0000030 through BB0000037, marked for
5 identification.)

6 Q. I am handing you Opposer's
7 Exhibits 7 and 8.

8 I am going to ask you to look at
9 those documents and identify them for me.

10 (Handing.)

11 A. Yup.

12 These look to be similar to the
13 print ads that we saw in Exhibit 1 that were
14 used in the late '90s to run as advertising in
15 print publications, consumer facing on the
16 Balance product offerings.

17 These both showcase honey peanut
18 and use the "Never be out of Balance" tagline
19 as well.

20 Q. I want to refer back to Exhibit 1
21 for a minute.

22 A. Sure.

23 Q. And ask you one question.

24 We had looked at a number of
25 advertisements which appeared in Exhibit 1,

Lifeso - Direct

Pages 219 onward.

Would it be fair to say that the various ads shown in Exhibit 1 were used by the company through the period 1997 through 2000?

MS. WILBERT: Objection.

Foundation.

A. The print ads, let me see if I can find them and go back and look at them.

They were used some time within that period of time from '97 to 2000.

Again, I'm not a hundred percent sure on the exact dates. We obviously have knowledge of the 2000 campaign here in this document.

Q. Thank you.

(Handing.)

I have handed you what has been marked as Opposer's Exhibit 9.

Could you please review that document and identify it for me?

A. Yeah.

This Exhibit 9 is labeled Balance Bar Historical Print Ads. The note at the

Lifeso - Direct

1
2 bottom indicates that this may not include all
3 advertising campaigns and the dates included
4 are just estimates.

5 These files were pulled together
6 from what was provided from Kraft at the time
7 of acquisition in early 2010 as a summary of
8 some of the campaign that had run between
9 2000, when that Exhibit 1 last left off,
10 between that 2000 year and when it was
11 acquired in 2009.

12 So, again, this may not be all
13 inclusive of all the ads run at that time, but
14 it's what we had, what the team had in 2010 to
15 reference and leverage.

16 Q. Can you walk us through each page
17 of this document?

18 A. So, Page 31 shows five different
19 prints campaigns focused on the campaign "Eat
20 With Your Head", and that is listed from the
21 year 2000 to 2001.

22 And, again, it's either, the
23 product op showing is either Original or Gold
24 products as well as Outdoor. So, those seem
25 to be the three product lines they were

Lifeso - Direct

focused on during this campaign.

Q. You said these are print ads that we are looking at here on this page?

A. These are print ads.

This middle one is a slightly different dimension, but the other four are print ad size and shape and were print ads. Again, this middle one might have been used in a different --

Q. Do you know where they would have been used?

A. In national publications would be my understanding based on historical, where they ran historically.

Page 32 was for the Gold Launch. That's what it states. It's under the "Seriously" campaign title. Again, launching Gold with the tagline "Seriously nutritious meets seriously delicious." Balance Gold now in three flavors is what's leveraged here where it shows the Balance Gold mark as well as the Balance Bar mark.

Again, this was a national print advertisement.

1 Lifeso - Direct

2 Page 33, another print
3 advertisement, and it says it was from 2002
4 called the Surfer Campaign. Also featuring
5 Balance Gold product and the trademarks for
6 Balance, "for energy that lasts" was also
7 called out.

8 Page 34, has again three print
9 ads, consumer facing advertisements. That
10 would be for the Outlast Campaign and mentions
11 years 2003 to 2004, showcasing the Gold
12 product again as well as Outlast taglines.

13 Page 35 is for the Balance Bar
14 Trail Mix Energy Bars product line. It
15 appears from 2005.

16 Again, "leveraging energy that
17 lasts" at the bottom of the page and calling
18 out specific attributes of the product.

19 Again, this would be a consumer facing ad.

20 Q. A consumer facing ad is different
21 than a print ad?

22 A. No, they are the same. Just who
23 sees it, a consumer ad versus a retailer trade
24 ad.

25 Q. And this would have appeared in

Lifeso - Direct

1
2 magazines?

3 A. That would be the assumption,
4 yes.

5 Page 36. It's from the 2006, 100
6 Calorie Campaign, and this one has a "Find
7 your Balance" tag in the bottom right-hand
8 corner as well as the Balance Bar mark on the
9 plaque shown in the advertisement.

10 Again, this is a print ad or a
11 consumer facing ad, same thing.

12 The last page, Page 37, shows
13 three print ads, consumer facing print ads for
14 the Bare Campaign.

15 That looks to have launched in
16 2007 calling out different Bare facts and
17 showcasing the Balance Bare product.

18 MR. SCHROEDER: Could you mark
19 this, please?

20 (Opposer's Exhibit 10, Multipage
21 copy of document containing
22 advertisements, Bates stamped BB0000003
23 through BB0000029, marked for
24 identification.)

25 (Handing.)

Lifeso - Direct

1
2 Q. I have handed you what's been
3 marked as Opposer's Exhibit 10.

4 And can you please review this
5 document and identify it for me?

6 A. Sure thing.

7 This document was created, I
8 believe, in 2012, just a recap of the three
9 year's worth of marketing activation that had
10 occurred since Brynwood Partners had owned
11 Balance Bar after it was sold from Kraft to
12 Brynwood Partners.

13 So, it kind of outlines top lines
14 for each year, and some details about the
15 marketing initiatives for 2010, 2011 and 2012.

16 Q. Okay, good.

17 Can we go through each page and
18 each bucket one by one?

19 A. Sure thing.

20 First page of Exhibit 10, Page 3
21 listed in the bottom right corner titled
22 Balance Bar 2010 Re-Launch - 360 Activation.

23 That just means obviously that
24 this is a 360 view of all the activation touch
25 points from a marketing perspective that were

Lifeso - Direct

executed in the year 2010.

And relaunch is leveraged. There is a choice of words because it had just been acquired. So, we called it a relaunch of the brand because it had had minimal user support over the last couple years.

So, through the 360 chart -- I will start in the upper left corner. Why not? And go clockwise.

So, we had displays and Point of Sale materials that were created. This is a 60-count corrugated display on the left. It's a little hard to see here, but we had a, I believe it's a three-wide permanent rack and then a four-tiered wire rack that would go on a counter.

Q. Okay.

Where would these displays appear?

A. Yup.

So, the corrugated display was sold to retailers and they would put it as a secondary placement in the stores, on the floor either near the front or a secondary

Lifeso - Direct

1
2 placement in the same row that we might have
3 been in or the same aisle that we were sold
4 in.

5 The wooden unit and the wire unit
6 were usually given as promotional materials to
7 retailers, but, again, we found it in stores
8 either at the end of an aisle or in an aisle
9 or front of the store.

10 The wire racks were more for
11 countertops. So, they would be, you know, at
12 a higher eyesight level.

13 Q. Did that usage begin in 2010?

14 A. There were some acquired units so
15 -- there were some acquired units from Kraft.
16 We got some inventory on some of the wooden
17 and wire units.

18 We then did them within the next
19 year, I believe, and built items that were
20 similar in spec, but these, I believe, were
21 the acquired units.

22 The corrugated unit was something
23 that was designed and developed in 2010, but
24 Kraft would have in theory their own
25 corrugated units.

Lifeso - Direct

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q. Okay.

A. It's unknown though.

Q. Does the company still use these units today?

A. Similar ones.

So, we have instead of a 60-count we have two 90-count units that would have different product in it. You kind of keep the product SKU's updated or when you launch a new item.

So, currently we have a 90-count Gold and Original display as well as a 90-count Dark display when we launched the Balance Bar Dark line.

Q. Do the Balance and Balance Bar marks appear on these displays?

A. Yes, they do.

Q. Now, I think you mentioned earlier they would be positioned. How would they be positioned in the store?

A. They would be either within our aisle where we were sold at shelf or at a secondary placement either within a different category.

Lifeso - Direct

1
2 So, you could see us in produce
3 perhaps or in the front of the store or at the
4 end of an aisle. Depends where the retailer
5 wanted to place the units.

6 Q. Can you speak at all as to the
7 number of these display units that have been
8 put out in marketplace?

9 A. The corrugated unit, again,
10 changes depending on what items you put in it,
11 but thousands have been sold. I have to pull
12 the exact numbers over time.

13 Q. Is that thousands per year?

14 A. Thousands per year.

15 And then the wooden and the wire
16 units in the hundreds per year, but not quite
17 at the same level as the corrugated units.

18 Q. Do the wooden and the wire units
19 get reused?

20 A. They are permanent. We call them
21 permanent displays because they are wood or
22 wire and they are not corrugated which gets
23 broken down and thrown away when the product
24 is finished.

25 So, they can restock the wooden

1 Lifeso - Direct

2 or the wire units and continually have Balance
3 Bar product on them as secondary placement
4 from the shelf being primary placement.

5 Q. Do the Balance and Balance Bar
6 marks appears on the wooden and wire displays
7 as well?

8 A. Either the Balance or the Balance
9 Bar mark would be on both of those units, yes,
10 and then the product itself would carry the
11 marks.

12 Q. Okay. Thank you.

13 A. The second box is the Boston
14 Promotion Q4'2010. This was a market test in
15 Boston specifically.

16 Kind of a Blitz Program that went
17 in for about a week to ten-day period of time,
18 distributed over 140,000 samples and coupons.
19 Had over 450,000 impressions with customers in
20 market based on the events that we were at as
21 well as radio integration for over 40 million
22 impressions.

23 So, it was a nice Blitz Program
24 where you go heavy into a market and layer on
25 different elements.

Lifeso - Direct

1
2 We also had a retailer connection
3 tie which we will explain more as we get into
4 that page.

5 Q. Let me just ask you a question or
6 two.

7 A. Sure.

8 Q. When you say an impression, what
9 exactly is an impression?

10 A. If you somehow reached a
11 consumer. They've seen either your booth,
12 your tent because we had tents at different
13 events.

14 They tried a sample of it.
15 That's an impression.

16 They heard you mentioned on the
17 radio. That would be an impression.

18 Q. How do you keep track of the
19 number?

20 A. Some of them are estimates and
21 some of them if I handed out, physically
22 handed out 80,000 samples, I gave them to a
23 consumer. That's 80,000 impressions that were
24 handed out or given.

25 The same thing with a coupon if

1 Lifeso - Direct

2 we were physically handing these to consumers.

3 The radio is based on what the
4 stations tell us ~~to~~ ^{is} their reach~~es~~. So, they 
5 know their audience. However, they track
6 their audience level and then whatever the
7 impression is -- being on for however many
8 spots that we were on -- they then can tell
9 you what the estimated impressions were.

10 Same thing you would get from a
11 TV media impression.

12 The next bucket is the Website
13 Redesign. So, again, the business had been
14 acquired that year and the website was
15 redesigned and relaunched at the end of the
16 year with updated information about the
17 products as well as the new contact for the
18 consumer to engage in.

19 Q. So, the website existed as of
20 2010?

21 A. There had been a website with
22 Kraft. I don't know when it was started.

23 I know they started on eCommerce
24 around 2006.

25 So, based on that they would have

1 Lifeso - Direct

2 had, a website then, as well connected to that
3 eCommerce platform, but prior to that I am not
4 sure when the website launched.

5 Q. Are you using the same domain
6 name that Kraft used?

7 A. Yeah, we are using balance.com.

8 Q. And when you first -- let me
9 rephrase that.

10 At the time that you redesigned
11 the website, did the Balance and Balance Bar
12 marks appear on the website?

13 A. Yes.

14 The next bucket is Social Media
15 and Viral Campaigns.

16 So, prior to the acquisition
17 Balance had not been on Facebook or Twitter.
18 So, we launched those initiatives in 2010, and
19 we used them to support the website as well as
20 any additional outreach we were doing.

21 So, we worked for a lot of
22 bloggers who would write reviews about our
23 products, disbursing the product to get them
24 familiar and to try it.

25 We had viral videos that the

1 Lifeso - Direct

2 consumers posted or that we posted to go viral
3 out in market online.

4 And then obviously we had social
5 media tracking the engagement they are on.

6 Q. Let's expand a little bit about
7 that.

8 A. Sure.

9 Q. For example, what does the
10 Balance Bar specifically do on Facebook to
11 promote its products?

12 A. Today or are we talking about
13 2010?

14 Q. Let's go back to 2010, and then
15 go forward.

16 A. Sure.

17 So, it's basically launching that
18 year on Facebook, and we would bring in both
19 product information.

20 We have -- tell us what your
21 favorite flavor is? To kind of get consumers
22 to respond or post back a comment. Because
23 you want them to engage in those channels and
24 create a conversation.

25 So, it's not a one sided -- we

Lifeso - Direct

1
2 are just going to push out content. It's how
3 we create a conversation in social media,
4 through our channels on Facebook and Twitter,
5 and getting the dialogue going.

6 So, it's asking them questions,
7 posing them -- you can do little quizzes.

8 Sometimes we say which of these
9 four flavors of products we offer is your
10 favorite or which do you want to -- we also
11 try to get them to provide new flavor options.

12 So, hey guys, we are looking to
13 launch a new flavor, tell us what you'd like
14 to see come from Balance Bar.

15 So, the page is branded obviously
16 with that product shown on the page.

17 Over time both Facebook and
18 Twitter have changed how they let you engage
19 with the consumers; showing more imagery. Now
20 you can post videos.

21 So, it's changed over time how we
22 have leveraged the marks based on what the
23 capabilities now are within the social
24 channels.

25 But in terms of our marks being

Lifeso - Direct

1
2 used, again, our logo is on each site and
3 branded, the pages are branded. The channels
4 were facebook.com/balancebar, facebook -- I'm
5 sorry, twitter.com/balancebar.

6 So, you are on a branded page.

7 And then we obviously talk about
8 our products, and they talk about our
9 products.

10 Q. Who at the company is responsible
11 for handling the Facebook and Twitter
12 promotions?

13 A. So, I manage at the end of the
14 day what goes out there, both with my team
15 that I have here as well as with my outside
16 agency partners.

17 Q. Is there any way to keep track of
18 how many visitors you have on your Facebook
19 and Twitter pages?

20 A. Yeah.

21 So, there are a certain number of
22 LIKES so you know how many people are
23 following you or liking you depending on the
24 channel.

25 Today in Facebook we have over

1 Lifeso - Direct

2 180,000 consumers who have liked us.

3 At the time of the launch, of
4 course, it started at zero, but we built up
5 from there the last few years.

6 And the same thing with Twitter.
7 You kind of start at zero, but you build up.
8 So, you have a few thousand folks that are
9 following you.

10 And then you can gauge, every
11 quarter we get analytical reports from our
12 agencies that outlines, both for the website
13 as well as for the social channels, the level
14 of engagement, the number of impressions, the
15 number of consumers that are either sharing or
16 posting.

17 So, all different types of KPIs
18 or key performance indicators.

19 Q. Are those numbers trending upward
20 or do they go up and down?

21 A. They have been trending upward.

22 Q. Since you launched in 2010?

23 A. Since we launched.

24 Q. What is, along this line of
25 social media, Interest? Is that how you say

Lifeso - Direct

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

that?

A. For?

Q. Like Twitter? Is there another social media other than Twitter?

A. Is there any other social media besides Twitter that we leverage?

Q. Right.

A. We are -- right now we are on Facebook, Twitter and Pinterest.

Q. Pinterest. That's it.

A. Pinterest. Got it. Yes.

Q. Tell us about Pinterest.

A. So, we got just got on Pinterest I want to say December timeframe, and we are using out internal team here at NBTY to manage channel for us.

Whereas, I use an outside agency to manage Facebook and Twitter. Being acquired by NBTY there have been additional resources at our disposal.

So, we have got a great team here that can manage that channel for us, and have a lot of knowledge around Pinterest.

So, you create boards with

Lifeso - Direct

1
2 specific content around it, depending on a
3 promotional campaign as well. We might have a
4 "pin to win" contest. We have run a few of
5 those since we have launched in December.

6 And the goal, of course, is to
7 engage with the consumers, have them come to
8 your page, follow you or pin you or repin your
9 posts.

10 So, the material goes to other
11 consumers and you get more impressions and
12 more views.

13 Q. Okay. Thank you.

14 A. Moving around the circle. PR.

15 So, we had a new product press
16 release go out. That's, again, to drive
17 awareness, mostly with trade editors, maybe
18 less so with the consumers in terms of a press
19 release.

20 But the media kits went out to
21 influencers. So, those both went to editors
22 of publications.

23 So, if I wanted Self magazine,
24 for example, to write up about our new launch
25 of XYZ product I would send them a media kit.

Lifeso - Direct

1
2 We also send kits out to bloggers
3 to write about our product offerings and,
4 again, they were non-paid endorsers. They
5 were just getting a box in the mail that said,
6 please tell us what you think of this. Tell
7 your followers on your blog if you like it or
8 not.

9 Q. Now, what's in a media kit?

10 A. Usually there is a product for
11 them to taste or try as well as information
12 about what they're trying.

13 So, a one pager or two pager
14 explaining the product and the benefits.

15 Q. And the product would be branded
16 obviously?

17 A. Yeah, it would be like a bar or a
18 box of our Balance Bars and whatever flavor we
19 were launching or trying to get them to talk
20 about.

21 Q. And you keep track of the number
22 of impressions?

23 A. Yup.

24 We got trackers for the kits that
25 went out, and also, today, we have all the

Lifeso - Direct

1
2 links to all the blogs that bloggers are
3 writing articles about things that we have
4 sent out to them. We have the links to the
5 blog post that show the article that they have
6 written or the review that they have written.

7 Q. Can you speak to the number of
8 impressions that you have created through this
9 PR?

10 A. In 2010 or since we did this?

11 Q. Either, both.

12 A. I mean in a year I think we had
13 over, I think in 2012 we had over a billion
14 media impressions generated through PR.

15 We can garner over 160 million
16 from just a press release.

17 So, we do a few of those a year
18 plus you do the blogger reviews.

19 We can validate those numbers if
20 you guys need it.

21 Q. Okay. Thank you.

22 A. The Daoust Partnership.

23 The Daousts, Gene and Joyce
24 Daoust, husband and wife, who back in the '90s
25 worked with some of the founders on the

Lifeso - Direct

1
2 40-30-30 nutrition principal, and they write
3 books and articles focusing on that
4 formulation.

5 So, this is the formula, the
6 picture here of their book that you can buy at
7 bookstores or Amazon. It's a personalized
8 40-30-30 weight loss program and it's all
9 based on 40-30-30 nutrition.

10 So, we reached out to them
11 similar to how we reached out to Lara
12 Dickinson who had been part of the brand in
13 its heyday, so to speak, in the '90s when it
14 was just launching to touch base, and see what
15 we could learn from them, and could use to
16 leverage going forward since it was still the
17 core of the business.

18 And, so, they provided content
19 and have been our nutrition experts for a
20 couple years.

21 Q. Do they still work with the
22 company?

23 A. Yeah, uh-huh.

24 And then the National FSIs.

25 So, we had our first national

Lifeso - Direct

1
2 FSIs in October of 2010 after the business was
3 acquired.

4 So, this was the first FSI that
5 we launched, and a national 36 million
6 circulation on it, and it had an offer for a
7 BOGO -- which is a buy one, get one free -- on
8 our single bar and it had a dollar off of our
9 multi-count or our six-count boxes.

10 Q. Now, when you say first national
11 FSI, you mean post Kraft?

12 A. Since we had been acquired by
13 Brynwood Partners; correct.

14 MR. SCHROEDER: Why don't we take
15 a five-minute break.

16 (Discussion off the record.)

17 MR. SCHROEDER: Let's go back on
18 the record.

19 Q. We finished looking at Page 3 of
20 Exhibit 10.

21 I am going to ask you to turn to
22 Page 4, and continue your description of this
23 document.

24 A. Sure thing.

25 So, this, Page 4, is labeled 2010

1 Lifeso - Direct

2 National FSI, which is freestanding insert.

3 It just goes through the timing.

4 So, it dropped or went into FSI
5 on October 10th. It had an expiration date of
6 November 21st for them to use the two coupons
7 shown in the creative to the right.

8 It had a 36 million circulation.

9 And, again, as I mentioned
10 before, we had two coupon offers, a BOGO,
11 which is a buy one get one free on any single
12 bar of Balance Bar, and it had a save one
13 dollar on any Balance Bar box; either a six or
14 fifteen-count.

15 Q. Just to be clear, Page 4 refers
16 back to the bucket on Page 3; correct?

17 A. Correct.

18 Under National FSI on Page 3.
19 It's just a little more detail about that FSI
20 to show the visual in the creative.

21 Page 5, again is little bit more
22 information about the Boston Promotion that I
23 referenced on Page 3.

24 So, Page 5 goes a little bit
25 deeper into what that experience of the

Lifeso - Direct

program was in the Boston market.

The objective there was to grow awareness and drive trial and repeat with our target consumers of moms and professionals looking for healthy on-the-go products to fit their lifestyle.

The concept was "Nutrition Confessions".

We captured comments on video and uploaded things to Facebook for a contest.

Some of the Key Program Elements we did was experiential sampling at events and did some Guerilla sampling around key ares within Boston.

We had the Radio Media buy, which integrated DJs, a radio contest, as well as the Daousts, Gene and Joyce, being interviewed on the radio.

And then we tied in with retailer support with specific sampling and activation at locations around Boston.

And this happened during early October in 2010.

We had a goal that our results

Lifeso - Direct

1
2 surpassed a little higher than was expected
3 which was great.

4 We had over 450,000 impressions
5 from the sampling piece which we handed out
6 over 81,000 product samples and 60,000 coupons
7 to drive people back to purchase.

8 And then from the radio piece, we
9 had over 40 million radio media impressions or
10 radio. We filmed over 114 videos and posted
11 to Facebook to get over 800 votes from
12 consumers.

13 Q. When you say "a vote" from a
14 consumer, what does that mean?

15 A. They were voting on their
16 favorite video.

17 So, whoever had the most votes
18 would win a prize of some kind.

19 On Page 6 of Document 10 we've
20 now switched into the 2011 year. So, this is
21 all about 2011 activation for marketing with
22 impressions over 500 million.

23 So, each year it varies slightly,
24 what we actually have a goal for and what we
25 actually accomplish in terms of impressions.

Lifeso - Direct

1
2 So, this was the goal of over 500 million
3 impressions.

4 I will go through in a circle the
5 same way I did for 2010.

6 So, starting in the upper left
7 corner we had a National Promotion both
8 In-Pack and Online.

9 And what that means is inside of
10 our wrappers of our Balance Bar product
11 wrappers we could print a code that would then
12 -- so, we called it an impact promotion.

13 So, it had content as well as a
14 code, a unique identifier that the consumer
15 could then use and enter online. We had
16 created a little micro site to house all this
17 information, and they could come there, engage
18 with us, enter to win daily prizes or a larger
19 prize and every time -- we will get to more
20 detail in a minute, but this Daily Promotion
21 Campaign is what we called it also tied in to
22 a charity promotion piece as well as little
23 daily victories, and we would give them little
24 coupons here and there for different elements
25 and partnered products, etcetera.

1 Lifeso - Direct

2 I will give more detail shortly.

3 Guerilla Sampling, this is more
4 just getting products into people's hands to
5 drive trial and hopefully back with coupons to
6 purchase.

7 Q. How does that happen when you say
8 Guerilla Sampling?

9 A. So, basically, we would have --
10 there is a page in here that goes through all
11 the areas that we sampled.

12 So, we could either put it into
13 race bags, where we are kind of mass pushing
14 product out there to get as much breath as you
15 want to versus a tent or a booth that would be
16 at an event that you have a little bit more
17 one-on-one interaction.

18 So, in some cases we have done
19 both. So, if you have the product and the
20 coupon inside of a race packet because we did,
21 say 5K events, and we would put them into all
22 these different bags, you pick up your packet
23 and inside when you open it you would have
24 some products, and we would be one of those
25 products. That's one way to get a coupon --

Lifeso - Direct

I'm sorry, a product or a sample out.

Others is, as I mentioned, in the Boston situation where we were literally handing samples to consumers with a coupon.

So, just a different way of getting product samples into people's hands.

The Website/Social Media is similar to last year. We just continued to build and you always have that continual daily engagement with the consumers in the different -- either the Facebook website or Twitter.

We also did a few things with LinkedIn and Meet Up and these other logos, bloggers as well.

So, you want to continue that engagement, an ongoing equipment piece there.

We did a Print Campaign in 2011. It was national in scope. We had 19 different insertions in 13 different publications for over 140 million impressions.

And the campaign ran from May through August, and we have a list of the books and the publications that we were in coming up in two pages.

Lifeso - Direct

1
2 Q. So, an impression for a print
3 campaign, is that based on the number of
4 circulation -- the circulation number for the
5 particular magazine?

6 A. You will see in two pages how a
7 circulation is given.

8 And then because magazines are
9 often handed around or shared, they have an
10 impression column next to that.

11 So, you can see circ. to
12 impression, and it's just how the print and
13 the publication provides that data.

14 So, they know their circ., how
15 many they print, and then have an assumed or
16 estimated impression based on handing or
17 passing along of materials or having it in the
18 public domain.

19 Q. So, impression is always higher
20 than circulation?

21 A. Correct.

22 PR, so, again, continuing with
23 press releases and media kits, similar to what
24 we did in 2010, just continuing those, as well
25 as the partnership with the Daousts, our

Lifeso - Direct

40-30-30 experts.

The next bucket is
In-Store/Customer Marketing Programs.

This is an ongoing thing as well.
We look to partner with key customers, with
in-store retail experience as much as
possible.

So, how do -- we either do a
demo, which is basically you are sitting in a
store with a table and you are cutting up
product to give out to consumers to get them
to try.

You can also do -- if they want
to tie you into the media -- a weekly in-store
radio piece. You can get tied in that way.
You can be part of their in-store circulars.

There are just different ways you
can work with your customers in-store, at that
level.

This just says we would target
specific customers and work with them in that
way.

We also had, again, the displays.

So, we had POS materials. So,

Lifeso - Direct

1
2 these point of sale elements, both corrugated,
3 which is your somewhat temporary units and
4 then you have your permanent units which are
5 the wood and the wire racks again.

6 And the last bucket on this page
7 is the FSIs. Again, it's freestanding inserts
8 that we ran.

9 We did two in 2011, one in May, a
10 full page 8 million circ. in the target
11 regions of Florida, Georgia and North Carolina
12 going after a specific customer base.

13 And the September 11th we had a
14 full page as well, and that was at 24 million
15 circ.

16 Moving to Page 7.

17 This gives a little bit more
18 detail on some of these elements that I just
19 mentioned.

20 Do you want me to repeat this
21 again? Some of these are repetitive from the
22 prior page.

23 Q. Is there anything that you can
24 add to this?

25 A. That I haven't already mentioned.

1 Lifeso - Direct

2 We did some eCouponing through
3 SmartSource.com. We added a coupon to our
4 Facebook page as well, which drove LIKES as
5 well as engagement. So, we continued to get
6 coupons out into people's hands.

7 Again, getting them out there it
8 engages consumers especially in the online
9 space.

10 They are opting in, which means
11 they are choosing to download your coupon;
12 which is a great engagement piece as well as,
13 you know, continued to get them back to
14 purchase at shelf.

15 And then we continue to sample at
16 multiple events, May through August, which I
17 believe we have another page on as well.

18 Q. So, the eCoupons, which says
19 150,000 eCoupons, that would have been for the
20 2011 period; correct?

21 A. Yup. That's just in 2011.

22 Q. And where would these coupons be
23 redeemable?

24 A. Anywhere. Yeah, anywhere that
25 would normally redeem a coupon you could

1 Lifeso - Direct

2 redeem an eCoupon.

3 It's basically you are just
4 printing a coupon from your home computer
5 versus e-mailing it to you or you finding it
6 in your Sunday circular.

7 Q. And the consumer finds an eCoupon
8 through things like Facebook?

9 A. That's one way to download a
10 coupon.

11 SmartSource.com is actually a
12 website that you could go to. There are a lot
13 of different coupon sites that either
14 ~~aggravate~~ coupons or are portals.

15 *aggregate* So, News America or Valassis are
16 companies that run these FSIs. They also have
17 their online version of a Sunday circular, so
18 to speak, where you can download or print
19 coupons from.

20 So, retailers now have different
21 ways of getting coupons into your hands
22 through their retailer portals.

23 So, there are just different ways
24 of getting electronic coupons to you; that you
25 would then still maybe need to physically

Lifeso - Direct

1
2 print and bring in, but you're finding them
3 online.

4 Q. Was 2011 the first year that you
5 started using coupons?

6 A. I believe so, yes.

7 Page 8, again, gives more detail
8 from the Print Media Campaign; where we ran
9 between the months of May and August 2011
10 these one-third page insertions which you will
11 see the creative shortly, but in publications
12 that also show their audience.

13 They are Allure, Bicycling,
14 Cosmopolitan, Fitness, Lucy, Men's Fitness,
15 Men's Health, Men's Journal, Outside,
16 Parenting, Runner's World, Self and Shape.

17 This garnered about 140 million
18 impressions and had an approximate value of
19 1.2 million dollars.

20 Q. Are all those publications
21 national in scope?

22 A. Yes, yes, they are.

23 Q. Before you turn the page. On the
24 left where it says 19 insertions.

25 A. Yes.

Lifeso - Direct

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q. What does that mean?

A. So, if you look in the grid column here you can see like for Bicycling magazine there are two squares marked "X", one in May and one in July.

So, for that one publication we ran in two different months, at two different times.

So, on the right side you can see total insertion column totals up to 19, but you look at the publications there are only 13 publications listed because some ran in multiple months in the same publication.

Q. So, it would be the same ad running again and each time it runs it's just an insertion?

A. Each times it runs in a different publication, a different magazine, yes, it's considered a new insertion.

And you can see the next pages show the three different creatives we ran. I would have to go back and double check which creative ran in which publication.

But usually we would target a

Lifeso - Direct

men's book with a men's focused creative.
Female books with a female focused creative.
So, you kind of vary it up based on the
target, and then the creative itself.

Page 10, because we just looked
at the creative on Page 9, Page 10, again,
just shows a little bit more detail on the
2011 coupons we ran.

So, this is the creative,
full-page creative on the left which shows the
two coupons on the right for the May 15th FSI
or you could save \$2 on any five single bars
or \$1.50 on any multi-count.

It lists the attributes as well
as shows the product.

And then we ran another ad in
September for 24 million circ. with different
coupon values, but similar creative.

The next slide, Page 11, as I
mentioned, this gives you more detail around
how we sampled the million products from May
to July in 2011.

These also tied into the "Daily
Victories Promotion" that I mentioned earlier

Lifeso - Direct

1
2 that had those in-pack codes that drove people
3 back to the website or online.

4 So, we distributed through
5 athletic events, through active.com which is a
6 website that can get out product into those
7 race packets as I mentioned.

8 We also were at 24-Hour Fitness.
9 So, at the front of the club you checked in to
10 the health club and you would be given a
11 sample and a coupon.

12 Active Family Vacation Resorts.
13 So, through sort of brand connections we went
14 to different hiking and biking family vacation
15 resort locations, and instead of being at the
16 check in at your fitness club, you are at the
17 check in of the hotel, and that's where you
18 are getting handed the product.

19 We also tied in through the
20 "Daily Victories Promotion" Lady FootLocker
21 stores.

22 So, we used their -- we provided
23 coupons to our consumers who were
24 participating in our "Daily Victories
25 Promotion" and then they trade for that.

1 Lifeso - Direct

2 They basically said that we could
3 have product at their store locations that
4 they would hand out for us. So, they handed
5 out about 300,000 coupons -- I'm sorry,
6 samples and coupons there.

7 And then we had additional
8 partnerships and bloggers that accounted for
9 the rest.

10 Q. So, those numbers on the
11 left-hand side is a combination of samples
12 plus coupons?

13 A. Let's see here.

14 Whenever we do a sample we also
15 do a coupon.

16 So, we had a million samples and
17 then, in addition, we also had that same
18 number of coupons handed out. So, they go in
19 conjunction.

20 Page 12 shows some detail around
21 the Daily Victories Promotion. Really just
22 toplining the results.

23 So, as I mentioned there is an
24 impact piece of it, which there is a code
25 printed inside your wrapper. If you open up

Lifeso - Direct

the wrapper we developed a promotional site, a little micro site where people would be driven to enter their code and their Daily Victory.

On our website balance.com we also promoted the campaign and had people click in, enter their Daily Victories as well as go to the promotional site.

We tied into it and drove people with a little call out about the promotion through our print ad and FSIs.

The Facebook App. So, on Facebook you can see here kind of loosely if you tell us your Daily Victory -- I took the stairs today instead of the elevator -- the Daily Victory, you could then pick one of six charity's food banks that we would then donate product to on your behalf.

And then we had Facebook ads running and driving people to engage with us as well.

So, that's kind of the touch points around the Daily Victories campaign of which we got 40,000 entries on the promotional site. We had 80,000 visits driven partially

1 Lifeso - Direct

2 or mostly by those impact messages.

3 We were on 16 million wrappers
4 with the promotion inside the 16 million
5 wrappers. We had 35,000 Facebook LIKES during
6 that promotional period.

7 41,000 visits to the Facebook
8 Daily Victories tab itself.

9 700 Daily Victories posted by
10 consumers on our Facebook page.

11 And then the Facebook ads
12 themselves generated about 39 million
13 impressions and about 20,000 clicks.

14 Slide 13 just shows, we just
15 launched less than a year prior the Facebook.
16 That launched at the end of 2010 and we had
17 almost 40,000 LIKES at this point. That's in
18 the bottom left corner of this page just
19 showing where we were and how the Daily
20 Victories were tied in.

21 And here are just some consumer
22 comments about our products.

23 You can kind of see how we
24 leverage our trademarks, you know, our logo
25 and product imagery; driving people back with

1 Lifeso - Direct

2 product shots, etcetera, into the promotion.

3 Slide 14 is a recap of some of
4 our 2011 PR campaign end results.

5 So, we had five national press
6 releases go out for either new product
7 launches or for partnership announcements.

8 We had media kits that went out.
9 We leveraged our partnership with the Daousts,
10 our nutrition experts.

11 And then we had opportunities for
12 interviews and articles that our PR team
13 helped us promote and support.

14 And then we always try to get
15 In-Book pick ups. And a pick up is a non-paid
16 for either round up or mention of your
17 product. So, these are unpaid for mentions in
18 national publications from Self magazine to
19 Fitness magazine to Runner's World, IN STYLE
20 magazine. We were also in the New York Times
21 Style Section.

22 One of our product launches
23 focused on females.

24 So, these again, we send out
25 product through our media kits and if they

Lifeso - Direct

1
2 like it and they want to write -- or not like
3 it -- they can like it or not like it and
4 still write about it.

5 These are all positive mentions
6 that we received in all these publications.

7 Q. Okay.

8 So, it's not paid for
9 advertising --

10 A. Correct.

11 Q. -- but you did send some plug
12 media kits --

13 A. Yes.

14 Q. -- promotional media kits --

15 A. Yes.

16 Q. -- to the entity?

17 A. Correct.

18 We would send them the products.
19 They could taste the product or look at the
20 materials, understand the offering, and if it
21 either fit with a concept that they were
22 already including in their publication or if
23 it fit a story they wanted to write about,
24 they could obviously do so, and include our
25 product in either a round up of other products

1 Lifeso - Direct

2 or in a separate column or article.

3 Slide 15 lists the 2011 Trade
4 Shows that our sales team attended.

5 Where they, you know, met with
6 customers and retailers.

7 Q. Before you go on.

8 A. Yup.

9 Q. So, this says 2011 Trade Shows.
10 Is this typical for a year --

11 A. Yeah.

12 Q. -- attending trade shows?

13 A. Yeah.

14 Some of them are smaller than
15 others. Some of them got consolidated, but
16 for the most part this is a very typical list
17 of the types of trade shows that our sales
18 team would go to and attend.

19 Q. Can you expand a little bit about
20 what is at these trade shows? What takes
21 place at these trade shows? How do you set up
22 at these trade shows?

23 A. Yeah, sure.

24 So, I will use the EXPO West as a
25 example because I attend that one.

Lifeso - Direct

1
2 And that one basically we have,
3 we pay for a footprint on the floor. So,
4 either a 10 by 10, a 10 by 20, depending on
5 the year. It varies. You have a booth space.
6 You have a table. Backdrop. Product. You
7 have a staff there. So, your sales team as
8 well and sometimes I attend as the marketer
9 would be there to talk to customers.

10 And then there are show dates as
11 you can see on the left-hand side. So,
12 anywhere from two days or three days or one
13 day in some cases you stand there at your
14 booth and customers come through, either to
15 ask you questions or talk to you about what
16 you are doing.

17 And you also have pre setup
18 meetings with some of your key customers that
19 come by. I will be there on Tuesday at four
20 or you have an actual meeting with them there
21 at your booth or in a room nearby to go
22 through any new offerings. There are actual
23 promotional plans. Any questions they have of
24 about what you are up to.

25 It's pretty much for them to

1 Lifeso - Direct

2 become familiar with your products.

3 Q. When you say a customer, you mean
4 a retail customer?

5 A. Yeah.

6 Q. You don't sell the product
7 directly?

8 A. Yeah, people that buy product
9 from us and then sell it to the consumer.

10 Does that answer your question?

11 Q. Yes.

12 A. Slide 16 or Page 16 -- I keep
13 saying slide. Page 16 shows the nimble bar
14 2011 activation.

15 And nimble bar was a new offering
16 that we were coming out with and launched in
17 2011, focused on women.

18 So, you can see it says 40-30-30
19 nutrition bar for women, and it combined
20 nutrition with skin elements, things that
21 would be healthy for your skin.

22 And we launched this in a few
23 different ways. You can see, again, from this
24 activation grid that we went through sampling,
25 social media, PR, in-store displays.

1 Lifeso - Direct

2 From a sampling perspective,
3 again, in a few more pages we will get to that
4 and I will showcase, but we went to consumer
5 events.

6 We obviously gave out coupons and
7 samples in markets where we were selling
8 nimble because we were just getting into
9 market.

10 So, we went to those key markets
11 that we were already at shelf to get consumers
12 aware of the product as well as trying it and
13 driving them to purchase with a coupon.

14 Social media, we launched a
15 Facebook page for nimble and wanted to reach
16 out, again, to relevant bloggers who focused
17 maybe more on woman's health, women's trends,
18 women's products. And, again, we engaged with
19 our consumer base online.

20 Q. Now, was the nimble product also
21 sold under the Balance and Balance Bar marks?

22 A. There's a Balance mark on the
23 left-hand side. You see the Balance Bar on
24 the left, but nimble was also trademarked, but
25 both had the marks on the wrappers and

Lifeso - Direct

1
2 packaging.

3 PR, we obviously had a press
4 release around it.

5 We also did media kits again to
6 get awareness out to the media that we were
7 launching this new item.

8 In-store displays, we had demos
9 as well as coupons. We also had a countertop
10 display. So, this image is also what we call
11 the gravity-feed countertop unit that
12 basically had the bottom tray pop out, and you
13 could just pick a bar out and use it as -- you
14 know, it means countertop, you know, impulse
15 purchase pick up.

16 Slide 17 gives a little bit more
17 information about some of those launch and
18 support elements that we did. So, when we
19 launched certain things. So, we did a lot
20 online and with PR right when we were
21 launching in July and August.

22 And then September to December we
23 wanted to make sure we were getting samples
24 out there.

25 So, once you have product on

Lifeso - Direct

1
2 shelf, now let's make sure people are trying
3 it, and you drive them back to shelf.

4 And then we had some PRs and
5 great pick ups that happened after we had
6 pushed it out in July and August. Now, you
7 are starting to see some of the pick up
8 happen.

9 So, HungryGirl is a blogger, a
10 very popular blogger about products. She
11 wrote about it and then again was on the Today
12 show.

13 So, again, we didn't pay for
14 these placements, but because of the product
15 offering she liked it and then she really
16 supported it and then asked us if she could
17 talk about it on the Today show and, of
18 course, we said yes, please do so.

19 Same thing with the New York
20 Times, Style Section. We talked -- we
21 actually participated in that interview with
22 that editor or with that author.

23 So, that's some of the PR pick
24 ups.

25 And then we continued to do the

1 Lifeso - Direct

2 retail support as I mentioned.

3 The quotes at the bottom are from
4 consumers who posted either to Facebook or to
5 our Consumer relations saying how much they
6 loved the product.

7 Slide 18 just shows all the
8 blogger reviews -- not all. Some of the
9 blogger reviews we got as well as a snapshot
10 of what they showed on the Today show.

11 We participated in the Beauty Bus
12 in New York City where we were the bar they
13 gave out during the sampling, this driving
14 tour of the Beauty Bus around New York.

15 We were on, with the NBC New York
16 show as well, New York Live. So, we had some
17 great pick up.

18 And we also sponsored the model
19 lounge during Fashion Week. So, we were part
20 of that in New York because we had some good
21 distribution in New York. So, we did a lot of
22 focus there.

23 So, now we are going to move on
24 to the activation that we did in 2012 which is
25 on Slide 19.

1 Lifeso - Direct

2 Same 360 --

3 MS. WILBERT: I'm sorry, what's
4 the pending question for this page? I
5 just lost it. I apologize, but what
6 question are you responding to?

7 THE WITNESS: He asked me to walk
8 through this document.

9 MR. SCHROEDER: Just walk through
10 each page, page by page.

11 THE WITNESS: And I am going page
12 by page.

13 MS. WILBERT: I'll object as this
14 calls for a narrative at this point.

15 Q. You can continue. That's fine.

16 A. So, Page 19, starting in the
17 upper left corner again we will go through
18 each of the buckets that we went through from
19 a marketing perspective in 2012.

20 So, we had over 3 million samples
21 and coupons. That's a combined number. So,
22 1.5 million were samples and 1.5 million were
23 coupons at active targeted events to actually,
24 you know, help drive trial and back to
25 purchase.

1 Lifeso - Direct

2 We had an online promotion that
3 was called "Outlast the Clock" and that was to
4 engage consumers to an online sweepstakes. We
5 have some more information to come up about
6 that in the subsequent pages.

7 We shifted a little bit and did a
8 digital media campaign this year too because
9 the other contest was online.

10 So, we wanted to drive people
11 from an online environment when they are
12 searching or when they are online with digital
13 banner ads and push them back into our
14 channels.com as well as Facebook and Twitter
15 sites.

16 So, website and social media, as
17 I mentioned, these were tied in to the
18 promotion, but also we continued our normal
19 outreach to bloggers as well as to our
20 community to make sure that we were engaging
21 with them constantly. Continuing those
22 conversations and dialogue.

23 PR perspective, we did new
24 product press releases still. Media kits,
25 continued to do those and really to pick up on

1 Lifeso - Direct

2 those national publications and get us in
3 print again like we showcased in prior years.

4 Continued in-store customer
5 marketing programs similar to what I had
6 mentioned before.

7 We had 60 and 90-count display
8 material floor stands in 2012. As well as
9 those permanent wooden racks and counter units
10 still, and then coupons.

11 Instead of doing the traditional
12 FSI as we had done in the prior two years we
13 actually had decided to do a national support
14 around the Wounded Warriors Program. And it
15 was handled slightly differently.

16 It was still put into print in
17 the Sunday circular at a 50 million
18 circulation number, but it actually drove from
19 the print to a website that that's where they
20 would download an eCoupon.

21 So, a slightly different
22 mechanism although still put into an FSI type
23 format. There was no coupon on that page.
24 So, I just wanted to call that out.

25 And then, of course, we continued

Lifeso - Direct

1
2 to do retailer-specific coupon programs as
3 requested.

4 Page 20, this gives a little more
5 detail around the 2012 Outlast campaign and
6 there are three major touch points here that
7 we have.

8 The promotion itself which was
9 play the outlast clock challenge. You played
10 a game. It's a four-tiered game that we
11 created through Facebook, and then you could
12 be entered to win through different point --
13 different -- you were awarded different
14 amounts of entries into a sweepstakes based on
15 to what level you got to and the points you
16 got.

17 There was a digital campaign,
18 again, as I mentioned to drive awareness of
19 the promotion. It was a national digital
20 online buy which had about 280 million
21 impressions, and the purpose of that was
22 obviously to promote Balance Bar, but then to
23 drive them into the actual promotion and game
24 itself.

25 Sampling, you can see some ski

Lifeso - Direct

1
2 programs. Again, the next two pages after
3 this will showcase a little bit more through
4 the sampling program.

5 We did this year in 2012 around
6 ski mountain resorts, and that also tied in
7 with media as well as retail placement; which,
8 again, the next page gives a little more
9 detail to that.

10 So, I will move on to Page 21.

11 This was a Sampling Program. So,
12 we wanted to give out about a million samples
13 and a million coupons to active, outdoor
14 consumers at a variety of different mountain
15 resorts across the country.

16 They were able to get an
17 additional forty points of incremental
18 distribution through this activation which was
19 great to tie that into the sampling program.

20 We were on mountain all year --
21 sorry, all of their season during that ski
22 season that they have.

23 We had media placement on their
24 chair lifts, towers, ski racks, lift lines.

25 So, the images below just kind of

Lifeso - Direct

1
2 showcased some of that media placement as well
3 as the displays that they had in the far right
4 picture, and we garnered about 42 million
5 impressions mostly earned from, not only from
6 the media, but from the million samples that
7 we gave out.

8 So, you can see on slide 22
9 outlast your lift ticket and the Balance Bar
10 Bare image is shown and our Balance Bar
11 branding is shown there as well.

12 Page 23, this just showcases a
13 date where we were on the website. We had a
14 product showcase on our home page and
15 different locations.

16 We then have our product page
17 shown in the upper right as well as explaining
18 to consumers where they could find us to
19 purchase our products.

20 Just an overview of what the
21 website looked like at that time.

22 On Slide 24 this just shows in
23 2012 what our social media channels looked
24 like and what our LIKES or followers were.

25 We were just 70,000 on Facebook.

1 Lifeso - Direct

2 We had under 2,000 followers on Twitter.

3 We have the coupon as we talked
4 about. We had a Facebook coupon that people
5 could LIKE us to download. That's what the
6 image on the right is showcasing.

7 Again, these are just all of our
8 branded channels on social media at the time.

9 Slide 25 is our 2012 PR and
10 Outreach Programs.

11 So, again, we worked with over
12 150 bloggers to help push the word of mouth
13 out there. So, again, we would give them
14 these kits of product and information and they
15 would, if they chose to, write about it and do
16 a review of it to their communities.

17 We continued to build our
18 Facebook and develop -- influences through
19 Twitter and we did giveaways and other ways to
20 engage with consumers.

21 Partnerships, we had a variety of
22 partnerships and sponsorships through 2012.
23 Text No More, Modellounge. We had
24 spokespeople we worked with.

25 We sponsored Swim Across America,

1 Lifeso - Direct

2 a non-profit charity organization that does
3 nationwide swims. So, we were at all of their
4 open water and pool events throughout the
5 years.

6 Destination Races. Again, these
7 are half marathon-ish races. But they are
8 experiential.

9 So, it's really the right target
10 consumer at these places that we are going
11 for, not just the race, but for that lifestyle
12 of -- I'm going to be at a winery and run
13 through the winery, and then enjoy this
14 weekend away.

15 So, it was a nice tie into the
16 Balance lifestyle.

17 And then we have also sponsored
18 local events, local teams.

19 So, Page 26 shows some of the
20 Blueberry Acai PR pick ups because we launched
21 blueberry acai that year in 2012.

22 So, we were obviously promoting
23 it through multiple channels with press
24 releases and with bloggers through these kits
25 I mentioned.

1 Lifeso - Direct

2 So, they were writing articles
3 about it once they reviewed the products.

4 That's just an example of a few
5 of them.

6 On Slide 27 we again show what
7 trade shows we were going to or what we signed
8 up for for 2012 to engage with our customers
9 and retailers.

10 Dates and locations listed.

11 Slides 28 and 29 just showcase
12 our 290-count displays that we had in market
13 in 2012.

14 One is in our base business, as
15 you can see the products shown there and that
16 also included a QR Code that drove consumers
17 to a mobile page to get a coupon and engage
18 with us a little bit more.

19 So, the second page is on the
20 Bare offering. So, this is on the three Bare
21 Bars but also a 90-count unit with a similar
22 graphic treatment.

23 Q. Thank you.

24 MR. SCHROEDER: Could you mark
25 this, please?

1 Lifeso - Direct

2 (Opposer's Exhibit 11, Multipage
3 document entitled Balance Bar
4 Awareness/Loyalty, Bates stamped
5 BB0000171 through BB00000186, marked for
6 identification.)

7 (Handing.)

8 Q. I have handed you what's been
9 marked as Exhibit 11.

10 Can you please review that
11 document and identify it for me?

12 A. Yup.

13 Exhibit 11 states it's Balance
14 Bar Awareness/Loyalty information.

15 The majority of this information
16 is referencing data, historic data we were
17 provided by Kraft at the time of acquisition
18 in -- at the end of 2009 when they handed over
19 the business assets to the Brynwood Partners
20 team.

21 Q. Can I ask you to take a look at
22 BB173?

23 A. Yes.

24 Q. And BB174 and just comment on
25 those two pages.

1 Lifeso - Direct

2 A. Sure.

3 So, Page 173 states the heading
4 is Strong Brand Equity and Awareness.

5 The source of this data is from
6 the 2007 GFK Brand Vitality Tracker, and it
7 shows for multiple brands what the total
8 awareness is for each of the brands at this
9 time, and it shows that Balance is a leading
10 brand with a strong awareness, and a positive
11 association with key nutrition energy bar
12 purchase drivers.

13 So, we were at a 63 brand
14 awareness versus the number one. So, we were
15 second. PowerBar is number one with 81
16 percent awareness and some of the attributes
17 that consumers associated at this time again
18 to Balance Bar included; taste, nutrition,
19 energy, fits active lifestyle and satisfies
20 hunger.

21 Q. The brands that are listed here
22 on BB173, are those still brands that are in
23 the marketplace?

24 A. All of them except Pria. I don't
25 believe Pria is still a bar on the market

Lifeso - Direct

1
2 today.

3 Q. Are there other ones that are in
4 the marketplace today?

5 A. Yes.

6 Q. For example?

7 A. Kind Bar is a big one out there
8 that is not listed here.

9 And there are a variety of other
10 bars, again. I can continue, go through them.

11 But I think that's a big one
12 that's missing from this list.

13 Q. Thank you.

14 Let's take a look at BB174.

15 Can you explain the significance
16 of this page?

17 A. Yup.

18 So, the title on this page is
19 "Brand Awareness Across the Balance SKUs
20 appears to be very similar for both nutrition
21 energy users and Strategic Value Customers."

22 So, this lists out the base
23 business of Balance which is Original. The
24 Gold 100 Calorie and Bare subbrands under
25 Balance. It shows two columns for one; the

Lifeso - Direct

1
2 nutrition energy bar users and one what they
3 call, what Kraft identified as their strategic
4 valued customers.

5 And so it lists about 63 percent
6 from the prior page is coming from that first
7 column under total aided Balance nutrition
8 energy user brand awareness at 63 percent.
9 So, that's where they are pulling in that
10 number.

11 But then this just shows by
12 subbrand, by the awareness numbers across each
13 subbrand.

14 Q. Can you just speak generally to
15 what top of mind means and all unaided, those
16 categories?

17 A. Yup.

18 If you were to ask a consumer --
19 let me see if I have it here -- if you were to
20 ask a consumer, tell me about a brand of
21 nutrition energy bars that you are familiar
22 with. That would be top of mind awareness.
23 The brands that come up top of mind without
24 being aided in any way with either a logo
25 image or a product image in front of them to

1 Lifeso - Direct

2 reference. So, that's top of mind.

3 Okay, that's the first brand that
4 you mentioned, great. That's your number one.
5 What are all the other brands that you know of
6 that are nutrition energy bars and then they
7 would list the other brands they know or are
8 aware of.

9 And then you say for aided, I
10 believe this is how they probably did it with
11 logos, this is usually the way you would do
12 it, show them a list of logos. Are you
13 familiar with these brands? You are aiding
14 them by showing them a logo or a product shot,
15 but usually it's a logo and that's the aided
16 piece of it versus unaided.

17 Q. These are from the 2008 time
18 period?

19 A. 2007/2008.

20 Q. Do you have any knowledge of
21 whether the numbers today are similar to the
22 numbers back in 2008?

23 A. For a 63 for Balance we have it
24 as one total number. We didn't break it out
25 by subbrands. So, that's why we are looking

Lifeso - Direct

1
2 at that column. We are looking at a 61 based
3 on the last quarter brand track analytics, but
4 I can't say for sure these are done using the
5 same methodologies because it's a custom
6 tracker. In either situation you are going to
7 have built custom trackers.

8 So, we are similar. It might be
9 hard to do an apples to apples comparison.

10 Q. What about top of mind and
11 unaided numbers?

12 A. I think we are a little lower on
13 the all unaided.

14 Top of mind is potentially
15 similar to that.

16 Q. Okay. Thank you.

17 (Opposer's Exhibit 12, Copy of
18 document entitled Balance Bar Flavor
19 Summary, Bates stamp BB0000001, marked
20 for identification.)

21 Q. I have handed you what's been
22 marked as Exhibit 12.

23 Can you please review this
24 document and identify it for me?

25 A. Yup.

1 Lifeso - Direct

2 This is titled Balance Bar Flavor
3 Summary. It shows by subbrand the different
4 flavors, the approximate year that the
5 subbrand was introduced, and then in the
6 middle column it talks about the date of that
7 particular flavor being launched.

8 The right-hand column is really
9 just a ~~prod~~^{brand} descriptor of each of the
10 subbrands that you were going to outline the
11 top attributes of that subline.

12 Q. Now, if you look down the column
13 -- and this isn't a memory test --

14 A. Uh-huh.

15 Q. -- to the best of your knowledge
16 are these subbrands all still in use?

17 A. No.

18 They are not all still in use.

19 So, the bottom five are no longer
20 in use.

21 Q. Discontinued in 2010 as it says
22 there?

23 A. Yes.

24 So, those bottom two, Pure and
25 BKids, were both discontinued at the time of

1 Lifeso - Direct

2 acquisition from Kraft to Brynwood Partners.

3 The other three were
4 discontinued; Cafe, nimble and Carbwel at the
5 time of acquisition by NBTY of the business by
6 Brynwood Partners.

7 Q. Could you repeat the end of that
8 for me, please?

9 A. Cafe, nimble and Carbwel were
10 all discontinued end of 2012, early 2013.

11 Q. Are there other products that are
12 not reflected on the sheet which you are
13 currently selling?

14 A. There are.

15 We have a Dark subbrand that has
16 three bars currently in market and a fourth
17 launching this year. Those are four
18 additional items.

19 Q. Any others?

20 A. We had a few items come and go
21 throughout this time. We have a few more that
22 we have announced, but have not shipped yet.
23 That would be another three items.

24 Q. Which items would they be?

25 A. They are under the Bare line, and

1 Lifeso - Direct

2 there are three Bare products. I can list the
3 flavors if you would like.

4 Q. Sure.

5 A. Mixed fruit nut. Sea salt
6 caramel nut and sweet and spicy nut.

7 And they are all non GMO as the
8 point of differentiation, how to identify it
9 would be non GMO products.

10 Q. Now, with respect to these
11 descriptives on the right-hand side in the
12 boxes.

13 A. Uh-huh.

14 Q. Do these apply them to the
15 categories, the corresponding categories?

16 A. Yes, they do.

17 Q. So, for example, sweet and salty
18 energy bar for active consumers is a
19 description of the Bare products?

20 A. That is correct.

21 Q. Okay. Thank you.

22 MR. SCHROEDER: Could you mark
23 this, please?

24 (Opposer's Exhibit 13, Multipage
25 document containing product imagery

Lifeso - Direct

shots, Bates stamped BB0000044 through BB0000102, respectively with the exception of BB00000093 and BB00000094, marked for identification.)

(Handing.)

Q. I have handed you what's been marked as Exhibit 13.

MR. SCHROEDER: Before I ask you any questions, let me just state for the record that Exhibit 13 comprises Pages BB44 through BB103 with the exception of BB93 and BB94. They are not part of this exhibit.

Q. Can I ask you to review the pages in this exhibit and identify for me what they are?

A. Page by page?

Q. Scan through the exhibit.

A. Okay.

So, these are product imagery shots of all of our product offerings. The bar itself and some of them are six-count offerings as well that are sold as a value pack or multipack.

1 Lifeso - Direct

2 And then I think there as well --

3 Q. Can you just look at each page?
4 You don't have to comment. Just look at each
5 page and make sure you are familiar with each
6 page.

7 A. Yeah.

8 The first page is our blueberry
9 acai. The second page is our Balance Bar
10 Bare, sweet and salty almond.

11 Q. You can just thumb through it
12 yourself.

13 A. Oh, I didn't know how much detail
14 you wanted.

15 Q. Just make sure that you have seen
16 these pages before.

17 A. These are the Cafe line six
18 packs. This is our Original six pack and then
19 we have some Gold six-pack items as well.
20 Some more Original six packs, and we get into
21 some 15-count items which are sold mostly as
22 single bars, but this is the outer tray they
23 are sold in. This is a 15-count. We got some
24 Gold, Gold, Gold, Gold. Those are all of our
25 four gold items in the 15-count and here is

1 Lifeso - Direct

2 another six-count Gold and now some of the
3 Original Balance Bar 15-count items and
4 six-count Original items and Gold items.

5 The Bare 15-count cartons for the
6 three flavors, and then the Cafe line 15-count
7 and individual bars, but these were
8 discontinued and then nimble 12-count carton
9 as well as individual bars, but this line was
10 also discontinued. Those are two flavors.

11 Carwell 15-count cartons as well
12 as the individual bar imagery and these were
13 also discontinued all at the same time, give
14 or take. Additional single bars from our Gold
15 line shown here. And a few more Original bar
16 imagery, and that's it.

17 Q. Okay.

18 Do the photographs appearing in
19 Exhibit 13 accurately depict the packaging
20 that's been used in the marketplace?

21 A. Yes.

22 Q. So, these are accurate depictions
23 of what appears in the marketplace?

24 A. Yes.

25 Some items have been

1 Lifeso - Direct

2 discontinued, mind you, over the last year or
3 so.

4 Q. But at the time they appeared in
5 the marketplace?

6 A. Yup. At the time that these were
7 in market this accurately depicts what the
8 products looked like in market.

9 Q. Is there any other product
10 packaging that's in the marketplace today
11 that's not reflected in this exhibit, to the
12 best of your knowledge?

13 A. Yes, as I mentioned, we have
14 launched a dark chocolate line of products.
15 So, that's Balance Bar Dark, and at the time
16 that these files were requested that item did
17 not exist, but today they do. So, they are in
18 market today.

19 MR. SCHROEDER: Can you mark this
20 please?

21 (Opposer's Exhibit 14, Multipage
22 document entitled Balance Bar Target
23 Consumer May 2012, Bates stamped
24 BB0000141 through BB0000141, marked for
25 identification.)

1 Lifeso - Direct

2 (Handed.)

3 Q. I have handed you what's been
4 marked as Opposer's Exhibit 14.

5 Can you please review this
6 document and identify it for me?

7 A. Exhibit 14 states it's the target
8 consumer as of May 2012 for Balance Bar.

9 And this is a document that was
10 pulled together through a few different data
11 sources that we had in 2010 and 2011 outlining
12 the different core target consumers that
13 Balance Bar was looking to target and speak
14 to.

15 Q. Without going through this
16 document page by page, can you summarize for
17 me the types of consumers that are targeted by
18 Balance Bar?

19 A. Yeah.

20 At the time which this was
21 provided, back in May of 2012, the two core
22 target consumers were people we called urban
23 professionals, average 25 to 44 year olds,
24 slight male skew, cosmopolitan centers,
25 educated, affluent. They had some, you know,

Lifeso - Direct

1
2 psychographic data included about how to reach
3 them through cultural activities or travel or
4 sports.

5 And there is a day in the life
6 included about, you know, key touch points of
7 how we can reach them.

8 The second target would be moms.
9 Less about age, more about them. In fact,
10 just being the mom and how that impacts their
11 decisions, and what they bring into the house
12 as well, how they care about health or good
13 choices.

14 They live in affluent suburban
15 markets. They do a lot of juggling. Also,
16 they have a lot going on. They are very busy
17 and on the go.

18 So, we kind of walk through how
19 to reach both of these consumers in this
20 document.

21 Provided a little more back up of
22 the data about their demographic as well as
23 psychographic data that we had available to us
24 on how their values sort of overlapped in case
25 we wanted to try to target both of them at the

Lifeso - Direct

1
2 same time.

3 Q. Has that changed? Is the target
4 today still the same as it was in 2012?

5 A. The thing with NBTY now, there
6 are additional brands now in the portfolio.

7 So, prior to the acquisition of
8 Balance Bar by NBTY, Balance was its own
9 entity. Now, it's part of a portfolio of
10 other brands.

11 So, the NBTY organization went
12 through a repositioning exercise for that
13 portfolio to make sure that each brand had its
14 own target consumer identified and niche
15 identified based on the research.

16 So, Balance Bar now is looking to
17 position itself and target a wellness
18 enthusiast consumer.

19 So, it might still overlap into
20 these urban professional and mom targets, but
21 we are calling it slightly differently, and we
22 are looking at what their background
23 information is, who they are, how to reach
24 them, how to target them with media or where
25 to find them in market.

1 Lifeso - Direct

2 Slightly different based on the
3 repositioning work.

4 Q. Thank you.

5 MR. SCHROEDER: Let's take a
6 five-minute break if that's okay.

7 (Discussion off the record.)

8 MR. SCHROEDER: Could you mark
9 this, please?

10 (Opposer's Exhibit 15, One-page
11 color copy of 15-second TV commercial
12 story board, Bates stamp BB0002033,
13 marked for identification.)

14 (Opposer's Exhibit 16, One-page
15 color copy of 15-second TV commercial
16 story board, Bates stamp BB0002034,
17 marked for identification.)

18 (Handing.)

19 Q. I have handed you what's been
20 marked as Exhibits 15 and 16.

21 Can you review each exhibit and
22 identify each one for me?

23 A. Yes.

24 Exhibit 15 is our "Have you found
25 your Balance? 'training'", 15-second

1 Lifeso - Direct

2 commercial storyboard.

3 And Exhibit 16 is our Balance Bar
4 "Have you found your Balance 'Fantastic
5 Trip'", 15-second TV commercial storyboard.

6 And this just showcases the copy
7 as well as the topline visuals that ran for
8 our 15-second spots. That started in May 2013
9 and ran through January 2014.

10 Q. These were television ads;
11 correct?

12 A. Yes, these are television
13 15-second ads.

14 And we had a third ad as well
15 that was probably completed after these
16 documents were submitted. Also, 15 seconds.

17 It also followed a very similar
18 visual with the Balance teeter totter beam and
19 the 40-30-30 logo in place, and the same type
20 of characters, and that was called the dog
21 spot.

22 And that was, again, run probably
23 starting at the end of 2013. It was finished
24 a little bit after when these two finished.
25 These were the first two spots and that was

Lifeso - Direct

1
2 the third one.

3 Q. Are any of these campaigns still
4 running today?

5 A. The TV spots are not running on
6 air. They ended in January.

7 But we do have them on our
8 balance.com website and posted to You Tube,
9 the Balance channel there.

10 But we have print ads that follow
11 a similar schematic still in print through the
12 end of May.

13 Q. One final question about Exhibits
14 15 and 16.

15 A. Yes.

16 Q. Do you know the geographic
17 regions in which these spots were run?

18 A. They were national TV spots that
19 were run.

20 Q. Thank you.

21 MR. SCHROEDER: Could you mark
22 these, please?

23 (Opposer's Exhibit 17, Copy of
24 one-page color copy of print campaign,
25 Bates stamp BB0002016, marked for

1 Lifeso - Direct

2 identification.)

3 (Opposer's Exhibit 18, Copy of
4 one-page color copy of print campaign,
5 Bates stamp BB0002017, marked for
6 identification.)

7 (Opposer's Exhibit 19, Copy of
8 one-page color copy of print campaign,
9 Bates stamp BB0002018, marked for
10 identification.)

11 (Opposer's Exhibit 20, Color copy
12 of creative, Bates stamp BB0002014,
13 marked for identification.)

14 (Opposer's Exhibit 21, Color copy
15 of creative, Bates stamp BB0002015,
16 marked for identification.)

17 (Opposer's Exhibit 22, Color copy
18 of trade ad, Bates stamp BB0002027,
19 marked for identification.)

20 (Opposer's Exhibit 23, Color copy
21 of ad run in October 2013 NACS trade
22 show publication directory, Bates stamp
23 BB0002028, marked for identification.)

24 (Opposer's Exhibit 24, Color copy
25 of NACS trade show map ad, Bates stamp

1 Lifeso - Direct

2 BB0002029, marked for identification.)

3 (Handing.)

4 Q. I have handed you what's been
5 marked as Exhibits 17 to 24.

6 Can you review each exhibit and
7 identify them for me?

8 A. Yes, I can.

9 So, Exhibit 17, 18 and 19 are our
10 print campaigns that ran in People magazine
11 issues July 15, 2013 which is Exhibit 17, June
12 10, 2013, People magazine for Exhibit 18 and
13 September 2nd, 2013, People magazine for
14 Exhibit 19, and these are half-page spread
15 print advertisements.

16 Q. Meaning?

17 A. Meaning they spread across the
18 two pages and they are half the page.

19 So, when you view this it goes
20 from left to right, for the full page, but
21 only either the top or the bottom half of the
22 page.

23 So, the goal of that is to be
24 more impactful. When an individual opens it,
25 and they see this full spread of a continuous

1 Lifeso - Direct

2 campaign running from left to right across the
3 two pages.

4 So, that's the first three
5 exhibits.

6 And then Exhibits 20 and 21 are
7 just the creatives themselves. So, not within
8 a publication like the other three were,
9 actually showing it within the People magazine
10 placements.

11 This just shows the creative by
12 itself that would then be placed within a
13 publication. Again, half-page spreads.

14 Q. I refer you to the right of each
15 one of these exhibits.

16 A. Yup.

17 Q. The printing on the right, what
18 does that refer to?

19 A. This is just some information
20 that would never be put into print itself, for
21 the consumers, but it's just a way to identify
22 each print ad so that our internal teams can
23 source the right ad when you list the number.

24 The publication, it lists the
25 publication that it ran in, not all inclusive,

1 Lifeso - Direct

2 but at least one instance of it. So, you have
3 People magazine, 7/15/13 on Exhibit 20.

4 It lists People magazine 9/2/2013
5 for Exhibit 21, and that's just when it would
6 have been placed into that particular ad and
7 then it says that it is a half-page spread
8 horizontal which, again, I explained it's a
9 horizontal ad running left to right across the
10 two pages, both state the same thing.

11 And this gives you the size of
12 the actual ad itself and the general layout,
13 descriptions and information, the fonts that
14 are used, what the image is actually called.

15 And, so, yeah, it's just some
16 internal nomenclature.

17 And then we have Exhibit 22.
18 This is, I believe, for a trade ad. Let me
19 double check this. It's a full-page ad in
20 Convenience Store magazine. So, it was a
21 publication that's run targeting convenience
22 store owners, not so much the consumers but
23 the actual retailers themselves.

24 And it's across the portfolio of
25 Pure Protein Balance Bars and MET-Rx products

1 Lifeso - Direct

2 that NBTY owns and it's called "For all your
3 sports nutrition needs, look for these hot
4 items."

5 So, it's basically just
6 advertising to the retailer; specifically
7 convenience retailers in a full-page color ad.

8 The next one, which is Exhibit 23
9 was run in the October 2013 publication of the
10 NACS trade show directories.

11 As we mentioned we do a lot of
12 trade shows. It's a retailer-focused event.
13 They often have publications or directories
14 that are given out when you go to those events
15 so that you can either find a booth, you can
16 find a retailer, I'm sorry, a manufacturer or
17 someone that is at the event, but you also
18 have advertisement placements done in those
19 directories or publications.

20 So, this was, again, an ad that
21 Balance Bar was featured in. Try Our Bars to
22 really target those NACS trade show attendees.

23 Q. How big a show is that NACS trade
24 show?

25 A. Off the top of my head, I don't

1 Lifeso - Direct

2 know. Thousands of attendees though. So,
3 thousands. I just don't know how big it is,
4 unfortunately, off the top of my head.

5 Exhibit 24 is for the NACS trade
6 show map ad. So -- let me double check it. I
7 think it's a bigger ad placement. Yeah, it's
8 slightly bigger than Exhibit 23 in terms of
9 the size of the ad, and it would have been
10 placed in the fall 2013 directory or show map
11 because everybody is looking at the map to
12 find where to go, what booth to go to. So,
13 it's a great placement to have it there.

14 And, again, to showcase to those
15 retailers our product offerings.

16 MR. SCHROEDER: Can you mark
17 this, please?

18 (Opposer's Exhibit 25, Multipage
19 document containing color copies of ads,
20 Bates Stamped BB0002019 through
21 BB0002026, marked for identification.)

22 (Handing.)

23 Q. I have handed you what's been
24 marked as Exhibit 25.

25 Can you please review the pages

1 Lifeso - Direct

2 which make up this exhibit, and then identify
3 the exhibit for me.

4 A. All right.

5 So, this, again, is Exhibit 25.

6 The majority of these pages which are 2019
7 through 2024 are just showing different
8 layouts or versions of the same FSI, which is
9 again a freestanding insert coupon. This was
10 a half-page color FSI that has two coupons
11 associated to it.

12 It brings into play the "Have you
13 found your Balance?" copy that we used
14 throughout the print and TV campaign.

15 It showcases a bunch of product
16 varieties here.

17 And, again, we have got two
18 offers, one for a dollar off of any two
19 Balance Bar singles with our Balance Bar marks
20 there and \$1.50 off of any Balance Bar
21 multi-pack which are our six-count units.

22 And, again, the information on
23 the right-hand side would not be in print. It
24 would just be for the folks who are handling
25 or managing the creative to get it into the

1 Lifeso - Direct

2 books and the publications.

3 This one was run through Valassis
4 which is the group that manages the FSIs, one
5 of the groups that nationally manages the
6 FSIs.

7 News America is the other one,
8 but we are using Valassis.

9 And this was in the FSI drop of
10 May 12th, 2013 and as I mentioned, again, it's
11 a half-page FSI, and it looks -- there is no
12 difference, you know -- just maybe an internal
13 copy on the right-hand side that
14 differentiates these first two pages, but it's
15 the same ad and the same date. It was only
16 run once.

17 There are a couple versions where
18 the coupon placement -- if you compare the
19 first few pages to Page 2024 you can see the
20 coupon is shifted on the left side which means
21 you would have had it run depending on
22 placement within the FSI creative.

23 Some books would have it look
24 like what's on 2024 and some would have it
25 look like how it was represented on the first

Lifeso - Direct

1
2 few pages of this document with the coupons on
3 the right-hand side.

4 Q. Do you know where this coupon was
5 actually run?

6 A. This is a national FSI. I
7 believe it was over a 40 million circ., about
8 45ish million circulation. So, again, that's
9 considered a national FSI placement.

10 And then the last two pages
11 within this document, Pages 2025 and 2026, is
12 the FSI, full-page color FSI from -- where is
13 the date on this one? Ran in August, or back
14 to school time because it has the school of
15 good health on the left corner. I think it
16 was August 3rd timeframe, give or take a day
17 or two.

18 And this basically again shows
19 "Have you found your Balance?" trademark along
20 with our product offerings, and our call outs
21 are Balance Bar shown in two different coupon
22 offers; one for singles and one for our
23 multi-packs and it is showing different
24 product offerings throughout the creative and
25 would have been run, again, in August of 2013.

Lifeso - Direct

1
2 Q. Do you know the circulation
3 numbers for this FSI?

4 A. It was similar, around 45 to 46
5 million, I believe, as well. Definitely over
6 40 million.

7 So, it would have been considered
8 a national FSI.

9 And it was full page versus half
10 page.

11 (The following portion has been
12 deemed confidential and bound under
13 separate cover.)
14
15
16
17
18
19
20
21
22
23
24
25

Lifeso - Direct

1
2 Q. Have you ever heard of the
3 company, GFA Brands?

4 A. Yes, I have.

5 Q. What do you know about GFA
6 brands?

7 A. Well, they have a couple of
8 trademarks including Smart Balance and Earth
9 Balance.

10 Q. Do you currently consider GFA
11 brands to be a competitor for the Balance Bar
12 Company?

13 A. Currently, no, I do not consider
14 them a competitor of Balance Bar Company.

15 Q. Why not?

16 A. They are not ^{Competing}~~priority~~ products
17 that are sold with us or targeting our
18 consumers in the same shelf set.

19 So, they don't compete with us at
20 retail or with consumers. They are a
21 different category altogether.

22 Q. If GFA Brands were to begin
23 selling nutrition bars, would you then
24 consider them a competitor?

25 A. Yes.

Lifeso - Direct

1
2 Q. Who are some of your competitors
3 right now in the nutrition bar category?

4 A. Clif Bar, Kind Bar, Zone Perfect,
5 PowerBar, Luna.

6 Q. Do any of these other competitors
7 use the word "balance" in their trademarks?

8 A. No, they do not.

9 Q. If GFA were to begin to sell
10 nutrition bars under their Smart Balance mark,
11 do you believe that would cause confusion in
12 the marketplace?

13 A. Yes, I do.

14 For the reason that any other
15 mark coming in using "balance", we have
16 Balance and Balance Bar as our primary marks
17 would add confusion.

18 Mostly, I think, we have offered
19 a lot of different subbrands under Balance.
20 So, it's been Balance Gold or Balance Bar
21 Dark.

22 So, because of that adding smart
23 in front of our trademark I think would add a
24 lot of confusion to consumers who are familiar
25 with Balance and have been for the last 20

Lifeso - Direct

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

years.

Q. How about the fact that the product would be positioned right next to your product, would that be a factor?

A. Yes.

So, of course, moving into our shelf set at retail, being right next to us and being sold with a similar trademark, using our trademark would definitely be confusing for consumers, and would be directly competing with Balance Bar.

Q. Let's expand on that.

Do you believe the Smart Balance trademark is similar to the Balance and Balance Bar trademarks?

A. I believe it uses balance within it.

So, that is our full trademark. We also have Balance Bar as well, but, yeah.

Q. Thank you.

Is brand loyalty something that the company measures?

A. Yeah.

We look at brand loyalty, we have

1 Lifeso - Direct

2 put in place a quarterly tracker to look at
3 loyalty as well as awareness. So, from
4 awareness to loyalty measures from our brands
5 as well as some competitive brands.

6 Q. Do you have any idea what the
7 brand loyalty is currently with respect to the
8 Balance and the Balance Bar products?

9 A. Yeah, of people who have ever
10 tried Balance we have about a 25 percent
11 loyalty rate right now based on the recent
12 data.

13 Q. Is that typical in the industry?

14 A. I don't have a full scope of
15 every brand because we don't track every
16 brand, but it is about average. There are
17 some that are above us and some that are below
18 us.

19 Q. What drives a typical consumer
20 when he is purchasing, he or she is purchasing
21 a nutrition bar? Is it loyalty? Price point?
22 Having a coupon?

23 Can you expand on that?

24 A. Yeah, I think that our consumers
25 in any category are buying on price.

1 Lifeso - Direct

2 So, if you offer a coupon you
3 probably get some consumers buying that way.

4 For the most part I believe that
5 there is a loyalty to Balance and the
6 recognition and awareness of our brand name
7 that has consumers coming back and purchasing
8 our products again and again.

9 So, I do think there is a strong
10 connection to loyalty with consumer behavior
11 and consumer purchase.

12 Q. Can you give some description of
13 how a promotion is used in the nutrition bar
14 category, to what extent products are put on
15 promotion?

16 A. Yeah.

17 So, when we look both for Balance
18 as well as across brands within our category
19 you see approximately 30 percent of volume
20 being on sold on promotion with the remaining
21 base on a non-promoted volume.

22 So, yes, it's about 30 percent
23 would be an average number and that's where
24 Balance falls as well.

25 And in terms of the latest data

Lifeso - Direct

1
2 that I have access to for whatever is promoted
3 versus not promoted.

4 Q. What about price point? What do
5 these products typically sell for?

6 A. So, yeah, typically Balance Bars
7 will be selling between a dollar and two
8 dollars depending on the channel, the retailer
9 you are selling at.

10 Products can be up to three or
11 even four dollars depending on if you are
12 looking at very large bars that are maybe
13 double the size or the most premium product
14 offering.

15 So, from about a dollar to three,
16 three fifty per bar just to be clear.

17 Q. Based on your knowledge of
18 consumers of nutrition bars, how do they go
19 about purchasing a bar? What level of care do
20 they give to purchasing a bar?

21 A. Yeah, I think they often will
22 have a brand in mind that they want to go
23 find. So, they are looking for a Balance Bar.
24 So, they see Balance and then they would grab
25 that bar.

1 Lifeso - Direct

2 Where it's sold, you do have a
3 lot of brands to look at. So, I think that's
4 important in terms of what's driving a
5 purchase.

6 It can be some times if you find
7 it at the front of retail it might be a little
8 more on the impulse side to pick up a bar from
9 there, but usually you are going to that site
10 to find that category -- within that category
11 the bar of choice.

12 Q. I've heard the term label reader.
13 What's a label reader?

14 A. Yeah.

15 So, you have got people who want
16 to just quickly look at the front of the
17 package and see key attributes that they want.

18 *discerning* But some people who are more
19 ~~indefinable~~ readers who want to learn a little
20 bit more or learn a little bit more about the
21 products will pick up the product they are
22 looking for and be much more focused on the
23 back of the panel in terms of ingredients,
24 what's on the nutritional facts.

25 So, it could be calories or fat.

Lifeso - Direct

1
2 They could be looking for certain attributes
3 that they are concerned about, but they are a
4 little bit more educated and they are looking
5 for things that the product does contain or
6 does not contain.

7 So, they want to avoid certain
8 ingredients or they want to find products with
9 their specific ingredients as well.

10 Q. So, based on your knowledge of
11 consumers who we might refer to as label
12 readers, does that mean they are paying
13 attention to the name of the product or they
14 were paying attention to what's on or what's
15 in the product?

16 A. I think they are drawn to a
17 product from either the front of the label and
18 then they are going to be flipping it over and
19 more concerned with what's actually happening
20 on the back of the panel; again, based on what
21 they looking for or not looking for in their
22 products. But they are obviously pulled in by
23 something to that actual packing.

24 Q. You mentioned this before, but
25 when products are featured at the checkout

Lifeso - Direct

1
2 counters, how does the shopping experience
3 with the consumer change?

4 A. Yeah.

5 So, the front of the store just
6 in general typically is used for impulse
7 purchases. So, while you are waiting in line
8 to checkout you might be like oh, yeah, I do
9 need a pick up or I do need to pick up a
10 snack. I'm hungry. I'm on the go. I do need
11 to grab something to take with me.

12 So, there is more aptitude to be
13 picking up something impulsively at the front.
14 Nutrition bars obviously have their set in the
15 back.

16 Some retailers are bringing it
17 forward though for healthier snacking options
18 to be available versus just candy bars and gum
19 and things. So, it's becoming more prevalent
20 to bring up nutrition products into the front
21 of the store.

22 Q. I think we touched on this
23 before, but the Balance and Balance Bar
24 trademarks, are the Balance and Balance Bar
25 products sold throughout the whole United

Lifeso - Direct

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

States?

A. Yes.

We are sold nationwide.

Q. All 50 states?

A. To the best of my knowledge all
50 states.

MR. SCHROEDER: Let's take a
five-minute break, and I will wrap up my
direct testimony.

(Discussion off the record.)

MR. SCHROEDER: On the record.

That's it for the direct
testimony.

(The following portion has been
deemed confidential and bound under
separate cover.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

-----I N D E X-----

WITNESS: DIRECT

ERIN LIFESO 3

-----EXHIBITS-----

OPPOSER'S FOR I.D.

- 1 Copy of multipage document entitled
Balance Bar Team Presentation,
Balance Bar 1997-2000, Presented
by: Lara Jackle Dickinson, Bates
stamped BB0000188 through
BB0000260 3
- 2 Copy of advertisement, Bates
stamped BB0000038 3
- 3 Copy of advertisement, Bates
stamped BB0000039 4
- 4 Copy of advertisement, Bates
stamped BB0000040 4
- 5 Copy of advertisement, Bates
stamped BB0000041 4
- 6 Copy of advertisement, Bates
stamped BB0000042 4
- 7 Copy of advertisement, Bates
stamped BB0000093 31

-----EXHIBITS (Continued)-----

OPPOSER'S FOR I.D.

1			
2			
3			
4	8	Copy of advertisement, Bates	
5		stamped BB0000094	31
6	9	Copy of eight-page document	
7		entitled Balance Bar Historical	
8		Print Ads, Bates stamped	
9		BB0000030 through BB0000037	32
10	10	Multipage copy of document	
11		containing advertisements, Bates	
12		stamped BB0000003 through	
13		BB0000029	37
14	11	Multipage document entitled	
15		Balance Bar Awareness/Loyalty,	
16		Bates stamped BB0000171 through	
17		BB00000186	93
18	12	Copy of document entitled Balance	
19		Bar Flavor Summary, Bates stamp	
20		BB0000001	98
21			
22			
23			
24			
25			

-----EXHIBITS (Continued)-----

OPPOSER'S FOR I.D.

1			
2			
3			
4	13	Multipage document containing	
5		product imagery shots, Bates	
6		stamped BB0000044 through	
7		BB0000102, respectively with the	
8		exception of BB0000093 and	
9		BB0000094	101
10	14	Multipage document entitled	
11		Balance Bar Target Consumer	
12		May 2012, Bates stamped	
13		BB0000141 through BB0000141	105
14	15	One-page color copy of	
15		15-second TV commercial story	
16		board, Bates stamp BB0002033	109
17	16	One-page color copy of	
18		15-second TV commercial story	
19		board, Bates stamp BB0002034	109
20	17	Copy of one-page color copy of	
21		print campaign, Bates stamp	
22		BB0002016	111
23	18	Copy of one-page color copy of	
24		print campaign, Bates stamp	
25		BB0002017	112

-----EXHIBITS (Continued)-----

OPPOSER'S FOR I.D.

19	Copy of one-page color copy of print campaign, Bates stamp BB0002018	112
20	Color copy of creative, Bates stamp BB0002014	112
21	Color copy of creative, Bates stamp BB0002015	112
22	Color copy of trade ad, Bates stamp BB0002027	112
23	Color copy of ad run in October 2013 NACS trade show publication directory, Bates stamp BB0002028	112
24	Color copy of NACS trade show map ad, Bates stamp BB0002029	112
25	Multipage document containing color copies of ads, Bates Stamped BB0002019 through BB0002026	117

(Reporter retained exhibits.)

<p>#</p> <p>#605 [1] - 2:5</p>	<p>12th [1] - 119:10</p> <p>13 [8] - 62:20, 69:12, 74:14, 101:24, 102:8, 102:11, 104:19, 153:4</p> <p>14 [5] - 75:3, 105:21, 106:4, 106:7, 153:10</p> <p>140 [2] - 62:21, 68:17</p> <p>140,000 [1] - 43:18</p> <p>15 [8] - 77:3, 109:10, 109:20, 109:24, 110:16, 111:14, 113:11, 153:14</p> <p>15-count [7] - 103:21, 103:23, 103:25, 104:3, 104:5, 104:6, 104:11</p> <p>15-second [8] - 109:11, 109:15, 109:25, 110:5, 110:8, 110:13, 153:15, 153:18</p> <p>150 [1] - 90:12</p> <p>150,000 [1] - 66:19</p> <p>15th [1] - 70:12</p> <p>16 [10] - 74:3, 74:4, 79:12, 79:13, 109:14, 109:20, 110:3, 111:14, 153:17</p> <p>160 [1] - 54:15</p> <p>17 [6] - 81:16, 111:23, 113:5, 113:9, 113:11, 153:20</p> <p>173 [1] - 94:3</p> <p>18 [5] - 83:7, 112:3, 113:9, 113:12, 153:23</p> <p>180,000 [1] - 50:2</p> <p>19 [9] - 62:19, 68:24, 69:11, 83:25, 84:16, 112:7, 113:9, 113:14, 154:4</p> <p>1992 [2] - 7:6, 11:6</p> <p>1997 [2] - 12:16, 33:5</p> <p>1997-2000 [2] - 3:19, 151:9</p> <p>1999 [1] - 30:14</p>	<p>34:21</p> <p>2001 [2] - 12:2, 34:21</p> <p>2002 [1] - 36:3</p> <p>2003 [1] - 36:11</p> <p>2004 [1] - 36:11</p> <p>2005 [1] - 36:15</p> <p>2006 [2] - 37:5, 45:24</p> <p>2007 [2] - 37:16, 94:6</p> <p>2007/2008 [1] - 97:19</p> <p>2008 [2] - 97:17, 97:22</p> <p>2009 [3] - 7:15, 34:11, 93:18</p> <p>2010 [27] - 1:8, 1:9, 6:5, 8:4, 11:23, 12:21, 34:7, 34:14, 38:15, 38:22, 39:2, 40:13, 40:23, 45:20, 46:18, 47:13, 47:14, 50:22, 54:10, 56:2, 56:25, 58:24, 60:5, 63:24, 74:16, 99:21, 106:11</p> <p>2011 [16] - 38:15, 59:20, 59:21, 62:18, 65:9, 66:20, 66:21, 68:4, 68:9, 70:23, 75:4, 77:3, 77:9, 79:14, 79:17, 106:11</p> <p>2012 [24] - 4:22, 6:13, 7:21, 7:23, 38:8, 38:15, 54:13, 83:24, 84:19, 86:8, 87:5, 88:5, 89:23, 90:9, 90:22, 91:21, 92:8, 92:13, 100:10, 105:23, 106:8, 106:21, 108:4, 153:12</p> <p>2013 [12] - 100:10, 110:8, 110:23, 112:21, 113:11, 113:12, 113:13, 116:9, 117:10, 119:10, 120:25, 154:14</p> <p>2014 [4] - 1:20, 110:9, 155:11, 155:19</p> <p>2019 [1] - 118:6</p> <p>2011 [1] - 70:9</p> <p>202 [1] - 1:24</p> <p>2024 [3] - 118:7, 119:19, 119:24</p> <p>2025 [1] - 120:11</p> <p>2026 [1] - 120:11</p> <p>21 [5] - 88:10, 112:14, 114:6, 115:5, 154:9</p> <p>2100 [2] - 1:19, 3:12</p> <p>219 [2] - 13:22, 33:2</p> <p>21st [1] - 57:6</p> <p>22 [4] - 89:8, 112:17, 115:17, 154:11</p>	<p>221 [1] - 15:4</p> <p>222 [1] - 15:20</p> <p>223 [1] - 16:12</p> <p>224 [1] - 17:3</p> <p>225 [1] - 17:22</p> <p>226 [1] - 18:9</p> <p>227 [1] - 18:11</p> <p>228 [1] - 18:14</p> <p>229 [1] - 18:22</p> <p>23 [5] - 89:12, 112:20, 116:8, 117:8, 154:13</p> <p>230 [2] - 18:22, 19:6</p> <p>231 [1] - 19:18</p> <p>232 [1] - 20:8</p> <p>233 [2] - 20:17</p> <p>234 [1] - 21:7</p> <p>235 [1] - 22:13</p> <p>236 [1] - 22:17</p> <p>237 [1] - 23:6</p> <p>238 [1] - 24:18</p> <p>239 [1] - 26:6</p> <p>24 [7] - 65:14, 70:18, 89:22, 112:24, 113:5, 117:5, 154:17</p> <p>24-hour [1] - 71:8</p> <p>240 [1] - 26:10</p> <p>241 [1] - 27:9</p> <p>242 [1] - 27:22</p> <p>243 [1] - 28:21</p> <p>244 [1] - 29:6</p> <p>25 [7] - 90:9, 106:23, 117:18, 117:24, 118:5, 144:10, 154:19</p> <p>26 [1] - 91:19</p> <p>27 [1] - 92:6</p> <p>28 [1] - 92:11</p> <p>280 [1] - 87:20</p> <p>29 [1] - 92:11</p> <p>290-count [1] - 92:12</p> <p>2nd [1] - 113:13</p>	<p>36 [3] - 37:5, 56:5, 197:57:8</p> <p>360 [4] - 38:22, 38:24, 39:8, 84:2</p> <p>37 [2] - 37:12, 152:13</p> <p>38 [1] - 30:4</p> <p>39 [2] - 30:22, 74:12</p> <p>3rd [1] - 120:16</p>
<p>\$</p> <p>\$1.50 [2] - 70:14, 118:20</p>	<p>150,000 [1] - 43:18</p>	<p>2001 [2] - 12:2, 34:21</p>	<p>221 [1] - 15:4</p>	<p>36 [3] - 37:5, 56:5, 197:57:8</p>
<p>'09</p> <p>'90</p> <p>'90s</p> <p>'92</p> <p>'96</p> <p>'97</p> <p>'99</p> <p>'99/2000</p> <p>'Fantastic</p> <p>'training'</p>	<p>15-count [7] - 103:21, 103:23, 103:25, 104:3, 104:5, 104:6, 104:11</p> <p>15-second [8] - 109:11, 109:15, 109:25, 110:5, 110:8, 110:13, 153:15, 153:18</p> <p>150 [1] - 90:12</p> <p>150,000 [1] - 66:19</p> <p>15th [1] - 70:12</p> <p>16 [10] - 74:3, 74:4, 79:12, 79:13, 109:14, 109:20, 110:3, 111:14, 153:17</p> <p>160 [1] - 54:15</p> <p>17 [6] - 81:16, 111:23, 113:5, 113:9, 113:11, 153:20</p> <p>173 [1] - 94:3</p> <p>18 [5] - 83:7, 112:3, 113:9, 113:12, 153:23</p> <p>180,000 [1] - 50:2</p> <p>19 [9] - 62:19, 68:24, 69:11, 83:25, 84:16, 112:7, 113:9, 113:14, 154:4</p> <p>1992 [2] - 7:6, 11:6</p> <p>1997 [2] - 12:16, 33:5</p> <p>1997-2000 [2] - 3:19, 151:9</p> <p>1999 [1] - 30:14</p>	<p>2001 [2] - 12:2, 34:21</p> <p>2002 [1] - 36:3</p> <p>2003 [1] - 36:11</p> <p>2004 [1] - 36:11</p> <p>2005 [1] - 36:15</p> <p>2006 [2] - 37:5, 45:24</p> <p>2007 [2] - 37:16, 94:6</p> <p>2007/2008 [1] - 97:19</p> <p>2008 [2] - 97:17, 97:22</p> <p>2009 [3] - 7:15, 34:11, 93:18</p> <p>2010 [27] - 1:8, 1:9, 6:5, 8:4, 11:23, 12:21, 34:7, 34:14, 38:15, 38:22, 39:2, 40:13, 40:23, 45:20, 46:18, 47:13, 47:14, 50:22, 54:10, 56:2, 56:25, 58:24, 60:5, 63:24, 74:16, 99:21, 106:11</p> <p>2011 [16] - 38:15, 59:20, 59:21, 62:18, 65:9, 66:20, 66:21, 68:4, 68:9, 70:23, 75:4, 77:3, 77:9, 79:14, 79:17, 106:11</p> <p>2012 [24] - 4:22, 6:13, 7:21, 7:23, 38:8, 38:15, 54:13, 83:24, 84:19, 86:8, 87:5, 88:5, 89:23, 90:9, 90:22, 91:21, 92:8, 92:13, 100:10, 105:23, 106:8, 106:21, 108:4, 153:12</p> <p>2013 [12] - 100:10, 110:8, 110:23, 112:21, 113:11, 113:12, 113:13, 116:9, 117:10, 119:10, 120:25, 154:14</p> <p>2014 [4] - 1:20, 110:9, 155:11, 155:19</p> <p>2019 [1] - 118:6</p> <p>2011 [1] - 70:9</p> <p>202 [1] - 1:24</p> <p>2024 [3] - 118:7, 119:19, 119:24</p> <p>2025 [1] - 120:11</p> <p>2026 [1] - 120:11</p> <p>21 [5] - 88:10, 112:14, 114:6, 115:5, 154:9</p> <p>2100 [2] - 1:19, 3:12</p> <p>219 [2] - 13:22, 33:2</p> <p>21st [1] - 57:6</p> <p>22 [4] - 89:8, 112:17, 115:17, 154:11</p>	<p>221 [1] - 15:4</p> <p>222 [1] - 15:20</p> <p>223 [1] - 16:12</p> <p>224 [1] - 17:3</p> <p>225 [1] - 17:22</p> <p>226 [1] - 18:9</p> <p>227 [1] - 18:11</p> <p>228 [1] - 18:14</p> <p>229 [1] - 18:22</p> <p>23 [5] - 89:12, 112:20, 116:8, 117:8, 154:13</p> <p>230 [2] - 18:22, 19:6</p> <p>231 [1] - 19:18</p> <p>232 [1] - 20:8</p> <p>233 [2] - 20:17</p> <p>234 [1] - 21:7</p> <p>235 [1] - 22:13</p> <p>236 [1] - 22:17</p> <p>237 [1] - 23:6</p> <p>238 [1] - 24:18</p> <p>239 [1] - 26:6</p> <p>24 [7] - 65:14, 70:18, 89:22, 112:24, 113:5, 117:5, 154:17</p> <p>24-hour [1] - 71:8</p> <p>240 [1] - 26:10</p> <p>241 [1] - 27:9</p> <p>242 [1] - 27:22</p> <p>243 [1] - 28:21</p> <p>244 [1] - 29:6</p> <p>25 [7] - 90:9, 106:23, 117:18, 117:24, 118:5, 144:10, 154:19</p> <p>26 [1] - 91:19</p> <p>27 [1] - 92:6</p> <p>28 [1] - 92:11</p> <p>280 [1] - 87:20</p> <p>29 [1] - 92:11</p> <p>290-count [1] - 92:12</p> <p>2nd [1] - 113:13</p>	<p>4</p> <p>4 [10] - 4:5, 31:6, 56:22, 56:25, 57:15, 151:16, 151:17, 151:18, 151:20, 151:22</p> <p>40 [5] - 31:7, 43:21, 59:9, 120:7, 121:6</p> <p>40,000 [2] - 73:24, 74:17</p> <p>40-30-30 [8] - 7:9, 26:20, 55:2, 55:8, 55:9, 64:2, 79:18, 110:19</p> <p>41 [1] - 31:8</p> <p>41,000 [1] - 74:7</p> <p>411 [1] - 2:11</p> <p>42 [2] - 31:9, 89:4</p> <p>44 [1] - 106:23</p> <p>45 [1] - 121:4</p> <p>450,000 [2] - 43:19, 59:4</p> <p>45ish [1] - 120:8</p> <p>46 [1] - 121:4</p>
<p>1</p> <p>1</p> <p>1.2</p> <p>1.5</p> <p>10</p> <p>10.10</p> <p>10th</p> <p>11</p> <p>110</p> <p>111</p> <p>112</p> <p>114</p> <p>117</p> <p>11702</p> <p>11779</p> <p>11th</p> <p>12</p> <p>12-count</p> <p>124</p>	<p>16 [10] - 74:3, 74:4, 79:12, 79:13, 109:14, 109:20, 110:3, 111:14, 153:17</p> <p>160 [1] - 54:15</p> <p>17 [6] - 81:16, 111:23, 113:5, 113:9, 113:11, 153:20</p> <p>173 [1] - 94:3</p> <p>18 [5] - 83:7, 112:3, 113:9, 113:12, 153:23</p> <p>180,000 [1] - 50:2</p> <p>19 [9] - 62:19, 68:24, 69:11, 83:25, 84:16, 112:7, 113:9, 113:14, 154:4</p> <p>1992 [2] - 7:6, 11:6</p> <p>1997 [2] - 12:16, 33:5</p> <p>1997-2000 [2] - 3:19, 151:9</p> <p>1999 [1] - 30:14</p>	<p>2001 [2] - 12:2, 34:21</p> <p>2002 [1] - 36:3</p> <p>2003 [1] - 36:11</p> <p>2004 [1] - 36:11</p> <p>2005 [1] - 36:15</p> <p>2006 [2] - 37:5, 45:24</p> <p>2007 [2] - 37:16, 94:6</p> <p>2007/2008 [1] - 97:19</p> <p>2008 [2] - 97:17, 97:22</p> <p>2009 [3] - 7:15, 34:11, 93:18</p> <p>2010 [27] - 1:8, 1:9, 6:5, 8:4, 11:23, 12:21, 34:7, 34:14, 38:15, 38:22, 39:2, 40:13, 40:23, 45:20, 46:18, 47:13, 47:14, 50:22, 54:10, 56:2, 56:25, 58:24, 60:5, 63:24, 74:16, 99:21, 106:11</p> <p>2011 [16] - 38:15, 59:20, 59:21, 62:18, 65:9, 66:20, 66:21, 68:4, 68:9, 70:23, 75:4, 77:3, 77:9, 79:14, 79:17, 106:11</p> <p>2012 [24] - 4:22, 6:13, 7:21, 7:23, 38:8, 38:15, 54:13, 83:24, 84:19, 86:8, 87:5, 88:5, 89:23, 90:9, 90:22, 91:21, 92:8, 92:13, 100:10, 105:23, 106:8, 106:21, 108:4, 153:12</p> <p>2013 [12] - 100:10, 110:8, 110:23, 112:21, 113:11, 113:12, 113:13, 116:9, 117:10, 119:10, 120:25, 154:14</p> <p>2014 [4] - 1:20, 110:9, 155:11, 155:19</p> <p>2019 [1] - 118:6</p> <p>2011 [1] - 70:9</p> <p>202 [1] - 1:24</p> <p>2024 [3] - 118:7, 119:19, 119:24</p> <p>2025 [1] - 120:11</p> <p>2026 [1] - 120:11</p> <p>21 [5] - 88:10, 112:14, 114:6, 115:5, 154:9</p> <p>2100 [2] - 1:19, 3:12</p> <p>219 [2] - 13:22, 33:2</p> <p>21st [1] - 57:6</p> <p>22 [4] - 89:8, 112:17, 115:17, 154:11</p>	<p>221 [1] - 15:4</p> <p>222 [1] - 15:20</p> <p>223 [1] - 16:12</p> <p>224 [1] - 17:3</p> <p>225 [1] - 17:22</p> <p>226 [1] - 18:9</p> <p>227 [1] - 18:11</p> <p>228 [1] - 18:14</p> <p>229 [1] - 18:22</p> <p>23 [5] - 89:12, 112:20, 116:8, 117:8, 154:13</p> <p>230 [2] - 18:22, 19:6</p> <p>231 [1] - 19:18</p> <p>232 [1] - 20:8</p> <p>233 [2] - 20:17</p> <p>234 [1] - 21:7</p> <p>235 [1] - 22:13</p> <p>236 [1] - 22:17</p> <p>237 [1] - 23:6</p> <p>238 [1] - 24:18</p> <p>239 [1] - 26:6</p> <p>24 [7] - 65:14, 70:18, 89:22, 112:24, 113:5, 117:5, 154:17</p> <p>24-hour [1] - 71:8</p> <p>240 [1] - 26:10</p> <p>241 [1] - 27:9</p> <p>242 [1] - 27:22</p> <p>243 [1] - 28:21</p> <p>244 [1] - 29:6</p> <p>25 [7] - 90:9, 106:23, 117:18, 117:24, 118:5, 144:10, 154:19</p> <p>26 [1] - 91:19</p> <p>27 [1] - 92:6</p> <p>28 [1] - 92:11</p> <p>280 [1] - 87:20</p> <p>29 [1] - 92:11</p> <p>290-count [1] - 92:12</p> <p>2nd [1] - 113:13</p>	<p>4</p> <p>4 [10] - 4:5, 31:6, 56:22, 56:25, 57:15, 151:16, 151:17, 151:18, 151:20, 151:22</p> <p>40 [5] - 31:7, 43:21, 59:9, 120:7, 121:6</p> <p>40,000 [2] - 73:24, 74:17</p> <p>40-30-30 [8] - 7:9, 26:20, 55:2, 55:8, 55:9, 64:2, 79:18, 110:19</p> <p>41 [1] - 31:8</p> <p>41,000 [1] - 74:7</p> <p>411 [1] - 2:11</p> <p>42 [2] - 31:9, 89:4</p> <p>44 [1] - 106:23</p> <p>45 [1] - 121:4</p> <p>450,000 [2] - 43:19, 59:4</p> <p>45ish [1] - 120:8</p> <p>46 [1] - 121:4</p>
<p>1</p> <p>1</p> <p>1.2</p> <p>1.5</p> <p>10</p> <p>10.10</p> <p>10th</p> <p>11</p> <p>110</p> <p>111</p> <p>112</p> <p>114</p> <p>117</p> <p>11702</p> <p>11779</p> <p>11th</p> <p>12</p> <p>12-count</p> <p>124</p>	<p>16 [10] - 74:3, 74:4, 79:12, 79:13, 109:14, 109:20, 110:3, 111:14, 153:17</p> <p>160 [1] - 54:15</p> <p>17 [6] - 81:16, 111:23, 113:5, 113:9, 113:11, 153:20</p> <p>173 [1] - 94:3</p> <p>18 [5] - 83:7, 112:3, 113:9, 113:12, 153:23</p> <p>180,000 [1] - 50:2</p> <p>19 [9] - 62:19, 68:24, 69:11, 83:25, 84:16, 112:7, 113:9, 113:14, 154:4</p> <p>1992 [2] - 7:6, 11:6</p> <p>1997 [2] - 12:16, 33:5</p> <p>1997-2000 [2] - 3:19, 151:9</p> <p>1999 [1] - 30:14</p>	<p>2001 [2] - 12:2, 34:21</p> <p>2002 [1] - 36:3</p> <p>2003 [1] - 36:11</p> <p>2004 [1] - 36:11</p> <p>2005 [1] - 36:15</p> <p>2006 [2] - 37:5, 45:24</p> <p>2007 [2] - 37:16, 94:6</p> <p>2007/2008 [1] - 97:19</p> <p>2008 [2] - 97:17, 97:22</p> <p>2009 [3] - 7:15, 34:11, 93:18</p> <p>2010 [27] - 1:8, 1:9, 6:5, 8:4, 11:23, 12:21, 34:7, 34:14, 38:15, 38:22, 39:2, 40:13, 40:23, 45:20, 46:18, 47:13, 47:14, 50:22, 54:10, 56:2, 56:25, 58:24, 60:5, 63:24, 74:16, 99:21, 106:11</p> <p>2011 [16] - 38:15, 59:20, 59:21, 62:18, 65:9, 66:20, 66:21, 68:4, 68:9, 70:23, 75:4, 77:</p>		

<p style="text-align: center;">7</p> <p>7 [4] - 31:19, 32:7, 65:16, 151:23 7/15/13 [1] - 115:3 70,000 [1] - 89:25 700 [1] - 74:9 77/864,206 [1] - 1:6 77/864,268 [1] - 1:7</p>	<p>activation [10] - 5:12, 38:9, 38:22, 38:24, 58:21, 59:21, 79:14, 79:24, 83:24, 88:18 active [7] - 18:4, 18:6, 71:12, 84:23, 88:13, 94:19, 101:18 active.com [1] - 71:5 activities [2] - 23:25, 107:3</p>	<p>4:12, 13:24, 15:21, 21:22, 30:11, 31:20, 31:23, 35:25, 36:3, 37:9, 116:18, 151:13, 151:15, 151:17, 151:19, 151:21, 151:23, 152:4 advertisements [6] - 14:6, 32:25, 36:9, 37:22, 113:15, 152:11 advertising [16] - 5:11, 8:23, 10:8, 13:12, 13:13, 15:16, 23:8, 26:9, 27:3, 27:4, 27:16, 29:8, 32:14, 34:3, 76:9, 116:6 Advocate [1] - 27:17 aerospace [1] - 6:21 affect [2] - 14:3, 15:9 affects [1] - 15:2 affluent [2] - 106:25, 107:14 age [1] - 107:9 agencies [2] - 5:11, 50:12 agency [2] - 49:16, 51:18 aggravate [1] - 67:14 ago [1] - 26:12 aided [4] - 96:7, 96:24, 97:9, 97:15 aiding [1] - 97:13 air [1] - 111:6 aisle [5] - 40:3, 40:8, 41:23, 42:4 allure [1] - 68:13 almond [1] - 103:10 almost [1] - 74:17 ALSO [1] - 2:15 altogether [1] - 141:21 Amazon [1] - 55:7 America [3] - 67:15, 90:25, 119:7 amounts [1] - 87:14 analytical [1] - 50:11 analytics [1] - 98:3 AND [2] - 1:2, 1:3 Angeles [1] - 15:22 announced [1] - 100:22 announcements [1] - 75:7 answer [2] - 7:5, 79:10 apologize [1] - 84:5 App [1] - 73:12 APPEAL [1] - 1:3 appear [5] - 12:25, 21:21, 39:20, 41:17, 46:12</p>	<p>appeared [3] - 32:25, 36:25, 105:4 appearing [1] - 104:18 apples [2] - 98:9 Applicant [2] - 1:16, 2:9 Application [1] - 1:6 apply [1] - 101:14 approximate [2] - 68:18, 99:4 April [5] - 1:8, 1:20, 23:12, 24:23, 155:11 aptitude [1] - 149:12 area [1] - 24:20 areas [2] - 22:21, 61:11 ares [1] - 58:14 article [2] - 54:5, 77:2 articles [4] - 54:3, 55:3, 75:12, 92:2 assets [1] - 93:19 associated [4] - 14:19, 14:25, 94:17, 118:11 association [1] - 94:11 assumed [1] - 63:15 assumption [1] - 37:3 athletes [2] - 7:7, 16:9 athletic [1] - 71:5 attend [3] - 77:18, 77:25, 78:8 attended [1] - 77:4 attendees [2] - 116:22, 117:2 attending [1] - 77:12 attention [2] - 148:13, 148:14 attributes [7] - 16:13, 36:18, 70:15, 94:16, 99:11, 147:17, 148:2 audience [3] - 45:5, 45:6, 68:12 August [9] - 1:9, 62:23, 66:16, 68:9, 81:21, 82:6, 120:13, 120:16, 120:25 author [1] - 82:22 available [2] - 107:23, 149:18 Avenue [3] - 1:19, 2:11, 3:12 average [3] - 106:23, 144:16, 145:23 avoid [1] - 148:7 Avon [1] - 28:13</p>	<p>award [1] - 13:12 198 awarded [1] - 87:13 aware [3] - 11:8, 80:12, 97:8 awareness [17] - 22:24, 23:2, 52:17, 58:4, 81:6, 87:18, 94:8, 94:10, 94:14, 94:16, 95:19, 96:8, 96:12, 96:22, 144:3, 144:4, 145:6 Awareness [1] - 94:4 Awareness/Loyalty [2] - 93:4, 152:15 awareness/loyalty [1] - 93:14</p>
<p style="text-align: center;">8</p> <p>8 [5] - 31:22, 32:7, 65:10, 68:7, 152:4 80,000 [3] - 44:22, 44:23, 73:25 800 [1] - 59:11 81 [1] - 94:15 81,000 [1] - 59:6 8th [1] - 155:18</p>	<p>activity [1] - 24:4 actual [7] - 15:7, 78:20, 78:22, 87:23, 115:12, 115:23, 148:23 ad [47] - 14:10, 14:16, 14:19, 14:22, 17:3, 17:9, 18:10, 18:13, 18:14, 18:21, 19:12, 19:19, 20:11, 30:5, 30:8, 30:23, 35:8, 36:19, 36:20, 36:21, 36:23, 36:24, 37:10, 37:11, 69:15, 70:17, 73:11, 110:14, 112:18, 112:21, 112:25, 114:22, 114:23, 115:6, 115:9, 115:12, 115:18, 115:19, 116:7, 116:20, 117:6, 117:7, 117:9, 119:15, 154:11, 154:13, 154:18 add [3] - 65:24, 142:17, 142:23 added [2] - 8:25, 66:3 adding [1] - 142:22 addition [1] - 72:17 additional [10] - 17:21, 24:3, 27:6, 46:20, 51:20, 72:7, 88:17, 100:18, 104:14, 108:6 address [1] - 3:11 Ads [2] - 32:3, 152:8 ads [26] - 19:11, 20:23, 22:9, 28:19, 29:4, 29:10, 31:13, 32:13, 33:4, 33:9, 33:25, 34:13, 35:3, 35:5, 35:8, 36:9, 37:13, 73:19, 74:11, 85:13, 110:10, 110:13, 111:10, 117:19, 154:20 adventure [1] - 28:7 Adventure [1] - 28:22 advertisement [22] - 3:24, 4:3, 4:6, 4:9,</p>	<p>4:12, 13:24, 15:21, 21:22, 30:11, 31:20, 31:23, 35:25, 36:3, 37:9, 116:18, 151:13, 151:15, 151:17, 151:19, 151:21, 151:23, 152:4 advertisements [6] - 14:6, 32:25, 36:9, 37:22, 113:15, 152:11 advertising [16] - 5:11, 8:23, 10:8, 13:12, 13:13, 15:16, 23:8, 26:9, 27:3, 27:4, 27:16, 29:8, 32:14, 34:3, 76:9, 116:6 Advocate [1] - 27:17 aerospace [1] - 6:21 affect [2] - 14:3, 15:9 affects [1] - 15:2 affluent [2] - 106:25, 107:14 age [1] - 107:9 agencies [2] - 5:11, 50:12 agency [2] - 49:16, 51:18 aggravate [1] - 67:14 ago [1] - 26:12 aided [4] - 96:7, 96:24, 97:9, 97:15 aiding [1] - 97:13 air [1] - 111:6 aisle [5] - 40:3, 40:8, 41:23, 42:4 allure [1] - 68:13 almond [1] - 103:10 almost [1] - 74:17 ALSO [1] - 2:15 altogether [1] - 141:21 Amazon [1] - 55:7 America [3] - 67:15, 90:25, 119:7 amounts [1] - 87:14 analytical [1] - 50:11 analytics [1] - 98:3 AND [2] - 1:2, 1:3 Angeles [1] - 15:22 announced [1] - 100:22 announcements [1] - 75:7 answer [2] - 7:5, 79:10 apologize [1] - 84:5 App [1] - 73:12 APPEAL [1] - 1:3 appear [5] - 12:25, 21:21, 39:20, 41:17, 46:12</p>	<p>appeared [3] - 32:25, 36:25, 105:4 appearing [1] - 104:18 apples [2] - 98:9 Applicant [2] - 1:16, 2:9 Application [1] - 1:6 apply [1] - 101:14 approximate [2] - 68:18, 99:4 April [5] - 1:8, 1:20, 23:12, 24:23, 155:11 aptitude [1] - 149:12 area [1] - 24:20 areas [2] - 22:21, 61:11 ares [1] - 58:14 article [2] - 54:5, 77:2 articles [4] - 54:3, 55:3, 75:12, 92:2 assets [1] - 93:19 associated [4] - 14:19, 14:25, 94:17, 118:11 association [1] - 94:11 assumed [1] - 63:15 assumption [1] - 37:3 athletes [2] - 7:7, 16:9 athletic [1] - 71:5 attend [3] - 77:18, 77:25, 78:8 attended [1] - 77:4 attendees [2] - 116:22, 117:2 attending [1] - 77:12 attention [2] - 148:13, 148:14 attributes [7] - 16:13, 36:18, 70:15, 94:16, 99:11, 147:17, 148:2 audience [3] - 45:5, 45:6, 68:12 August [9] - 1:9, 62:23, 66:16, 68:9, 81:21, 82:6, 120:13, 120:16, 120:25 author [1] - 82:22 available [2] - 107:23, 149:18 Avenue [3] - 1:19, 2:11, 3:12 average [3] - 106:23, 144:16, 145:23 avoid [1] - 148:7 Avon [1] - 28:13</p>	<p>award [1] - 13:12 198 awarded [1] - 87:13 aware [3] - 11:8, 80:12, 97:8 awareness [17] - 22:24, 23:2, 52:17, 58:4, 81:6, 87:18, 94:8, 94:10, 94:14, 94:16, 95:19, 96:8, 96:12, 96:22, 144:3, 144:4, 145:6 Awareness [1] - 94:4 Awareness/Loyalty [2] - 93:4, 152:15 awareness/loyalty [1] - 93:14</p>
<p style="text-align: center;">9</p> <p>9 [5] - 31:25, 33:20, 33:24, 70:7, 152:6 9/2/2013 [1] - 115:4 90 [1] - 41:13 90-count [4] - 41:8, 41:12, 86:7, 92:21 91196954/91197748 [1] - 1:17 93 [1] - 152:17 98 [1] - 152:20</p>	<p>activation [10] - 5:12, 38:9, 38:22, 38:24, 58:21, 59:21, 79:14, 79:24, 83:24, 88:18 active [7] - 18:4, 18:6, 71:12, 84:23, 88:13, 94:19, 101:18 active.com [1] - 71:5 activities [2] - 23:25, 107:3</p>	<p>4:12, 13:24, 15:21, 21:22, 30:11, 31:20, 31:23, 35:25, 36:3, 37:9, 116:18, 151:13, 151:15, 151:17, 151:19, 151:21, 151:23, 152:4 advertisements [6] - 14:6, 32:25, 36:9, 37:22, 113:15, 152:11 advertising [16] - 5:11, 8:23, 10:8, 13:12, 13:13, 15:16, 23:8, 26:9, 27:3, 27:4, 27:16, 29:8, 32:14, 34:3, 76:9, 116:6 Advocate [1] - 27:17 aerospace [1] - 6:21 affect [2] - 14:3, 15:9 affects [1] - 15:2 affluent [2] - 106:25, 107:14 age [1] - 107:9 agencies [2] - 5:11, 50:12 agency [2] - 49:16, 51:18 aggravate [1] - 67:14 ago [1] - 26:12 aided [4] - 96:7, 96:24, 97:9, 97:15 aiding [1] - 97:13 air [1] - 111:6 aisle [5] - 40:3, 40:8, 41:23, 42:4 allure [1] - 68:13 almond [1] - 103:10 almost [1] - 74:17 ALSO [1] - 2:15 altogether [1] - 141:21 Amazon [1] - 55:7 America [3] - 67:15, 90:25, 119:7 amounts [1] - 87:14 analytical [1] - 50:11 analytics [1] - 98:3 AND [2] - 1:2, 1:3 Angeles [1] - 15:22 announced [1] - 100:22 announcements [1] - 75:7 answer [2] - 7:5, 79:10 apologize [1] - 84:5 App [1] - 73:12 APPEAL [1] - 1:3 appear [5] - 12:25, 21:21, 39:20, 41:17, 46:12</p>	<p>appeared [3] - 32:25, 36:25, 105:4 appearing [1] - 104:18 apples [2] - 98:9 Applicant [2] - 1:16, 2:9 Application [1] - 1:6 apply [1] - 101:14 approximate [2] - 68:18, 99:4 April [5] - 1:8, 1:20, 23:12, 24:23, 155:11 aptitude [1] - 149:12 area [1] - 24:20 areas [2] - 22:21, 61:11 ares [1] - 58:14 article [2] - 54:5, 77:2 articles [4] - 54:3, 55:3, 75:12, 92:2 assets [1] - 93:19 associated [4] - 14:19, 14:25, 94:17, 118:11 association [1] - 94:11 assumed [1] - 63:15 assumption [1] - 37:3 athletes [2] - 7:7, 16:9 athletic [1] - 71:5 attend [3] - 77:18, 77:25, 78:8 attended [1] - 77:4 attendees [2] - 116:22, 117:2 attending [1] - 77:12 attention [2] - 148:13, 148:14 attributes [7] - 16:13, 36:18, 70:15, 94:16, 99:11, 147:17, 148:2 audience [3] - 45:5, 45:6, 68:12 August [9] - 1:9, 62:23, 66:16, 68:9, 81:21, 82:6, 120:13, 120:16, 120:25 author [1] - 82:22 available [2] - 107:23, 149:18 Avenue [3] - 1:19, 2:11, 3:12 average [3] - 106:23, 144:16, 145:23 avoid [1] - 148:7 Avon [1] - 28:13</p>	<p>award [1] - 13:12 198 awarded [1] - 87:13 aware [3] - 11:8, 80:12, 97:8 awareness [17] - 22:24, 23:2, 52:17, 58:4, 81:6, 87:18, 94:8, 94:10, 94:14, 94:16, 95:19, 96:8, 96:12, 96:22, 144:3, 144:4, 145:6 Awareness [1] - 94:4 Awareness/Loyalty [2] - 93:4, 152:15 awareness/loyalty [1] - 93:14</p>
<p style="text-align: center;">A</p> <p>a.m [1] - 1:21 able [1] - 88:16 Acai [1] - 91:20 acai [2] - 91:21, 103:9 access [1] - 146:2 accomplish [1] - 59:25 accounted [1] - 72:8 accurate [3] - 13:2, 104:22, 155:10 accurately [2] - 104:19, 105:7 acquired [11] - 6:7, 7:22, 34:11, 39:5, 40:14, 40:15, 40:21, 45:14, 51:20, 56:3, 56:12 acquiring [1] - 12:20 acquisition [11] - 5:20, 6:14, 7:20, 8:6, 8:11, 34:7, 46:16, 93:17, 100:2, 100:5, 108:7 action [1] - 155:14</p>	<p>activation [10] - 5:12, 38:9, 38:22, 38:24, 58:21, 59:21, 79:14, 79:24, 83:24, 88:18 active [7] - 18:4, 18:6, 71:12, 84:23, 88:13, 94:19, 101:18 active.com [1] - 71:5 activities [2] - 23:25, 107:3</p>	<p>4:12, 13:24, 15:21, 21:22, 30:11, 31:20, 31:23, 35:25, 36:3, 37:9, 116:18, 151:13, 151:15, 151:17, 151:19, 151:21, 151:23, 152:4 advertisements [6] - 14:6, 32:25, 36:9, 37:22, 113:15, 152:11 advertising [16] - 5:11, 8:23, 10:8, 13:12, 13:13, 15:16, 23:8, 26:9, 27:3, 27:4, 27:16, 29:8, 32:14, 34:3, 76:9, 116:6 Advocate [1] - 27:17 aerospace [1] - 6:21 affect [2] - 14:3, 15:9 affects [1] - 15:2 affluent [2] - 106:25, 107:14 age [1] - 107:9 agencies [2] - 5:11, 50:12 agency [2] - 49:16, 51:18 aggravate [1] - 67:14 ago [1] - 26:12 aided [4] - 96:7, 96:24, 97:9, 97:15 aiding [1] - 97:13 air [1] - 111:6 aisle [5] - 40:3, 40:8, 41:23, 42:4 allure [1] - 68:13 almond [1] - 103:10 almost [1] - 74:17 ALSO [1] - 2:15 altogether [1] - 141:21 Amazon [1] - 55:7 America [3] - 67:15, 90:25, 119:7 amounts [1] - 87:14 analytical [1] - 50:11 analytics [1] - 98:3 AND [2] - 1:2, 1:3 Angeles [1] - 15:22 announced [1] - 100:22 announcements [1] - 75:7 answer [2] - 7:5, 79:10 apologize [1] - 84:5 App [1] - 73:12 APPEAL [1] - 1:3 appear [5] - 12:25, 21:21, 39:20, 41:17, 46:12</p>	<p>appeared [3] - 32:25, 36:25, 105:4 appearing [1] - 104:18 apples [2] - 98:9 Applicant [2] - 1:16, 2:9 Application [1] - 1:6 apply [1] - 101:14 approximate [2] - 68:18, 99:4 April [5] - 1:8, 1:20, 23:12, 24:23, 155:11 aptitude [1] - 149:12 area [1] - 24:20 areas [2] - 22:21, 61:11 ares [1] - 58:14 article [2] - 54:5, 77:2 articles [4] - 54:3, 55:3, 75:12, 92:2 assets [1] - 93:19 associated [4] - 14:19, 14:25, 94:17, 118:11 association [1] - 94:11 assumed [1] - 63:15 assumption [1] - 37:3 athletes [2] - 7:7, 16:9 athletic [1] - 71:5 attend [3] - 77:18, 77:25, 78:8 attended [1] - 77:4 attendees [2] - 116:22, 117:2 attending [1] - 77:12 attention [2] - 148:13, 148:14 attributes [7] - 16:13, 36:18, 70:15, 94:16, 99:11, 147:17, 148:2 audience [3] - 45:5, 45:6, 68:12 August [9] - 1:9, 62:23, 66:16, 68:9, 81:21, 82:6, 120:13, 120:16, 120:25 author [1] - 82:22 available [2] - 107:23, 149:18 Avenue [3] - 1:19, 2:11, 3:12 average [3] - 106:23, 144:16, 145:23 avoid [1] - 148:7 Avon [1] - 28:13</p>	<p style="text-align: center;">B</p> <p>B-R-Y-N-W-O-O-D [1] - 6:7 Babylon [2] - 1:24, 2:6 Bachelor's [1] - 6:19 backdrop [1] - 78:6 background [1] - 108:22 backpacker [1] - 29:11 bags [2] - 61:13, 61:22 BALANCE [2] - 1:10, 1:12 balance [88] - 5:19, 8:18, 9:9, 9:10, 9:18, 11:5, 12:3, 13:14, 13:25, 15:3, 16:17, 17:23, 18:9, 18:11, 18:15, 18:24, 21:2, 26:4, 30:24, 31:3, 31:13, 31:15, 32:16, 32:18, 35:20, 35:22, 36:5, </p>

143:15, 143:17,
143:20, 144:8, 145:5,
146:23, 146:24,
149:23
Balance [82] - 3:17,
3:18, 5:3, 5:9, 5:21,
6:3, 6:7, 6:9, 6:15,
6:24, 7:10, 7:19, 8:18,
9:3, 9:4, 11:5, 11:21,
11:23, 15:21, 16:7,
16:15, 16:16, 17:5,
18:19, 19:8, 19:21,
20:9, 20:15, 20:18,
21:2, 21:8, 26:2, 28:2,
30:9, 32:2, 33:24,
35:23, 36:6, 36:13,
37:8, 38:11, 38:22,
41:15, 41:16, 43:8,
46:11, 47:10, 48:14,
57:12, 80:21, 80:22,
80:23, 89:9, 91:16,
93:3, 97:23, 98:18,
99:2, 105:22, 109:25,
115:25, 116:21,
118:19, 118:20,
142:10, 142:16,
142:20, 143:16,
144:10, 145:17,
145:24, 146:6,
149:24, 151:8, 151:9,
152:7, 152:15,
152:18, 153:11
balance" [1] - 9:19
balance.com [3] -
46:7, 73:5, 111:8
banks [1] - 73:17
banner [1] - 85:13
bar [54] - 7:19, 12:3,
15:22, 20:21, 28:8,
41:16, 53:17, 56:8,
57:12, 57:13, 60:10,
79:13, 79:15, 79:19,
80:21, 81:13, 83:12,
87:22, 89:10, 93:14,
94:11, 94:18, 94:25,
95:7, 96:2, 101:18,
102:23, 104:3,
104:12, 104:15,
106:8, 106:13,
106:18, 108:8,
108:16, 110:3,
120:21, 141:11,
141:14, 142:3, 142:4,
143:12, 143:20,
144:8, 144:21,
145:13, 146:16,
146:19, 146:20,
146:23, 146:25,
147:8, 147:11, 149:23
BAR [1] - 1:12
Bar [64] - 3:17, 3:18,
5:3, 5:9, 5:19, 5:21,

6:3, 6:8, 6:9, 6:15,
6:24, 7:10, 8:18, 9:3,
11:6, 11:21, 11:23,
15:21, 16:7, 17:5,
18:19, 20:18, 21:2,
21:8, 26:2, 28:2, 32:2,
33:25, 35:23, 36:13,
37:8, 38:11, 38:22,
41:15, 43:3, 43:5,
43:9, 46:11, 47:10,
48:14, 57:12, 80:23,
89:9, 93:3, 98:18,
99:2, 103:9, 105:15,
105:22, 116:21,
118:19, 118:20,
142:4, 142:16,
142:20, 143:16,
149:24, 151:8, 151:9,
152:7, 152:15,
152:19, 153:11
Barbara [1] - 7:7
bare [2] - 37:16,
103:10
Bare [11] - 9:4,
37:14, 37:17, 89:10,
92:20, 95:24, 100:25,
101:2, 101:19, 104:5
bars [23] - 16:15,
16:16, 16:19, 18:5,
53:18, 70:13, 92:21,
95:10, 96:21, 97:6,
100:16, 103:22,
104:7, 104:9, 104:14,
141:23, 142:10,
146:6, 146:12,
146:18, 149:14,
149:18
Bars [3] - 36:14,
115:25, 116:21
base [6] - 55:14,
65:12, 80:19, 92:14,
95:22, 145:21
based [24] - 11:2,
15:18, 16:7, 17:8,
18:16, 18:20, 23:19,
35:14, 43:20, 45:3,
45:25, 48:22, 55:9,
63:3, 63:16, 70:4,
87:14, 98:2, 108:15,
109:2, 144:11,
146:17, 148:10,
148:20
Bates [50] - 3:20,
3:24, 4:3, 4:6, 4:9,
4:12, 31:20, 31:23,
32:3, 37:22, 93:4,
98:19, 102:2, 105:23,
109:12, 109:16,
111:25, 112:5, 112:9,
112:12, 112:15,
112:18, 112:22,
112:25, 117:20,

151:10, 151:13,
151:15, 151:17,
151:19, 151:21,
151:23, 152:4, 152:8,
152:11, 152:16,
152:19, 153:5,
153:12, 153:16,
153:19, 153:21,
153:24, 154:5, 154:7,
154:10, 154:11,
154:15, 154:18,
154:20
BB0000001 [2] -
98:19, 152:20
BB0000003 [2] -
37:22, 152:12
BB00000093 [2] -
102:4, 153:8
BB00000186 [2] -
93:5, 152:17
BB0000029 [2] -
37:23, 152:13
BB0000030 [2] -
32:4, 152:9
BB0000037 [2] -
32:4, 152:9
BB0000038 [2] -
3:24, 151:14
BB0000039 [2] - 4:3,
151:16
BB0000040 [2] - 4:6,
151:18
BB0000041 [2] - 4:9,
151:20
BB0000042 [2] -
4:12, 151:22
BB0000044 [2] -
102:2, 153:6
BB0000093 [2] -
31:20, 151:24
BB0000094 [4] -
31:23, 102:4, 152:5,
153:9
BB0000102 [2] -
102:3, 153:7
BB0000141 [4] -
105:24, 153:13
BB0000171 [2] -
93:5, 152:16
BB0000188 [2] -
3:20, 151:11
BB0000260 [2] -
3:21, 151:12
BB0002014 [2] -
112:12, 154:8
BB0002015 [2] -
112:15, 154:10
BB0002016 [2] -
111:25, 153:22
BB0002017 [2] -
112:5, 153:25

BB0002018 [2] -
112:9, 154:6
BB0002019 [2] -
117:20, 154:21
BB0002026 [2] -
117:21, 154:22
BB0002027 [2] -
112:18, 154:12
BB0002028 [2] -
112:23, 154:16
BB0002029 [2] -
113:2, 154:18
BB0002033 [2] -
109:12, 153:16
BB0002034 [2] -
109:16, 153:19
BB103 [1] - 102:12
BB173 [2] - 93:22,
94:22
BB174 [2] - 93:24,
95:14
BB190 [1] - 12:23
BB218 [1] - 13:6
BB44 [1] - 102:12
BB93 [1] - 102:13
BB94 [1] - 102:13
beam [1] - 110:18
Beauty [2] - 83:11,
83:14
become [2] - 10:16,
79:2
becoming [1] -
149:19
BEFORE [1] - 1:3
began [1] - 10:18
begin [3] - 40:13,
141:22, 142:9
beginning [1] - 6:25
behalf [1] - 73:18
behavior [1] - 145:10
behind [1] - 24:18
below [2] - 88:25,
144:17
benefits [3] - 19:3,
20:9, 53:14
Benz [2] - 28:11,
28:23
best [6] - 11:4,
29:15, 29:18, 99:15,
105:12, 150:6
better [1] - 31:4
between [4] - 34:8,
34:10, 68:9, 146:7
beverages [1] -
16:20
Bicycling [1] - 68:13
bicycling [1] - 69:4
big [4] - 95:7, 95:11,
116:23, 117:3
bigger [2] - 117:7,
117:8

biking [1] - 71:14 199
billboard [1] - 29:4
billboards [3] -
23:24, 24:8
billion [1] - 54:13
bit [16] - 6:2, 47:6,
57:21, 57:24, 61:16,
65:17, 70:8, 77:19,
81:16, 85:7, 88:3,
92:18, 110:24,
147:20, 148:4
BKids [1] - 99:25
Blitz [6] - 23:15,
23:21, 24:12, 26:10,
43:16, 43:23
blog [2] - 53:7, 54:5
blogger [5] - 54:18,
82:9, 82:10, 83:8,
83:9
bloggers [9] - 46:22,
53:2, 54:2, 62:15,
72:8, 80:16, 85:19,
90:12, 91:24
blogs [1] - 54:2
blood [1] - 155:14
Blueberry [1] - 91:20
beam [1] - 110:18
blueberry [2] -
91:21, 103:8
BOARD [1] - 1:4
board [4] - 109:12,
109:16, 153:16,
153:19
boards [2] - 15:6,
51:25
body [1] - 29:13
BOGO [2] - 56:7,
57:10
book [3] - 55:6, 70:2,
75:15
books [5] - 55:3,
62:24, 70:3, 119:2,
119:23
bookstores [1] -
55:7
booth [7] - 44:11,
61:15, 78:5, 78:14,
78:21, 116:15, 117:12
Boston [7] - 43:13,
43:15, 57:22, 58:2,
58:15, 58:22, 62:4
bottom [11] - 30:22,
34:2, 36:17, 37:7,
38:21, 74:18, 81:12,
83:3, 99:19, 99:24,
113:21
bound [2] - 121:12,
150:16
box [4] - 43:13, 53:5,
53:18, 57:13
boxes [2] - 56:9,
101:12

BRADY [1] - 2:10
Brand [2] - 6:14, 94:4
brand [26] - 5:9, 6:12, 8:23, 10:24, 12:14, 12:20, 17:16, 39:6, 55:12, 71:13, 94:6, 94:10, 94:13, 95:19, 96:8, 96:20, 97:3, 98:3, 108:13, 143:22, 143:25, 144:7, 144:15, 144:16, 145:6, 146:22
branded [7] - 21:6, 48:15, 49:3, 49:6, 53:15, 90:8
branding [1] - 89:11
brands [17] - 94:7, 94:8, 94:21, 94:22, 96:23, 97:5, 97:7, 97:13, 108:6, 108:10, 141:3, 141:6, 141:11, 144:4, 144:5, 145:18, 147:3
BRANDS [1] - 1:15
Brands [1] - 141:22
break [4] - 56:15, 97:24, 109:6, 150:9
breath [1] - 61:14
brief [1] - 6:23
briefly [1] - 6:16
bring [4] - 47:18, 68:2, 107:11, 149:20
bringing [1] - 149:16
brings [2] - 19:3, 118:12
brochure [1] - 17:2
broken [1] - 42:23
brought [1] - 22:3
Brynwood [11] - 6:6, 7:16, 7:18, 9:22, 10:3, 38:10, 38:12, 56:13, 93:19, 100:2, 100:6
bucket [6] - 38:18, 45:12, 46:14, 57:16, 64:3, 65:6
buckets [2] - 23:8, 84:18
build [4] - 22:23, 50:7, 62:10, 90:17
built [4] - 8:10, 40:19, 50:4, 98:7
bunch [1] - 118:15
Bus [2] - 83:11, 83:14
business [23] - 5:10, 5:20, 6:8, 6:22, 7:13, 7:14, 7:16, 7:19, 8:9, 9:21, 10:2, 10:7, 10:21, 12:3, 12:6, 20:20, 45:13, 55:17,

56:2, 92:14, 93:19, 95:23, 100:5
busy [1] - 107:16
buy [6] - 55:6, 56:7, 57:11, 58:16, 79:8, 87:20
buying [2] - 144:25, 145:3
BY [3] - 2:7, 2:13, 3:6

C

Cablevision [1] - 23:12
Cadbury [2] - 5:22, 6:6
cafe [2] - 100:4, 100:9
Cafe [2] - 103:17, 104:6
California [1] - 7:7
Calorie [1] - 37:6
calorie [1] - 95:24
calories [1] - 147:25
campaign [37] - 13:13, 13:15, 13:17, 14:2, 14:23, 15:5, 15:8, 15:10, 17:22, 25:6, 31:16, 33:15, 34:8, 34:19, 35:2, 35:18, 36:4, 37:6, 52:3, 60:21, 62:22, 63:3, 68:8, 73:6, 73:23, 75:4, 85:8, 87:5, 87:17, 111:24, 112:4, 112:8, 114:2, 118:14, 153:21, 153:24, 154:5
Campaign [3] - 36:10, 37:14, 62:18
Campaigns [1] - 46:15
campaigns [5] - 10:18, 34:3, 34:19, 111:3, 113:10
candy [1] - 149:18
capabilities [1] - 48:23
captured [1] - 58:10
caramel [1] - 101:6
Carbwell [3] - 100:4, 100:9, 104:11
care [2] - 107:12, 146:19
Carolina [1] - 65:11
carry [1] - 43:10
carton [1] - 104:8
cartons [2] - 104:5, 104:11
case [4] - 18:15, 18:17, 19:25, 107:24

cases [2] - 61:18, 78:13
Catalina [1] - 25:11
categories [3] - 96:16, 101:15
category [9] - 22:20, 41:25, 141:21, 142:3, 144:25, 145:14, 145:18, 147:10
celebrities [2] - 21:8, 21:15
celebrity [1] - 21:9
celebrity-focused [1] - 21:9
centers [1] - 106:24
CEO [1] - 12:11
certain [7] - 8:13, 25:18, 27:14, 49:21, 81:19, 148:2, 148:7
certify [2] - 155:9, 155:12
chair [1] - 88:24
challenge [1] - 87:9
change [1] - 149:3
changed [3] - 48:18, 48:21, 108:3
changes [1] - 42:10
channel [5] - 49:24, 51:17, 51:23, 111:9, 146:8
channels [8] - 47:23, 48:4, 48:24, 49:3, 50:13, 89:23, 90:8, 91:23
channels.com [1] - 85:14
characters [1] - 110:20
charity [2] - 60:22, 91:2
charity's [1] - 73:17
chart [2] - 24:20, 39:8
check [5] - 69:23, 71:16, 71:17, 115:19, 117:6
checked [1] - 71:9
checkout [2] - 148:25, 149:8
cheek [1] - 14:24
chocolate [1] - 105:14
choice [2] - 39:4, 147:11
choices [1] - 107:13
choosing [1] - 66:11
chose [1] - 90:15
circ [6] - 63:11, 63:14, 65:10, 65:15, 70:18, 120:7
circle [2] - 52:14,

60:4
circular [3] - 67:6, 67:17, 86:17
circulars [1] - 64:17
circulation [9] - 56:6, 57:8, 63:4, 63:7, 63:20, 86:18, 120:8, 121:2
cities [1] - 24:21
City [1] - 83:12
clear [2] - 57:15, 146:16
click [1] - 73:7
clicks [1] - 74:13
Clif [1] - 142:4
clock [2] - 85:3, 87:9
clockwise [1] - 39:10
close [1] - 22:19
club [3] - 71:9, 71:10, 71:16
code [4] - 60:11, 60:14, 72:24, 73:4
Code [1] - 92:16
codes [1] - 71:2
college [1] - 25:20
color [21] - 30:8, 109:11, 109:15, 111:24, 112:4, 112:8, 116:7, 117:19, 118:10, 120:12, 153:14, 153:17, 153:20, 153:23, 154:4, 154:7, 154:9, 154:11, 154:13, 154:17, 154:20
Color [5] - 112:11, 112:14, 112:17, 112:20, 112:24
column [9] - 63:10, 69:4, 69:11, 77:2, 96:7, 98:2, 99:6, 99:8, 99:12
columns [1] - 95:25
combination [1] - 72:11
combined [2] - 79:19, 84:21
coming [5] - 62:25, 79:16, 96:6, 142:15, 145:7
comment [3] - 47:22, 93:24, 103:4
comments [2] - 58:10, 74:22
commercial [7] - 15:7, 109:11, 109:15, 110:2, 110:5, 153:15, 153:18
communities [1] - 90:16
community [5] -

26:5, 27:11, 27:15, 200
28:10, 85:20
companies [1] - 67:16
COMPANY [1] - 1:12
company [13] - 6:24, 8:4, 8:13, 9:23, 10:5, 11:3, 33:5, 41:4, 49:10, 55:22, 141:3, 141:12, 143:23
Company [1] - 141:14
company's [1] - 8:2
compare [1] - 119:18
compared [1] - 17:7
comparing [2] - 18:15, 18:17
comparison [1] - 98:9
compete [1] - 141:19
competing [1] - 143:11
competition [4] - 17:8, 18:2, 18:4, 18:16
competitive [1] - 144:5
competitor [3] - 141:11, 141:14, 141:24
competitors [2] - 142:2, 142:6
completed [1] - 110:15
comprises [1] - 102:11
computer [1] - 67:4
concentrated [2] - 26:13, 26:16
concentration [2] - 14:4, 15:2
concept [2] - 58:8, 76:21
concerned [2] - 148:3, 148:19
concerts [1] - 28:15
Confessions [1] - 58:9
confidential [2] - 121:12, 150:16
confusing [1] - 143:10
confusion [3] - 142:11, 142:17, 142:24
conjunction [1] - 72:19
connected [1] - 46:2
Connecticut [1] - 7:17
connection [2] -

44:2, 145:10
connections [1] - 71:13
consider [3] - 141:10, 141:13, 141:24
considered [3] - 69:20, 120:9, 121:7
consolidated [1] - 77:15
constantly [1] - 85:21
consumer [40] - 17:12, 18:13, 19:3, 19:18, 19:24, 20:11, 20:14, 20:23, 24:14, 30:23, 31:4, 31:12, 31:15, 32:15, 36:9, 36:19, 36:20, 36:23, 37:11, 37:13, 44:11, 44:23, 45:18, 59:14, 60:14, 67:7, 74:21, 79:9, 80:4, 80:19, 91:10, 96:18, 96:20, 106:8, 108:14, 108:18, 144:19, 145:10, 145:11, 149:3
Consumer [4] - 25:15, 83:5, 105:23, 153:11
consumer's [1] - 17:14
consumers [45] - 5:12, 10:25, 15:23, 23:4, 45:2, 47:2, 47:21, 48:19, 50:2, 50:15, 52:7, 52:11, 52:18, 58:5, 59:12, 62:5, 62:11, 64:12, 66:8, 71:23, 74:10, 80:11, 83:4, 85:4, 88:14, 89:18, 90:20, 92:16, 94:17, 101:18, 106:12, 106:17, 106:22, 107:19, 114:21, 115:22, 141:18, 141:20, 142:24, 143:11, 144:24, 145:3, 145:7, 146:18, 148:11
contact [2] - 12:12, 45:17
contain [3] - 10:8, 148:5, 148:6
contained [1] - 10:15
containing [6] - 37:21, 101:25, 117:19, 152:11, 153:4, 154:19
content [4] - 48:2, 52:2, 55:18, 60:13
contest [4] - 52:4,

58:11, 58:17, 85:9
continual [1] - 62:10
continually [1] - 43:2
continue [5] - 56:22, 62:16, 66:15, 84:15, 95:10
Continued [3] - 152:2, 153:2, 154:2
continued [9] - 62:9, 66:5, 66:13, 82:25, 85:18, 85:25, 86:4, 86:25, 90:17
continuing [5] - 10:4, 22:11, 63:22, 63:24, 85:21
continuous [1] - 113:25
Convenience [1] - 115:20
convenience [2] - 115:21, 116:7
conversation [2] - 47:24, 48:3
conversations [1] - 85:22
Cooper [1] - 2:5
copies [2] - 117:19, 154:20
copy [38] - 37:21, 109:11, 109:15, 110:6, 111:24, 112:4, 112:8, 112:11, 112:14, 112:17, 112:20, 112:24, 118:13, 119:13, 151:7, 151:13, 151:15, 151:17, 151:19, 151:21, 151:23, 152:4, 152:6, 152:10, 152:18, 153:14, 153:17, 153:20, 153:23, 154:4, 154:7, 154:9, 154:11, 154:13, 154:17
Copy [13] - 3:16, 3:23, 4:2, 4:5, 4:8, 4:11, 31:19, 31:22, 31:25, 98:17, 111:23, 112:3, 112:7
core [3] - 55:17, 106:12, 106:21
Cornell [1] - 6:20
corner [10] - 14:9, 30:14, 30:22, 37:8, 38:21, 39:9, 60:7, 74:18, 84:17, 120:15
correct [11] - 6:4, 14:13, 56:13, 57:16, 57:17, 63:21, 66:20, 76:10, 76:17, 101:20, 110:11

corresponding [1] - 101:15
corrugated [8] - 39:13, 39:22, 40:22, 40:25, 42:9, 42:17, 42:22, 65:2
cosmopolitan [1] - 106:24
Cosmopolitan [2] - 29:12, 68:14
Costco [1] - 28:16
count [9] - 41:14, 56:9, 57:14, 70:14, 102:23, 104:2, 104:4, 118:21
counter [2] - 39:17, 86:9
counters [1] - 149:2
countertop [3] - 81:9, 81:11, 81:14
countertops [1] - 40:11
country [1] - 88:15
COUNTY [1] - 155:5
couple [4] - 39:7, 55:20, 119:17, 141:7
coupon [29] - 16:18, 25:13, 44:25, 57:10, 61:20, 61:25, 62:5, 66:3, 66:11, 66:25, 67:4, 67:10, 67:13, 70:19, 71:11, 72:15, 80:13, 86:23, 87:2, 90:3, 90:4, 92:17, 118:9, 119:18, 119:20, 120:4, 120:21, 144:22, 145:2
couponing [1] - 25:11
coupons [29] - 24:16, 25:25, 43:18, 57:6, 59:6, 60:24, 61:5, 66:6, 66:22, 67:14, 67:19, 67:21, 67:24, 68:5, 70:9, 70:12, 71:23, 72:5, 72:6, 72:12, 72:18, 80:6, 81:9, 84:21, 84:23, 86:10, 88:13, 118:10, 120:2
course [6] - 29:3, 50:4, 52:6, 82:18, 86:25, 143:7
cover [2] - 121:13, 150:17
Craig [3] - 20:19, 20:20, 21:6
create [3] - 47:24, 48:3, 51:25
created [6] - 16:6, 38:7, 39:12, 54:8,

60:16, 87:11
creative [19] - 57:7, 57:20, 68:11, 69:24, 70:2, 70:3, 70:5, 70:7, 70:10, 70:11, 70:19, 112:12, 112:15, 114:11, 118:25, 119:22, 120:24, 154:7, 154:9
creatives [2] - 69:22, 114:7
cultural [1] - 107:3
current [1] - 4:24
custom [2] - 98:5, 98:7
customer [4] - 65:12, 79:3, 79:4, 86:4
customers [10] - 43:19, 64:6, 64:19, 64:22, 77:6, 78:9, 78:14, 78:18, 92:8, 96:4
Customers [1] - 95:21
cutting [1] - 64:11

D

daily [12] - 60:18, 60:20, 60:23, 62:10, 70:24, 71:24, 73:4, 73:7, 73:14, 73:23, 74:9, 74:19
Daily [4] - 71:20, 72:21, 73:16, 74:8
Daoust [2] - 54:22, 54:24
Daousts [4] - 54:23, 58:18, 63:25, 75:9
dark [4] - 41:14, 41:15, 100:15, 105:14
Dark [2] - 105:15, 142:21
dartmouth [1] - 6:22
data [12] - 10:9, 18:20, 63:13, 93:16, 94:5, 106:10, 107:2, 107:22, 107:23, 144:12, 145:25
date [5] - 57:5, 89:13, 99:6, 119:15, 120:13
dates [4] - 33:14, 34:3, 78:10, 92:10
days [2] - 78:12
DEBORAH [2] - 155:7, 155:22
Deborah [1] - 1:22
December [4] - 4:22, 51:15, 52:5, 81:22
decided [1] - 86:13

decisions [1] - 201
107:11
dedicated [1] - 28:5
deemed [2] - 121:12, 150:16
deeper [1] - 57:25
definitely [3] - 23:25, 121:5, 143:10
degree [1] - 6:20
delicious [1] - 35:20
demo [1] - 64:10
demographic [1] - 107:22
demonstrations [1] - 24:4
demos [1] - 81:8
depict [1] - 104:19
depictions [1] - 104:22
depicts [1] - 105:7
depth [1] - 26:6
describe [3] - 5:6, 6:16, 14:23
description [4] - 15:20, 56:22, 101:19, 145:12
descriptions [1] - 115:13
descriptives [1] - 101:11
descriptor [1] - 99:9
designed [1] - 40:23
destination [1] - 91:6
detail [13] - 24:18, 28:22, 57:19, 60:20, 61:2, 65:18, 68:7, 70:8, 70:21, 72:20, 87:5, 88:9, 103:13
details [2] - 20:15, 38:14
develop [2] - 10:18, 90:18
developed [3] - 7:8, 40:23, 73:2
diabetes [1] - 29:14
Diabetes [1] - 29:20
dialogue [2] - 48:5, 85:22
Dickinson [4] - 3:20, 11:24, 55:12, 151:10
diet [1] - 26:20
difference [2] - 17:17, 119:12
different [46] - 9:6, 15:17, 19:10, 34:18, 35:7, 35:10, 36:20, 37:16, 41:9, 41:24, 43:25, 44:12, 50:17, 60:24, 61:22, 62:6, 62:11, 62:19, 62:20, 64:18, 67:13, 67:20,

67:23, 69:8, 69:18,
69:19, 69:22, 70:18,
71:14, 79:23, 86:21,
87:12, 87:13, 88:14,
89:15, 99:3, 106:10,
106:12, 109:2, 118:7,
120:21, 120:23,
141:21, 142:19
differentiate [1] -
17:25
differentiates [1] -
119:14
differentiation [2] -
18:8, 101:8
differently [2] -
86:15, 108:21
digital [4] - 85:8,
85:12, 87:17, 87:19
dimension [1] - 35:7
direct [3] - 24:16,
150:10, 150:13
DIRECT [2] - 3:6,
151:3
directly [2] - 79:7,
143:11
Director [1] - 6:11
director [2] - 5:2, 6:9
directories [3] -
116:10, 116:13,
116:19
directory [3] -
112:22, 117:10,
154:15
disbursing [1] -
46:23
discontinued [8] -
99:21, 99:25, 100:4,
100:10, 104:8,
104:10, 104:13, 105:2
Discussion [3] -
56:16, 109:7, 150:11
display [7] - 39:13,
39:22, 41:13, 41:14,
42:7, 81:10, 86:7
displays [12] - 24:3,
26:25, 39:11, 39:19,
41:17, 42:21, 43:6,
64:24, 79:25, 81:8,
89:3, 92:12
disposal [1] - 51:21
distributed [2] -
43:18, 71:4
distribution [5] -
17:20, 22:19, 27:19,
83:21, 88:18
DJs [1] - 58:17
DNA [1] - 12:14
document [37] -
3:17, 11:19, 12:6,
15:19, 30:11, 31:11,
32:2, 33:16, 33:22,

34:17, 37:21, 38:5,
38:7, 56:23, 59:19,
84:8, 93:3, 93:11,
98:18, 98:24, 101:25,
105:22, 106:6, 106:9,
106:16, 107:20,
117:19, 120:2,
120:11, 151:7, 152:6,
152:10, 152:14,
152:18, 153:4,
153:10, 154:19
documentation [1] -
8:5
documents [3] -
31:10, 32:9, 110:16
dog [1] - 110:20
dollar [5] - 56:8,
57:13, 118:18, 146:7,
146:15
dollars [3] - 68:19,
146:8, 146:11
domain [2] - 46:5,
63:18
donate [1] - 73:17
done [4] - 61:18,
86:12, 98:4, 116:18
double [5] - 18:23,
69:23, 115:19, 117:6,
146:13
double-sided [1] -
18:23
down [3] - 42:23,
50:20, 99:12
download [5] -
66:11, 67:9, 67:18,
86:20, 90:5
drawn [1] - 148:16
drink [2] - 16:17,
16:20
drive [10] - 22:25,
52:16, 58:4, 59:7,
61:5, 82:3, 84:24,
85:10, 87:18, 87:23
driven [2] - 73:3,
73:25
drivers [1] - 94:12
drives [1] - 144:19
driving [7] - 15:23,
23:14, 73:20, 74:25,
80:13, 83:13, 147:4
drop [1] - 119:9
dropped [1] - 57:4
drove [5] - 66:4,
71:2, 73:9, 86:18,
92:16
duly [1] - 3:3
during [8] - 23:19,
24:24, 35:2, 58:23,
74:5, 83:13, 83:19,
88:21

E

e-mailing [1] - 67:5
early [3] - 34:7,
58:23, 100:10
earned [1] - 89:5
Earth [1] - 141:8
East [2] - 1:24, 2:11
eat [1] - 34:19
eCommerce [2] -
45:23, 46:3
ecoupon [3] - 67:2,
67:7, 86:20
eCouponing [1] -
66:2
ecoupons [2] -
66:18, 66:19
editor [1] - 82:22
editorials [1] - 22:9
editors [2] - 52:17,
52:21
educated [3] - 17:16,
106:25, 148:4
educational [1] -
6:17
Effie [2] - 13:9, 13:17
eight [2] - 32:2,
152:6
eight-page [2] - 32:2,
152:6
either [33] - 18:22,
19:4, 19:15, 20:11,
20:22, 24:15, 34:22,
34:23, 39:25, 40:8,
41:22, 41:24, 43:8,
44:11, 50:15, 54:11,
57:13, 61:12, 62:12,
64:9, 67:13, 75:6,
75:16, 76:21, 76:25,
78:4, 78:14, 83:4,
96:24, 98:6, 113:21,
116:15, 148:17
electronic [1] - 67:24
Elements [1] - 58:12
elements [7] - 12:17,
43:25, 60:24, 65:2,
65:18, 79:20, 81:18
elevator [1] - 73:15
employed [1] - 4:17
employees [1] - 28:3
end [15] - 7:15, 7:19,
7:21, 7:22, 40:8, 42:4,
45:15, 49:13, 74:16,
75:4, 93:18, 100:7,
100:10, 110:23,
111:12
ended [1] - 111:6
endorsement [3] -
15:24, 16:3, 22:5
endorser [1] - 21:18
endorsers [2] - 21:9,

53:4
Energy [1] - 36:14
energy [11] - 18:5,
36:6, 36:16, 94:11,
94:19, 95:21, 96:2,
96:8, 96:21, 97:6,
101:18
engage [11] - 15:24,
45:18, 47:23, 48:18,
52:7, 60:17, 73:20,
85:4, 90:20, 92:8,
92:17
engaged [2] - 27:13,
80:18
engagement [7] -
23:5, 47:5, 50:14,
62:11, 62:17, 66:5,
66:12
engages [1] - 66:8
engaging [1] - 85:20
engineering [1] -
6:21
enjoy [1] - 91:13
enter [4] - 60:15,
60:18, 73:4, 73:7
entered [1] - 87:12
enthusiast [1] -
108:18
entire [1] - 13:4
entitled [10] - 3:17,
32:2, 93:3, 98:18,
105:22, 151:7, 152:7,
152:14, 152:18,
153:10
entity [2] - 76:16,
108:9
entries [2] - 73:24,
87:14
environment [1] -
85:11
equipment [1] -
62:17
Equity [1] - 94:4
erin [2] - 4:16, 151:4
Erin [1] - 3:10
especially [1] - 66:8
ESQ [3] - 2:7, 2:13,
2:16
estimated [2] - 45:9,
63:16
estimates [2] - 34:4,
44:20
etcetera [2] - 60:25,
75:2
event [5] - 25:6,
27:23, 61:16, 116:12,
116:17
events [17] - 22:15,
23:3, 27:15, 28:3,
28:19, 29:5, 43:20,
44:13, 58:13, 61:21,

66:16, 71:5, 80:5, 202
84:23, 91:4, 91:18,
116:14
everywhere [1] -
8:22
exact [2] - 33:14,
42:12
exactly [2] - 17:10,
44:9
EXAMINATION [1] -
3:6
examined [1] - 3:4
example [9] - 9:4,
9:17, 26:16, 47:9,
52:24, 77:25, 92:4,
95:6, 101:17
except [1] - 94:24
exception [3] -
102:4, 102:12, 153:8
executed [1] - 39:2
exercise [1] - 108:12
exhibit [38] - 30:21,
31:6, 31:11, 32:13,
32:20, 32:25, 33:20,
33:24, 34:9, 38:3,
38:20, 56:20, 93:9,
93:13, 102:8, 102:11,
102:14, 102:16,
102:19, 104:19,
105:11, 106:4, 106:7,
109:21, 109:24,
110:3, 113:6, 113:11,
113:12, 113:14,
115:17, 116:8, 117:5,
117:8, 117:24, 118:2,
118:3, 118:5
Exhibit [32] - 3:16,
3:23, 4:2, 4:5, 4:8,
4:11, 11:16, 11:18,
31:19, 31:22, 31:25,
33:4, 37:20, 93:2,
98:17, 98:22, 101:24,
105:21, 109:10,
109:14, 111:23,
112:3, 112:7, 112:11,
112:14, 112:17,
112:20, 112:24,
113:9, 115:3, 115:5,
117:18
EXHIBITS [4] -
151:5, 152:2, 153:2,
154:2
exhibits [6] - 29:25,
111:13, 113:5, 114:5,
114:15, 154:24
Exhibits [3] - 32:7,
109:20, 114:6
exist [1] - 105:17
existed [1] - 45:19
expand [7] - 5:25,
8:16, 17:10, 47:6,
77:19, 143:13, 144:23

<p>expected [1] - 59:2 experience [6] - 5:16, 5:24, 6:17, 57:25, 64:7, 149:2 experiential [2] - 58:13, 91:8 experts [3] - 55:19, 64:2, 75:10 expiration [1] - 57:5 explain [4] - 13:8, 13:19, 44:3, 95:15 explained [1] - 115:8 explaining [2] - 53:14, 89:17 EXPO [1] - 77:24 extent [1] - 145:14 eyesight [1] - 40:12</p>	<p>148:25 featuring [2] - 31:14, 36:4 feed [1] - 81:11 FELSENFELD [1] - 2:17 female [4] - 19:20, 19:25, 70:3 females [1] - 75:23 fest [1] - 28:15 few [18] - 7:12, 23:18, 26:13, 31:8, 50:5, 50:8, 52:4, 54:17, 62:13, 79:22, 80:3, 92:4, 100:20, 100:21, 104:15, 106:10, 119:19, 120:2 fifteen [1] - 57:14 fifteen-count [1] - 57:14 fifty [1] - 146:16 files [8] - 8:5, 8:8, 9:22, 10:3, 10:8, 10:12, 34:5, 105:16 filmed [1] - 59:10 final [1] - 111:13 fine [2] - 13:23, 84:15 finished [4] - 42:24, 56:19, 110:23, 110:24 first [15] - 19:5, 38:20, 46:8, 55:25, 56:4, 56:10, 68:4, 96:6, 97:3, 103:8, 110:25, 114:4, 119:14, 119:19, 119:25 fit [3] - 58:6, 76:21, 76:23 fitness [3] - 29:13, 71:16, 75:19 Fitness [3] - 68:14, 71:8 fits [1] - 94:19 five [11] - 24:23, 25:7, 25:8, 28:3, 34:18, 56:15, 70:13, 75:5, 99:19, 109:6, 150:9 five-minute [3] - 56:15, 109:6, 150:9 five-week [1] - 24:23 flavor [6] - 47:21, 48:11, 48:13, 53:18, 99:2, 99:7 Flavor [2] - 98:18, 152:19 flavors [7] - 19:2, 35:21, 48:9, 99:4, 101:3, 104:6, 104:10 flight [2] - 24:23,</p>	<p>24:24 flights [1] - 24:21 flipping [1] - 148:18 floor [3] - 39:25, 78:3, 86:8 Florida [1] - 65:11 flush [1] - 29:4 focus [1] - 83:22 focused [18] - 17:22, 17:24, 18:4, 18:23, 20:10, 21:9, 24:14, 30:24, 31:13, 34:19, 35:2, 70:2, 70:3, 75:23, 79:17, 80:16, 116:12, 147:22 focusing [5] - 18:11, 18:14, 22:14, 22:22, 55:3 folded [1] - 17:2 folks [5] - 18:6, 21:14, 22:4, 50:8, 118:24 follow [2] - 52:8, 111:10 followed [1] - 110:17 followers [3] - 53:7, 89:24, 90:2 following [4] - 49:23, 50:9, 121:11, 150:15 follows [1] - 3:5 fonts [1] - 115:13 food [3] - 19:23, 25:12, 73:17 footlocker [1] - 71:20 footprint [1] - 78:3 FOR [4] - 151:6, 152:3, 153:3, 154:3 forecast [2] - 29:14, 29:20 format [1] - 86:23 forms [1] - 23:22 formula [1] - 55:5 formulation [1] - 55:4 forty [1] - 88:17 forward [4] - 26:8, 47:15, 55:16, 149:17 foundation [3] - 7:4, 7:10, 33:8 founded [1] - 7:6 founders [1] - 54:25 four [14] - 8:10, 19:2, 22:21, 23:17, 23:18, 31:6, 35:7, 39:16, 48:9, 78:19, 87:10, 100:17, 103:25, 146:11 four-tiered [2] - 39:16, 87:10 fourth [1] - 100:16</p>	<p>Francisco [1] - 27:12 Fred [2] - 26:24, 27:4 free [2] - 56:7, 57:11 freestanding [4] - 25:23, 57:2, 65:7, 118:9 front [13] - 18:22, 39:25, 40:9, 42:3, 71:9, 96:25, 142:23, 147:7, 147:16, 148:17, 149:5, 149:13, 149:20 fruit [1] - 101:5 FSI [23] - 25:11, 25:22, 56:4, 56:11, 57:2, 57:4, 57:18, 57:19, 70:12, 86:12, 86:22, 118:8, 118:10, 119:9, 119:11, 119:22, 120:6, 120:9, 120:12, 121:3, 121:8 FSIs [7] - 55:24, 56:2, 65:7, 67:16, 73:11, 119:4, 119:6 full [15] - 3:8, 4:15, 28:3, 30:7, 65:10, 65:14, 70:11, 113:20, 113:25, 115:19, 116:7, 120:12, 121:9, 143:19, 144:14 full-page [4] - 70:11, 115:19, 116:7, 120:12 full-time [1] - 28:3</p>	<p>90:19 given [5] - 40:6, 44:24, 63:7, 71:10, 116:14 GLENN [1] - 2:7 Global [1] - 25:16 GMO [2] - 101:7, 101:9 goal [5] - 52:6, 58:25, 59:24, 60:2, 113:23 Gold [8] - 9:3, 13:9, 13:17, 35:19, 36:5, 103:24, 104:2 gold [14] - 34:23, 35:16, 35:20, 35:22, 36:11, 41:13, 95:24, 103:19, 103:24, 103:25, 104:4, 104:14, 142:20 golf [1] - 29:13 grab [2] - 146:24, 149:11 graphic [1] - 92:22 gravity [1] - 81:11 gravity-feed [1] - 81:11 great [10] - 20:15, 29:22, 51:22, 59:3, 66:12, 82:5, 83:17, 88:19, 97:4, 117:13 Greenwich [1] - 7:17 grid [2] - 69:3, 79:24 GROSSKREUZ [1] - 2:16</p>			
F				G			
<p>facebook [11] - 46:17, 47:18, 48:4, 48:17, 49:4, 51:10, 58:11, 74:15, 80:15, 83:4, 90:4 Facebook [20] - 47:10, 49:11, 49:18, 49:25, 51:19, 59:11, 62:12, 66:4, 67:8, 73:12, 73:13, 73:19, 74:5, 74:7, 74:10, 74:11, 85:14, 87:11, 89:25, 90:18 facebook.com/ balancebar [1] - 49:4 facing [12] - 17:13, 19:18, 30:23, 31:12, 31:16, 32:15, 36:9, 36:19, 36:20, 37:11, 37:13 fact [3] - 18:16, 107:9, 143:3 factor [1] - 143:5 facts [2] - 37:16, 147:24 fair [1] - 33:3 fall [1] - 117:10 falls [1] - 145:24 familiar [10] - 7:25, 10:17, 17:15, 29:19, 46:24, 79:2, 96:21, 97:13, 103:5, 142:24 family [2] - 71:12, 71:14 fanny [1] - 27:20 far [1] - 89:3 Fashion [1] - 83:19 fat [1] - 147:25 favorite [3] - 47:21, 48:10, 59:16 featured [2] - 116:21,</p>	<p>57:14 fifty [1] - 146:16 files [8] - 8:5, 8:8, 9:22, 10:3, 10:8, 10:12, 34:5, 105:16 filmed [1] - 59:10 final [1] - 111:13 fine [2] - 13:23, 84:15 finished [4] - 42:24, 56:19, 110:23, 110:24 first [15] - 19:5, 38:20, 46:8, 55:25, 56:4, 56:10, 68:4, 96:6, 97:3, 103:8, 110:25, 114:4, 119:14, 119:19, 119:25 fit [3] - 58:6, 76:21, 76:23 fitness [3] - 29:13, 71:16, 75:19 Fitness [3] - 68:14, 71:8 fits [1] - 94:19 five [11] - 24:23, 25:7, 25:8, 28:3, 34:18, 56:15, 70:13, 75:5, 99:19, 109:6, 150:9 five-minute [3] - 56:15, 109:6, 150:9 five-week [1] - 24:23 flavor [6] - 47:21, 48:11, 48:13, 53:18, 99:2, 99:7 Flavor [2] - 98:18, 152:19 flavors [7] - 19:2, 35:21, 48:9, 99:4, 101:3, 104:6, 104:10 flight [2] - 24:23,</p>	<p>24:24 flights [1] - 24:21 flipping [1] - 148:18 floor [3] - 39:25, 78:3, 86:8 Florida [1] - 65:11 flush [1] - 29:4 focus [1] - 83:22 focused [18] - 17:22, 17:24, 18:4, 18:23, 20:10, 21:9, 24:14, 30:24, 31:13, 34:19, 35:2, 70:2, 70:3, 75:23, 79:17, 80:16, 116:12, 147:22 focusing [5] - 18:11, 18:14, 22:14, 22:22, 55:3 folded [1] - 17:2 folks [5] - 18:6, 21:14, 22:4, 50:8, 118:24 follow [2] - 52:8, 111:10 followed [1] - 110:17 followers [3] - 53:7, 89:24, 90:2 following [4] - 49:23, 50:9, 121:11, 150:15 follows [1] - 3:5 fonts [1] - 115:13 food [3] - 19:23, 25:12, 73:17 footlocker [1] - 71:20 footprint [1] - 78:3 FOR [4] - 151:6, 152:3, 153:3, 154:3 forecast [2] - 29:14, 29:20 format [1] - 86:23 forms [1] - 23:22 formula [1] - 55:5 formulation [1] - 55:4 forty [1] - 88:17 forward [4] - 26:8, 47:15, 55:16, 149:17 foundation [3] - 7:4, 7:10, 33:8 founded [1] - 7:6 founders [1] - 54:25 four [14] - 8:10, 19:2, 22:21, 23:17, 23:18, 31:6, 35:7, 39:16, 48:9, 78:19, 87:10, 100:17, 103:25, 146:11 four-tiered [2] - 39:16, 87:10 fourth [1] - 100:16</p>	<p>gain [1] - 17:20 game [3] - 87:10, 87:23 gap [1] - 22:19 garner [1] - 54:15 garnered [2] - 68:17, 89:4 gauge [1] - 50:10 gay [1] - 27:10 Gene [2] - 54:23, 58:18 general [3] - 5:6, 115:12, 149:6 generally [1] - 96:14 generated [2] - 54:14, 74:12 geographic [1] - 111:16 Georgia [1] - 65:11 GFA [6] - 1:15, 141:3, 141:5, 141:10, 141:22, 142:9 GFK [1] - 94:6 Girl [1] - 28:17 giveaways [1] -</p>	<p>90:19 given [5] - 40:6, 44:24, 63:7, 71:10, 116:14 GLENN [1] - 2:7 Global [1] - 25:16 GMO [2] - 101:7, 101:9 goal [5] - 52:6, 58:25, 59:24, 60:2, 113:23 Gold [8] - 9:3, 13:9, 13:17, 35:19, 36:5, 103:24, 104:2 gold [14] - 34:23, 35:16, 35:20, 35:22, 36:11, 41:13, 95:24, 103:19, 103:24, 103:25, 104:4, 104:14, 142:20 golf [1] - 29:13 grab [2] - 146:24, 149:11 graphic [1] - 92:22 gravity [1] - 81:11 gravity-feed [1] - 81:11 great [10] - 20:15, 29:22, 51:22, 59:3, 66:12, 82:5, 83:17, 88:19, 97:4, 117:13 Greenwich [1] - 7:17 grid [2] - 69:3, 79:24 GROSSKREUZ [1] - 2:16 grounded [1] - 8:7 group [2] - 31:7, 119:4 groups [1] - 119:5 grow [3] - 22:20, 58:3 Guerilla [3] - 58:14, 61:3, 61:8 guessing [1] - 14:20 gum [1] - 149:18 guys [2] - 48:12, 54:20</p>			
				G		H	
<p>facebook [11] - 46:17, 47:18, 48:4, 48:17, 49:4, 51:10, 58:11, 74:15, 80:15, 83:4, 90:4 Facebook [20] - 47:10, 49:11, 49:18, 49:25, 51:19, 59:11, 62:12, 66:4, 67:8, 73:12, 73:13, 73:19, 74:5, 74:7, 74:10, 74:11, 85:14, 87:11, 89:25, 90:18 facebook.com/ balancebar [1] - 49:4 facing [12] - 17:13, 19:18, 30:23, 31:12, 31:16, 32:15, 36:9, 36:19, 36:20, 37:11, 37:13 fact [3] - 18:16, 107:9, 143:3 factor [1] - 143:5 facts [2] - 37:16, 147:24 fair [1] - 33:3 fall [1] - 117:10 falls [1] - 145:24 familiar [10] - 7:25, 10:17, 17:15, 29:19, 46:24, 79:2, 96:21, 97:13, 103:5, 142:24 family [2] - 71:12, 71:14 fanny [1] - 27:20 far [1] - 89:3 Fashion [1] - 83:19 fat [1] - 147:25 favorite [3] - 47:21, 48:10, 59:16 featured [2] - 116:21,</p>	<p>57:14 fifty [1] - 146:16 files [8] - 8:5, 8:8, 9:22, 10:3, 10:8, 10:12, 34:5, 105:16 filmed [1] - 59:10 final [1] - 111:13 fine [2] - 13:23, 84:15 finished [4] - 42:24, 56:19, 110:23, 110:24 first [15] - 19:5, 38:20, 46:8, 55:25, 56:4, 56:10, 68:4, 96:6, 97:3, 103:8, 110:25, 114:4, 119:14, 119:19, 119:25 fit [3] - 58:6, 76:21, 76:23 fitness [3] - 29:13, 71:16, 75:19 Fitness [3] - 68:14, 71:8 fits [1] - 94:19 five [11] - 24:23, 25:7, 25:8, 28:3, 34:18, 56:15, 70:13, 75:5, 99:19, 109:6, 150:9 five-minute [3] - 56:15, 109:6, 150:9 five-week [1] - 24:23 flavor [6] - 47:21, 48:11, 48:13, 53:18, 99:2, 99:7 Flavor [2] - 98:18, 152:19 flavors [7] - 19:2, 35:21, 48:9, 99:4, 101:3, 104:6, 104:10 flight [2] - 24:23,</p>	<p>24:24 flights [1] - 24:21 flipping [1] - 148:18 floor [3] - 39:25, 78:3, 86:8 Florida [1] - 65:11 flush [1] - 29:4 focus [1] - 83:22 focused [18] - 17:22, 17:24, 18:4, 18:23, 20:10, 21:9, 24:14, 30:24, 31:13, 34:19, 35:2, 70:2, 70:3, 75:23, 79:17, 80:16, 116:12, 147:22 focusing [5] - 18:11, 18:14, 22:14, 22:22, 55:3 folded [1] - 17:2 folks [5] - 18:6, 21:14, 22:4, 50:8, 118:24 follow [2] - 52:8, 111:10 followed [1] - 110:17 followers [3] - 53:7, 89:24, 90:2 following [4] - 49:23, 50:9, 121:11, 150:15 follows [1] - 3:5 fonts [1] - 115:13 food [3] - 19:23, 25:12, 73:17 footlocker [1] - 71:20 footprint [1] - 78:3 FOR [4] - 151:6, 152:3, 153:3, 154:3 forecast [2] - 29:14, 29:20 format [1] - 86:23 forms [1] - 23:22 formula [1] - 55:5 formulation [1] - 55:4 forty [1] - 88:17 forward [4] - 26:8, 47:15, 55:16, 149:17 foundation [3] - 7:4, 7:10, 33:8 founded [1] - 7:6 founders [1] - 54:25 four [14] - 8:10, 19:2, 22:21, 23:17, 23:18, 31:6, 35:7, 39:16, 48:9, 78:19, 87:10, 100:17, 103:25, 146:11 four-tiered [2] - 39:16, 87:10 fourth [1] - 100:16</p>	<p>gain [1] - 17:20 game [3] - 87:10, 87:23 gap [1] - 22:19 garner [1] - 54:15 garnered [2] - 68:17, 89:4 gauge [1] - 50:10 gay [1] - 27:10 Gene [2] - 54:23, 58:18 general [3] - 5:6, 115:12, 149:6 generally [1] - 96:14 generated [2] - 54:14, 74:12 geographic [1] - 111:16 Georgia [1] - 65:11 GFA [6] - 1:15, 141:3, 141:5, 141:10, 141:22, 142:9 GFK [1] - 94:6 Girl [1] - 28:17 giveaways [1] -</p>	<p>90:19 given [5] - 40:6, 44:24, 63:7, 71:10, 116:14 GLENN [1] - 2:7 Global [1] - 25:16 GMO [2] - 101:7, 101:9 goal [5] - 52:6, 58:25, 59:24, 60:2, 113:23 Gold [8] - 9:3, 13:9, 13:17, 35:19, 36:5, 103:24, 104:2 gold [14] - 34:23, 35:16, 35:20, 35:22, 36:11, 41:13, 95:24, 103:19, 103:24, 103:25, 104:4, 104:14, 142:20 golf [1] - 29:13 grab [2] - 146:24, 149:11 graphic [1] - 92:22 gravity [1] - 81:11 gravity-feed [1] - 81:11 great [10] - 20:15, 29:22, 51:22, 59:3, 66:12, 82:5, 83:17, 88:19, 97:4, 117:13 Greenwich [1] - 7:17 grid [2] - 69:3, 79:24 GROSSKREUZ [1] - 2:16 grounded [1] - 8:7 group [2] - 31:7, 119:4 groups [1] - 119:5 grow [3] - 22:20, 58:3 Guerilla [3] - 58:14, 61:3, 61:8 guessing [1] - 14:20 gum [1] - 149:18 guys [2] - 48:12, 54:20</p>			
				G		H	

99:8, 101:11, 118:23, 119:13, 120:3, 155:18
handed [21] - 11:15, 19:14, 29:23, 33:19, 38:2, 44:21, 44:22, 44:24, 59:5, 63:9, 71:18, 72:4, 72:18, 93:8, 93:18, 98:21, 102:7, 106:3, 109:19, 113:4, 117:23
Handed [1] - 106:2
handing [4] - 32:6, 45:2, 62:5, 63:16
Handing [9] - 11:14, 32:10, 33:18, 37:25, 93:7, 102:6, 109:18, 113:3, 117:22
handled [1] - 86:15
handling [2] - 49:11, 118:24
handout [1] - 16:24
hands [5] - 17:14, 61:4, 62:7, 66:6, 67:21
hard [2] - 39:14, 98:9
harder [1] - 26:7
head [3] - 34:20, 116:25, 117:4
heading [1] - 94:3
health [4] - 71:10, 80:17, 107:12, 120:15
Health [2] - 29:12, 68:15
healthier [1] - 149:17
healthy [2] - 58:6, 79:21
heard [3] - 44:16, 141:2, 147:12
hearing [1] - 21:13
heavied [1] - 26:21
heavy [2] - 23:16, 43:24
HECHTEL [1] - 2:16
held [3] - 5:13, 6:10, 12:4
help [2] - 84:24, 90:12
helped [2] - 28:4, 75:13
helpful [1] - 10:23
hereby [1] - 155:9
hereunto [1] - 155:18
heyday [1] - 55:13
high [2] - 23:5
higher [3] - 40:12, 59:2, 63:19
highlighting [1] - 20:9
highlights [1] - 20:13
hiking [1] - 71:14

historic [1] - 93:16
Historical [2] - 32:3, 152:7
historical [4] - 10:8, 12:14, 33:25, 35:14
historically [1] - 35:15
history [4] - 6:24, 7:24, 8:2, 10:20
home [3] - 23:24, 67:4, 89:14
honey [1] - 32:17
hopefully [1] - 61:5
horizontal [2] - 115:8, 115:9
hot [1] - 116:3
hotel [1] - 71:17
house [2] - 60:16, 107:11
humor [1] - 14:24
hundred [3] - 16:25, 30:17, 33:13
hundreds [2] - 28:14, 42:16
hunger [1] - 94:20
hungry [4] - 14:3, 14:25, 15:9, 149:10
hungrygirl [1] - 82:9
husband [1] - 54:24

I

I.D [4] - 151:6, 152:3, 153:3, 154:3
idea [1] - 144:6
identification [25] - 3:22, 3:25, 4:4, 4:7, 4:10, 4:13, 31:21, 31:24, 32:5, 37:24, 93:6, 98:20, 102:5, 105:25, 109:13, 109:17, 112:2, 112:6, 112:10, 112:13, 112:16, 112:19, 112:23, 113:2, 117:21
identified [3] - 96:3, 108:14, 108:15
identifier [1] - 60:14
identify [14] - 11:19, 30:2, 32:9, 33:22, 38:5, 93:11, 98:24, 101:8, 102:16, 106:6, 109:22, 113:7, 114:21, 118:2
identifying [1] - 14:18
image [6] - 81:10, 89:10, 90:6, 96:25, 115:14
imagery [7] - 48:19, 74:25, 101:25,

102:21, 104:12, 104:16, 153:5
images [1] - 88:25
impact [3] - 60:12, 72:24, 74:2
impactful [1] - 113:24
impacts [1] - 107:10
important [2] - 10:16, 147:4
impression [11] - 44:8, 44:9, 44:15, 44:17, 45:7, 45:11, 63:2, 63:10, 63:12, 63:16, 63:19
impressions [19] - 43:19, 43:22, 44:23, 45:9, 50:14, 52:11, 53:22, 54:8, 54:14, 59:4, 59:9, 59:22, 59:25, 60:3, 62:21, 68:18, 74:13, 87:21, 89:5
impulse [3] - 81:14, 147:8, 149:6
impulsively [1] - 149:13
IN [3] - 1:2, 75:19, 155:17
in-book [1] - 75:15
In-college [1] - 25:20
in-pack [1] - 71:2
In-Pack [1] - 60:8
in-store [7] - 64:7, 64:15, 64:17, 64:19, 79:25, 81:8, 86:4
in-store/customer [1] - 64:4
INC [2] - 1:15, 1:23
include [6] - 21:2, 23:7, 23:21, 23:23, 34:2, 76:24
included [8] - 23:3, 27:4, 28:23, 34:3, 92:16, 94:18, 107:2, 107:6
includes [1] - 19:6
including [4] - 11:3, 31:3, 76:22, 141:8
inclusion [1] - 28:24
inclusive [2] - 34:13, 114:25
increase [1] - 23:2
incremental [1] - 88:17
indefinable [1] - 147:19
indicates [1] - 34:2
indicators [1] - 50:18
individual [4] - 104:7, 104:9, 104:12,

113:24
industry [2] - 5:17, 144:13
influencers [1] - 52:21
influences [1] - 90:18
information [16] - 20:14, 31:4, 45:16, 47:19, 53:11, 57:22, 60:17, 81:17, 85:5, 90:14, 93:14, 93:15, 108:23, 114:19, 115:13, 118:22
ingredients [5] - 17:24, 18:7, 147:23, 148:8, 148:9
initiatives [2] - 38:15, 46:18
insert [5] - 16:21, 25:23, 25:24, 57:2, 118:9
insertion [3] - 69:11, 69:17, 69:20
insertions [3] - 62:20, 68:10, 68:24
inserts [1] - 65:7
inside [5] - 60:9, 61:20, 61:23, 72:25, 74:4
instance [1] - 115:2
instead [4] - 41:7, 71:15, 73:15, 86:11
integrated [2] - 26:17, 58:17
integration [1] - 43:21
interaction [1] - 61:17
interest [2] - 16:7, 50:25
interested [1] - 155:15
interim [1] - 6:11
internal [4] - 51:16, 114:22, 115:16, 119:12
internet [2] - 24:8, 25:4
interview [1] - 82:21
interviewed [1] - 58:18
interviews [1] - 75:12
introduced [1] - 99:5
involved [1] - 40:16
involved [1] - 21:17
ish [1] - 91:7
issues [1] - 113:11
item [3] - 41:11, 81:7, 105:16

items [16] - 23:7, 204
27:19, 40:19, 42:10, 100:18, 100:20, 100:23, 100:24, 103:19, 103:21, 103:25, 104:3, 104:4, 104:25, 116:4
itself [12] - 14:16, 22:2, 43:10, 70:5, 74:8, 87:8, 87:24, 102:23, 108:17, 114:12, 114:20, 115:12

J

Jackle [3] - 3:19, 11:24, 151:10
January [4] - 6:5, 8:4, 110:9, 111:6
jazz [1] - 28:15
Jenny [3] - 20:19, 20:20, 21:6
job [2] - 5:6, 10:11
JOHANNA [1] - 2:13
joined [3] - 6:6, 6:8, 8:4
joining [1] - 5:17
Journal [1] - 68:15
Joyce [2] - 54:23, 58:18
jugling [1] - 107:15
July [5] - 69:6, 70:23, 81:21, 82:6, 113:11
June [2] - 11:23, 113:11

K

keep [5] - 41:9, 44:18, 49:17, 53:21, 79:12
KEITH [1] - 2:17
key [10] - 23:16, 27:11, 50:18, 58:14, 64:6, 78:18, 80:10, 94:11, 107:6, 147:17
Key [1] - 58:12
Kind [1] - 142:4
kind [18] - 14:24, 20:12, 25:3, 29:4, 38:13, 41:9, 43:16, 47:21, 50:7, 59:18, 61:13, 70:4, 73:13, 73:22, 74:23, 88:25, 95:7, 107:18
kit [2] - 52:25, 53:9
kits [12] - 52:20, 53:2, 53:24, 63:23, 75:8, 75:25, 76:12, 76:14, 81:5, 85:24,

90:14, 91:24
knowledge [15] -
8:11, 11:2, 11:5, 16:2,
21:10, 29:15, 29:18,
33:15, 51:24, 97:20,
99:15, 105:12,
146:17, 148:10, 150:6
KPIs [1] - 50:17
Kraft [17] - 6:8, 7:14,
8:5, 9:22, 9:24, 12:5,
34:6, 38:11, 40:15,
40:24, 45:22, 46:6,
56:11, 93:17, 96:3,
100:2

L

LA [3] - 16:5, 16:9,
27:12
label [6] - 20:19,
147:12, 147:13,
148:11, 148:17
labeled [3] - 30:4,
33:24, 56:25
lady [1] - 71:20
Lakers [3] - 15:23,
28:16, 28:23
lakers [3] - 16:5,
16:9, 28:16
Lara [5] - 3:19,
11:23, 16:11, 55:11,
151:10
large [1] - 146:12
larger [2] - 31:10,
60:18
last [11] - 24:20,
34:9, 37:12, 39:7,
50:5, 62:9, 65:6, 98:3,
105:2, 120:10, 142:25
lasts [2] - 36:6, 36:17
late [2] - 13:16, 32:14
latest [1] - 145:25
launch [9] - 9:5,
19:8, 19:21, 38:22,
41:10, 48:13, 50:3,
52:24, 81:17
Launch [1] - 35:16
launched [22] - 8:25,
11:13, 13:15, 17:24,
20:18, 37:15, 41:14,
46:4, 46:18, 50:22,
50:23, 52:5, 56:5,
74:15, 74:16, 79:16,
79:22, 80:14, 81:19,
91:20, 99:7, 105:14
launches [2] - 75:7,
75:22
launching [9] -
12:19, 31:2, 35:18,
47:17, 53:19, 55:14,
81:7, 81:21, 100:17

LAW [1] - 2:4
layer [1] - 43:24
layout [1] - 115:12
layouts [1] - 118:8
leading [1] - 94:9
learn [3] - 55:15,
147:19, 147:20
learnings [1] - 10:22
least [1] - 115:2
LEE [1] - 2:16
left [18] - 6:5, 34:9,
39:9, 39:13, 60:6,
68:24, 70:11, 72:11,
74:18, 78:11, 80:23,
80:24, 84:17, 113:20,
114:2, 115:9, 119:20,
120:15
left-hand [3] - 72:11,
78:11, 80:23
lesbian [1] - 27:11
less [3] - 52:18,
74:15, 107:9
level [7] - 40:12,
42:17, 45:6, 50:13,
64:20, 87:15, 146:19
leverage [5] - 9:6,
34:15, 51:7, 55:16,
74:24
leveraged [7] - 22:7,
22:25, 25:16, 35:21,
39:3, 48:22, 75:9
leveraging [3] -
13:25, 21:8, 36:16
life [1] - 107:5
LIFESO [1] - 151:4
Lifeso [2] - 3:10,
4:16
lifestyle [4] - 58:7,
91:11, 91:16, 94:19
lift [2] - 88:24, 89:9
lifts [1] - 88:24
LIKE [1] - 90:5
likely [1] - 14:18
LIKES [5] - 49:22,
66:4, 74:5, 74:17,
89:24
line [20] - 10:14,
16:13, 16:14, 17:23,
18:5, 19:21, 23:7,
24:20, 30:9, 31:14,
36:14, 41:15, 50:24,
100:25, 103:17,
104:6, 104:9, 104:15,
105:14, 149:7
lines [3] - 34:25,
38:13, 88:24
LinkedIn [1] - 62:14
links [2] - 54:2, 54:4
list [7] - 62:23, 77:16,
95:12, 97:7, 97:12,
101:2, 114:23

listed [6] - 34:20,
38:21, 69:13, 92:10,
94:21, 95:8
lists [7] - 29:6, 70:15,
77:3, 95:22, 96:5,
114:24, 115:4
literally [1] - 62:4
live [2] - 83:16,
107:14
LLP [1] - 2:10
local [3] - 15:17,
91:18
locations [6] - 24:5,
58:22, 71:15, 72:3,
89:15, 92:10
logo [7] - 28:25,
49:2, 74:24, 96:24,
97:14, 97:15, 110:19
logos [3] - 62:14,
97:11, 97:12
look [22] - 12:22,
29:25, 32:8, 32:12,
33:10, 64:6, 69:3,
69:12, 76:19, 93:21,
95:14, 99:12, 103:3,
103:4, 116:3, 119:23,
119:25, 143:25,
144:2, 145:17, 147:3,
147:16
looked [8] - 17:25,
24:19, 30:6, 32:24,
70:6, 89:21, 89:23,
105:8
looking [21] - 13:20,
22:8, 22:23, 22:24,
35:4, 48:12, 56:19,
58:6, 97:25, 98:2,
106:13, 108:16,
108:22, 117:11,
146:12, 146:23,
147:22, 148:2, 148:4,
148:21
looks [4] - 16:24,
20:22, 37:15, 119:11
loosely [1] - 73:13
Los [1] - 15:22
loss [1] - 55:8
lost [1] - 84:5
lounge [1] - 83:19
loved [1] - 83:6
lower [3] - 14:9,
30:13, 98:12
loyalty [9] - 143:22,
143:25, 144:3, 144:4,
144:7, 144:11,
144:21, 145:5, 145:10
Lucy [1] - 68:14
Luna [1] - 142:5

M

Machines [1] - 25:13
magazine [18] -
19:22, 20:2, 20:3,
30:10, 52:23, 63:5,
69:5, 69:19, 75:18,
75:19, 75:20, 113:10,
113:12, 113:13,
114:9, 115:3, 115:4,
115:20
magazines [4] -
29:7, 29:16, 37:2,
63:8
mail [1] - 53:5
mailers [1] - 24:17
mailing [1] - 67:5
Main [1] - 1:24
main [2] - 8:19,
22:18
major [1] - 87:6
majority [2] - 93:15,
118:6
male [1] - 106:24
Mambo [1] - 25:11
manage [5] - 5:9,
49:13, 51:16, 51:19,
51:23
managed [6] - 6:11,
7:14, 7:19, 7:23, 12:5,
28:2
management [1] -
10:15
manager [1] - 6:14
manages [2] - 119:4,
119:5
managing [2] - 5:11,
118:25
manufacturer [1] -
116:16
map [5] - 112:25,
117:6, 117:10,
117:11, 154:18
marathon [1] - 91:7
marathon-ish [1] -
91:7
marathons [1] -
28:14
mark [18] - 3:14,
21:2, 31:17, 35:22,
35:23, 37:8, 37:18,
43:9, 80:22, 92:24,
101:22, 105:19,
109:8, 111:21,
117:16, 142:10,
142:15
marked [38] - 3:21,
3:25, 4:4, 4:7, 4:10,
4:13, 11:16, 12:23,
29:24, 31:21, 31:24,
32:4, 33:20, 37:23,

38:3, 69:5, 93:5, 93:20 5
98:19, 98:22, 102:5,
102:8, 105:24, 106:4,
109:13, 109:17,
109:20, 111:25,
112:5, 112:9, 112:13,
112:16, 112:19,
112:23, 113:2, 113:5,
117:21, 117:24
market [21] - 8:23,
11:12, 14:6, 14:17,
23:17, 26:22, 27:5,
27:13, 43:14, 43:20,
43:24, 47:3, 58:2,
80:9, 92:12, 94:25,
100:16, 105:7, 105:8,
105:18, 108:25
marketer [2] - 11:25,
78:8
Marketing [2] - 5:3,
26:11
marketing [19] -
5:17, 6:9, 10:9, 13:13,
19:7, 22:15, 22:18,
22:22, 23:6, 23:22,
25:6, 28:4, 38:9,
38:15, 38:25, 59:21,
64:4, 84:19, 86:5
marketplace [8] -
42:8, 94:23, 95:4,
104:20, 104:23,
105:5, 105:10, 142:12
markets [7] - 23:16,
23:18, 26:14, 27:11,
80:7, 80:10, 107:15
marks [11] - 11:6,
41:17, 43:6, 43:11,
46:12, 48:22, 48:25,
80:21, 80:25, 118:19,
142:16
marriage [1] - 155:14
mass [1] - 61:13
material [2] - 52:10,
86:8
materials [11] - 8:22,
10:17, 17:20, 19:17,
23:19, 27:21, 39:12,
40:6, 63:17, 64:25,
76:20
matter [1] - 155:16
MBA [1] - 6:21
meal [1] - 20:21
mean [7] - 14:10,
54:12, 56:11, 59:14,
69:2, 79:3, 148:12
meaning [2] -
113:16, 113:17
means [7] - 17:10,
38:23, 60:9, 66:10,
81:14, 96:15, 119:20
meant [1] - 26:12
measures [3] - 24:9,

143:23, 144:4
mechanical [1] - 6:20
mechanism [1] - 86:22
media [36] - 22:15, 22:23, 26:21, 45:11, 46:14, 47:5, 48:3, 50:25, 51:5, 51:6, 52:20, 52:25, 53:9, 54:14, 59:9, 63:23, 64:15, 68:8, 75:8, 75:25, 76:12, 76:14, 79:25, 80:14, 81:5, 81:6, 85:8, 85:16, 85:24, 88:7, 88:23, 89:2, 89:6, 89:23, 90:8, 108:24
Media [3] - 26:11, 58:16, 62:8
Meet [1] - 62:14
meeting [2] - 19:15, 78:20
meetings [1] - 78:18
meets [1] - 35:20
members [1] - 16:4
memory [1] - 99:13
Men's [4] - 29:11, 68:14, 68:15
men's [2] - 70:2
mention [1] - 75:16
mentioned [26] - 5:24, 9:20, 11:4, 19:11, 25:22, 29:2, 41:19, 44:16, 57:9, 62:3, 65:19, 65:25, 70:21, 70:25, 71:7, 72:23, 83:2, 85:17, 86:6, 87:18, 91:25, 97:4, 105:13, 116:11, 119:10, 148:24
mentions [3] - 36:10, 75:17, 76:5
Mercedes [2] - 28:11, 28:22
messages [1] - 74:2
MET [1] - 115:25
met [2] - 16:5, 77:5
MET-Rx [1] - 115:25
methodologies [1] - 98:5
Meyer [2] - 26:24, 27:4
Miami [1] - 27:12
Michael [1] - 12:11
micro [2] - 60:16, 73:3
middle [3] - 35:6, 35:9, 99:6
might [10] - 12:18, 15:15, 35:9, 40:2,

52:3, 98:8, 108:19, 147:7, 148:11, 149:8
million [33] - 25:7, 25:8, 43:21, 54:15, 56:5, 57:8, 59:9, 59:22, 60:2, 62:21, 65:10, 65:14, 68:17, 68:19, 70:18, 70:22, 72:16, 74:3, 74:4, 74:12, 84:20, 84:22, 86:17, 87:20, 88:12, 88:13, 89:4, 89:6, 120:7, 120:8, 121:5, 121:6
Milwaukee [1] - 2:12
mind [8] - 96:15, 96:22, 96:23, 97:2, 98:10, 98:14, 105:2, 146:22
minimal [1] - 39:6
minute [5] - 32:21, 56:15, 60:20, 109:6, 150:9
missing [1] - 95:12
Mix [1] - 36:14
mixed [1] - 101:5
mobile [1] - 92:17
model [1] - 83:18
Modellounge [1] - 90:23
mom [2] - 107:10, 108:20
moms [2] - 58:5, 107:8
months [3] - 68:9, 69:8, 69:14
mood [1] - 15:9
morning [1] - 4:14
most [5] - 14:18, 59:17, 77:16, 145:4, 146:13
mostly [5] - 52:17, 74:2, 89:5, 103:21, 142:18
mountain [3] - 88:6, 88:14, 88:20
mouth [1] - 90:12
mouths [1] - 25:8
move [2] - 83:23, 88:10
moving [3] - 52:14, 65:16, 143:7
MR [18] - 3:7, 3:14, 7:5, 31:17, 37:18, 56:14, 56:17, 84:9, 92:24, 101:22, 102:9, 105:19, 109:5, 109:8, 111:21, 117:16, 150:8, 150:12
MS [4] - 7:3, 33:7, 84:3, 84:13

multi [4] - 56:9, 70:14, 118:21, 120:23
multi-count [2] - 56:9, 70:14
multi-pack [1] - 118:21
multi-packs [1] - 120:23
multipack [1] - 102:25
Multipage [5] - 37:20, 93:2, 101:24, 105:21, 117:18
multipage [7] - 3:17, 151:7, 152:10, 152:14, 153:4, 153:10, 154:19
multiple [4] - 66:16, 69:14, 91:23, 94:7
music [1] - 28:15

N

NACS [8] - 112:21, 112:25, 116:10, 116:22, 116:23, 117:5, 154:14, 154:17
name [6] - 3:8, 4:15, 25:19, 46:6, 145:6, 148:13
narrative [1] - 84:14
NASSAU [1] - 155:5
National [2] - 55:24, 57:18
national [25] - 15:11, 15:13, 15:18, 20:2, 23:12, 27:15, 29:16, 35:13, 35:24, 55:25, 56:5, 56:10, 57:2, 60:7, 62:19, 68:21, 75:5, 75:18, 86:2, 86:13, 87:19, 111:18, 120:6, 120:9, 121:8
nationally [1] - 119:5
nationwide [2] - 91:3, 150:4
natural [2] - 19:23, 25:12
NBC [1] - 83:15
NBTY [18] - 4:18, 4:20, 4:21, 4:25, 5:14, 5:18, 5:21, 5:25, 6:13, 7:20, 7:22, 51:16, 51:20, 100:5, 108:5, 108:8, 108:11, 116:2
near [1] - 39:25
nearby [1] - 78:21
need [5] - 54:20, 67:25, 149:9, 149:10
needs [1] - 116:3
never [6] - 9:10,

13:14, 31:2, 31:14, 32:18, 114:20
Never [2] - 13:25, 15:3
New [14] - 1:19, 1:24, 2:6, 3:13, 27:12, 75:20, 82:19, 83:12, 83:14, 83:15, 83:16, 83:20, 83:21, 155:8
NEW [1] - 155:3
new [14] - 10:18, 20:16, 41:10, 45:17, 48:11, 48:13, 52:15, 52:24, 69:20, 75:6, 78:22, 79:15, 81:7, 85:23
news [2] - 67:15, 119:7
newspaper [1] - 16:22
next [17] - 15:4, 17:3, 22:15, 30:21, 31:8, 40:18, 45:12, 46:14, 63:10, 64:3, 69:21, 70:20, 88:2, 88:8, 116:8, 143:4, 143:8
nice [2] - 43:23, 91:15
niche [2] - 27:7, 108:14
nimble [9] - 79:13, 79:15, 80:8, 80:15, 80:20, 80:24, 100:4, 100:9, 104:8
NODGORN [1] - 2:18
nomenclature [1] - 115:16
non [6] - 53:4, 75:15, 91:2, 101:7, 101:9, 145:21
non-paid [2] - 53:4, 75:15
non-profit [1] - 91:2
non-promoted [1] - 145:21
normal [1] - 85:18
normally [1] - 66:25
North [1] - 65:11
Nos [1] - 1:6
Notary [2] - 3:3, 155:7
note [2] - 19:19, 33:25
notes [1] - 18:3
November [2] - 6:13, 57:6
number [26] - 14:10, 14:19, 25:18, 30:13, 30:22, 31:7, 32:24, 42:7, 44:19, 49:21,

50:14, 50:15, 53:21 06
54:7, 63:3, 63:4, 72:18, 84:21, 86:18, 94:14, 94:15, 96:10, 97:4, 97:24, 114:23, 145:23
Number [1] - 31:8
numbers [9] - 42:12, 50:19, 54:19, 72:10, 96:12, 97:21, 97:22, 98:11, 121:3
Numbers [1] - 1:17
nut [3] - 101:5, 101:6
nutrition [25] - 7:9, 15:22, 55:2, 55:9, 55:19, 58:8, 75:10, 79:19, 79:20, 94:11, 94:18, 95:20, 96:2, 96:7, 96:21, 97:6, 116:3, 141:23, 142:3, 142:10, 144:21, 145:13, 146:18, 149:14, 149:20
nutritional [3] - 16:8, 16:17, 147:24
nutritious [1] - 35:19

O

object [1] - 84:13
objection [2] - 7:3, 33:7
objective [2] - 14:23, 58:3
objectives [1] - 22:19
obviously [14] - 18:19, 33:14, 38:23, 47:4, 48:15, 49:7, 53:16, 76:24, 80:6, 81:3, 87:22, 91:22, 148:22, 149:14
occasions [1] - 15:17
occurred [1] - 38:10
October [8] - 23:13, 24:25, 56:2, 57:5, 58:24, 112:21, 116:9, 154:13
OF [2] - 155:3, 155:5
offer [3] - 48:9, 56:6, 145:2
offered [1] - 142:18
offering [7] - 20:16, 30:25, 76:20, 79:15, 82:15, 92:20, 146:14
offerings [8] - 32:16, 53:3, 78:22, 102:22, 102:24, 117:15, 120:20, 120:24
offers [3] - 57:10,

118:18, 120:22
OFFICE [1] - 1:3
offices [1] - 12:7
official [2] - 15:22, 28:8
officially [1] - 4:21
often [3] - 63:9, 116:13, 146:21
older [1] - 19:25
olds [1] - 106:23
on-the-go [1] - 58:6
once [3] - 81:25, 92:3, 119:16
One [2] - 109:10, 109:14
one [65] - 14:5, 16:4, 20:23, 23:17, 26:14, 29:25, 30:21, 32:23, 35:6, 35:9, 37:6, 38:18, 47:25, 53:13, 56:7, 57:11, 57:12, 61:17, 61:24, 61:25, 65:9, 67:9, 68:10, 69:5, 69:6, 69:7, 73:16, 75:22, 77:25, 78:2, 78:12, 92:14, 94:14, 94:15, 95:7, 95:11, 95:25, 96:2, 97:4, 97:24, 109:22, 111:2, 111:13, 111:24, 112:4, 112:8, 114:15, 115:2, 116:8, 118:18, 119:3, 119:4, 119:7, 120:13, 120:22, 153:14, 153:17, 153:20, 153:23, 154:4
one-on-one [1] - 61:17
One-page [2] - 109:10, 109:14
one-page [8] - 111:24, 112:4, 112:8, 153:14, 153:17, 153:20, 153:23, 154:4
one-third [2] - 20:23, 68:10
ones [2] - 41:6, 95:3
ongoing [2] - 62:17, 64:5
online [15] - 21:25, 47:3, 60:15, 66:8, 67:17, 68:3, 71:3, 80:19, 81:20, 85:2, 85:4, 85:9, 85:11, 85:12, 87:20
Online [1] - 60:8
onward [1] - 33:2
op [1] - 34:23
open [3] - 61:23, 72:25, 91:4

opens [1] - 113:24
operation [1] - 10:4
opportunities [1] - 75:11
Opposer [2] - 1:13, 2:3
OPPOSER'S [1] - 151:6
Opposer's [31] - 3:16, 3:23, 4:2, 4:5, 4:8, 4:11, 11:16, 29:24, 31:19, 31:22, 31:25, 32:6, 33:20, 37:20, 38:3, 93:2, 98:17, 101:24, 105:21, 106:4, 109:10, 109:14, 111:23, 112:3, 112:7, 112:11, 112:14, 112:17, 112:20, 112:24, 117:18
OPPOSER'S [3] - 152:3, 153:3, 154:3
Opposition [2] - 1:8, 1:17
opting [1] - 66:10
options [2] - 48:11, 149:17
organization [2] - 91:2, 108:11
original [10] - 12:14, 16:15, 34:23, 41:13, 95:23, 103:18, 103:20, 104:3, 104:4, 104:15
outcome [1] - 155:15
outdoor [14] - 17:23, 18:5, 18:9, 18:11, 18:15, 18:24, 24:7, 25:5, 26:18, 30:24, 31:13, 34:24, 88:13
Outdoor [1] - 19:9
outdoors [1] - 16:16
outer [1] - 103:22
outlast [4] - 36:10, 85:3, 87:9, 89:9
Outlast [2] - 36:12, 87:5
outline [5] - 13:2, 13:5, 16:12, 22:14, 99:10
outlined [1] - 23:7
outlines [4] - 22:17, 24:11, 38:13, 50:12
outlining [1] - 106:11
outperforming [2] - 17:8, 18:20
outperforms [1] - 18:18
outreach [3] - 46:20, 85:19, 90:10

outs [1] - 120:20
Outside [1] - 68:15
outside [3] - 29:11, 49:15, 51:18
overall [1] - 11:2
overlap [1] - 108:19
overlapped [1] - 107:24
overview [4] - 6:23, 22:16, 27:22, 89:20
own [3] - 40:24, 108:8, 108:14
owned [1] - 38:10
owners [2] - 10:22, 115:22
owns [1] - 116:2

P

P.C [1] - 2:4
pack [5] - 71:2, 102:25, 103:18, 103:19, 118:21
Pack [1] - 60:8
package [1] - 147:17
packaging [5] - 22:4, 22:5, 81:2, 104:19, 105:10
packet [2] - 61:20, 61:22
packets [1] - 71:7
packing [1] - 148:23
packs [4] - 27:20, 103:18, 103:20, 120:23
page [119] - 12:22, 14:7, 15:4, 17:3, 18:10, 19:4, 19:5, 20:8, 20:17, 20:23, 24:11, 24:18, 27:8, 27:9, 29:6, 30:7, 32:2, 34:16, 35:4, 35:16, 36:2, 36:8, 36:13, 36:17, 37:5, 37:12, 38:17, 38:20, 44:4, 48:15, 48:16, 49:6, 52:8, 56:19, 56:22, 56:25, 57:15, 57:16, 57:18, 57:21, 57:23, 57:24, 59:19, 61:10, 65:6, 65:10, 65:14, 65:16, 65:22, 66:4, 66:17, 68:7, 68:10, 68:23, 70:6, 70:7, 70:11, 70:20, 72:20, 74:10, 74:18, 79:12, 80:15, 84:4, 84:10, 84:11, 84:12, 84:16, 86:23, 87:4, 88:8, 88:10, 89:12, 89:14, 89:16, 91:19, 92:17,

92:19, 94:3, 95:16, 95:18, 96:6, 102:18, 103:3, 103:5, 103:6, 103:8, 103:9, 106:16, 109:10, 109:14, 111:24, 112:4, 112:8, 113:14, 113:18, 113:20, 113:22, 114:13, 115:7, 115:19, 116:7, 118:10, 119:11, 119:19, 120:12, 121:9, 121:10, 152:6, 153:14, 153:17, 153:20, 153:23, 154:4
Page [8] - 15:4, 22:17, 26:10, 30:4, 34:18, 37:12, 70:7, 79:13
pager [2] - 53:13
Pages [3] - 33:2, 102:11, 120:11
pages [21] - 13:19, 49:3, 49:19, 62:25, 63:6, 69:21, 80:3, 85:6, 88:2, 93:25, 102:15, 103:16, 113:18, 114:3, 115:10, 117:25, 118:6, 119:14, 119:19, 120:2, 120:10
paid [3] - 53:4, 75:15, 76:8
panel [2] - 147:23, 148:20
paper [1] - 25:25
Parenting [1] - 68:16
part [11] - 10:11, 22:15, 26:4, 26:5, 55:12, 64:17, 77:16, 83:19, 102:13, 108:9, 145:4
partially [1] - 73:25
participated [2] - 82:21, 83:11
participating [1] - 71:24
particular [4] - 20:25, 63:5, 99:7, 115:6
parties [1] - 155:13
partner [1] - 64:6
partnered [1] - 60:25
Partners [8] - 6:6, 7:16, 7:18, 9:23, 10:4, 38:10, 38:12, 100:6
partners [4] - 49:16, 56:13, 93:19, 100:2
Partnership [1] - 54:22
partnership [4] -

16:6, 63:25, 75:7, 207
75:9
partnerships [3] - 72:8, 90:21, 90:22
passing [1] - 63:17
PATENT [1] - 1:2
pay [2] - 78:3, 82:13
paying [2] - 148:12, 148:14
peanut [1] - 32:17
pending [1] - 84:4
People [1] - 113:13
people [24] - 26:3, 27:25, 29:13, 49:22, 59:7, 71:2, 73:3, 73:6, 73:9, 73:20, 74:25, 79:8, 82:2, 85:10, 90:4, 106:22, 113:10, 113:12, 114:9, 115:3, 115:4, 144:9, 147:15, 147:18
people's [3] - 61:4, 62:7, 66:6
per [4] - 42:13, 42:14, 42:16, 146:16
percent [9] - 16:25, 30:17, 33:13, 94:16, 96:5, 96:8, 144:10, 145:19, 145:22
Perfect [1] - 142:4
performance [1] - 50:18
perhaps [2] - 19:22, 42:3
period [8] - 8:14, 26:17, 33:5, 33:12, 43:17, 66:20, 74:6, 97:18
periods [2] - 11:8, 11:10
permanent [5] - 39:15, 42:20, 42:21, 65:4, 86:9
personality [1] - 10:24
personalized [1] - 55:7
perspective [6] - 5:10, 22:8, 38:25, 80:2, 84:19, 85:23
photographs [1] - 104:18
physically [3] - 44:21, 45:2, 67:25
pick [16] - 61:22, 73:16, 75:15, 81:13, 81:15, 82:5, 82:7, 82:23, 83:17, 85:25, 91:20, 147:8, 147:21, 149:9
picked [2] - 22:9,

23:18
picking [1] - 149:13
picture [2] - 55:6, 89:4
piece [8] - 59:5, 59:8, 60:22, 62:17, 64:16, 66:12, 72:24, 97:16
pieces [1] - 25:8
pin [2] - 52:4, 52:8
Pinterest [4] - 51:10, 51:13, 51:14, 51:24
pinterest [2] - 51:11, 51:12
place [7] - 16:2, 16:3, 21:11, 42:5, 77:21, 110:19, 144:2
placed [3] - 114:12, 115:6, 117:10
placement [14] - 19:16, 39:24, 40:2, 41:24, 43:3, 43:4, 88:7, 88:23, 89:2, 117:7, 117:13, 119:18, 119:22, 120:9
placements [4] - 17:21, 82:14, 114:10, 116:18
places [1] - 91:10
plan [3] - 22:18, 23:6, 26:9
plans [1] - 78:23
plant [1] - 25:17
plaque [1] - 37:9
platform [1] - 46:3
play [2] - 87:9, 118:12
played [1] - 87:9
plug [1] - 76:11
plus [3] - 28:4, 54:18, 72:12
Point [1] - 39:11
point [9] - 18:7, 23:5, 65:2, 74:17, 84:14, 87:12, 101:8, 144:21, 146:4
points [7] - 17:16, 38:25, 73:23, 87:6, 87:15, 88:17, 107:6
pool [1] - 91:4
pop [1] - 81:12
popular [1] - 82:10
portals [2] - 67:14, 67:22
portfolio [4] - 108:6, 108:9, 108:13, 115:24
portion [2] - 121:11, 150:15
portland [2] - 26:14, 26:15
Portland [1] - 26:18
POS [1] - 64:25

posing [1] - 48:7
position [3] - 4:24, 6:10, 108:17
positioned [3] - 41:20, 41:21, 143:4
positions [1] - 5:13
positive [3] - 21:14, 76:5, 94:10
possible [2] - 16:23, 64:8
post [4] - 47:22, 48:20, 54:5, 56:11
posted [6] - 47:2, 59:10, 74:9, 83:4, 111:8
posting [1] - 50:16
posts [1] - 52:9
potentially [1] - 98:14
powerbar [1] - 18:18
PowerBar [3] - 18:20, 94:15, 142:5
PR [18] - 22:7, 22:8, 22:15, 26:17, 28:24, 52:14, 54:9, 54:14, 63:22, 75:4, 75:12, 79:25, 81:3, 81:20, 82:23, 85:23, 90:9, 91:20
pre [1] - 78:17
premium [2] - 27:19, 146:13
PRESENT [1] - 2:15
presentation [3] - 11:22, 13:3, 13:5
Presentation [3] - 3:18, 30:6, 151:8
presented [2] - 11:22, 12:6
Presented [2] - 3:19, 151:9
press [8] - 52:15, 52:18, 54:16, 63:23, 75:5, 81:3, 85:24, 91:23
pretty [1] - 78:25
prevalent [1] - 149:19
prevention [5] - 19:22, 20:2, 29:9, 29:14, 30:9
Pria [2] - 94:24, 94:25
price [3] - 144:21, 144:25, 146:4
primary [2] - 43:4, 142:16
principal [2] - 7:9, 55:2
Print [3] - 32:3, 62:18, 152:8

print [56] - 13:24, 18:13, 19:18, 20:23, 22:9, 22:10, 24:6, 24:7, 25:6, 28:19, 29:7, 29:8, 29:10, 30:8, 30:23, 31:13, 32:13, 32:15, 33:9, 33:25, 35:3, 35:5, 35:8, 35:24, 36:2, 36:8, 36:21, 37:10, 37:13, 60:11, 63:2, 63:12, 63:15, 67:18, 68:2, 68:8, 73:11, 86:3, 86:16, 86:19, 111:10, 111:11, 111:24, 112:4, 112:8, 113:10, 113:15, 114:20, 114:22, 118:14, 118:23, 153:21, 153:24, 154:5
printed [1] - 72:25
printing [3] - 31:16, 67:4, 114:17
prints [1] - 34:19
priority [1] - 141:16
private [2] - 7:11, 20:19
privately [1] - 12:4
prize [2] - 59:18, 60:19
prizes [1] - 60:18
problem [1] - 26:8
proceedings [1] - 155:11
produce [1] - 42:2
product [88] - 11:12, 16:13, 17:23, 19:6, 19:21, 20:14, 20:16, 21:19, 22:2, 25:9, 26:25, 30:25, 31:3, 31:5, 31:14, 32:16, 34:23, 34:25, 36:5, 36:12, 36:14, 36:18, 37:17, 41:9, 41:10, 42:23, 43:3, 43:10, 46:23, 47:19, 48:16, 52:15, 52:25, 53:3, 53:10, 53:14, 53:15, 59:6, 60:10, 61:14, 61:19, 62:2, 62:7, 64:12, 70:16, 71:6, 71:18, 72:3, 73:18, 74:25, 75:2, 75:6, 75:17, 75:22, 75:25, 76:19, 76:25, 78:6, 79:6, 79:8, 80:12, 80:20, 81:25, 82:14, 83:6, 85:24, 89:14, 89:16, 90:14, 96:25, 97:14, 101:25, 102:21, 102:22, 105:9, 117:15,

118:15, 120:20, 120:24, 143:4, 143:5, 146:13, 147:21, 148:5, 148:13, 148:15, 148:17, 153:5
products [45] - 7:10, 8:21, 19:2, 20:25, 34:24, 45:17, 46:23, 47:11, 48:9, 49:8, 49:9, 58:6, 60:25, 61:4, 61:24, 61:25, 70:22, 74:22, 76:18, 76:25, 79:2, 80:18, 82:10, 89:19, 92:3, 92:15, 100:11, 101:2, 101:9, 101:19, 105:8, 105:14, 115:25, 141:16, 144:8, 145:8, 145:14, 146:5, 146:10, 147:21, 148:8, 148:22, 148:25, 149:20, 149:25
professional [1] - 108:20
professionals [2] - 58:5, 106:23
profit [1] - 91:2
Program [3] - 43:23, 58:12, 88:11
program [7] - 23:21, 43:16, 55:8, 58:2, 86:14, 88:4, 88:19
Programs [1] - 23:15
programs [10] - 24:12, 24:19, 27:6, 28:5, 28:20, 64:4, 86:5, 87:2, 88:2, 90:10
project [1] - 16:14
promote [3] - 47:11, 75:13, 87:22
promoted [5] - 6:10, 73:6, 145:21, 146:2, 146:3
promoting [2] - 18:12, 91:22
Promotion [3] - 43:14, 71:20, 72:21
promotion [19] - 24:13, 57:22, 60:7, 60:12, 60:20, 60:22, 70:25, 71:25, 73:10, 74:4, 75:2, 85:2, 85:18, 87:8, 87:19, 87:23, 145:13, 145:15, 145:20
promotional [9] - 8:22, 40:6, 52:3, 73:2, 73:8, 73:24, 74:6, 76:14, 78:23
Promotions [1] -

25:20
promotions [4] - 22:24, 23:8, 25:16, 49:12
properties [1] - 16:8
Protein [1] - 115:25
proud [1] - 99:9
provide [1] - 48:11
provided [9] - 8:3, 8:8, 23:20, 34:6, 55:18, 71:22, 93:17, 106:21, 107:21
provides [1] - 63:13
PRs [1] - 82:4
psychographic [2] - 107:2, 107:23
Public [2] - 3:4, 155:7
public [4] - 7:12, 22:25, 24:15, 63:18
publication [15] - 19:13, 63:13, 69:7, 69:14, 69:19, 69:24, 76:22, 112:22, 114:8, 114:13, 114:24, 114:25, 115:21, 116:9, 154:14
publications [16] - 19:23, 32:15, 35:13, 52:22, 62:20, 62:24, 68:11, 68:20, 69:12, 69:13, 75:18, 76:6, 86:2, 116:13, 116:19, 119:2
Published [1] - 1:8
pull [3] - 10:13, 12:17, 42:11
pulled [3] - 34:5, 106:10, 148:22
pulling [1] - 96:9
purchase [10] - 59:7, 61:6, 66:14, 80:13, 81:15, 84:25, 89:19, 94:12, 145:11, 147:5
purchases [1] - 149:7
purchasing [5] - 144:20, 145:7, 146:19, 146:20
Pure [1] - 115:25
pure [1] - 99:24
purier [1] - 18:6
purest [1] - 17:24
purpose [1] - 87:21
push [3] - 48:2, 85:13, 90:12
pushed [1] - 82:6
pushing [1] - 61:13
put [11] - 14:6, 39:23, 42:8, 42:10, 61:12, 61:21, 86:16, 86:22,

114:20, 144:2, 145:14

Q

Q4'2010 [1] - 43:14
QR [1] - 92:16
QUARLES [1] - 2:10
quarter [2] - 50:11, 98:3
quarterly [1] - 144:2
questions [4] - 48:6, 78:15, 78:23, 102:10
quickly [1] - 147:16
quite [1] - 42:16
quizzes [1] - 48:7
quotes [1] - 83:3

R

race [4] - 61:13, 61:20, 71:7, 91:11
races [2] - 28:14, 91:7
Races [1] - 91:6
racing [1] - 28:7
Racing [1] - 28:22
rack [2] - 39:15, 39:16
racks [4] - 40:10, 65:5, 86:9, 88:24
Radio [1] - 58:16
radio [11] - 26:17, 28:24, 43:21, 44:17, 45:3, 58:17, 58:19, 59:8, 59:9, 59:10, 64:16
ran [20] - 15:16, 29:6, 29:8, 29:10, 30:11, 35:15, 62:22, 65:8, 68:8, 69:8, 69:13, 69:22, 69:24, 70:9, 70:17, 110:7, 110:9, 113:10, 114:25, 120:13
rate [1] - 144:11
re [1] - 1:6
Re [1] - 38:22
Re-launch [1] - 38:22
reach [8] - 10:24, 26:3, 26:4, 80:15, 107:2, 107:7, 107:19, 108:23
reached [6] - 21:13, 25:7, 27:10, 44:10, 55:10, 55:11
reaches [1] - 45:4
reaching [1] - 24:14
read [1] - 26:7
reader [2] - 147:12, 147:13

readers [2] - 147:19, 148:12
ready [1] - 16:20
really [7] - 23:4, 72:21, 82:15, 85:25, 91:9, 99:8, 116:22
REALTIME [1] - 1:23
reason [1] - 142:14
reasons [1] - 21:20
recap [2] - 38:8, 75:3
received [1] - 76:6
recent [1] - 144:11
recognition [1] - 145:6
record [8] - 3:9, 4:15, 56:16, 56:18, 102:11, 109:7, 150:11, 150:12
records [4] - 9:21, 10:2, 10:7, 11:4
redeem [2] - 66:25, 67:2
redeemable [1] - 66:23
redesign [1] - 45:13
redesigned [2] - 45:15, 46:10
refer [4] - 32:20, 114:14, 114:18, 148:11
reference [3] - 17:19, 34:15, 97:2
referenced [1] - 57:23
referencing [1] - 93:16
refers [1] - 57:15
reflected [2] - 100:12, 105:11
regions [2] - 65:11, 111:17
registered [1] - 8:19
related [1] - 155:13
relations [3] - 22:25, 24:16, 83:5
relaunch [3] - 12:19, 39:3, 39:5
relaunched [1] - 45:15
ReLeaf [1] - 25:17
release [4] - 52:16, 52:19, 54:16, 81:4
releases [4] - 63:23, 75:6, 85:24, 91:24
relevant [2] - 12:18, 80:16
relied [1] - 10:3
remaining [1] - 145:20
remember [1] - 21:12
repeat [3] - 58:4, 65:20, 100:7

repetitive [1] - 65:21
rephrase [1] - 46:9
repin [1] - 52:8
Reporter [2] - 1:22, 154:24
REPORTING [1] - 1:23
reports [1] - 50:11
repositioning [2] - 108:12, 109:3
representation [1] - 13:2
represented [2] - 18:21, 119:25
reps [1] - 17:18
requested [2] - 87:3, 105:16
research [3] - 5:12, 19:3, 108:15
resort [2] - 28:9, 71:15
Resorts [1] - 71:12
resorts [2] - 88:6, 88:15
resources [1] - 51:21
respect [2] - 101:10, 144:7
respectively [2] - 102:3, 153:7
respond [1] - 47:22
responding [1] - 84:6
responsibilities [2] - 5:7, 10:12
responsible [1] - 49:10
rest [1] - 72:9
restock [1] - 42:25
results [3] - 58:25, 72:22, 75:4
retail [8] - 17:15, 64:7, 79:4, 83:2, 88:7, 141:20, 143:8, 147:7
retailer [17] - 17:6, 17:13, 19:14, 20:10, 24:5, 24:15, 26:24, 36:23, 42:4, 44:2, 58:20, 67:22, 87:2, 116:6, 116:12, 116:16, 146:8
retailer-focused [1] - 116:12
retailer-specific [1] - 87:2
retailers [11] - 17:4, 24:2, 39:23, 40:7, 67:20, 77:6, 92:9, 115:23, 116:7, 117:15, 149:16
retained [1] - 154:24
reused [1] - 42:19

review [14] - 10:12, 11:3, 11:18, 33:21, 38:4, 54:6, 90:16, 93:10, 98:23, 102:15, 106:5, 109:21, 113:6, 117:25
reviewed [1] - 92:3
reviews [4] - 46:22, 54:18, 83:8, 83:9
right-hand [8] - 14:9, 16:19, 37:7, 99:8, 101:11, 118:23, 119:13, 120:3
Ronkonkoma [2] - 1:19, 3:13
room [1] - 78:21
round [2] - 75:16, 76:25
row [1] - 40:2
Rozea [1] - 1:22
ROZEA [2] - 155:7, 155:22
run [24] - 15:11, 19:12, 19:21, 20:24, 23:11, 28:4, 32:14, 34:8, 34:13, 52:4, 67:16, 91:12, 110:22, 111:17, 111:19, 112:21, 115:21, 116:9, 119:3, 119:16, 119:21, 120:5, 120:25, 154:13
runner's [1] - 75:19
Runner's [1] - 68:16
runners [1] - 29:11
running [6] - 69:16, 73:20, 111:4, 111:5, 114:2, 115:9
runs [2] - 69:16, 69:18
Rx [1] - 115:25

S

Sale [1] - 39:12
sale [3] - 9:23, 17:18, 65:2
sales [3] - 77:4, 77:17, 78:7
salt [1] - 101:5
salty [2] - 101:17, 103:10
sample [5] - 44:14, 62:2, 66:15, 71:11, 72:14
sampled [2] - 61:11, 70:22
samples [16] - 23:3, 29:3, 43:18, 44:22, 59:6, 62:5, 62:7, 72:6, 72:11, 72:16, 80:7,

81:23, 84:20, 84:22, 89:8, 88:12, 89:6
Sampling [2] - 28:17, 61:8
sampling [18] - 23:25, 25:7, 27:14, 28:16, 28:19, 29:2, 58:13, 58:14, 58:21, 59:5, 61:3, 79:24, 80:2, 83:13, 87:25, 88:4, 88:11, 88:19
San [1] - 27:12
sands [1] - 12:11
Santa [1] - 7:7
satisfies [1] - 94:19
save [2] - 57:12, 70:13
saw [1] - 32:13
scan [1] - 102:19
schematic [1] - 111:11
school [4] - 6:22, 24:25, 120:14
SCHROEDER [20] - 2:4, 2:7, 3:7, 3:14, 7:5, 31:17, 37:18, 56:14, 56:17, 84:9, 92:24, 101:22, 102:9, 105:19, 109:5, 109:8, 111:21, 117:16, 150:8, 150:12
Science [1] - 6:19
scientists [1] - 7:8
scope [7] - 15:12, 15:14, 20:3, 29:17, 62:19, 68:21, 144:14
sea [1] - 101:5
searching [1] - 85:12
season [2] - 88:21, 88:22
second [7] - 19:4, 26:11, 43:13, 92:19, 94:15, 103:9, 107:8
secondary [4] - 39:24, 39:25, 41:24, 43:3
seconds [1] - 110:16
section [1] - 82:20
Section [1] - 75:21
see [30] - 15:6, 24:5, 33:9, 39:14, 42:2, 48:14, 55:14, 63:6, 63:11, 68:11, 69:4, 69:10, 69:21, 72:13, 73:13, 74:23, 78:11, 79:18, 79:23, 80:23, 82:7, 87:25, 89:8, 92:15, 96:19, 113:25, 119:19, 145:19, 146:24, 147:17
seem [1] - 34:24

sees [1] - 36:23
Self [2] - 29:12, 68:16
self [5] - 52:23, 75:18
sell [7] - 18:23, 19:10, 19:13, 79:6, 79:9, 142:9, 146:5
selling [5] - 80:7, 100:13, 141:23, 146:7, 146:9
send [5] - 52:25, 53:2, 75:24, 76:11, 76:18
Senior [3] - 5:2, 6:11, 6:14
sent [2] - 25:18, 54:4
separate [3] - 77:2, 121:13, 150:17
September [6] - 23:13, 24:25, 65:13, 70:18, 81:22, 113:13
Serial [1] - 1:6
seriously [3] - 35:18, 35:19, 35:20
set [6] - 17:6, 77:21, 141:18, 143:8, 149:14, 155:18
setup [1] - 78:17
shape [2] - 35:8, 68:16
Shape [1] - 29:12
share [2] - 17:8, 22:20
shared [2] - 16:7, 63:9
sharing [1] - 50:15
sheet [6] - 18:24, 19:10, 19:13, 20:12, 100:12
shelf [9] - 17:7, 41:23, 43:4, 66:14, 80:11, 82:2, 82:3, 141:18, 143:8
shelved [1] - 27:2
shifted [2] - 85:7, 119:20
shipped [1] - 100:22
shoppers [1] - 25:12
shopping [1] - 149:2
shortly [2] - 61:2, 68:11
shot [4] - 15:6, 31:3, 97:14
shots [4] - 75:2, 102:2, 102:22, 153:5
show [26] - 18:3, 18:19, 19:15, 23:9, 23:11, 54:5, 57:20, 68:12, 69:22, 78:10, 82:12, 82:17, 83:10, 83:16, 92:6, 97:12, 112:22, 112:25, 116:10, 116:22, 116:23, 116:24, 117:6, 117:10, 154:14, 154:17
showcase [7] - 17:5, 32:17, 80:4, 88:3, 89:14, 92:11, 117:14
showcased [2] - 86:3, 89:2
showcases [3] - 89:12, 110:6, 118:15
showcasing [4] - 16:14, 36:11, 37:17, 90:6
showed [1] - 83:10
showing [8] - 24:21, 34:23, 48:19, 74:19, 97:14, 114:9, 118:7, 120:23
shown [10] - 33:4, 37:9, 48:16, 57:7, 89:10, 89:11, 89:17, 92:15, 104:15, 120:21
shows [29] - 23:6, 34:18, 35:22, 37:12, 70:8, 70:11, 70:16, 72:20, 74:14, 77:4, 77:9, 77:12, 77:17, 77:20, 77:21, 77:22, 79:13, 83:7, 89:22, 91:19, 92:7, 94:7, 94:9, 95:25, 96:11, 99:3, 114:11, 116:12, 120:18
side [14] - 16:19, 17:15, 22:23, 24:13, 69:10, 72:11, 78:11, 80:23, 101:11, 118:23, 119:13, 119:20, 120:3, 147:8
sided [2] - 18:23, 47:25
signed [1] - 92:7
significance [2] - 13:9, 95:15
significant [2] - 14:11, 14:15
signify [1] - 30:14
similar [18] - 32:12, 40:20, 41:6, 55:11, 62:9, 63:23, 70:19, 86:5, 92:21, 95:20, 97:21, 98:8, 98:15, 110:17, 111:11, 121:4, 143:9, 143:15
single [5] - 56:8, 57:11, 70:13, 103:22, 104:14
singles [2] - 118:19, 120:22
site [7] - 49:2, 60:16, 73:2, 73:3, 73:8, 73:25, 147:9
sites [2] - 67:13, 85:15
sitting [1] - 64:10
situation [2] - 62:4, 98:6
six [13] - 23:17, 24:24, 56:9, 57:13, 73:16, 102:23, 103:17, 103:18, 103:19, 103:20, 104:2, 104:4, 118:21
six-count [5] - 56:9, 102:23, 104:2, 104:4, 118:21
six-pack [1] - 103:19
six-week [1] - 24:24
size [4] - 35:8, 115:11, 117:9, 146:13
skew [1] - 106:24
ski [5] - 28:9, 87:25, 88:6, 88:21, 88:24
skin [2] - 79:20, 79:21
SKU's [1] - 41:10
SKUs [1] - 95:19
Slide [2] - 83:25, 89:22
slide [12] - 20:17, 70:20, 74:14, 75:3, 77:3, 79:12, 79:13, 81:16, 83:7, 89:8, 90:9, 92:6
slides [1] - 92:11
slight [1] - 106:24
slightly [7] - 35:6, 59:23, 86:15, 86:21, 108:21, 109:2, 117:8
slimfast [1] - 20:21
slogan [1] - 9:8
slogans [3] - 9:11, 9:12, 9:14
smaller [1] - 77:14
smart [1] - 142:22
SMART [1] - 1:10
Smart [4] - 25:13, 141:8, 142:10, 143:14
SmartSource.com [2] - 66:3, 67:11
Smithtown [2] - 1:19, 3:12
snack [1] - 149:10
snacking [1] - 149:17
snapshot [1] - 83:9
snapshots [1] - 15:6
social [13] - 46:14, 47:4, 48:3, 48:23, 50:13, 50:25, 51:5, 51:6, 79:25, 80:14, 85:16, 89:23, 90:8
SOFYA [1] - 2:18
sold [19] - 6:12, 7:13, 7:15, 12:4, 38:11, 39:23, 40:3, 41:23, 42:11, 80:21, 102:24, 103:21, 103:23, 141:17, 143:9, 145:20, 147:2, 149:25, 150:4
someone [2] - 25:17, 116:17
sometimes [2] - 48:8, 78:8
somewhat [1] - 65:3
sorry [7] - 26:7, 49:5, 62:2, 72:5, 84:3, 88:21, 116:16
sort [3] - 27:20, 71:13, 107:24
soul [1] - 29:14
source [3] - 25:13, 94:5, 114:23
sources [1] - 106:11
space [2] - 66:9, 78:5
spec [3] - 19:13, 20:12, 40:20
specific [7] - 36:18, 52:2, 58:21, 64:22, 65:12, 87:2, 148:9
specifically [4] - 9:21, 43:15, 47:10, 116:6
specifications [1] - 19:7
spicy [1] - 101:6
spokespeople [1] - 90:24
sponsored [6] - 26:18, 28:7, 28:11, 83:18, 90:25, 91:17
sponsors [1] - 21:9
Sponsorship [1] - 28:23
sponsorship [1] - 21:16
sponsorships [2] - 27:23, 90:22
sports [3] - 29:13, 107:4, 116:3
Spot [1] - 23:11
spot [4] - 15:5, 23:11, 29:21, 110:21
spots [6] - 45:8, 110:8, 110:25, 111:5, 111:17, 111:18
spread [4] - 113:14, 113:17, 113:25, 115:7
spreads [1] - 114:13
Sprouts [1] - 25:12
squares [1] - 69:5
Squaw [1] - 28:9 210
ss [1] - 155:4
staff [2] - 28:6, 78:7
stairs [1] - 73:15
stamp [22] - 98:19, 109:12, 109:16, 111:25, 112:5, 112:9, 112:12, 112:15, 112:18, 112:22, 112:25, 152:19, 153:16, 153:19, 153:21, 153:24, 154:5, 154:8, 154:10, 154:12, 154:15, 154:18
stamped [26] - 3:20, 3:24, 4:3, 4:6, 4:9, 4:12, 31:20, 31:23, 32:3, 37:22, 93:4, 102:2, 105:23, 151:11, 151:14, 151:16, 151:18, 151:20, 151:22, 151:24, 152:5, 152:8, 152:12, 152:16, 153:6, 153:12
Stamped [2] - 117:20, 154:21
stand [1] - 78:13
stands [1] - 86:8
start [3] - 13:8, 39:9, 50:7
started [5] - 45:22, 45:23, 50:4, 68:5, 110:8
starting [5] - 13:22, 60:6, 82:7, 84:16, 110:23
STATE [1] - 155:3
state [4] - 3:8, 4:14, 102:10, 115:10
State [1] - 155:8
STATES [1] - 1:2
states [6] - 35:17, 93:13, 94:3, 106:7, 150:5, 150:7
States [1] - 150:2
stations [1] - 45:4
still [22] - 6:14, 12:18, 15:2, 18:11, 20:6, 41:4, 55:16, 55:21, 67:25, 76:4, 85:24, 86:10, 86:16, 86:22, 94:22, 94:25, 99:16, 99:18, 108:4, 108:19, 111:3, 111:11
stop [1] - 29:21
store [16] - 40:9, 41:21, 42:3, 64:7, 64:11, 64:15, 64:17, 64:19, 72:3, 79:25,

81:8, 86:4, 115:20,
115:22, 149:5, 149:21
store/customer [1] -
64:4
stores [3] - 39:24,
40:7, 71:21
story [5] - 76:23,
109:12, 109:16,
153:15, 153:18
storyboard [2] -
110:2, 110:5
Strategic [1] - 95:21
strategic [1] - 96:3
strategies [1] - 12:14
strategy [1] - 5:11
Street [2] - 1:24, 2:5
strong [2] - 94:10,
145:9
Strong [1] - 94:4
style [1] - 82:20
STYLE [1] - 75:19
Style [1] - 75:21
subbrand [5] -
96:12, 96:13, 99:3,
99:5, 100:15
subbrands [7] - 9:2,
9:6, 95:24, 97:25,
99:10, 99:16, 142:19
subline [1] - 99:11
submitted [1] -
110:16
subsequent [1] -
85:6
suburban [1] -
107:14
Suite [1] - 1:24
summaries [1] -
10:14
summarize [1] -
106:16
summary [2] - 34:7,
99:3
Summary [2] - 98:19,
152:19
Sunday [4] - 25:24,
67:6, 67:17, 86:17
support [9] - 19:8,
20:15, 39:6, 46:19,
58:21, 75:13, 81:18,
83:2, 86:13
supported [1] -
82:16
surfer [1] - 36:4
surpassed [1] - 59:2
swank [1] - 27:20
sweepstakes [2] -
85:4, 87:14
sweet [3] - 101:6,
101:17, 103:10
Swim [1] - 90:25
swims [1] - 91:3

switched [1] - 59:20
sworn [1] - 3:3

T

tab [1] - 74:8
table [2] - 64:11,
78:6
tactics [1] - 12:15
tag [2] - 31:2, 37:7
tagged [1] - 27:2
tagline [5] - 9:7,
15:3, 31:15, 32:18,
35:19
taglines [2] - 9:13,
36:12
talks [2] - 26:14, 99:6
tank [1] - 27:20
target [19] - 19:20,
19:25, 58:5, 64:21,
65:10, 69:25, 70:5,
91:9, 106:7, 106:12,
106:13, 106:22,
107:8, 107:25, 108:3,
108:14, 108:17,
108:24, 116:22
Target [2] - 105:22,
153:11
targeted [4] - 27:7,
27:16, 84:23, 106:17
targeting [6] - 10:25,
19:19, 19:24, 30:8,
115:21, 141:17
targets [2] - 25:12,
108:20
taste [4] - 25:9,
53:11, 76:19, 94:18
team [18] - 11:21,
11:23, 16:4, 26:2,
26:3, 26:4, 26:19,
27:25, 28:6, 34:14,
49:14, 51:16, 51:22,
75:12, 77:4, 77:18,
78:7, 93:20
Team [2] - 3:18,
151:8
teams [2] - 91:18,
114:22
tease [1] - 12:17
teeter [1] - 110:18
television [2] -
110:10, 110:12
temporary [1] - 65:3
ten [1] - 43:17
ten-day [1] - 43:17
Tennis [1] - 28:12
tent [2] - 44:12,
61:15
tents [1] - 44:12
term [1] - 147:12
terms [12] - 14:16,

22:4, 22:5, 22:22,
25:6, 48:25, 52:18,
59:25, 117:8, 145:25,
147:4, 147:23
test [3] - 26:13,
43:14, 99:13
testified [1] - 3:4
testimony [2] -
150:10, 150:14
Text [1] - 90:23
THE [4] - 1:2, 1:3,
84:7, 84:11
themselves [4] -
18:2, 74:12, 114:7,
115:23
theory [2] - 20:24,
40:24
they've [1] - 44:11
third [4] - 20:23,
68:10, 110:14, 111:2
thousand [1] - 50:8
thousands [5] -
42:11, 42:13, 42:14,
117:2, 117:3
three [26] - 5:20,
5:23, 6:12, 17:2,
20:22, 28:13, 34:25,
35:21, 36:8, 37:13,
38:8, 39:15, 69:22,
78:12, 87:6, 92:20,
100:3, 100:16,
100:23, 101:2, 104:6,
114:4, 114:8, 146:10,
146:15, 146:16
three-day [1] - 28:13
three-folded [1] -
17:2
three-wide [1] -
39:15
throughout [7] -
8:24, 27:24, 91:4,
100:21, 118:14,
120:24, 149:25
thrown [1] - 42:23
thumb [1] - 103:11
ticket [1] - 89:9
tie [5] - 28:18, 44:3,
64:15, 88:19, 91:15
tied [9] - 58:20,
60:21, 64:16, 70:24,
71:19, 73:9, 74:20,
85:17, 88:6
tiered [2] - 39:16,
87:10
timeframe [6] - 12:2,
12:16, 23:13, 25:2,
51:15, 120:16
timing [1] - 57:3
title [4] - 5:4, 5:5,
35:18, 95:18
titled [3] - 11:21,

38:21, 99:2
today [19] - 7:23,
9:15, 9:16, 41:5,
47:12, 49:25, 53:25,
73:15, 82:11, 82:17,
83:10, 95:2, 95:4,
97:21, 105:10,
105:17, 105:18,
108:4, 111:4
together [5] - 10:13,
20:24, 31:8, 34:5,
106:10
tonality [1] - 10:23
tongue [1] - 14:24
took [2] - 21:11,
73:14
top [14] - 10:14,
24:19, 24:20, 38:13,
96:15, 96:22, 96:23,
97:2, 98:10, 98:14,
99:11, 113:21,
116:25, 117:4
topline [1] - 110:7
toplining [1] - 72:22
tops [1] - 27:20
total [5] - 16:17,
69:11, 94:7, 96:7,
97:24
totals [1] - 69:11
totter [1] - 110:18
touch [7] - 21:15,
23:5, 38:24, 55:14,
73:22, 87:6, 107:6
touched [1] - 149:22
tour [1] - 83:14
Tournament [1] -
28:12
towers [1] - 88:24
track [6] - 44:18,
45:5, 49:17, 53:21,
98:3, 144:15
tracker [3] - 94:6,
98:6, 144:2
trackers [2] - 53:24,
98:7
tracking [1] - 47:5
trade [34] - 17:3,
17:9, 17:19, 18:14,
18:21, 18:23, 19:11,
19:12, 19:15, 20:11,
36:23, 52:17, 71:25,
77:3, 77:9, 77:12,
77:17, 77:20, 77:21,
77:22, 92:7, 112:18,
112:21, 112:25,
115:18, 116:10,
116:12, 116:22,
116:23, 117:5,
154:11, 154:14,
154:17
trade-focused [1] -

18:23 211
trademark [9] - 9:8,
14:2, 31:15, 120:19,
142:23, 143:9,
143:10, 143:15,
143:19
TRADEMARK [2] -
1:2, 1:3
Trademark [1] - 1:10
trademarked [3] -
9:4, 9:11, 80:24
trademarks [10] -
8:13, 8:19, 8:25, 9:5,
36:5, 74:24, 141:8,
142:7, 143:16, 149:24
traditional [1] -
86:11
trail [1] - 36:14
Traiblazers [1] -
26:19
trainers [1] - 21:15
transcript [1] -
155:10
transferred [1] - 9:22
travel [1] - 107:3
traveling [1] - 16:6
tray [2] - 81:12,
103:22
treatment [1] - 92:22
tree [1] - 25:17
trending [2] - 50:19,
50:21
trends [1] - 80:17
trial [4] - 22:25, 58:4,
61:5, 84:24
TRIAL [1] - 1:3
tried [3] - 28:18,
44:14, 144:10
trip [1] - 110:5
true [1] - 155:9
Try [1] - 116:21
try [6] - 46:24, 48:11,
53:11, 64:13, 75:14,
107:25
trying [6] - 18:19,
21:12, 53:12, 53:19,
80:12, 82:2
tube [1] - 111:8
tuck [1] - 6:22
Tuesday [1] - 78:19
turn [4] - 13:6, 14:7,
56:21, 68:23
TV [18] - 15:5, 15:7,
22:10, 23:9, 23:11,
23:14, 24:21, 26:22,
45:11, 109:11,
109:15, 110:5, 111:5,
111:18, 118:14,
153:15, 153:18
Twitter [14] - 46:17,
48:4, 48:18, 49:11,

<p>49:19, 50:6, 51:4, 51:5, 51:7, 51:10, 51:19, 62:12, 85:14, 90:2</p> <p>twitter [1] - 90:19</p> <p>twitter.com/</p> <p>balancebar [1] - 49:5</p> <p>two [35] - 8:19, 15:17, 41:8, 44:6, 53:13, 57:6, 57:10, 62:25, 63:6, 65:9, 69:5, 69:8, 70:12, 78:12, 86:12, 88:2, 93:25, 95:25, 99:24, 104:10, 106:21, 110:24, 110:25, 113:18, 114:3, 115:10, 118:10, 118:17, 118:18, 119:14, 120:10, 120:17, 120:21, 146:7</p> <p>tying [1] - 23:25</p> <p>type [2] - 86:22, 110:19</p> <p>types [4] - 19:17, 50:17, 77:17, 106:17</p> <p>typical [4] - 77:10, 77:16, 144:13, 144:19</p> <p>typically [3] - 146:5, 146:6, 149:6</p>	<p>up [36] - 4:23, 8:10, 22:9, 26:21, 50:4, 50:7, 50:20, 52:24, 61:22, 62:25, 64:11, 69:11, 70:4, 72:25, 75:15, 75:16, 76:25, 77:21, 78:24, 81:15, 82:7, 83:17, 85:5, 85:25, 92:8, 96:23, 107:21, 118:2, 146:10, 147:8, 147:21, 149:9, 149:13, 149:20, 150:9</p> <p>updated [2] - 41:10, 45:16</p> <p>uploaded [1] - 58:11</p> <p>upper [5] - 10:15, 39:9, 60:6, 84:17, 89:17</p> <p>ups [5] - 22:10, 75:15, 82:5, 82:24, 91:20</p> <p>upward [2] - 50:19, 50:21</p> <p>urban [2] - 106:22, 108:20</p> <p>usage [2] - 19:16, 40:13</p> <p>user [3] - 19:24, 39:6, 96:8</p> <p>users [2] - 95:21, 96:2</p> <p>uses [1] - 143:17</p> <p>usual [1] - 19:16</p> <p>utilized [1] - 10:3</p>	<p>versus [8] - 36:23, 61:15, 67:5, 94:14, 97:16, 121:9, 146:3, 149:18</p> <p>Victories [7] - 70:25, 71:20, 71:24, 72:21, 73:23, 74:8, 74:9</p> <p>victories [3] - 60:23, 73:7, 74:20</p> <p>victory [1] - 73:4</p> <p>Victory [2] - 73:14, 73:16</p> <p>video [2] - 58:10, 59:16</p> <p>videos [3] - 46:25, 48:20, 59:10</p> <p>view [2] - 38:24, 113:19</p> <p>views [1] - 52:12</p> <p>Viral [1] - 46:15</p> <p>viral [2] - 46:25, 47:2</p> <p>visitors [1] - 49:18</p> <p>visits [2] - 73:25, 74:7</p> <p>visual [2] - 57:20, 110:18</p> <p>visuals [1] - 110:7</p> <p>Vitality [1] - 94:6</p> <p>volume [2] - 145:19, 145:21</p> <p>vote [1] - 59:13</p> <p>votes [2] - 59:11, 59:17</p> <p>voting [1] - 59:15</p> <p>VP [1] - 28:4</p>	<p>weekend [1] - 91:14</p> <p>weekly [1] - 64:15</p> <p>weeks [1] - 23:17</p> <p>weight [1] - 55:8</p> <p>wellness [1] - 108:17</p> <p>West [1] - 77:24</p> <p>whereas [3] - 18:5, 19:13, 51:18</p> <p>WHEREOF [1] - 155:17</p> <p>whole [1] - 149:25</p> <p>wide [1] - 39:15</p> <p>wife [1] - 54:24</p> <p>WILBERT [5] - 2:13, 7:3, 33:7, 84:3, 84:13</p> <p>win [4] - 52:4, 59:18, 60:18, 87:12</p> <p>winery [2] - 91:12, 91:13</p> <p>wire [10] - 39:16, 40:5, 40:10, 40:17, 42:15, 42:18, 42:22, 43:2, 43:6, 65:5</p> <p>Wisconsin [2] - 2:11, 2:12</p> <p>WITNESS [4] - 84:7, 84:11, 151:3, 155:17</p> <p>witness [1] - 3:2</p> <p>woman's [1] - 80:17</p> <p>women [3] - 30:9, 79:17, 79:19</p> <p>women's [2] - 80:17, 80:18</p> <p>Women's [1] - 29:12</p> <p>won [1] - 13:16</p> <p>wood [2] - 42:21, 65:5</p> <p>wooden [7] - 40:5, 40:16, 42:15, 42:18, 42:25, 43:6, 86:9</p> <p>word [2] - 90:12, 142:7</p> <p>words [1] - 39:4</p> <p>world [1] - 29:11</p> <p>World [2] - 68:16, 75:19</p> <p>worth [1] - 38:9</p> <p>Wounded [1] - 86:14</p> <p>wrap [1] - 150:9</p> <p>wrapper [2] - 72:25, 73:2</p> <p>wrappers [6] - 25:18, 60:10, 60:11, 74:3, 74:5, 80:25</p> <p>write [9] - 22:10, 46:22, 52:24, 53:3, 55:2, 76:2, 76:4, 76:23, 90:15</p> <p>writing [2] - 54:3, 92:2</p> <p>written [2] - 54:6</p>	<p>wrote [1] - 82:11 212</p> <p>www.</p> <p>realtimereporting.com [1] - 1:25</p> <hr/> <p style="text-align: center;">X</p> <p>XYZ [1] - 52:25</p> <hr/> <p style="text-align: center;">Y</p> <p>year [33] - 12:5, 14:19, 22:18, 23:19, 27:24, 34:10, 34:21, 38:14, 39:2, 40:19, 42:13, 42:14, 42:16, 45:14, 45:16, 47:18, 54:12, 54:17, 59:20, 59:23, 62:9, 68:4, 74:15, 77:10, 78:5, 85:8, 88:5, 88:20, 91:21, 99:4, 100:17, 105:2, 106:23</p> <p>year's [1] - 38:9</p> <p>years [14] - 5:20, 5:23, 6:12, 7:12, 8:10, 8:24, 36:11, 39:7, 50:5, 55:20, 86:3, 86:12, 91:5, 143:2</p> <p>YORK [1] - 155:3</p> <p>York [14] - 1:19, 1:24, 2:6, 3:13, 27:12, 75:20, 82:19, 83:12, 83:14, 83:15, 83:16, 83:20, 83:21, 155:8</p> <p>yourself [1] - 103:12</p> <p>yup [14] - 11:20, 14:8, 17:11, 32:11, 39:21, 53:23, 66:21, 77:8, 93:12, 95:17, 96:17, 98:25, 105:6, 114:16</p> <hr/> <p style="text-align: center;">Z</p> <p>zero [2] - 50:4, 50:7</p> <p>Zone [1] - 142:4</p>
<p style="text-align: center;">U</p> <p>unaided [4] - 96:15, 97:16, 98:11, 98:13</p> <p>unaware [1] - 11:10</p> <p>under [15] - 14:9, 14:22, 15:2, 20:18, 35:17, 57:18, 80:21, 90:2, 95:24, 96:7, 100:25, 121:12, 142:10, 142:19, 150:16</p> <p>unfortunately [1] - 117:4</p> <p>unique [1] - 60:14</p> <p>unit [6] - 40:5, 40:22, 42:9, 81:11, 92:21</p> <p>UNITED [1] - 1:2</p> <p>United [1] - 149:25</p> <p>units [18] - 40:14, 40:15, 40:17, 40:21, 40:25, 41:5, 41:8, 42:5, 42:7, 42:16, 42:17, 42:18, 43:2, 43:9, 65:3, 65:4, 86:9, 118:21</p> <p>university [1] - 6:20</p> <p>unknown [1] - 41:3</p> <p>unpaid [1] - 75:17</p> <p>Up [1] - 62:14</p>	<p style="text-align: center;">V</p> <p>Vacation [1] - 71:12</p> <p>vacation [1] - 71:14</p> <p>Valassis [3] - 67:15, 119:3, 119:8</p> <p>validate [1] - 54:19</p> <p>Valley [1] - 28:9</p> <p>value [3] - 17:5, 68:18, 102:24</p> <p>Value [1] - 95:21</p> <p>valued [1] - 96:4</p> <p>values [3] - 16:8, 70:19, 107:24</p> <p>varies [2] - 59:23, 78:5</p> <p>varieties [1] - 118:16</p> <p>variety [3] - 88:14, 90:21, 95:9</p> <p>various [1] - 33:4</p> <p>vary [1] - 70:4</p> <p>vein [1] - 18:10</p> <p>version [1] - 67:17</p> <p>versions [2] - 118:8, 119:17</p>	<p style="text-align: center;">W</p> <p>waiting [1] - 149:7</p> <p>walk [7] - 13:18, 25:3, 28:13, 34:16, 84:7, 84:9, 107:18</p> <p>walked [1] - 13:4</p> <p>walks [1] - 18:25</p> <p>warriors [1] - 86:14</p> <p>water [1] - 91:4</p> <p>ways [6] - 27:14, 64:18, 67:21, 67:23, 79:23, 90:19</p> <p>website [20] - 45:12, 45:14, 45:19, 45:21, 46:2, 46:4, 46:11, 46:12, 46:19, 50:12, 62:12, 67:12, 71:3, 71:6, 73:5, 85:16, 86:19, 89:13, 89:21, 111:8</p> <p>website/social [1] - 62:8</p> <p>week [4] - 24:23, 24:24, 43:17, 83:19</p>		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

I, DEBORAH ROZEA, a Notary Public within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the proceedings taken on April 30, 2014.

I further certify that I am not related to any of the parties to this action by blood or marriage; and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of May, 2014.

Deborah Rozea

DEBORAH ROZEA

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

In re Application Serial Nos. 77/864,206 and 77/864,268
Published for Opposition on April 20, 2010 and August 10, 2010
Trademark: SMART BALANCE

<p>BALANCE BAR COMPANY,</p> <p style="text-align: center;">v.</p> <p>GFA BRANDS, INC.,</p> <p style="text-align: center;">Applicant.</p>	<p>:</p>	<p>Opposer,</p> <p>Opposition Nos. 91196954/91197748</p>
--	---	--

ERRATA SHEET TO TRIAL TESTIMONY TRANSCRIPT OF ERIN LIFESO

PAGE	LINE	CORRECTION	REASON
27	20	From “swank” to “swag”	Transcription Error
45	4	From “us. Their reaches” to “us their reach is”	Transcription Error
67	14	From “aggravate” to “aggregate”	Transcription Error
99	9	From “proud” to “brand”	Transcription Error
131	15	From “ABC” to “ACV”	Transcription Error
141	16	From “priority” to “competing”	Transcription Error
147	19	From “indefinable” to “discerning”	Transcription Error

....We put more in our bars
so you can get more out of life.

NEW!
BALANCE+

Great taste and more!

Balance+ nutrition bars come in three great tasting flavors plus the added benefits of herbal ingredients and antioxidants. Balance+ bars contain no artificial ingredients and deliver the popular 40-30-30 ratio of macronutrients in only 200 calories.

Yogurt Berry plus Ginkgo Biloba
Ginkgo biloba is an herb well documented in China's first great herbal handbook. This convenient, great tasting nutrition bar is made with the same high standards that you've come to expect from the people at Balance Bar.

Honey Peanut plus Siberian Ginseng
We've combined the rich tastes and textures of chocolate, peanut butter and honey with Siberian Ginseng, an herb widely prized by ancient Chinese herbalists.

Chocolate Banana plus Antioxidants
Not only is this great tasting nutrition bar made with no artificial ingredients (like all of our Balance Bars), it is also high in antioxidant vitamins C and E (200% of the RDI). Do your body and taste buds a favor, try Balance+ Chocolate Banana plus Antioxidants.

**Get some Balance
in your life.™**



© 2000 Balance Bar Company. Call us for more information at 800-670-4246. Email: health@balancebar.com

510-0149-99

PENGAD 800-631-6889
EXHIBIT
Opposer
2/4/30/14
1196954

BB0000038

Does Balance Outdoor™ outperform PowerBar®? More or less.

50% More Protein*
40% Less Sugar*
100% Money Back Guarantee

Product	Protein	Sugars	Refined Sugars
Balance Outdoor Crunchy Peanut	15g	12g	No
PowerBar Performance Peanut Butter	10g	20g	Yes

Introducing new Balance Outdoor, the all natural energy bar from Balance Bar. Unlike most energy bars, Balance Outdoor offers 40-30-30 nutrition, is sweetened without refined sugars, and contains wholesome nut butters, flaxseeds and agave nectar. And because Balance Outdoor is uncoated, it won't melt wherever you take it, whatever the conditions. Enjoy four delicious flavors—Crunchy Peanut, Chocolate Crisp, Honey Almond and Nut Berry.

Money Back Guarantee. If you don't agree that Balance Outdoor is superior to PowerBar Performance, simply mail the original UPC from your purchased Balance Outdoor wrapper along with your name and address to: Money Back Guarantee, Balance Bar Co., Carpinteria, CA 93013. We'll refund you the cost of the bar (a \$1.50 value*).

*Comparison of Balance Outdoor Crunchy Peanut vs. PowerBar Performance Peanut Butter. *One refund per household. PowerBar Performance is a registered trademark of PowerBar, Inc.



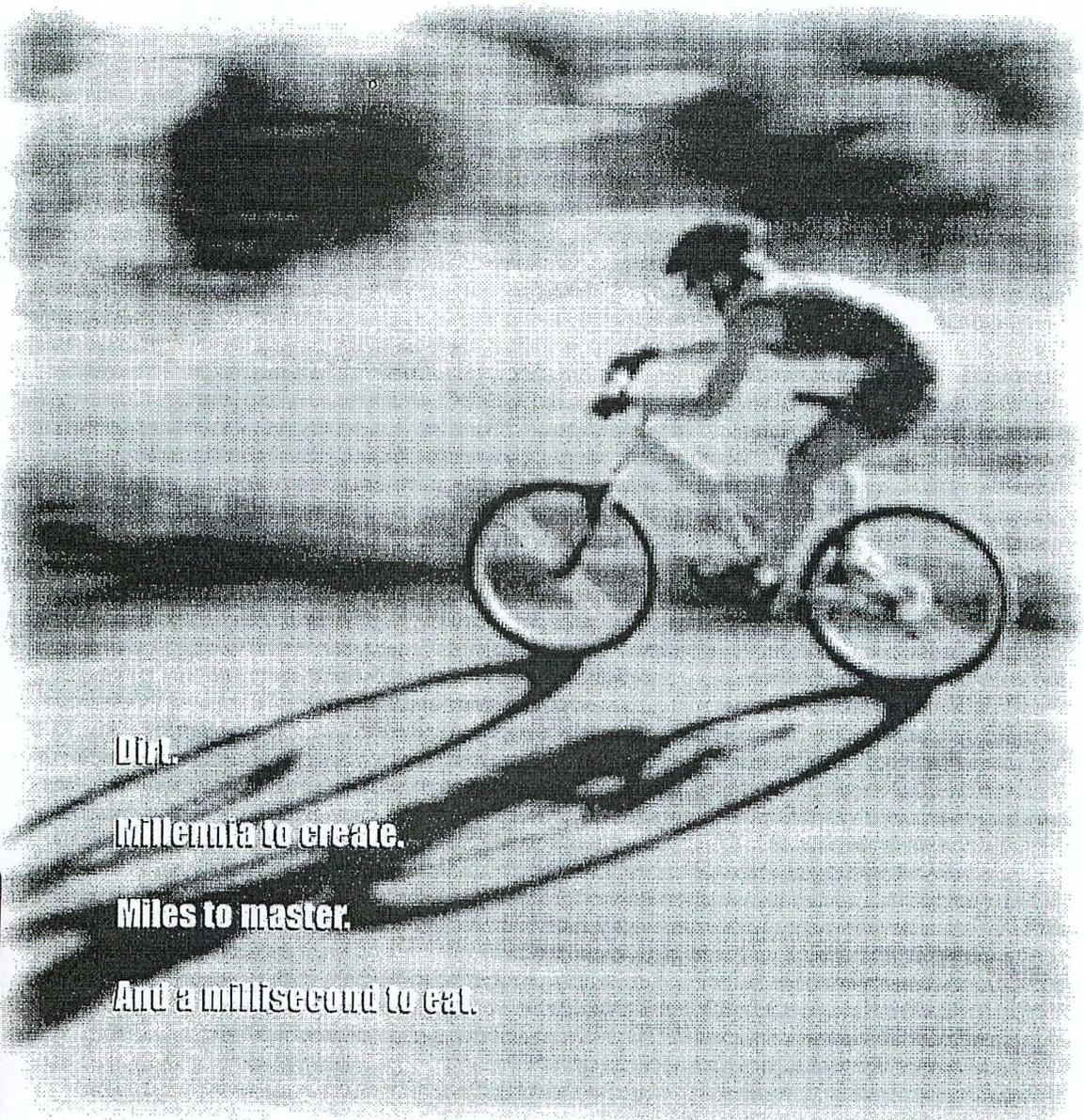
Never be out of Balance.™

Balance.com (800) 678-4246
©1999 Balance Bar Company.

510-0133-99

EXHIBIT
OPPOSER
3 4/30/04
91196954

BB0000039



Lit.
 Millennia to create.
 Miles to master.
 And a millisecond to eat.

EXHIBIT
 Opposer
 4/30/14
 01196954
 PENDING 800-631-6988

Get a grip with Balance Outdoor.[®] Four great-tasting, all-natural flavors sweetened without refined sugars. Packed with 15 grams of protein, flax seeds and agave nectar. Each bar has our 40-30-30 nutrition to help you go the distance with 50% more protein and 40% less sugar than PowerBar Performance. And, best of all, no sticky, melty coatings to mess you up. So, when the heat is on, grab a Balance Outdoor Bar. Because more than just your concentration could fall.

PRODUCT	Protein	Sugars	Refined Sugars
Balance Outdoor Crunchy Peanut	15g	12g	No
PowerBar Performance Peanut Butter	10g	20g	Yes



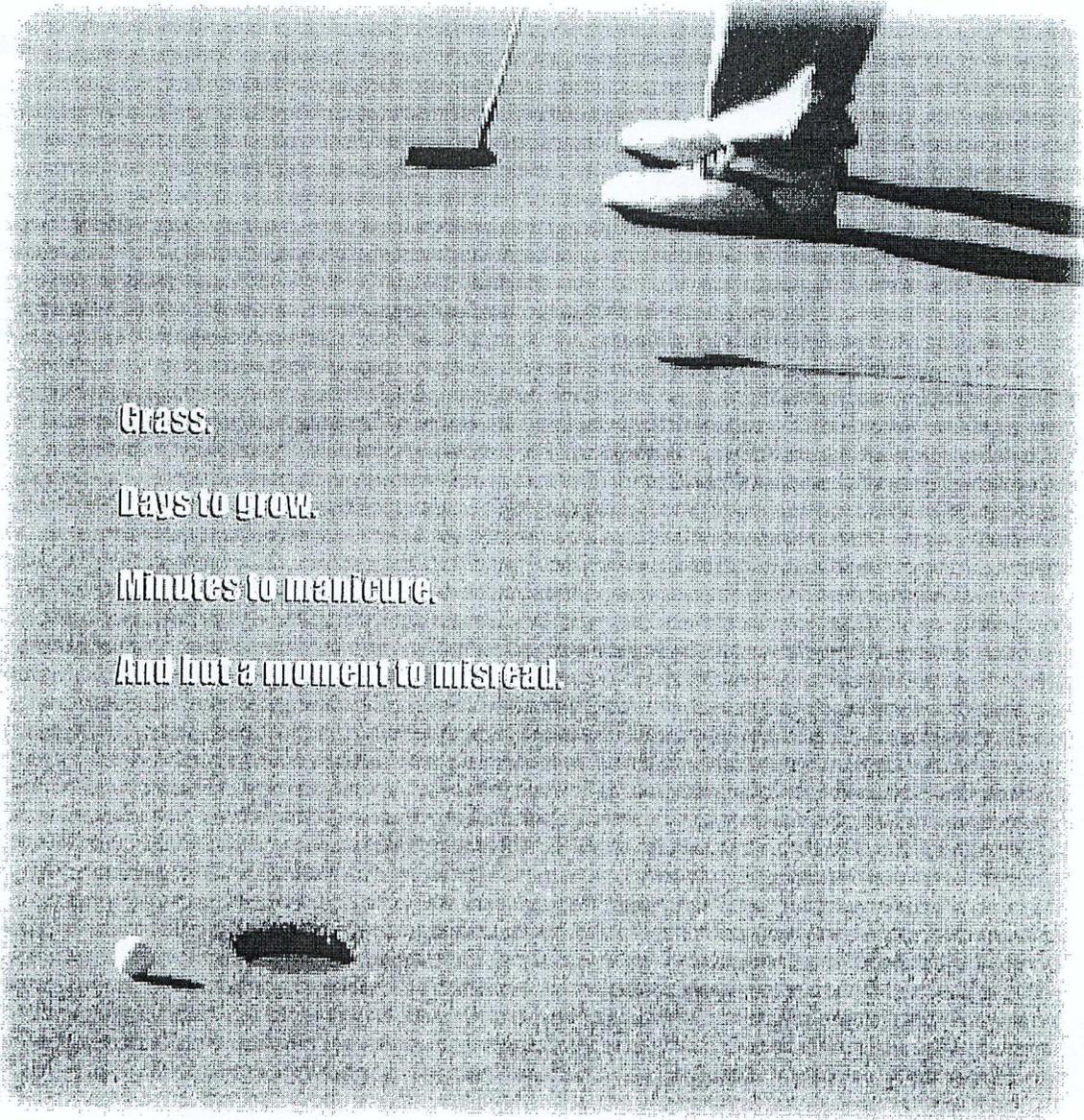
← No melting here.

Never be out of Balance.[™]
 Join Team Balance @ www.balance.com.

In partnership with:
 
For Personalized Fitness Training



PowerBar is a registered trademark of PowerBar, Inc. Balance is a registered trademark of Balance Bar Company. ©2000 Balance Bar Company.



Grass.
 Days to grow.
 Minutes to manufacture.
 And but a moment to misread.

Get a grip with Balance Outdoor.[®] Four great-tasting, all-natural flavors sweetened without refined sugars. Packed with 15 grams of protein, flax seeds and agave nectar. Each bar has our 40-30-30 nutrition to help you go the distance with 50% more protein and 40% less sugar than PowerBar Performance. And, best of all, no sticky, melty coatings to mess you up. So, when the heat is on, grab a Balance Outdoor Bar. Because more than just your concentration could falter.

PRODUCT	Protein	Sugars	Refined Sugars
Balance Outdoor Crunchy Peanut	15g	12g	No
PowerBar Performance Peanut Butter	10g	20g	Yes



← No melting here.

In partnership with:



GetFit.com

From Personalized Fitness Tracking

Never be out of Balance.[™]

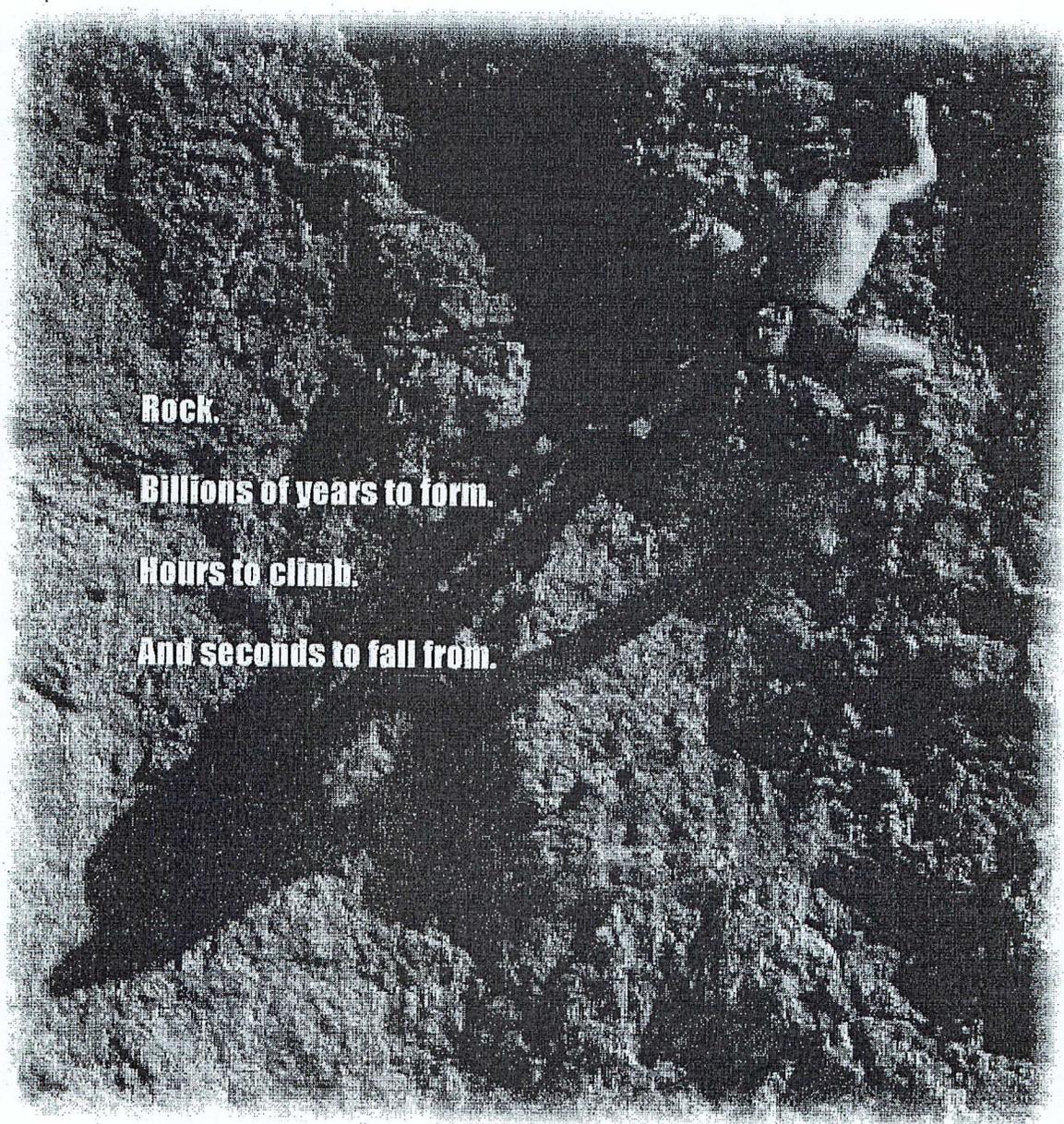
Join Team Balance @ www.balance.com.



PowerBar is a registered trademark of PowerBar, Inc. Balance is a registered trademark of Balance Bar Company. ©2000 Balance Bar Company.

PENGAD 900-681-6888
 EXHIBIT
 Opposer
 5/30/14
 91196954

BB000041



Rock.
Billions of years to form.
Hours to climb.
And seconds to fall from.

Get a grip with Balance® Outdoor™. Four great-tasting, all-natural flavors sweetened without refined sugars. Packed with 15 grams of protein, flax seeds and agave nectar. Each bar has our 40-30-30 nutrition to help you go the distance, with 50% more protein and 40% less sugar than PowerBar® Performance. And, best of all, no sticky, melty coatings to mess you up. So, when the heat is on, grab a Balance Outdoor Bar. Because more than just your concentration could slip.

PRODUCT	Protein	Sugars	Refined Sugars
Balance Outdoor Crunchy Peanut	15g	12g	No
PowerBar Performance Peanut Butter	10g	20g	Yes



← No melting here.

In partnership with:



Free Personalized Fitness Training

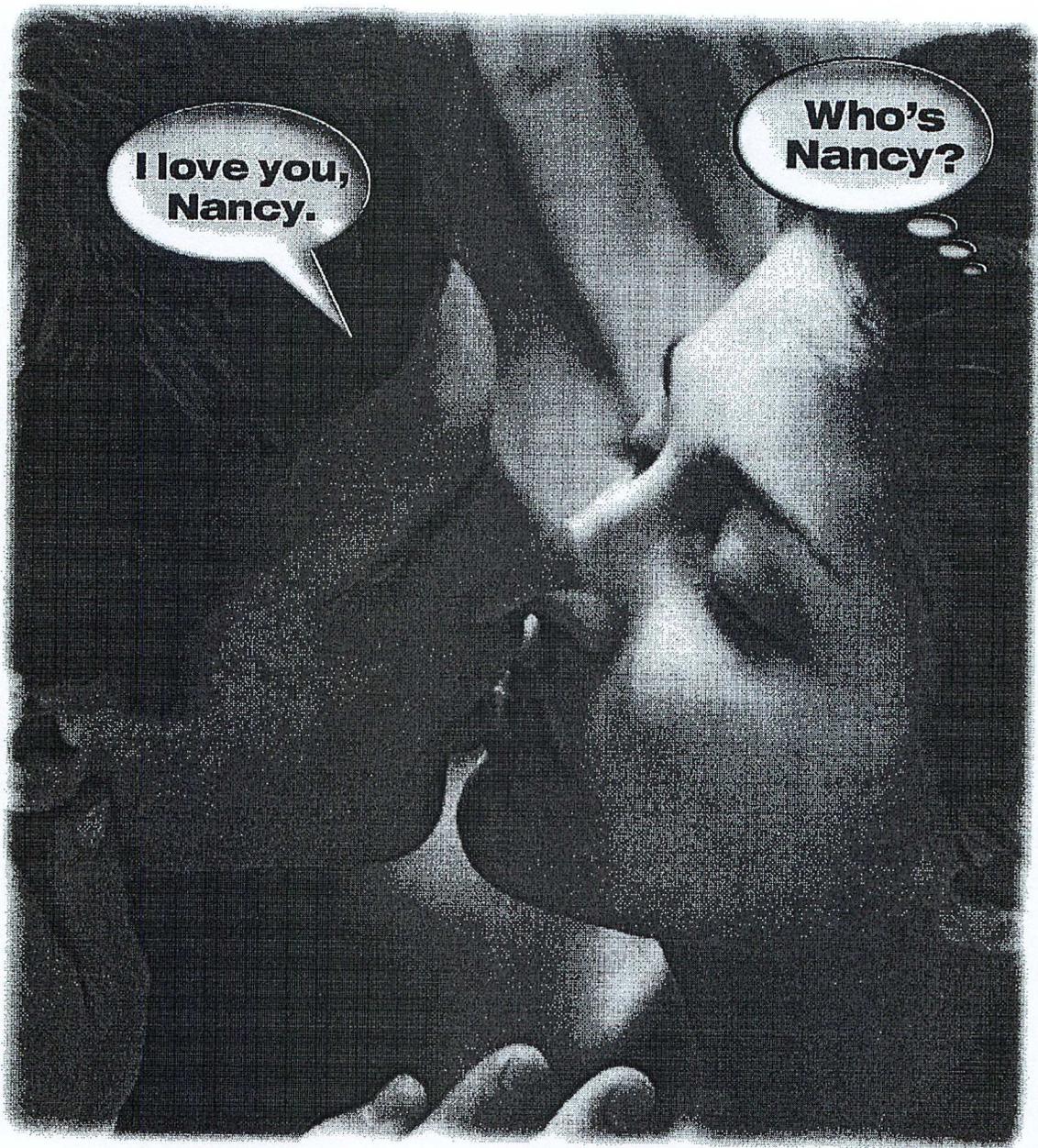
Never be out of Balance.™

Join Team Balance @ www.balance.com.



PowerBar is a registered trademark of PowerBar, Inc. Balance is a registered trademark of Balance Bar Company. ©2010 Balance Bar Company.

EXHIBIT
 Oppose
 6/30/10
 91196954
 PENGAD 600-881-8989



Being hungry can affect your concentration. That's why there's Balance Bar.[®] It's great-tasting, balanced nutrition in the palm of your hand. All ten natural flavors are loaded with protein, vitamins and minerals. Balance+[™] flavors even offer the added benefits of herbs and antioxidants. And each Balance Bar has 40-30-30 nutrition to give you sustained energy and hunger satisfaction. So take a Balance Bar with you, no matter what you're up to.



Never be out of Balance.[™]

PENGAD 800-631-6999
EXHIBIT
opposed
7/4/90/ky
91196954

510-0132-99

BB0000093



© 2000 Balance Bar Company

Being hungry can affect your concentration. That's why there's Balance Bar™. It's great-tasting nutrition in the palm of your hand. All ten natural flavors are loaded with protein, vitamins and minerals. And since each bar supports you with a 40-30-30 nutrition ratio of carbohydrates, protein and dietary fat, it's just what you need to get through a busy day. So take a Balance Bar with you. Because if your concentration slips, you will too.

PENGAD 800-631-6969
EXHIBIT
opposer
8/30/14
91196954



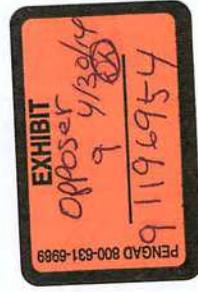
Never be out of Balance.™

balance.com (800) 678-4246

510-0139-99

BB0000094

Balance Bar Historical Print Ads



Note: May not include all advertising campaigns. Dates included are estimates.

IMAGINE HAVING THE ENERGY TO ACTUALLY DO ALL THOSE THINGS RUMORED ABOUT YOU.



BOUNCE
Eat with your head.

Bounce Energy is a registered trademark of Bounce Energy, Inc. © 2001 Bounce Energy, Inc. All rights reserved. Bounce Energy is a registered trademark of Bounce Energy, Inc. All rights reserved. Bounce Energy is a registered trademark of Bounce Energy, Inc. All rights reserved.

THE ENERGY EQUIVALENT OF SNIFFING A NEW CANISTER OF BALLS.



BOUNCE
Eat with your head.

Bounce Energy is a registered trademark of Bounce Energy, Inc. © 2001 Bounce Energy, Inc. All rights reserved. Bounce Energy is a registered trademark of Bounce Energy, Inc. All rights reserved. Bounce Energy is a registered trademark of Bounce Energy, Inc. All rights reserved.

GROCERIES. CLEANERS. POST OFFICE. NOW THAT'S CROSS TRAINING.



BOUNCE
Eat with your head.

ENERGY FOR THE MOST DEMANDING PART OF SKIING: HOT-TUBBING.



BOUNCE
Eat with your head.

Bounce Energy is a registered trademark of Bounce Energy, Inc. © 2001 Bounce Energy, Inc. All rights reserved. Bounce Energy is a registered trademark of Bounce Energy, Inc. All rights reserved. Bounce Energy is a registered trademark of Bounce Energy, Inc. All rights reserved.

THROW YOUR CLUBS TWENTY YARDS FARTHER.



BOUNCE
Eat with your head.

Bounce Energy is a registered trademark of Bounce Energy, Inc. © 2001 Bounce Energy, Inc. All rights reserved. Bounce Energy is a registered trademark of Bounce Energy, Inc. All rights reserved. Bounce Energy is a registered trademark of Bounce Energy, Inc. All rights reserved.

Eat With Your Head Campaign, 2000 - 2001

**Seriously nutritious
meets seriously delicious.**



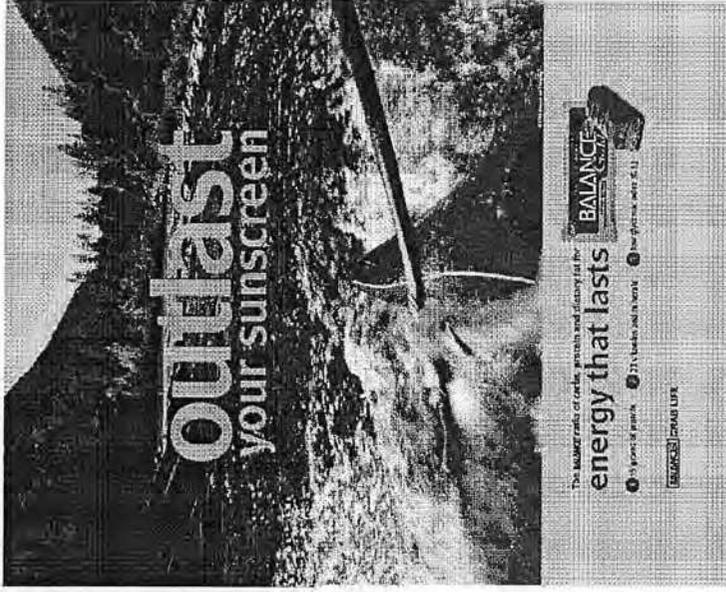
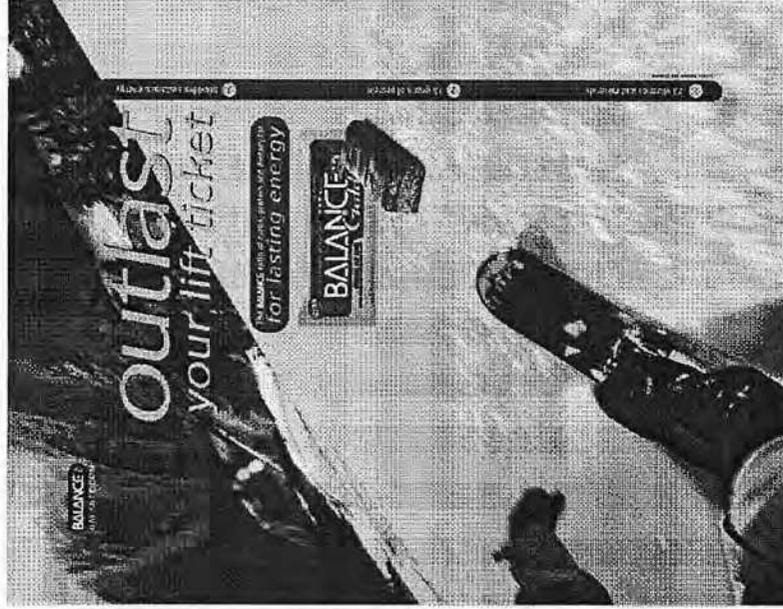
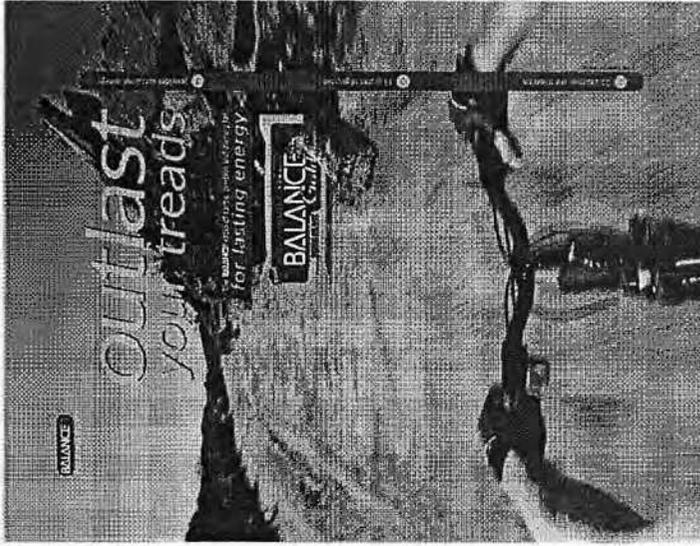
Balance Gold: Now in three flavors.

The BALANCE Gold is a candy, protein and healthy fat for sustained energy.
Chocolate, Peanut Butter, Raspberry, Caramel and Mint.
All with 35% natural sweeteners.

BALANCE

For more information, visit us at BalanceGold.com

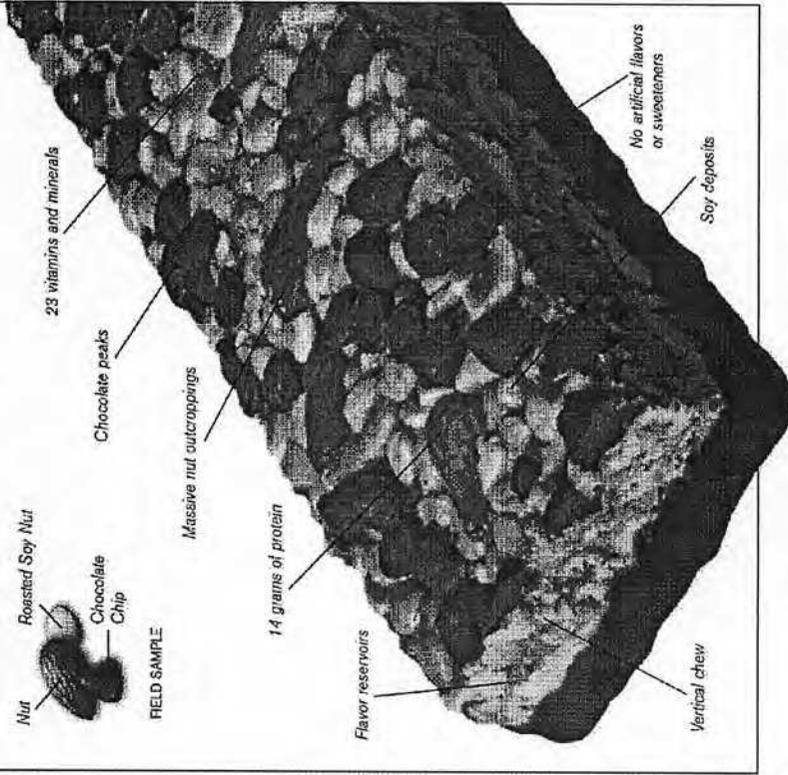
Seriously Nutritious Campaign, Gold Launch



Outlast Campaign, 2003 - 2004

New BALANCE Trail Mix Energy Bars

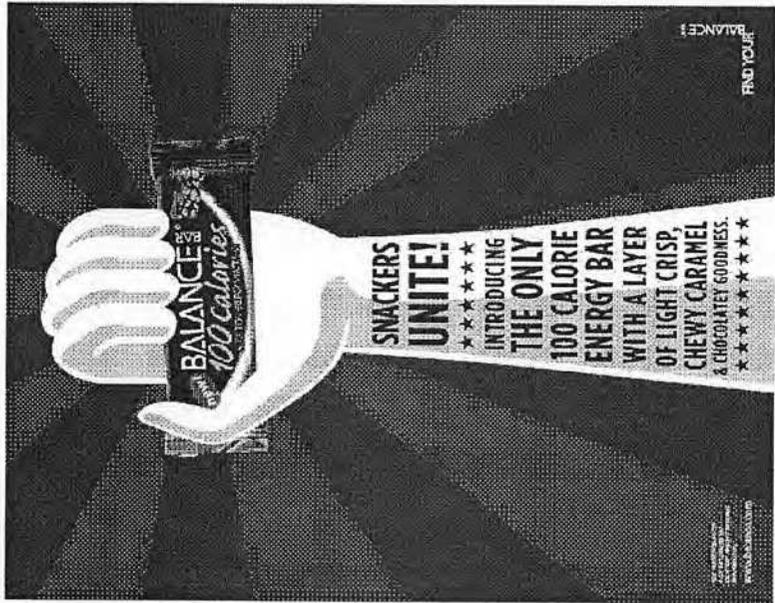
The newest discovery is composed of real nut, nuts or chocolate chips. All three varieties are rich in great taste while providing near-olympic energy.



2005 Trail Mix Campaign



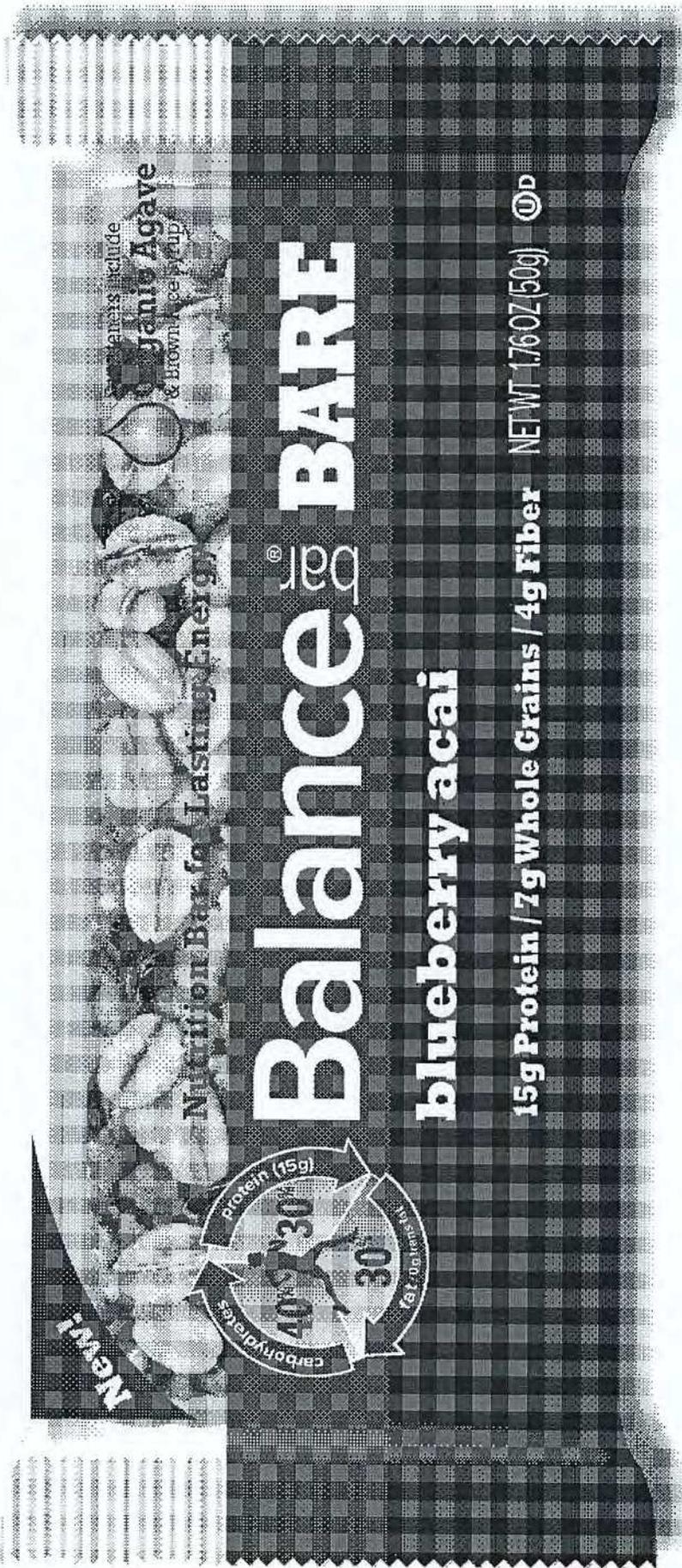
energy that lasts
www.balance.com



2006 100 Calorie Campaign



2007 Bare Campaign



New!

Nutrition Bar for Lasting Energy

Ingredients include
Organic Agave
& Brown Rice Syrup

Balance^{by} BARE

blueberry acai

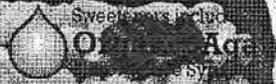
15g Protein / 7g Whole Grains / 4g Fiber NET WT 1.76OZ (50g) ©D



EXHIBIT *DR*
 Opposer 4/30/14
 13
 91196954
 PENGAD 800-831-0989



nutrition Lasting Energy



Balance ^{bar} BARE

SWEET & SALTY **chocolate almond**

15g Protein / 6g Whole Grains / 5g Fiber NET WT 1.76 OZ (50g) ©D

BB0000045



Nutrition Bar for Lasting Energy

Sweeteners include
Organic Agave
& Brown Rice Syrup



Balance^{bar} BARE

SWEET & SALTY **peanut butter**

15g Protein / 6g Whole Grains / 5g Fiber NET WT 1.76 OZ (50g) ©

BB0000046



Nutrition Energy Bar - Café Inspired

Balance[®] bar[®] Cafe

chocolate almond biscotti



- 14g Protein
- 23 Vitamins & Minerals
- Glycemic Index (GI)
- Excellent Source of Antioxidants (Vitamin A, C & E)



6 PACK

Balance[®] bar[®] Cafe

chocolate almond biscotti

5 bars - 1.26 oz (35.5g) each



CAFE

Nutrition Energy Bar - Cafe Inspired

Balance[®] bar

cinnamon bun

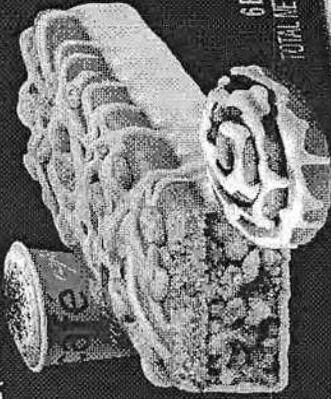


14g Protein

23 Vitamins & Minerals

Glycemic Index (35)

Excellent Source of Antioxidants (vit. A, C & E)



6 PACK

6 BARS - 1.76 OZ (50g)
TOTAL NET WT. 10.56 OZ (300g)

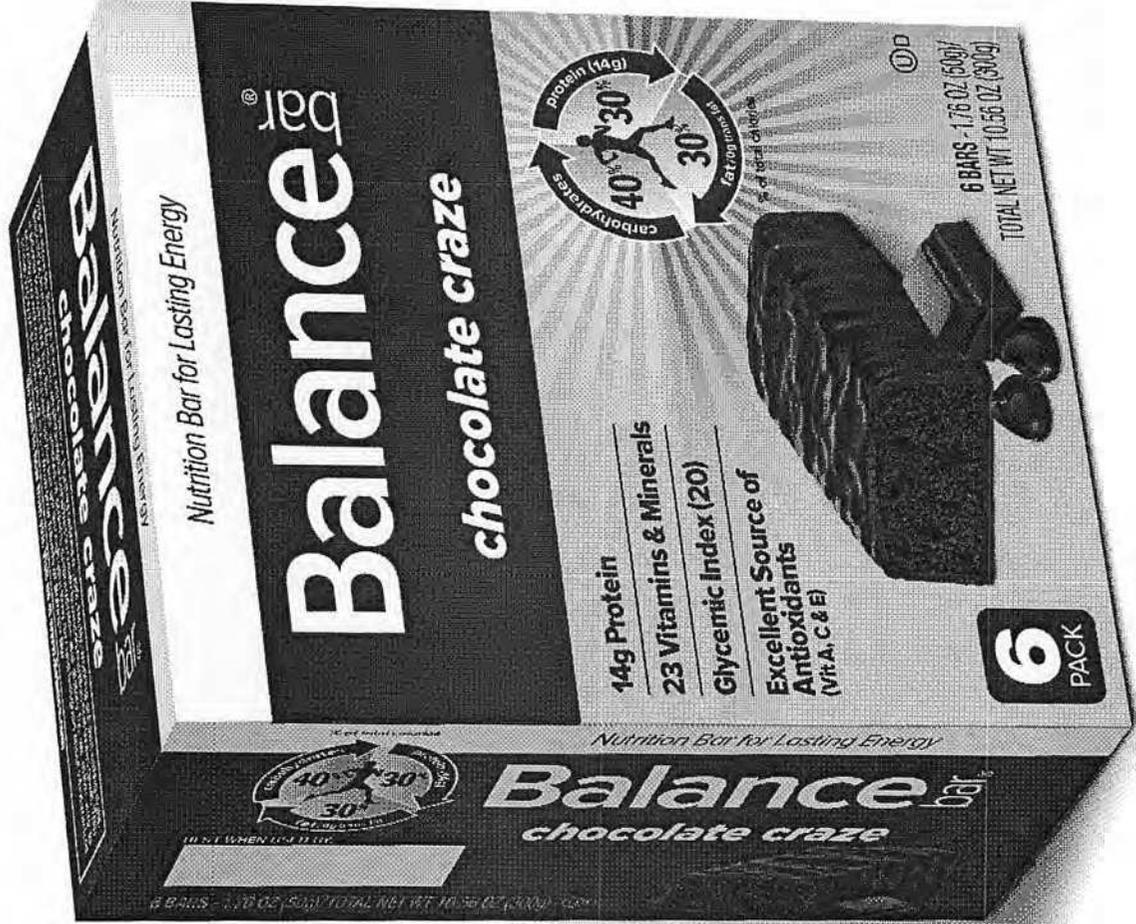


Balance[®] bar

cinnamon bun

6 BARS - 1.76 OZ (50g)
TOTAL NET WT. 10.56 OZ (300g)





Nutrition Bar for Lasting Energy

Balance[®] bar

chocolate craze



- 14g Protein
- 23 Vitamins & Minerals
- Glycemic Index (20)
- Excellent Source of Antioxidants (Vit. A, C & E)



6
PACK

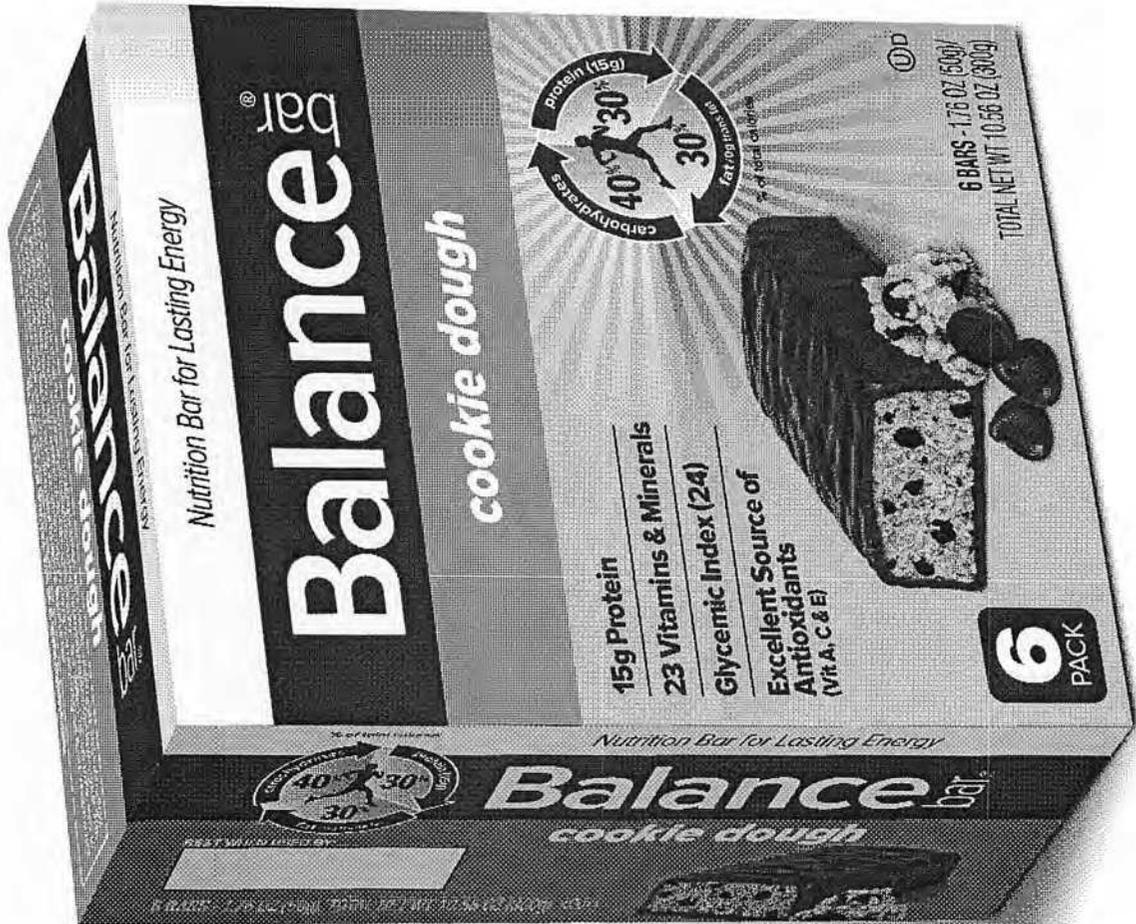
6 BARS - 1.76 OZ (50g)
TOTAL NET WT 10.56 OZ (300g)

Nutrition Bar for Lasting Energy

Balance[®] bar

chocolate craze

6 BARS - 1.76 OZ (50g) TOTAL NET WT 10.56 OZ (300g)



Nutrition Bar for Lasting Energy

Balance[®] bar

cookie dough



- 15g Protein
- 23 Vitamins & Minerals
- Glycemic Index (24)
- Excellent Source of Antioxidants (Vit. A, C & E)

6 PACK

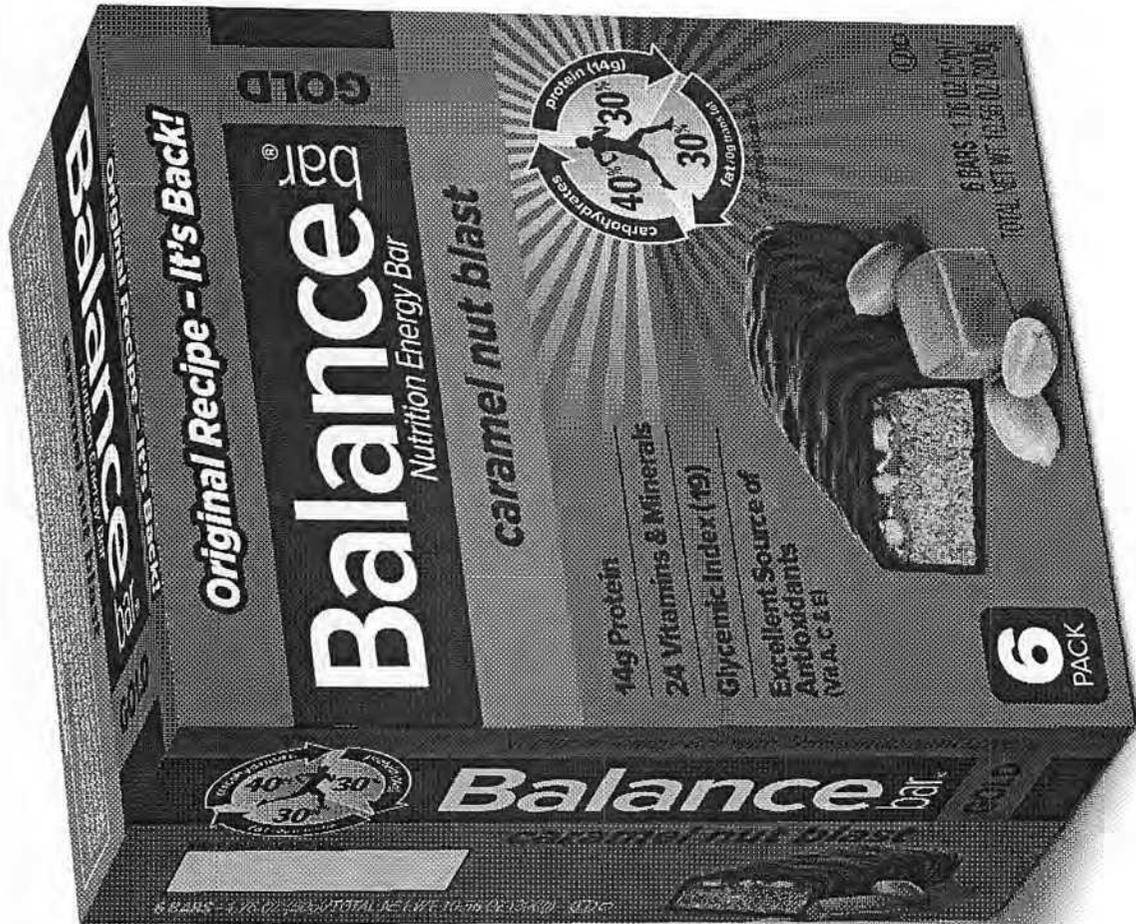
Nutrition Bar for Lasting Energy

Balance[®] bar

cookie dough

6 BARS - 1.76 OZ (50g)
TOTAL NET WT 10.56 OZ (300g)

D



Original Recipe - It's Back!

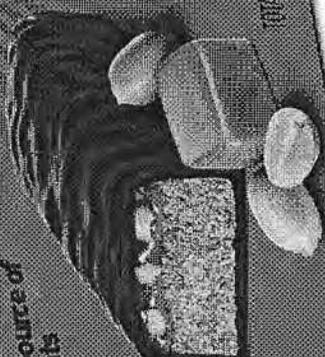
Balance[®] bar

Nutrition Energy Bar

caramel nut blast



- 14g Protein
- 24 Vitamins & Minerals
- Glycemic Index (19)
- Excellent Source of Antioxidants (Vt.A, C, E)



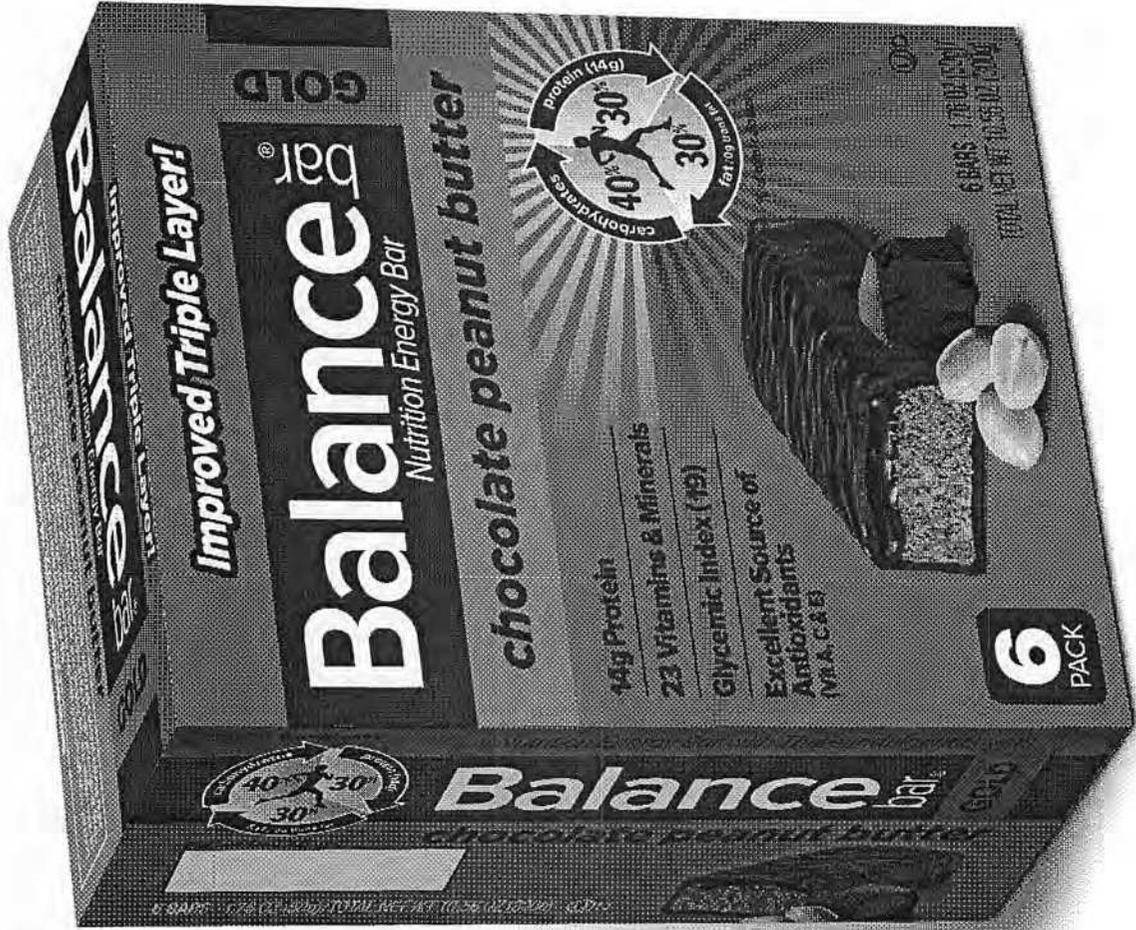
6 PACK

6 BARS - 1.76 OZ (50g) EACH
TOTAL NET WT. 10.56 OZ (300g)

Balance[®] bar

caramel nut blast

6 BARS - 1.76 OZ (50g) EACH - TOTAL NET WT. 10.56 OZ (300g) - 100%



Balance bar
Nutrition Energy Bar
Improved Triple Layer!

Improved Triple Layer!

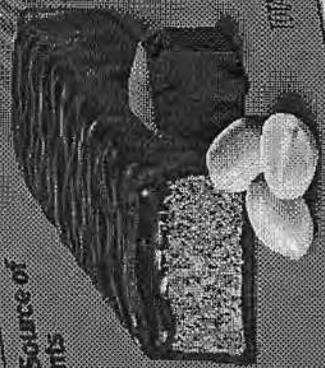
GOLD

Balance bar
Nutrition Energy Bar

chocolate peanut butter



- 14g Protein
- 23 Vitamins & Minerals
- Glycemic Index (19)
- Excellent Source of Antioxidants (Vit. A, C & E)



6 PACK

6 BARS (1.67 OZ/47g)
TOTAL NET WT 10.02 OZ (284g)



Balance bar
Nutrition Energy Bar

chocolate peanut butter

6 BARS (1.67 OZ/47g) TOTAL NET WT 10.02 OZ (284g)



Nutrition Bar for Lasting Energy

Balance[®] bar

double chocolate brownie



- 14g Protein
- 23 Vitamins & Minerals
- Glycemic Index (23)
- Excellent Source of Antioxidants (Vit. A, C & E)



6 PACK

6 BARS - 1.75 OZ (50g)
TOTAL NET WT 10.56 OZ (300g)

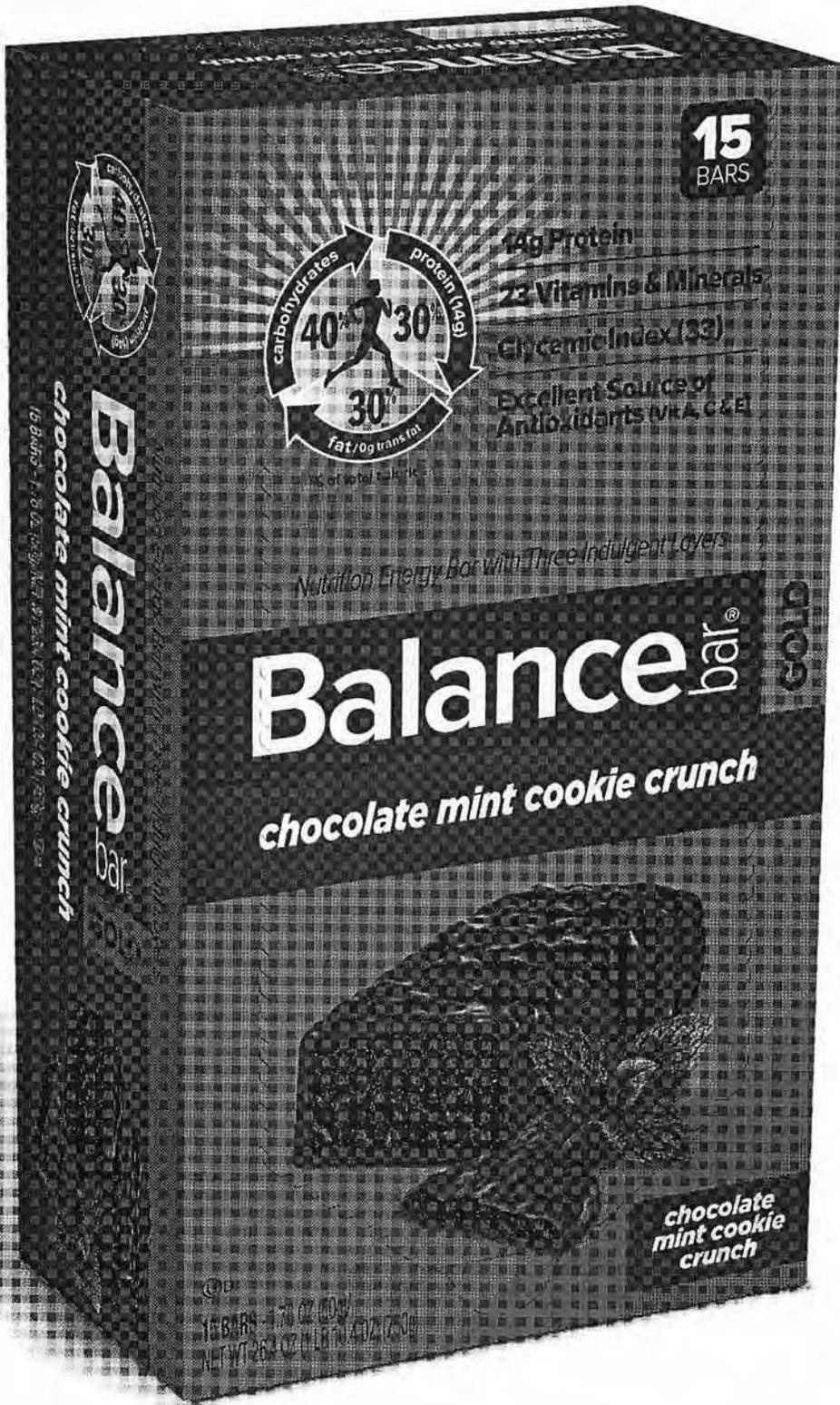
Nutrition Bar for Lasting Energy

Balance[®] bar

double chocolate brownie

6 BARS - 1.75 OZ (50g) TOTAL NET WT 10.56 OZ (300g)

BB0000053



15
BARS



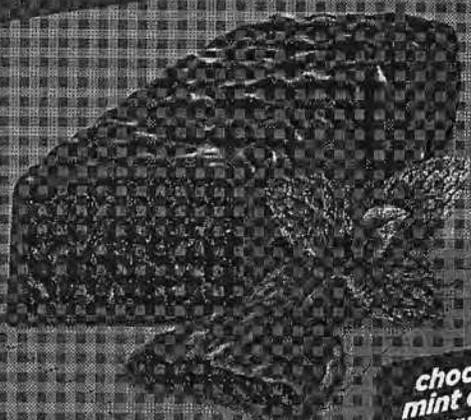
- 14g Protein
- 23 Vitamins & Minerals
- Glycemic Index (33)
- Excellent Source of Antioxidants (VKA, C&E)

Nutrition Energy Bar with Three Indulgent Layers

Balance^{bar}

chocolate mint cookie crunch

COLD

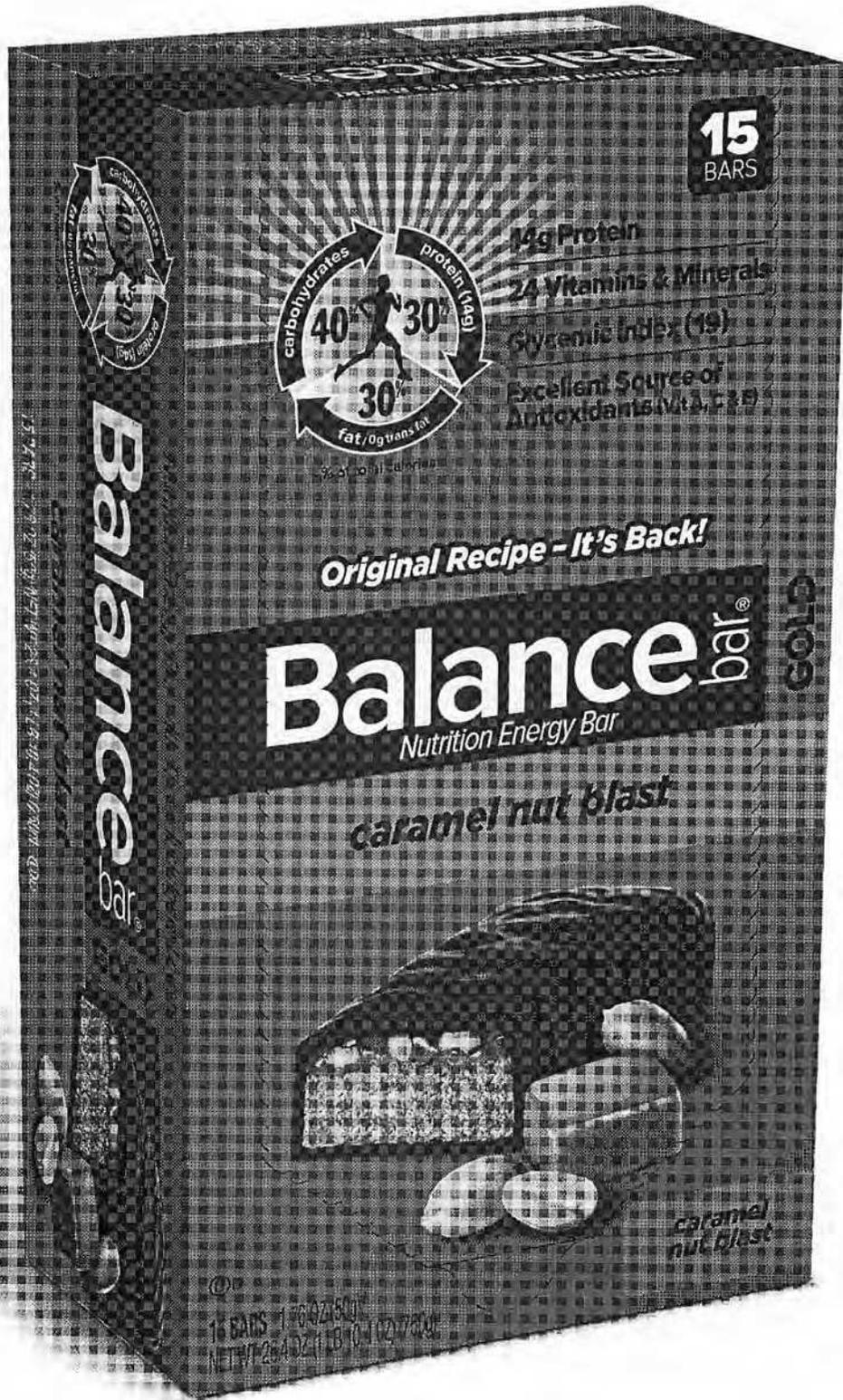


**chocolate
mint cookie
crunch**

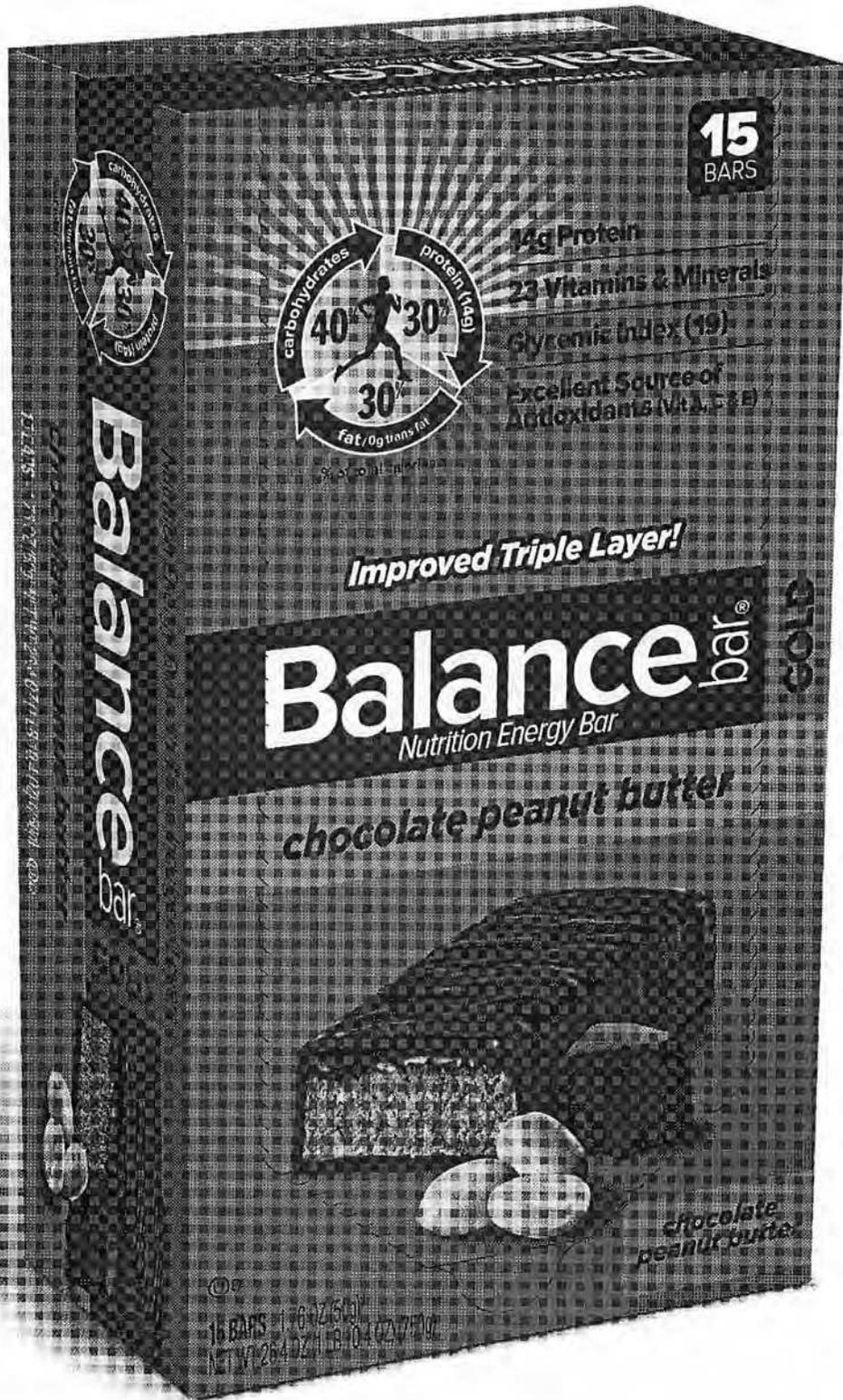
Balance^{bar}
chocolate mint cookie crunch

15 Bars - 1.8 oz (51g) each, 27.0 oz (768g) total

© 2011
15 BARS - 1.8 OZ (51g) EACH
NET WT 27.0 OZ (768g)



BB000055



15
BARS



14g Protein

23 Vitamins & Minerals

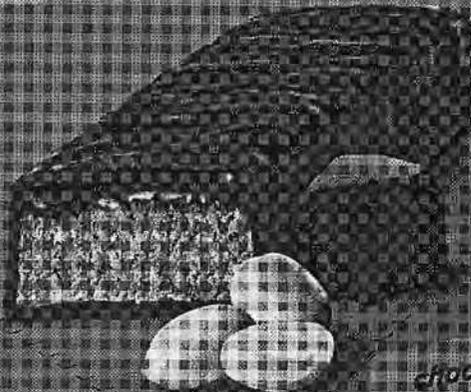
Glycemic Index (19)

Excellent Source of Antioxidants (Vitamin E)

Improved Triple Layer!

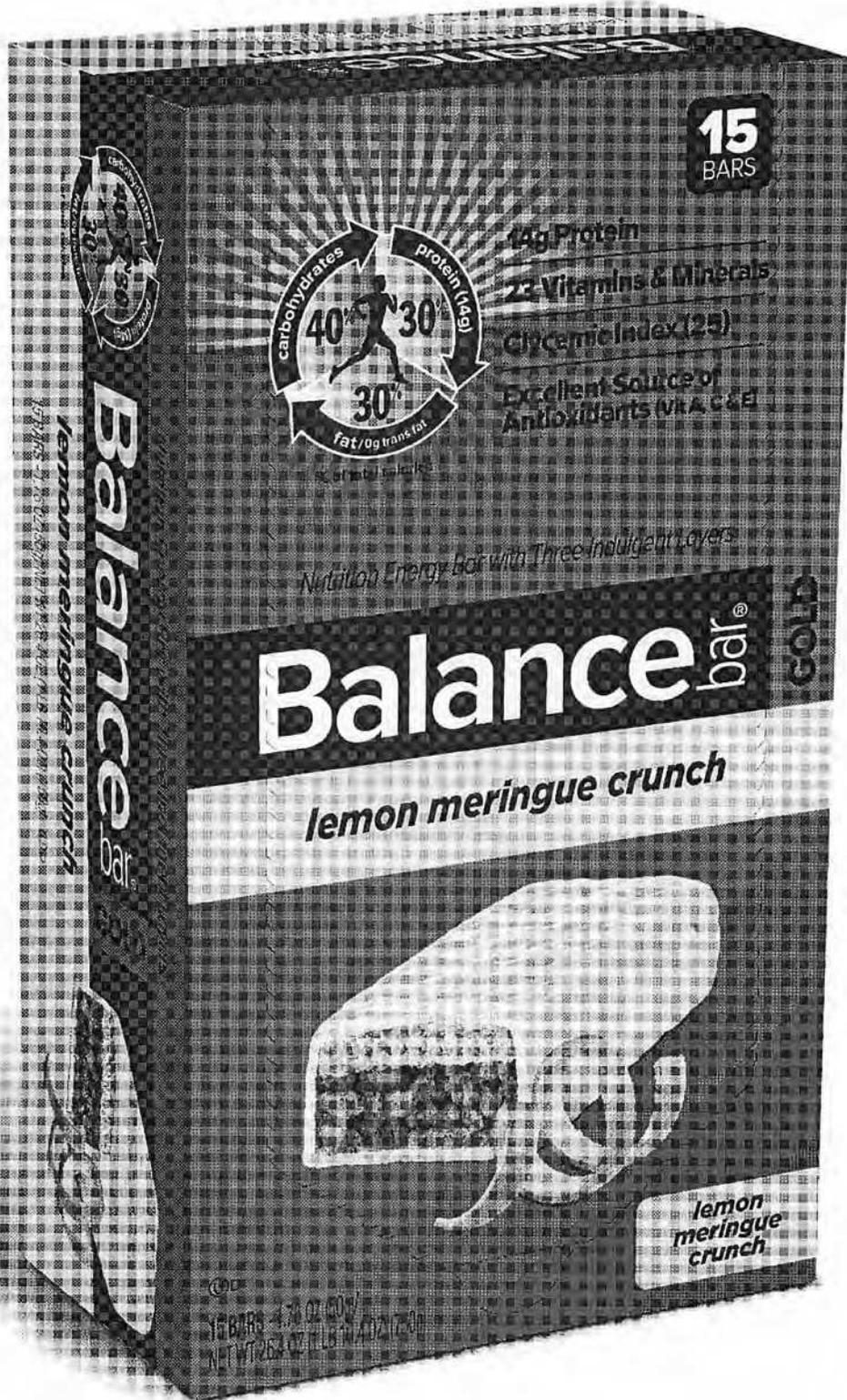
Balance bar[®]
Nutrition Energy Bar

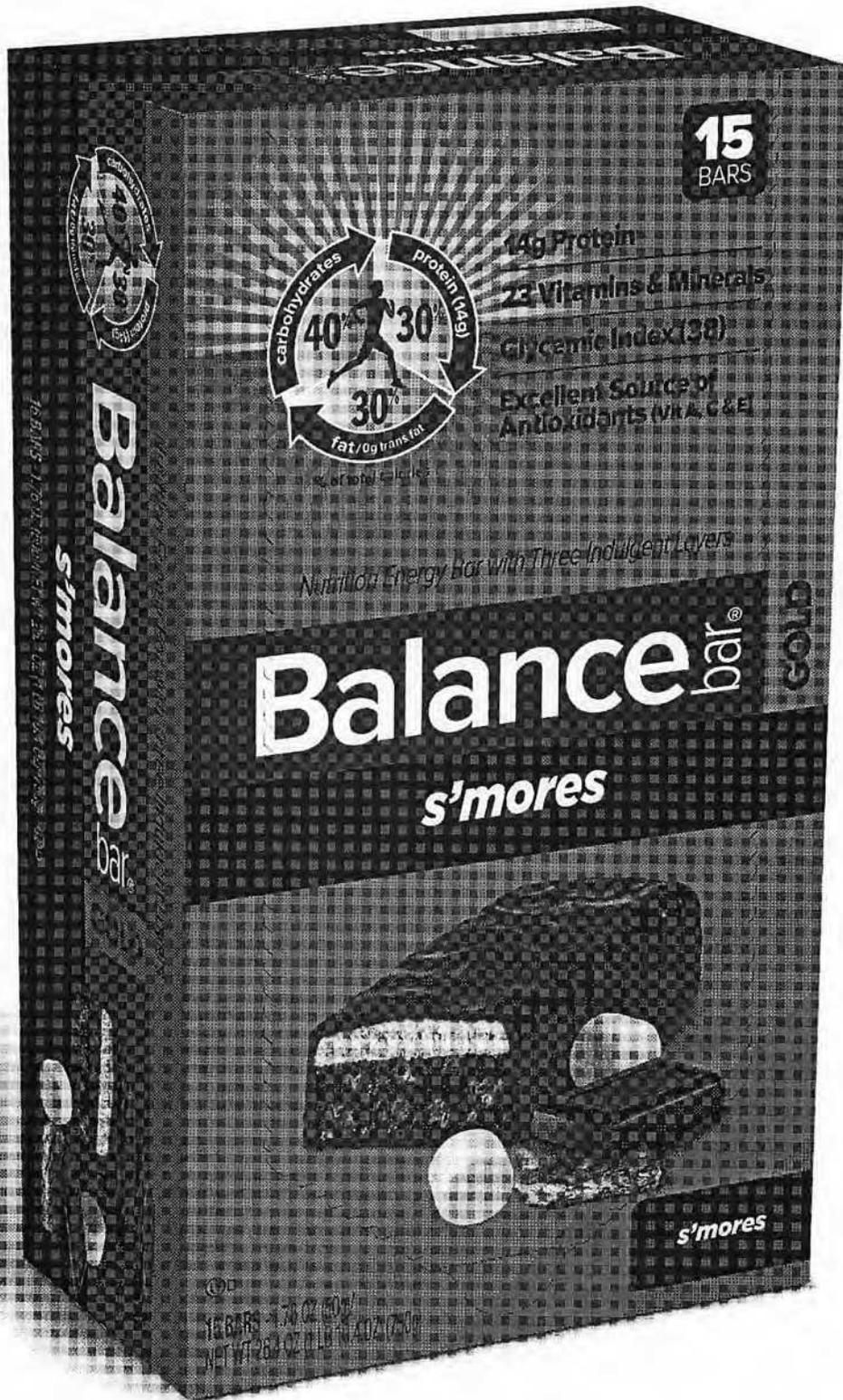
chocolate peanut butter



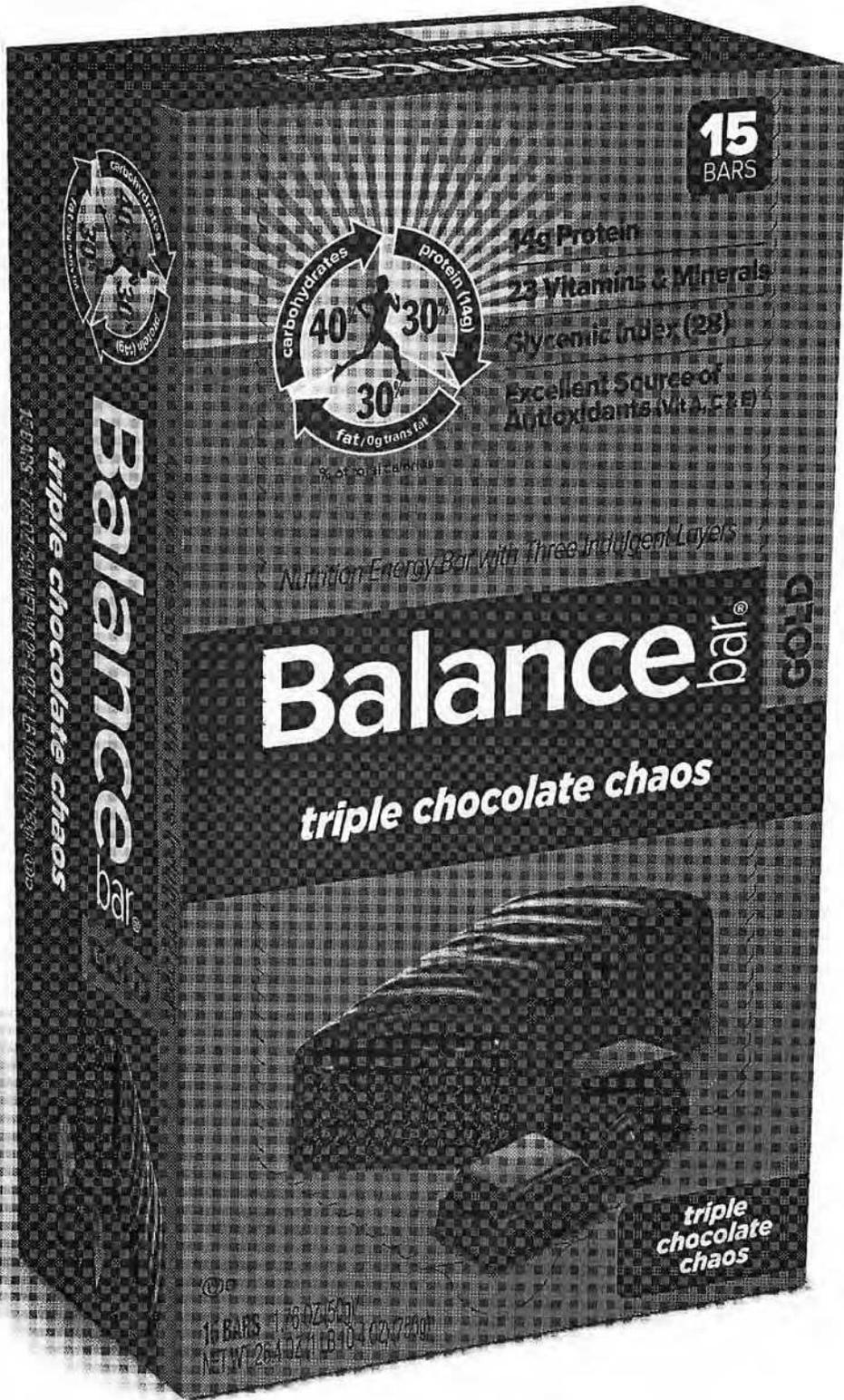
chocolate peanut butter

16 BARS (1.6 x 2.6 x 1.1)
NET WT 264 g (9.3 oz) EB 01022710





BB000058



BB000059



GOLD

Balance[®] bar

lemon meringue crunch

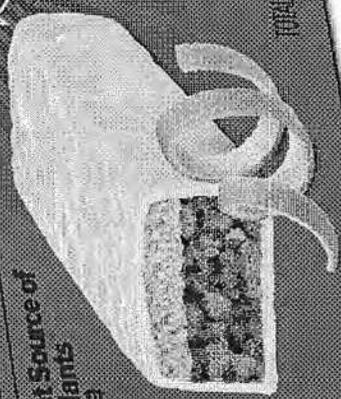


14g Protein

23 Vitamins & Minerals

Glycemic Index (26)

Excellent Source of Antioxidants (Vit. A, C & E)

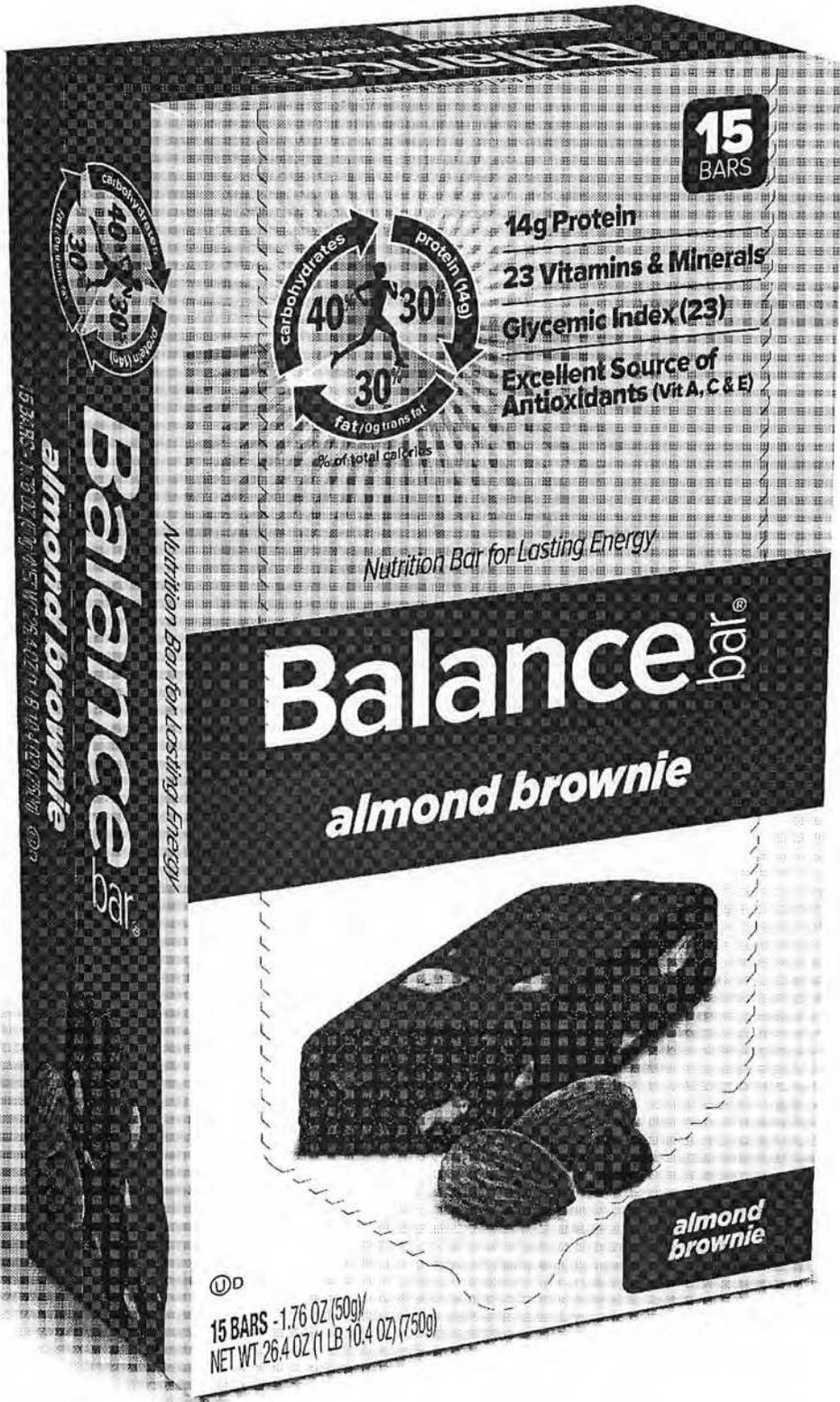


6 PACK

Nutrition Energy Bar with Three Indulgent Layers

6 BARS 1.76 OZ (50g) TOTAL NET WT 10.56 OZ (300g) ©2012

BB0000060



40% carbohydrates
30% protein (14g)
30% fat / 0g trans fat
100% of total calories



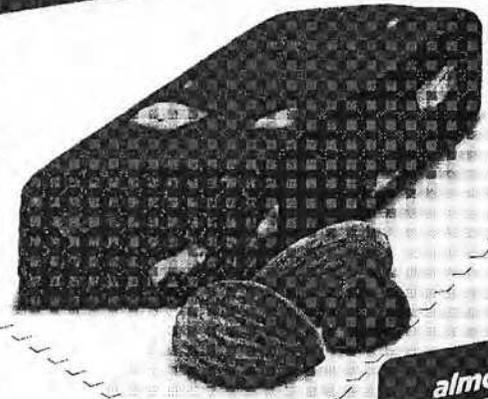
15
BARS

- 14g Protein**
- 23 Vitamins & Minerals**
- Glycemic Index (23)**
- Excellent Source of Antioxidants (Vit A, C & E)**

Nutrition Bar for Lasting Energy

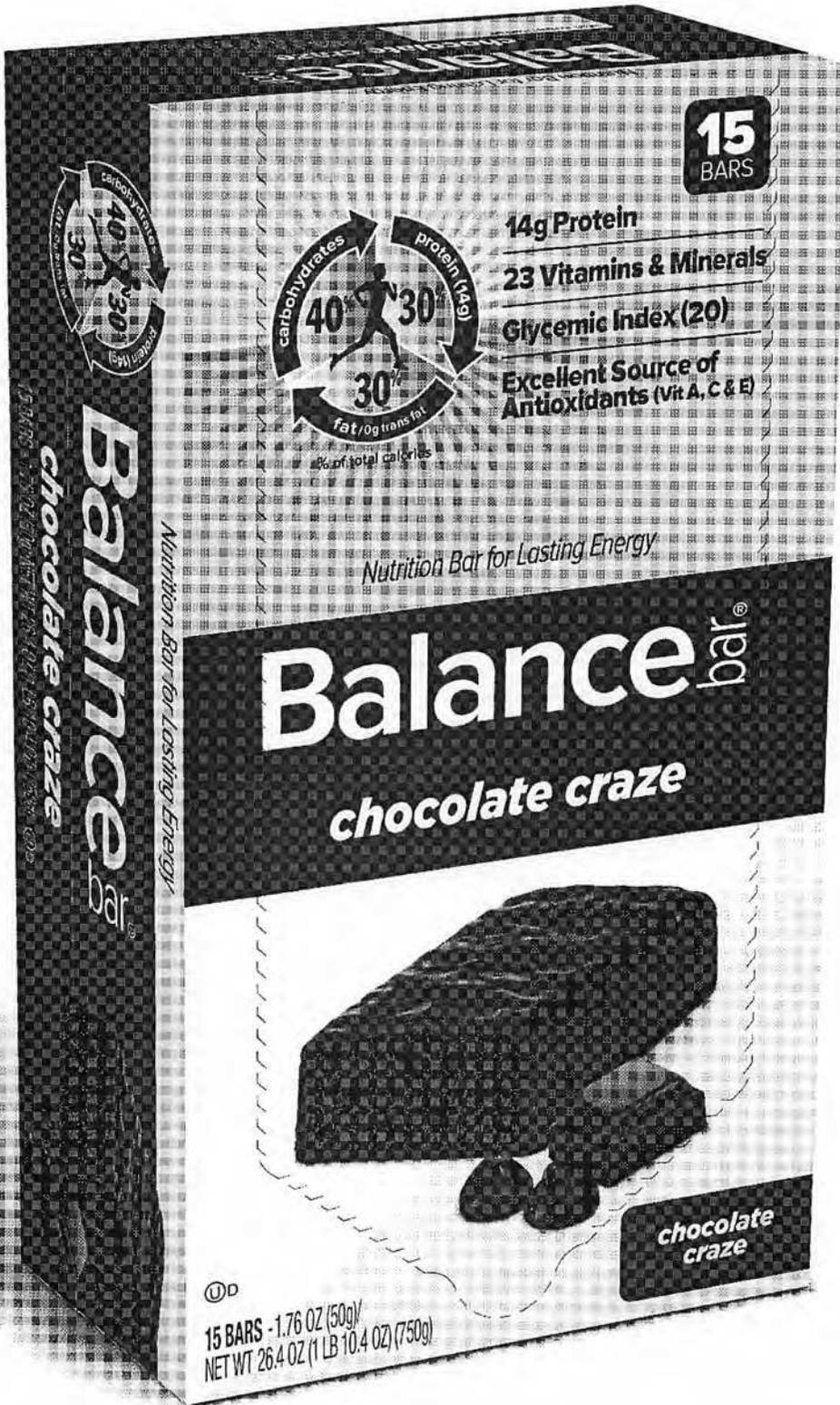
Balance bar®

almond brownie



almond brownie

©D
15 BARS - 1.76 OZ (50g)
NET WT 26.4 OZ (1 LB 10.4 OZ) (750g)



15
BARS

carbohydrates
40%
protein (14g)
30%

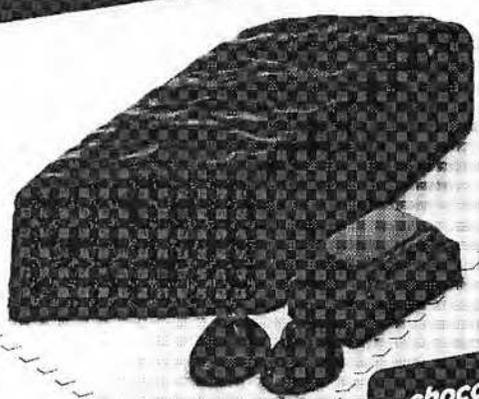
carbohydrates
40%
protein (14g)
30%
fat / 0g trans fat
30%
% of total calories

14g Protein
23 Vitamins & Minerals
Glycemic Index (20)
Excellent Source of Antioxidants (Vit A, C & E)

Nutrition Bar for Lasting Energy

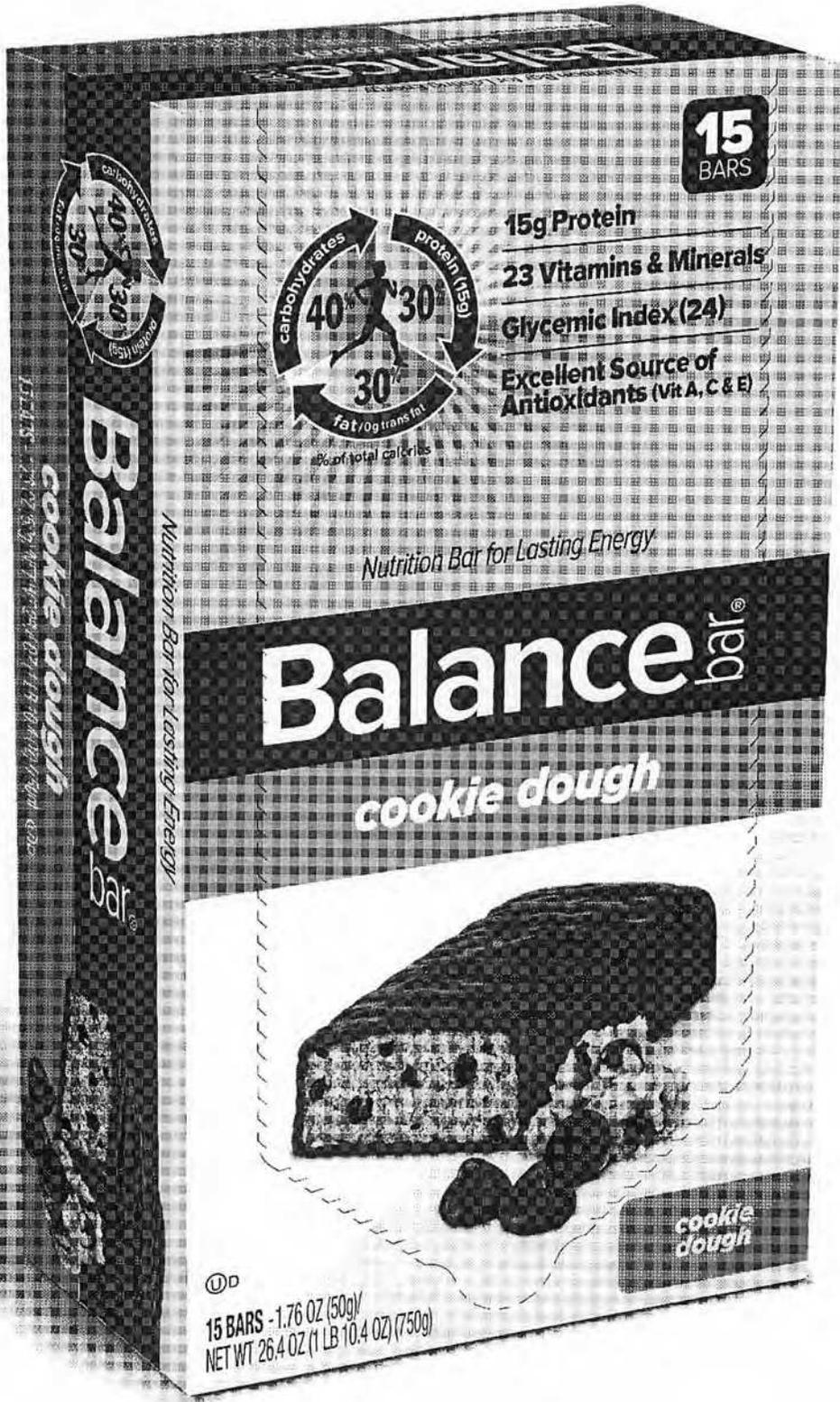
Balance^{bar}[®]

chocolate craze



chocolate craze

©D
15 BARS - 1.76 OZ (50g)
NET WT 26.4 OZ (1 LB 10.4 OZ) (750g)



carbohydrates
40%
protein (15g)
30%

carbohydrates
40%
protein (15g)
30%
fat/0g trans fat
30%
% of total calories

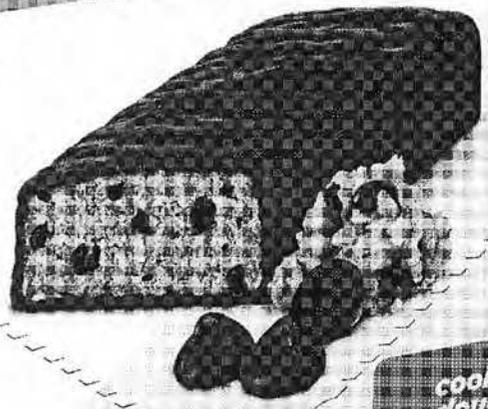
15
BARS

15g Protein
23 Vitamins & Minerals
Glycemic Index (24)
Excellent Source of Antioxidants (Vit A, C & E)

Nutrition Bar for Lasting Energy

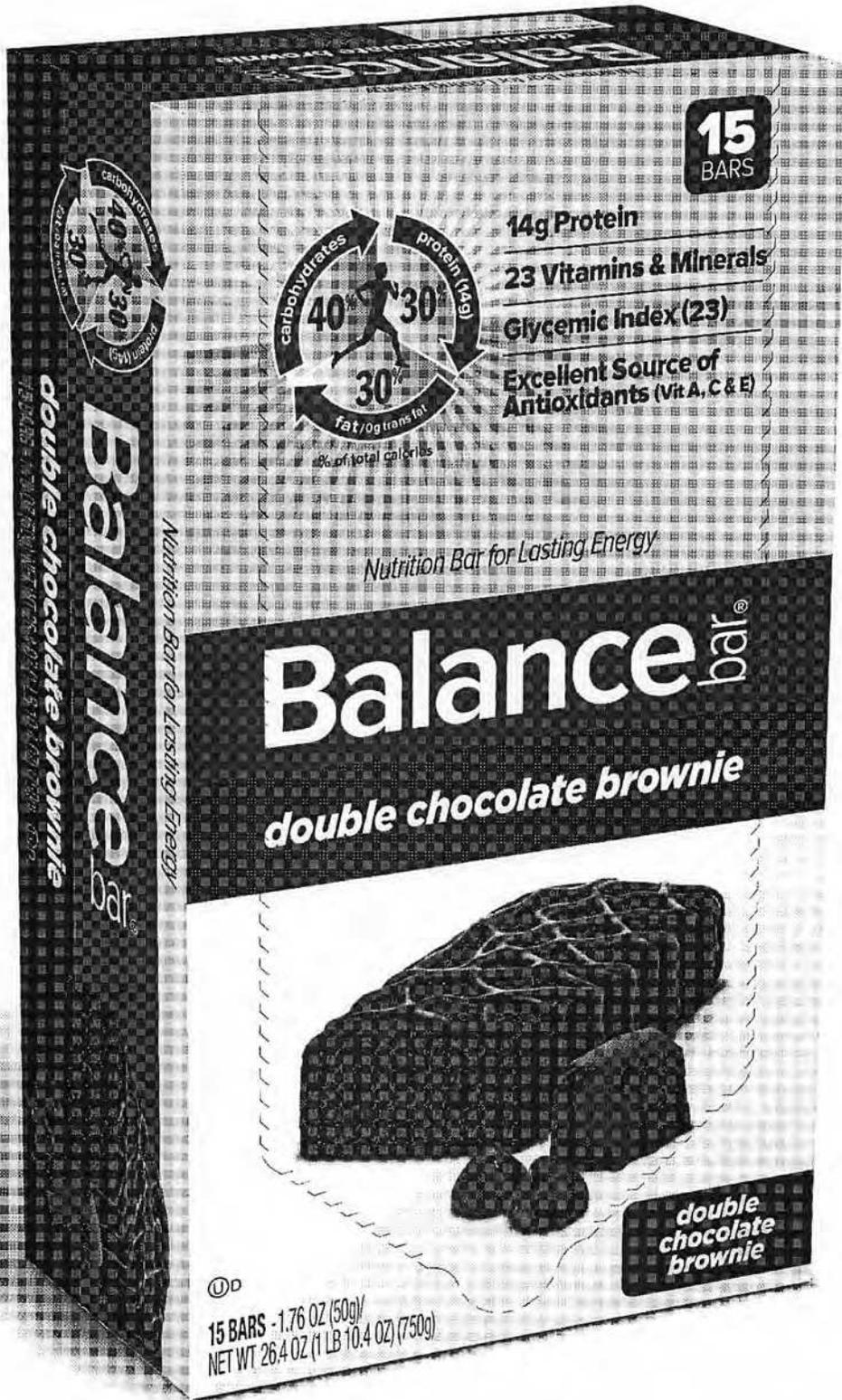
Balance^{bar}

cookie dough



cookie dough

15 BARS - 1.76 OZ (50g)
NET WT 26.4 OZ (1 LB 10.4 OZ) (750g)



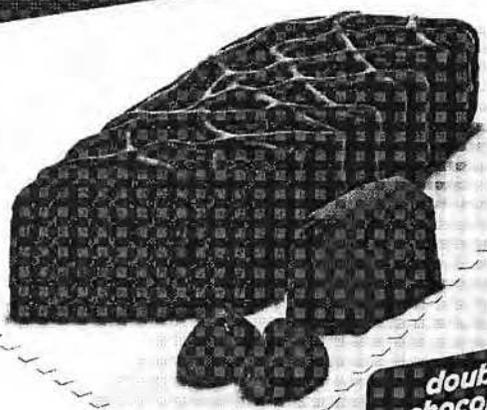
15
BARS

- 14g Protein**
- 23 Vitamins & Minerals**
- Glycemic Index (23)**
- Excellent Source of Antioxidants (Vit. A, C & E)**

Nutrition Bar for Lasting Energy

Balance^{bar}

double chocolate brownie



double chocolate brownie

15 BARS - 1.76 OZ (50g)
NET WT 26.4 OZ (1 LB 10.4 OZ) (750g)

Balance^{bar}
double chocolate brownie

Nutrition Bar for Lasting Energy



15
BARS

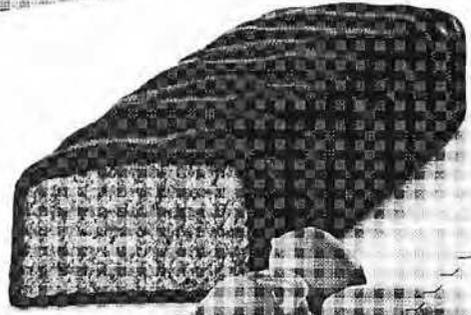


- 15g Protein**
- 23 Vitamins & Minerals**
- Glycemic Index (25)**
- Excellent Source of Antioxidants (Vit A, C & E)**

Nutrition Bar for Lasting Energy

Balance^{bar}

honey peanut



honey peanut

©D
15 BARS - 1.76 OZ (50g)
NET WT 26.4 OZ (1 LB 10.4 OZ) (750g)



40% carbohydrates
30% protein (15g)
30% fat (10g trans fat)
% of total calories

40% carbohydrates
30% protein (15g)
30% fat (10g trans fat)
% of total calories

15
BARS

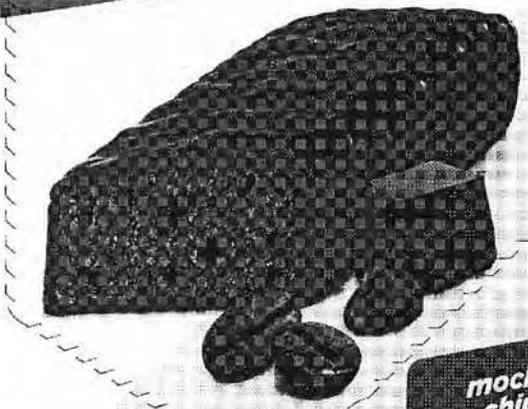
- 15g Protein
- 23 Vitamins & Minerals
- Glycemic Index (20)
- Excellent Source of Antioxidants (Vit. A, C & E)

Original Flavor - It's Back!

Balance^{bar}[®]

Nutrition Energy Bar

mocha chip

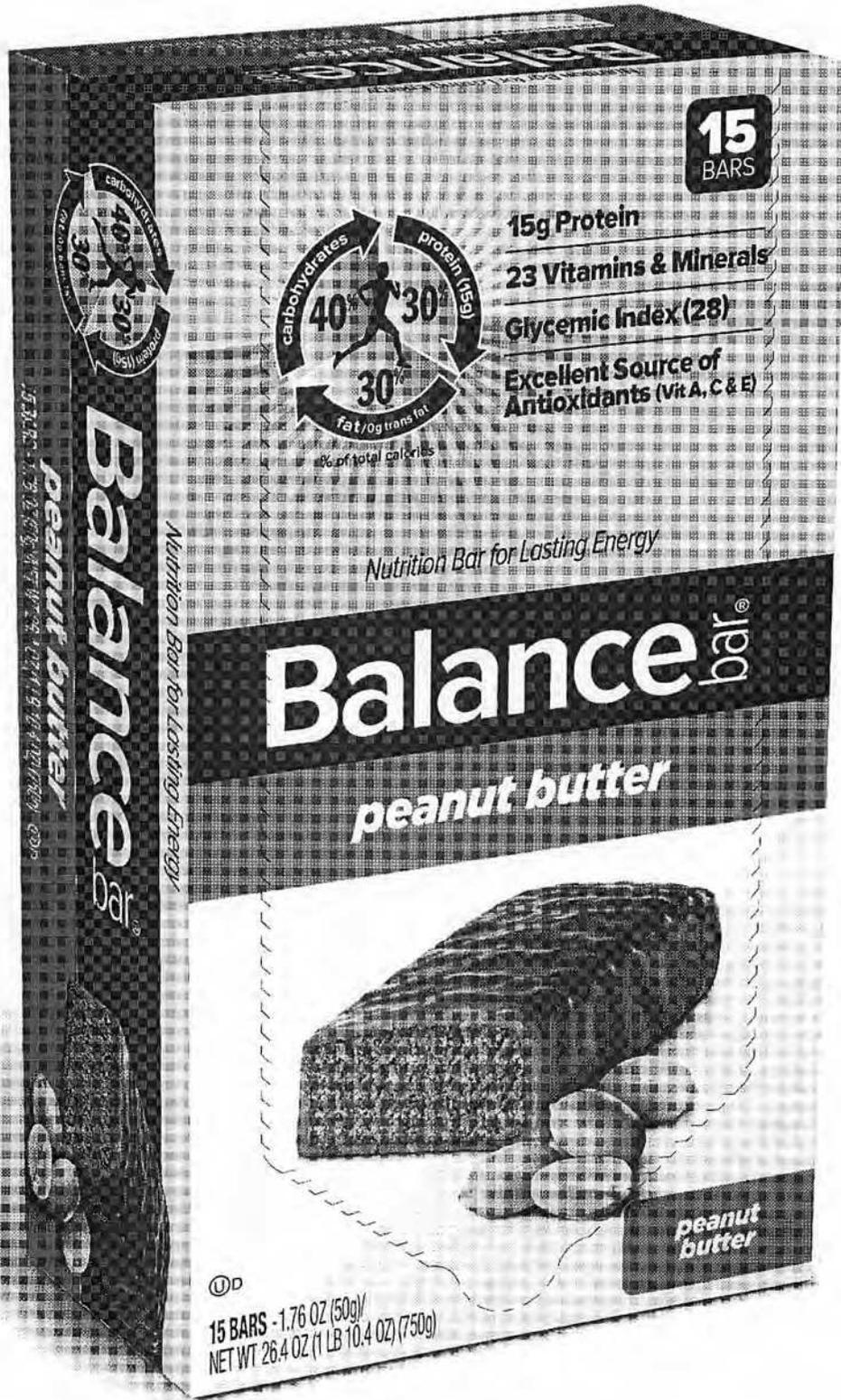


mocha chip

15 BARS - 1.76 OZ (50g)
NET WT 26.4 OZ (1 LB 10.4 OZ) (750g)

Balance^{bar}[®]
mocha chip

Nutrition Bar for Lasting Energy



15
BARS

carbohydrates
40%
protein (15g)
30%
fat (9g trans fat)
30%
% of total calories

15g Protein

23 Vitamins & Minerals

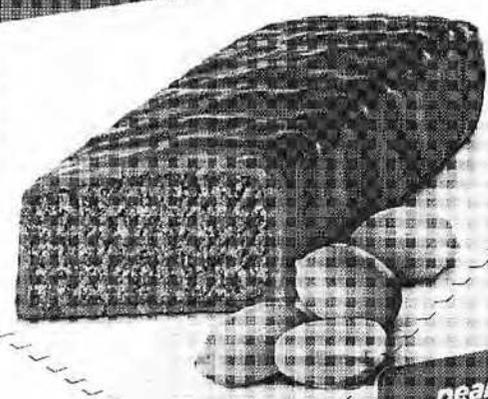
Glycemic Index (28)

Excellent Source of Antioxidants (Vit A, C & E)

Nutrition Bar for Lasting Energy

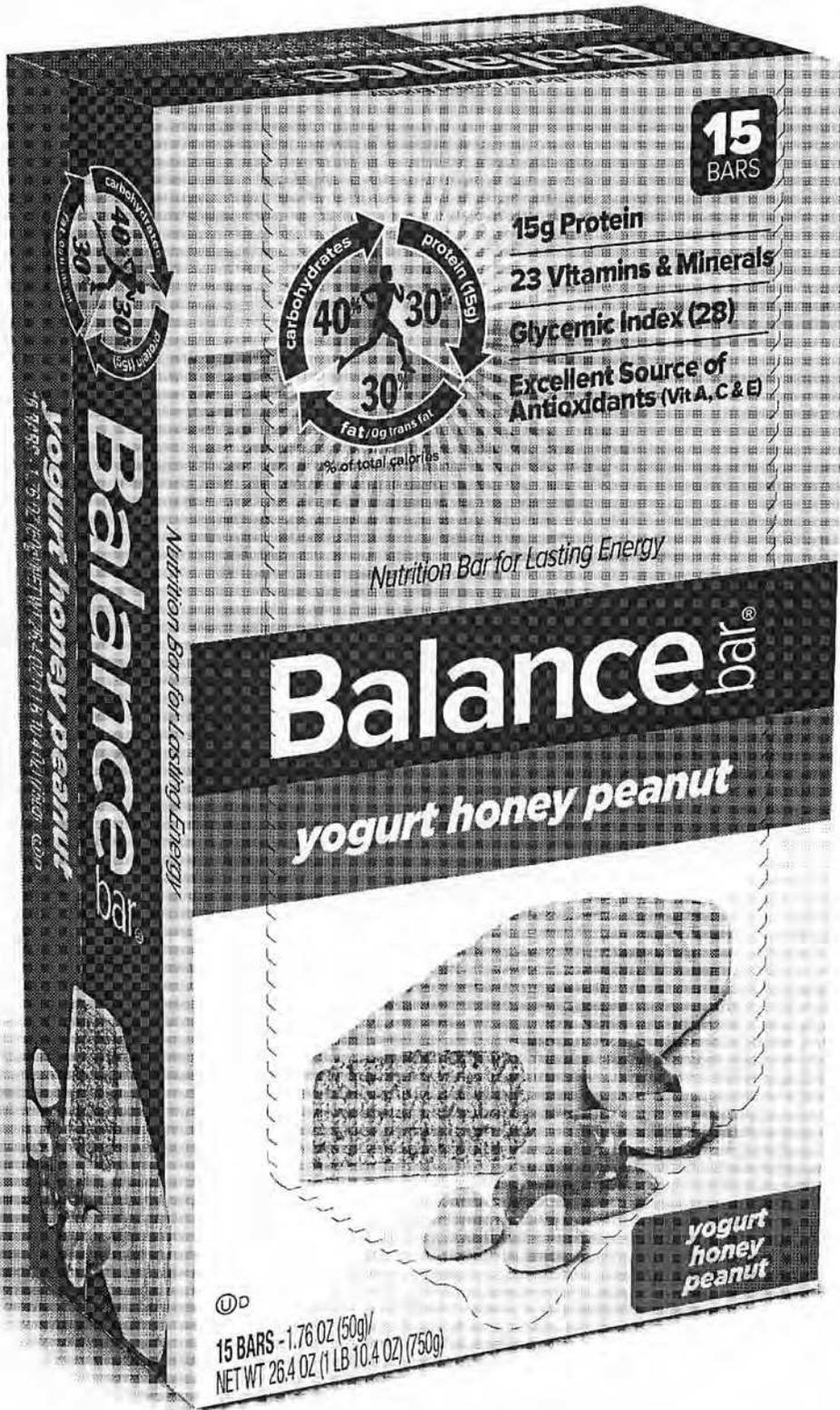
Balance bar®

peanut butter



peanut butter

©D
15 BARS - 1.76 OZ (50g)
NET WT 26.4 OZ (1 LB 10.4 OZ) (750g)



40% carbohydrates
30% protein (15g)
30% fat (9g trans fat)



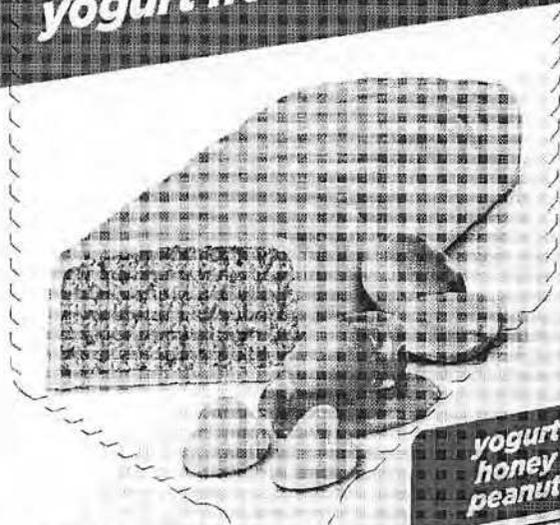
15
BARS

- 15g Protein
- 23 Vitamins & Minerals
- Glycemic Index (28)
- Excellent Source of Antioxidants (Vit. A, C & E)

Nutrition Bar for Lasting Energy

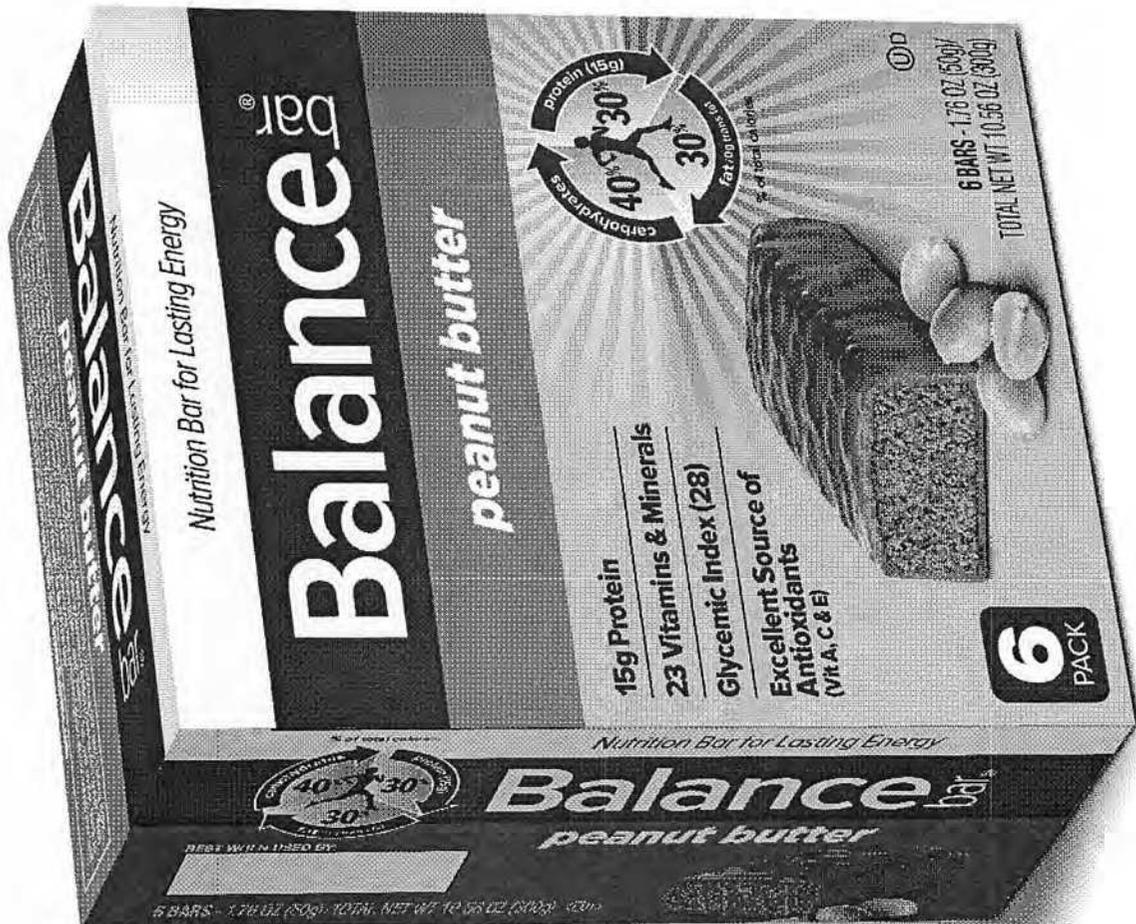
Balance^{bar}

yogurt honey peanut

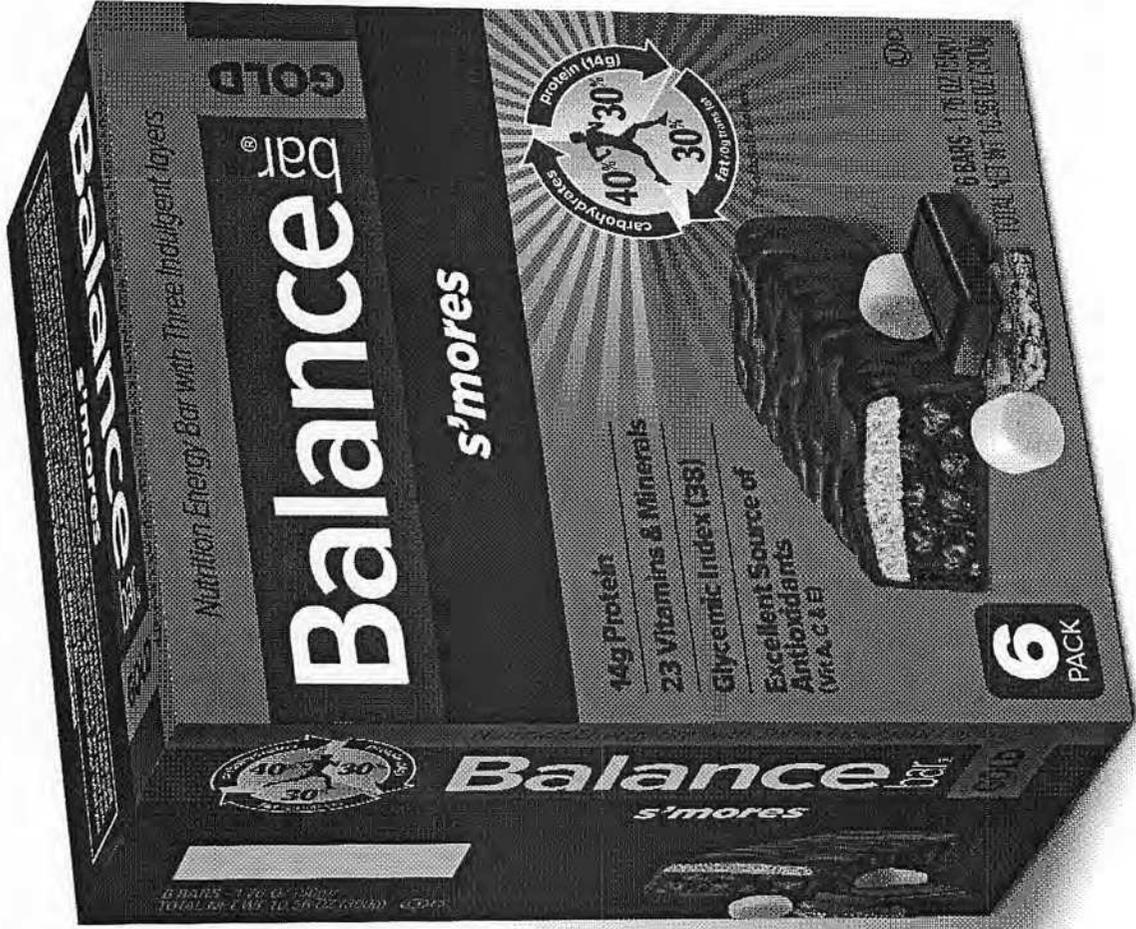


*yogurt
honey
peanut*

15 BARS - 1.76 OZ (50g)
NET WT 26.4 OZ (1 LB 10.4 OZ) (750g)



BB0000069



Nutrition Energy Bar with Three Intelligent Layers

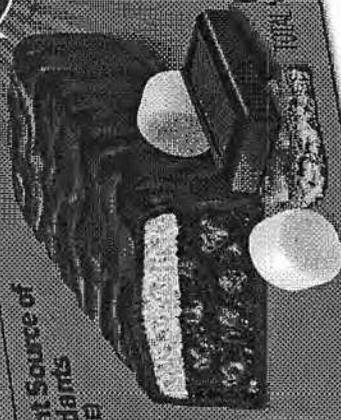
Balance

Balance[®] bar

s'mores



- 14g Protein
- 23 Vitamins & Minerals
- Glycemic Index (38)
- Excellent Source of Antioxidants (Vit. A, C & E)

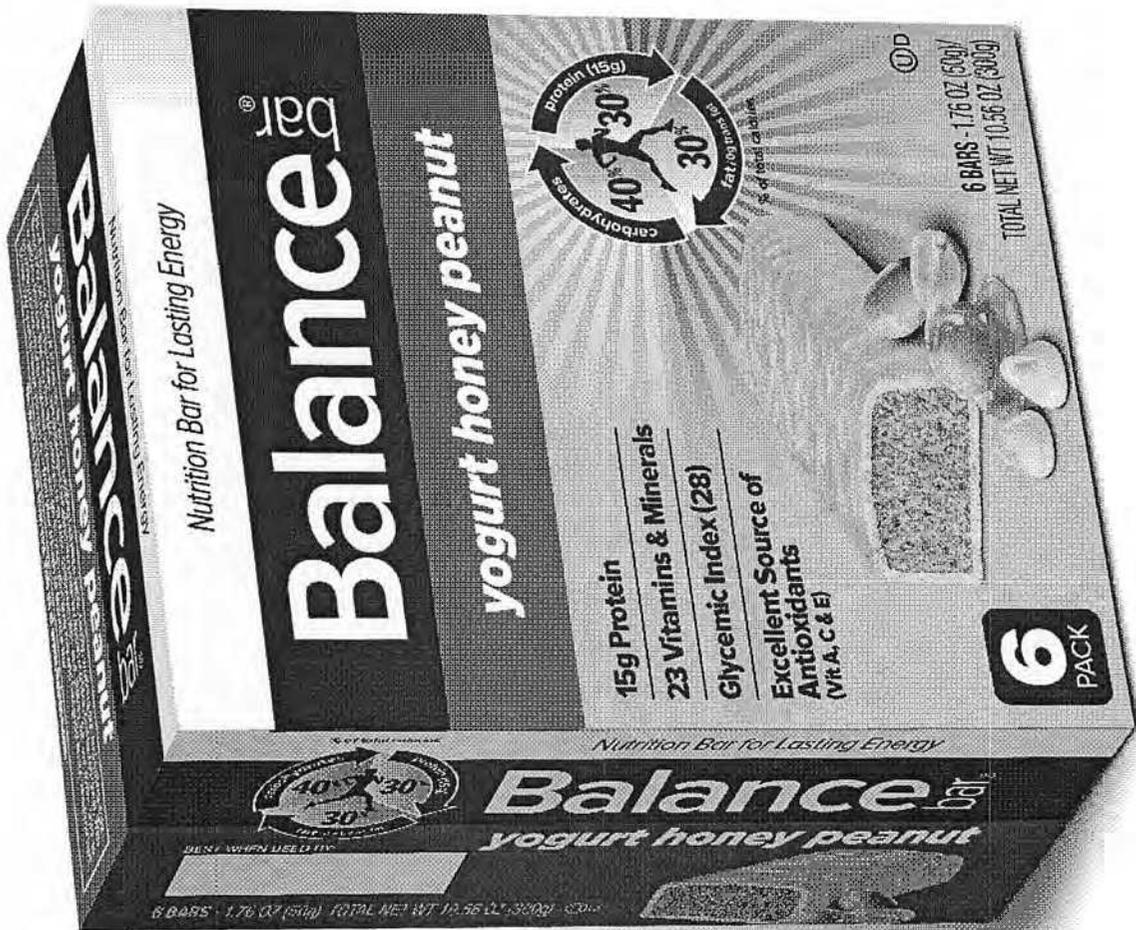


6 PACK

6 BARS - 1.76 OZ (50g)
TOTAL NET WT 10.56 OZ (300g)

6 BARS - 1.76 OZ (50g)
TOTAL NET WT 10.56 OZ (300g)

BB0000070



6 BARS - 1.76 OZ (50g) TOTAL NET WT 10.56 OZ (300g)

Nutrition Bar for Lasting Energy

Balance[®] bar

yogurt honey peanut

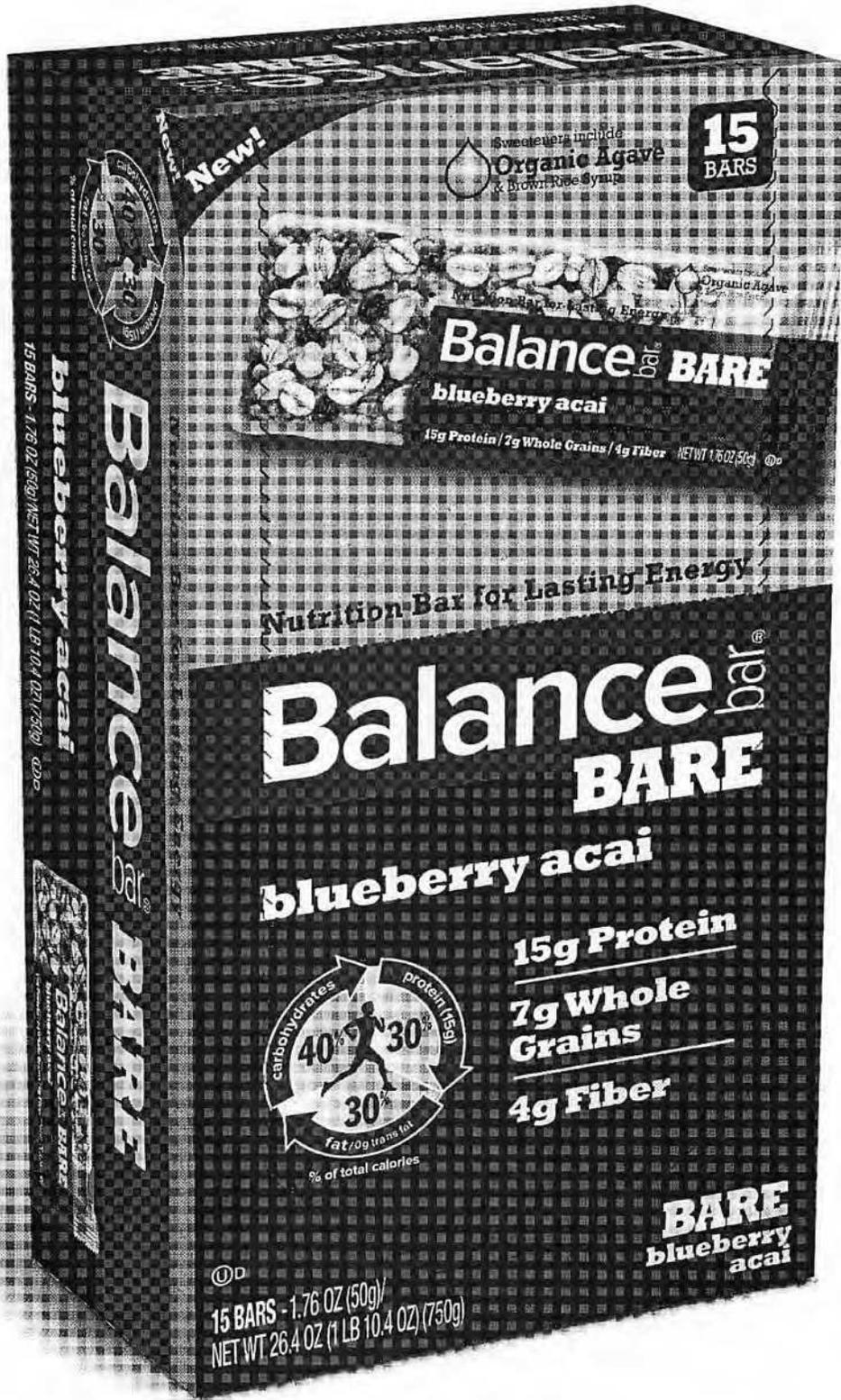


- 15g Protein
- 23 Vitamins & Minerals
- Glycemic Index (28)
- Excellent Source of Antioxidants (Vit. A, C & E)

6 PACK

6 BARS - 1.76 OZ (50g)
TOTAL NET WT 10.56 OZ (300g)

BB0000071



New!

Sweeteners include
Organic Agave
& Brown Rice Syrup

15
BARS



Balance ^{bar} BARE
blueberry acai

15g Protein / 2g Whole Grains / 4g Fiber NET WT 1.76 OZ (50g)

Nutrition Bar for Lasting Energy

Balance ^{bar} BARE

blueberry acai

15g Protein

7g Whole
Grains

4g Fiber



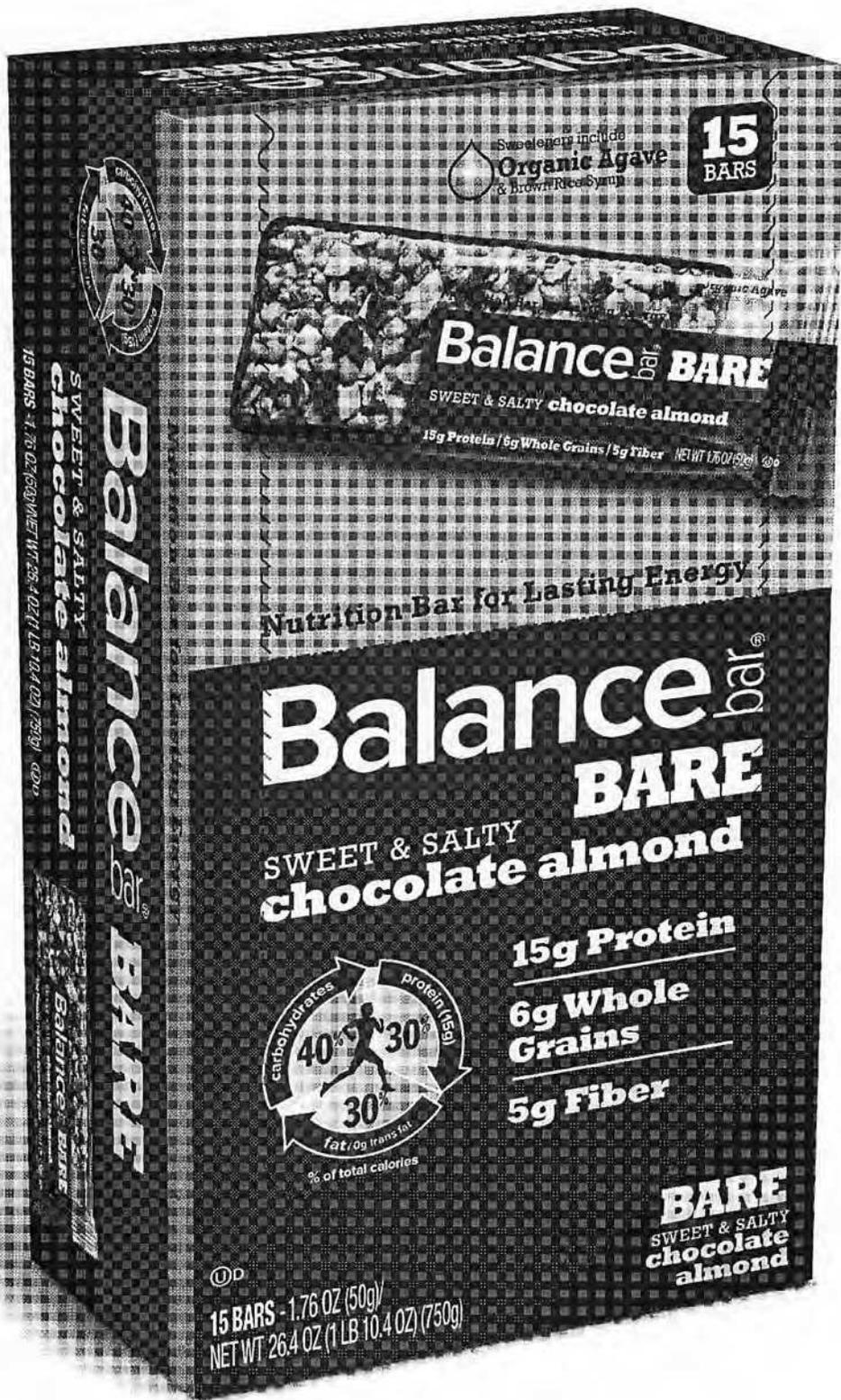
BARE
blueberry
acai

15 BARS - 1.76 OZ (50g)
NET WT 26.4 OZ (1 LB 10.4 OZ) (750g)

15 BARS - 1.76 OZ (50g) NET WT 26.4 OZ (1 LB 10.4 OZ) (750g)

Balance ^{bar} BARE





Sweeteners include
Organic Agave
& Brown Rice Syrup

15
BARS



Balance bar **BARE**

SWEET & SALTY **chocolate almond**

15g Protein / 6g Whole Grains / 5g Fiber NET WT 1.76 OZ (50g)

Nutrition Bar for Lasting Energy

Balance bar **BARE**

SWEET & SALTY **chocolate almond**

15g Protein

6g Whole Grains

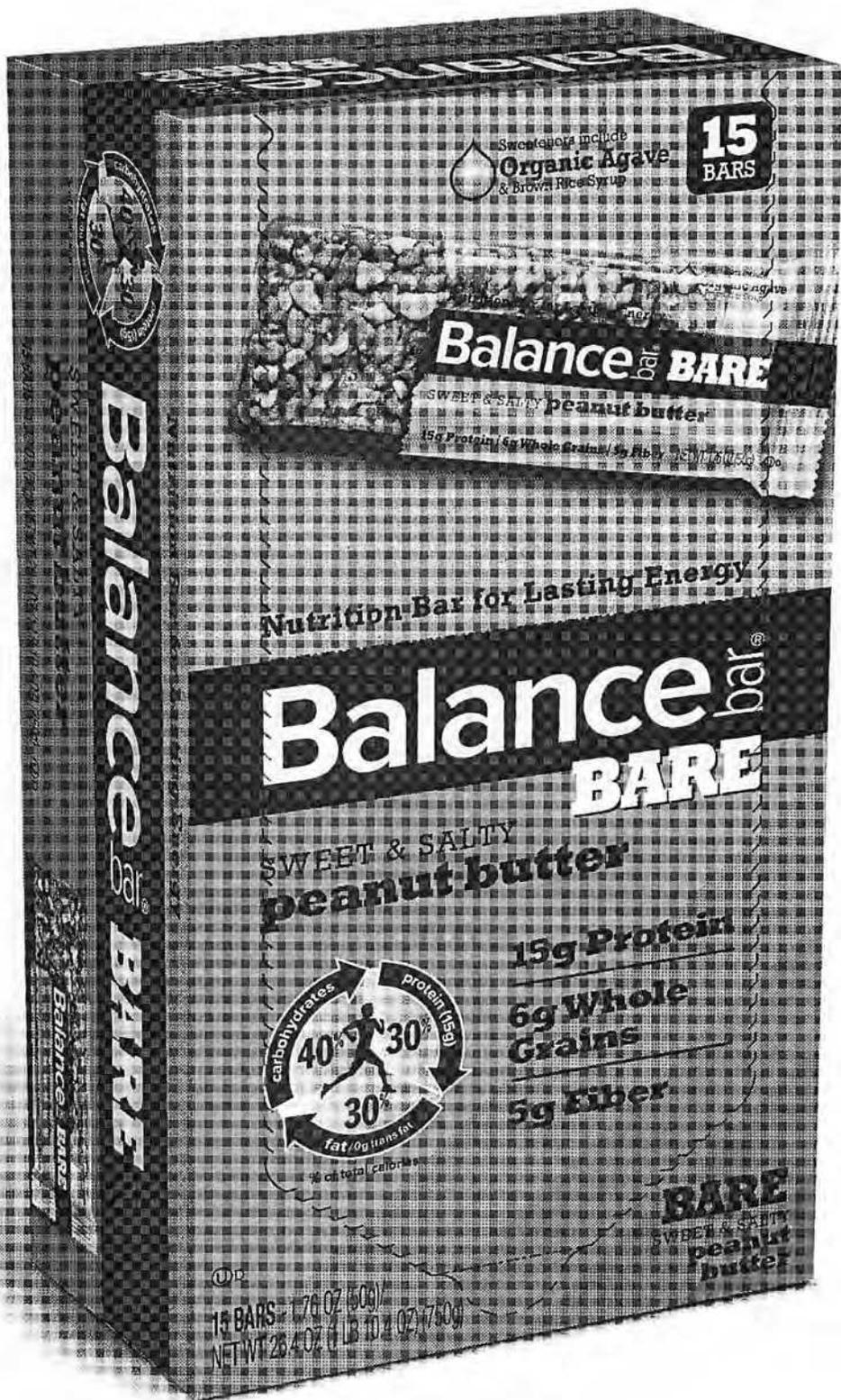
5g Fiber



BARE
SWEET & SALTY
chocolate almond

15 BARS - 1.76 OZ (50g)
NET WT 26.4 OZ (1 LB 10.4 OZ) (750g)

Balance bar **BARE**
SWEET & SALTY
chocolate almond
15 BARS - 1.76 OZ (50g) NET WT 26.4 OZ (1 LB 10.4 OZ) (750g)



Sweeteners include
Organic Agave
& **Brown Rice Syrup**

15
BARS



Balance bar BARE

SWEET & SALTY **peanut butter**

15g Protein | 6g Whole Grains | 5g Fiber

Nutrition Bar for Lasting Energy

Balance bar BARE

SWEET & SALTY
peanut butter

15g Protein

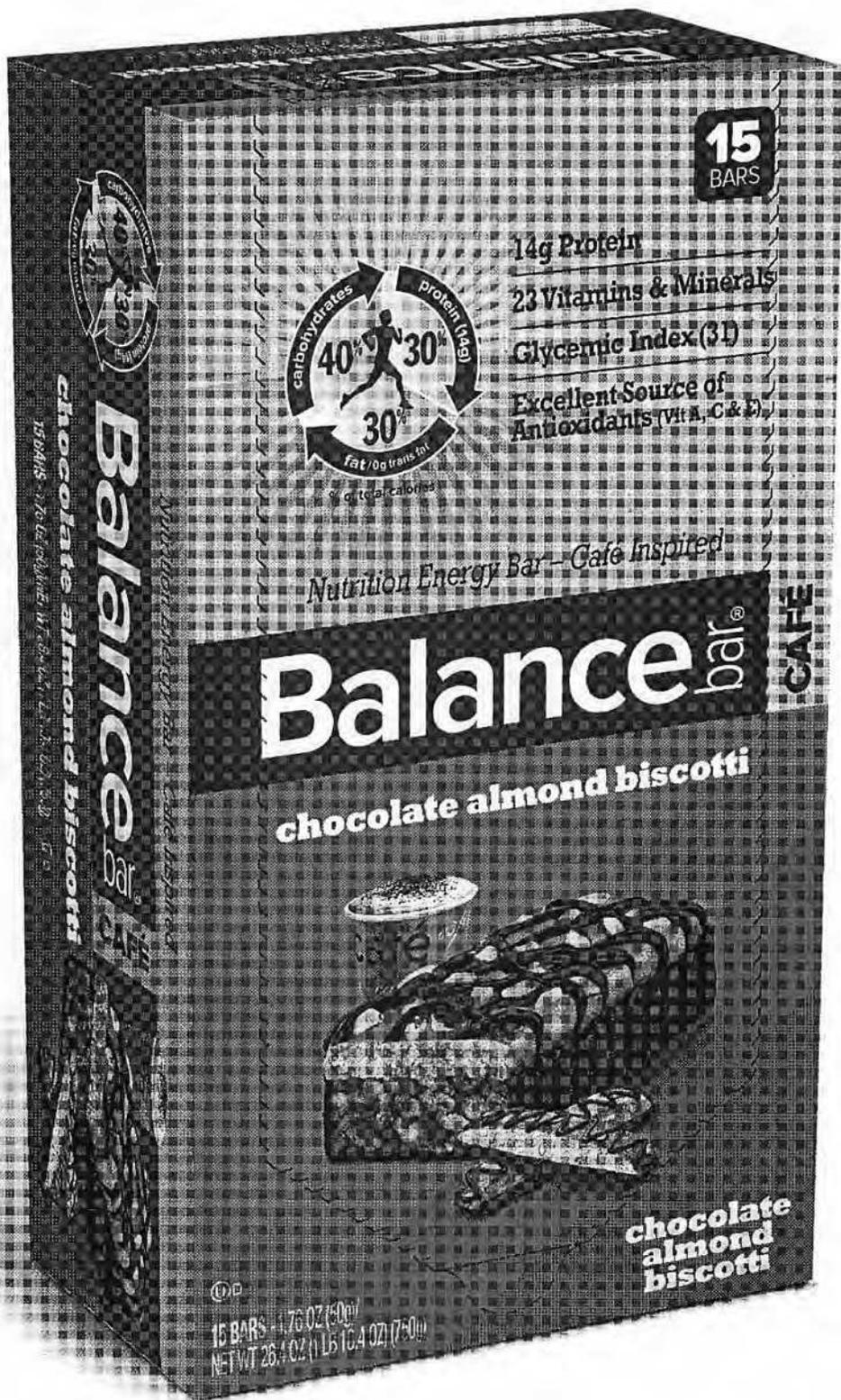
6g Whole Grains

5g Fiber



BARE
SWEET & SALTY
peanut butter

15 BARS 1.76 OZ (50g)
NET WT 26.4 OZ (750g)



15
BARS



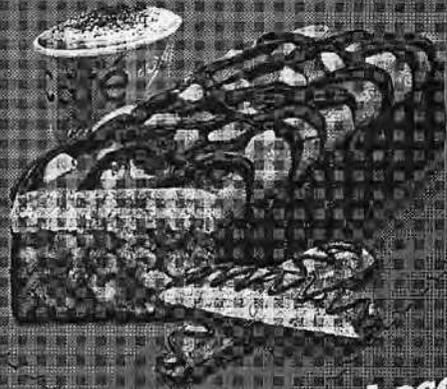
14g Protein
23 Vitamins & Minerals
Glycemic Index (3D)
Excellent Source of
Antioxidants (vita, C&E)

Nutrition Energy Bar - Cafe Inspired

Balance bar®

CAFE

chocolate almond biscotti



chocolate
almond
biscotti

15 BARS • 1.76 OZ (50g)
NET WT 26.4 OZ (1 LB 16.4 OZ) (750g)

Nutrition Energy Bar - Café Inspired



Balance^{bar}

CAFÉ

chocolate almond biscotti

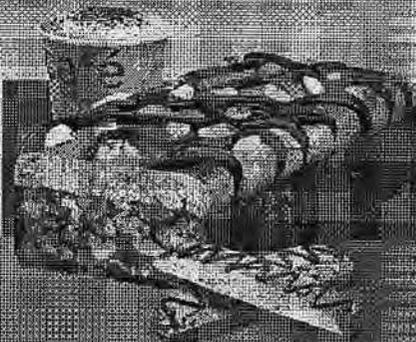
14g
PROTEIN

23 Vitamins
& Minerals

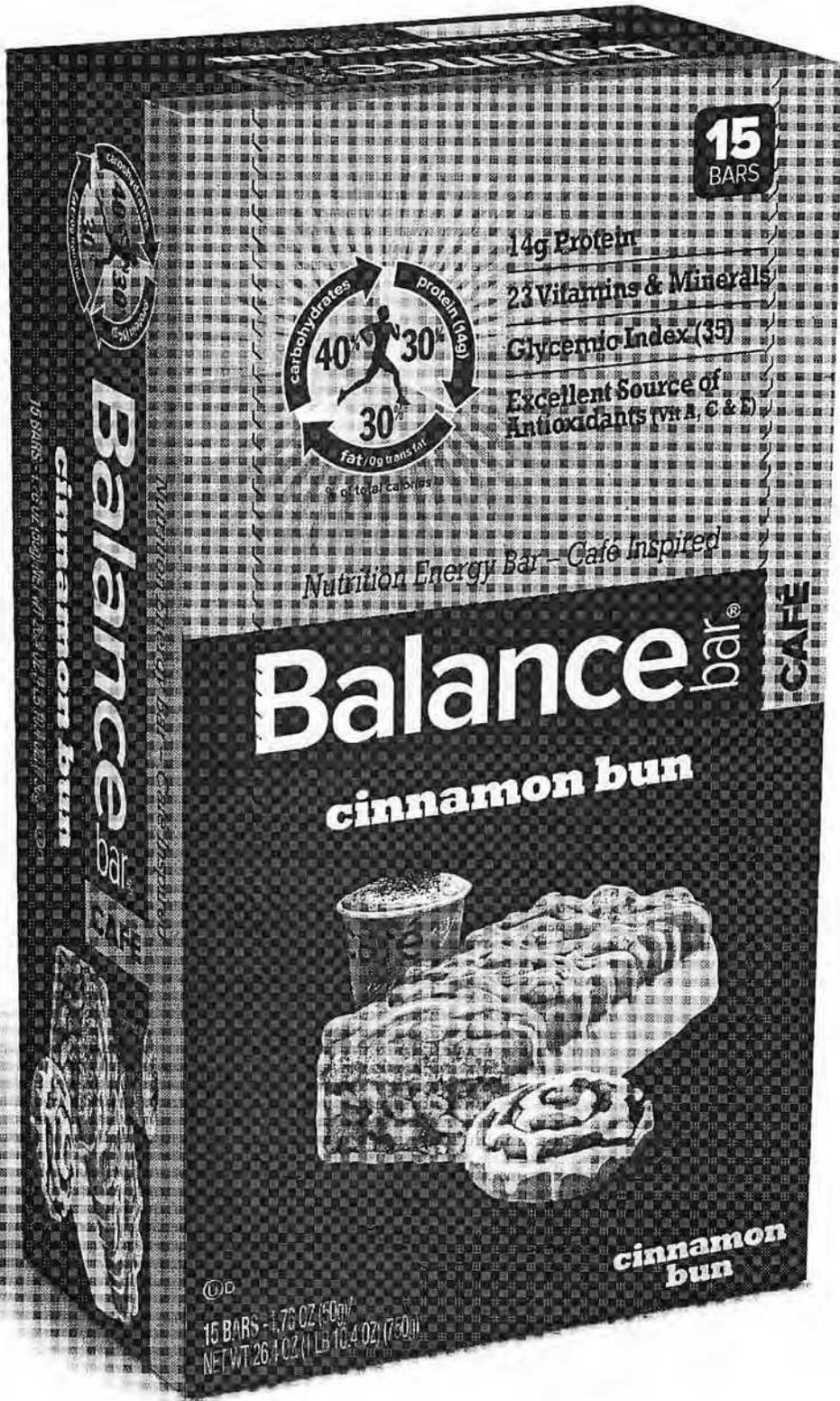
Glycemic
Index (31)

Excellent Source of
Antioxidants (Vit. A, C & E)

NET WT 1.76 OZ (50g) ©



BB0000076



Nutrition Energy Bar - Café Inspired



Balance_{bar}

CAFÉ

cinnamon bun



14g
PROTEIN

23 Vitamins
& Minerals

Glycemic
Index (35)

Excellent Source of
Antioxidants (Vit A, C & E)

NET WT 1.76 OZ (50g) ©

BB0000078

Balance
bar.

New!

40-30-30 nutrition bar for women

nimble

For your Body

- Fiber (5g)
- Protein (10g)
- Calcium, Iron, Vitamin D & B6

For your Skin

- Hyaluronic Acid
- Beta Carotene
- Antioxidants C & E

120
calories

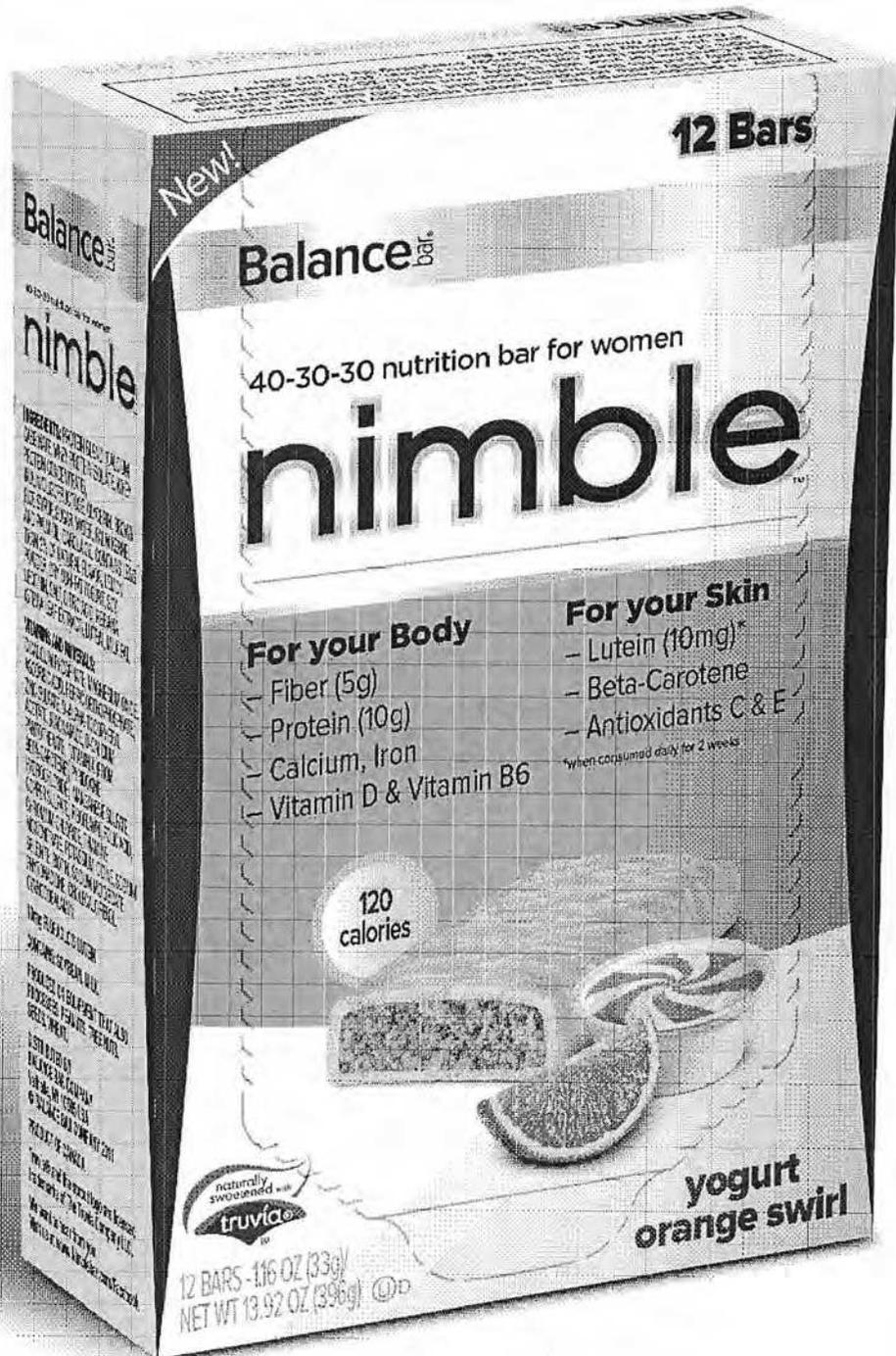
naturally
sweetened
truvia



peanut
butter

NET WT 1.16 OZ (33g) U D

BB0000080



12 Bars

New!

Balance^{bar}

Balance^{bar}
nimble

40-30-30 nutrition bar for women

nimble

For your Body

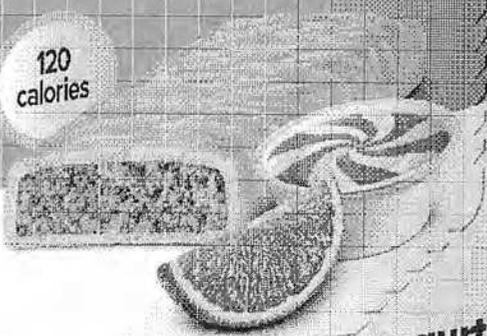
- Fiber (5g)
- Protein (10g)
- Calcium, Iron
- Vitamin D & Vitamin B6

For your Skin

- Lutein (10mg)*
- Beta-Carotene
- Antioxidants C & E

*when consumed daily for 2 weeks

120
calories



yogurt
orange swirl



12 BARS - 1.16 OZ (33g)
NET WT 13.92 OZ (396g) ©D

BB000081

Balance
bar

New!

40-30-30 nutrition bar for women

nimble

For your Body

Fiber (8g)
Protein (10g)
Calcium, Iron, Vitamin D & B6

For your Skin

Lucent (10mg)
Beta-Carotene
Antioxidants C & E

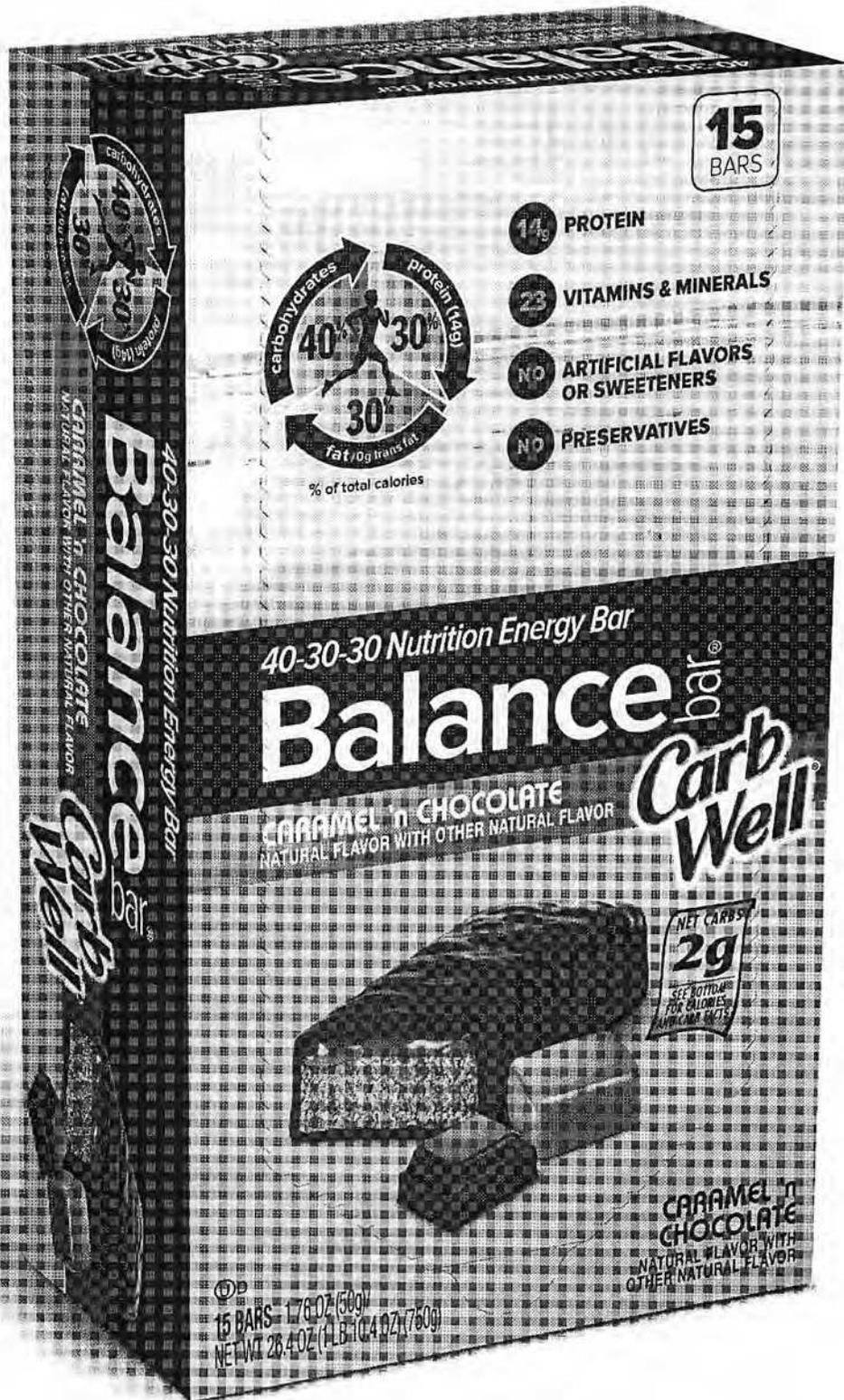
120
calories

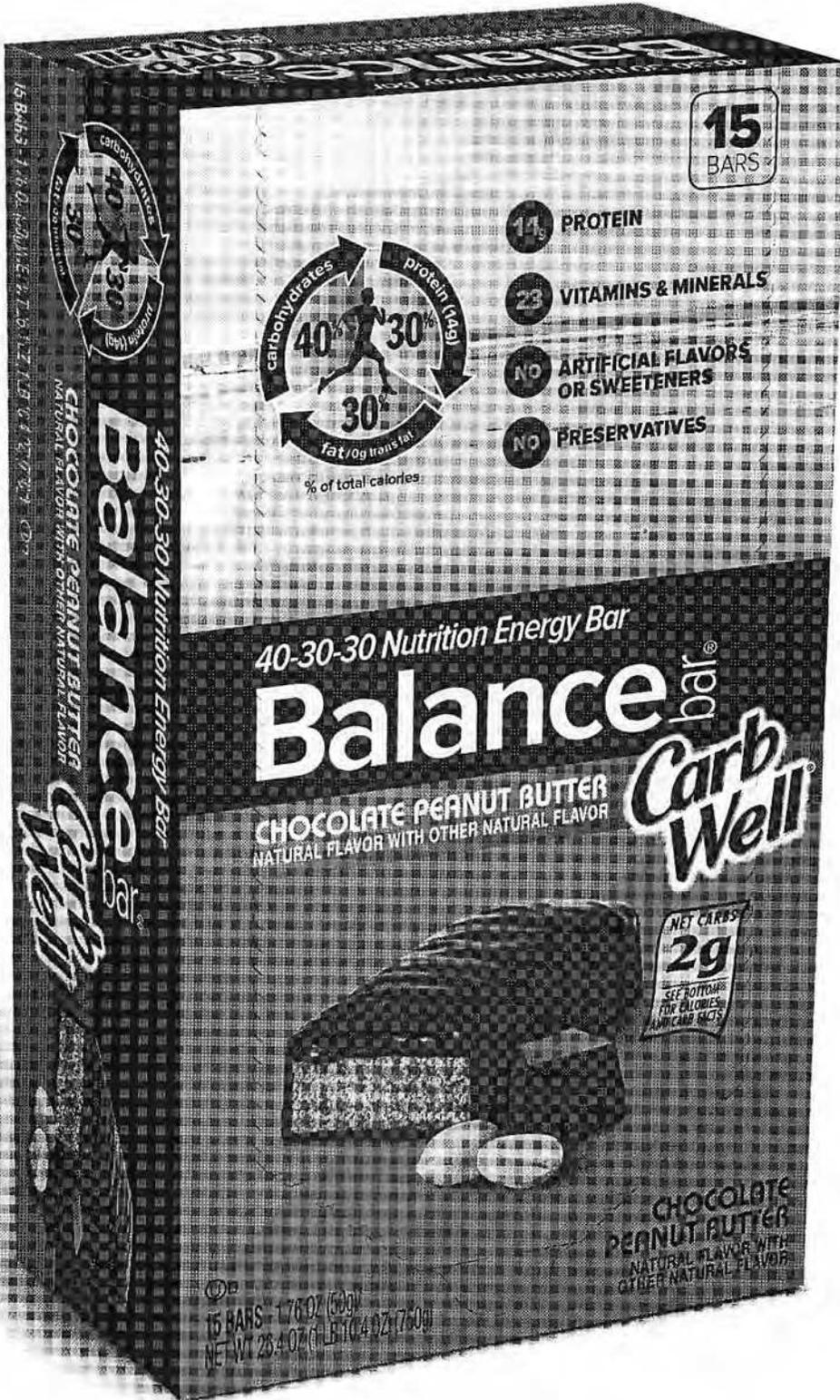


yogurt
orange swirl

NET WT 1.16 OZ (33g) U D

BB0000082





15 BARS

40% CARBOHYDRATES
30% PROTEIN
30% FAT



- 11g PROTEIN
- 23 VITAMINS & MINERALS
- NO ARTIFICIAL FLAVORS OR SWEETENERS
- NO PRESERVATIVES

15 BARS - 1.76 OZ (50g) EACH

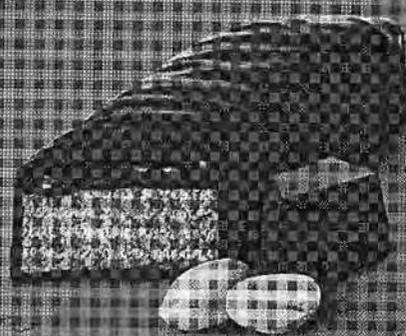
40-30-30 Nutrition Energy Bar
Balance bar
CHOCOLATE PEANUT BUTTER
NATURAL FLAVOR WITH OTHER NATURAL FLAVOR

40-30-30 Nutrition Energy Bar

Balance bar

CHOCOLATE PEANUT BUTTER
NATURAL FLAVOR WITH OTHER NATURAL FLAVOR

Carb Well



NET CARBS
29g
SEE BOTTOMS FOR CALORIES AND CARBON FACTS

CHOCOLATE PEANUT BUTTER
NATURAL FLAVOR WITH OTHER NATURAL FLAVOR

15 BARS - 1.76 OZ (50g)
NET WT 26.4 OZ (750g) LB 10.4 OZ (750g)

40-30-30 Nutrition Energy Bar

Balance^{bar}

CARAMEL 'n CHOCOLATE
NATURAL FLAVOR WITH OTHER NATURAL FLAVOR

NET WT. 1.76 OZ (50g) 

**Carb
Well**



NET CARBS

2g

SEE BACK FOR CALORIES AND CARB SACS

BB0000085

40-30-30 Nutrition Energy Bar

Balance^{bar}

CHOCOLATE PEANUT BUTTER
NATURAL FLAVOR WITH OTHER NATURAL FLAVOR

NET WT 1.76 OZ (50g) ©

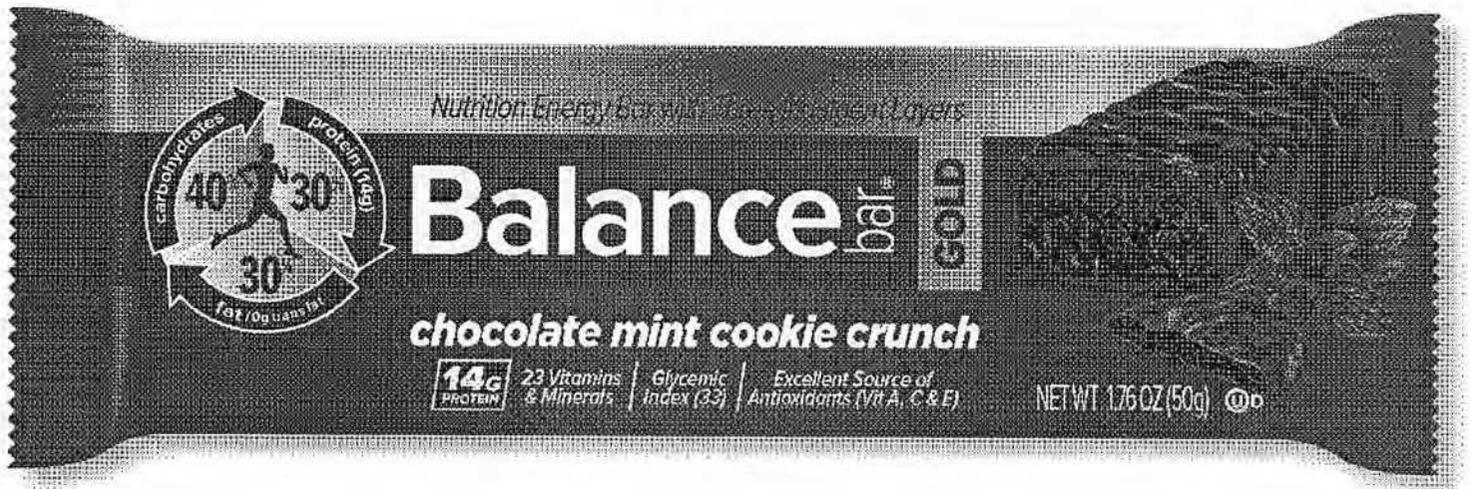
**Carb
Well**

NET CARBS
2g

SEE BAR FOR CALORIES AND CARB FACTS



BB0000086



Nutrition Energy bar with 14g protein and 40g carbs



Balance bar

cold

chocolate mint cookie crunch

14g
PROTEIN

23 Vitamins
& Minerals

Glycemic
Index (33)

Excellent Source of
Antioxidants (Vit A, C & E)

NET WT 1.76 OZ (50g) @b

BB0000087



BB0000088



Improved Triple Layer!



Balance bar

Nutrition Energy Bar

chocolate peanut butter

14g
PROTEIN

Contains 10g of Protein | 10g of Fat | 40g of Carbohydrates

COOL



NEW! KROGER

BB0000089



Nutrition Energy Bar with 3 Layers of Protein Layers



Balance bar

GOLD

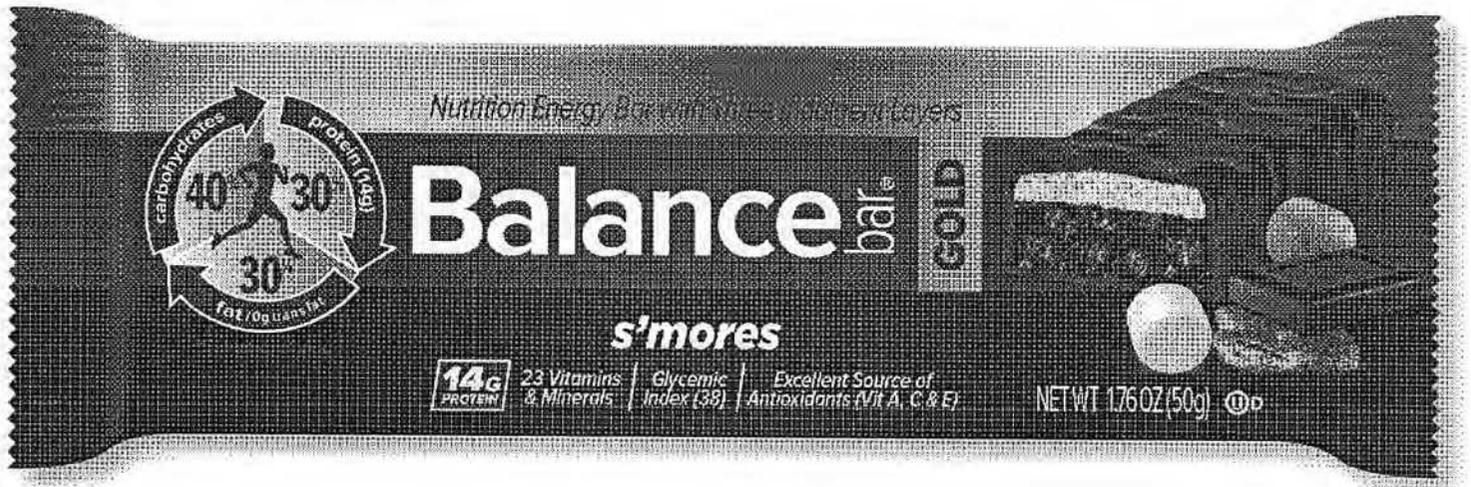
lemon meringue crunch

14g PROTEIN | 23 Vitamins & Minerals | Glycemic Index (25) | Excellent Source of Antioxidants (VIT. A, C & E)

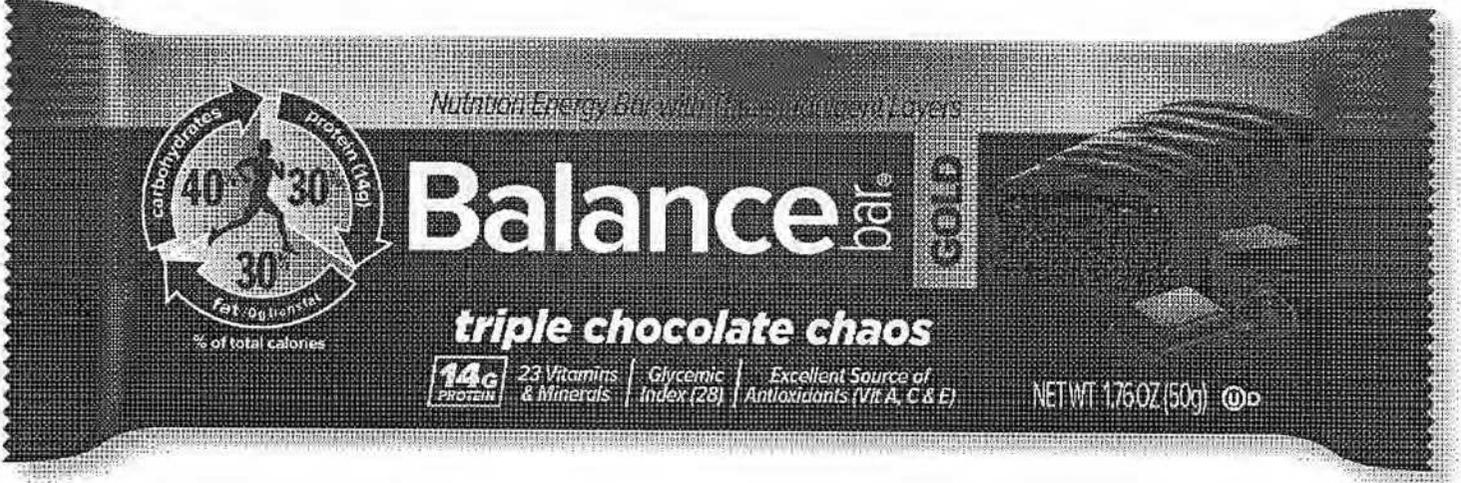


NET WT 1.76 OZ (50g) D

BB0000090



BB0000091



Nutrition Energy Bar with 3 Macadamia Nut Layers

carbohydrates 40%
 protein (14g) 30%
 fat (9g) 30%
 % of total calories

Balance bar

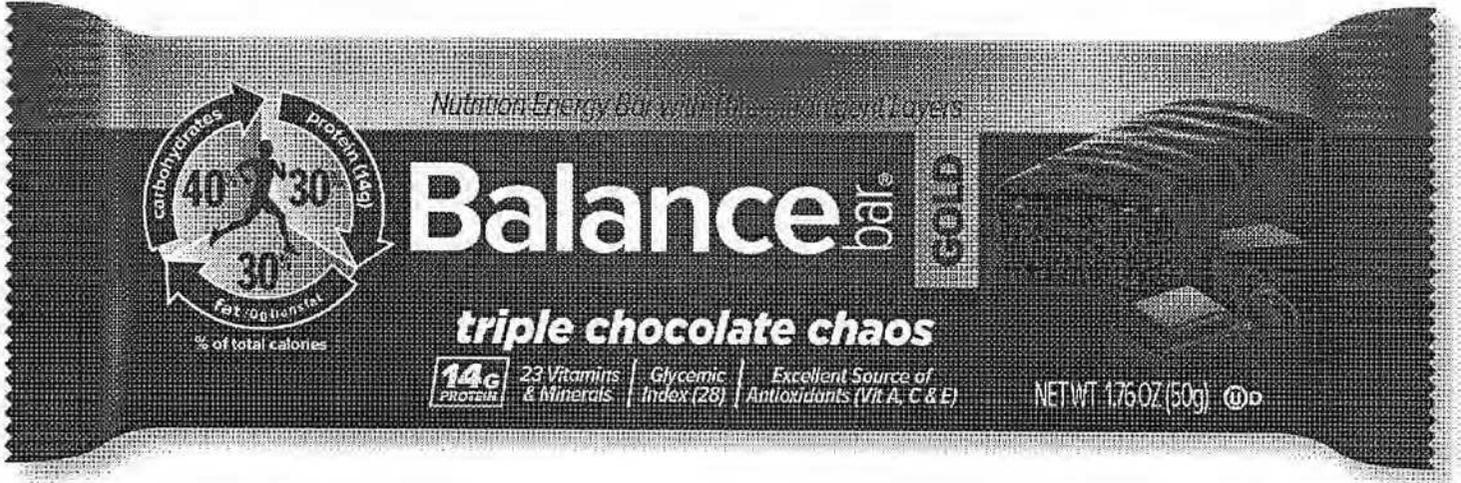
COLD

triple chocolate chaos

14g PROTEIN | 23 Vitamins & Minerals | Glycemic Index (28) | Excellent Source of Antioxidants (Vit. A, C & E)

NET WT 1.76 OZ (50g) ©D

BB0000092



Nutrition Energy Bar with 11 Essential Vitamins & Minerals



Balance bar

GOLD

triple chocolate chaos

14g PROTEIN | 23 Vitamins & Minerals | Glycemic Index (28) | Excellent Source of Antioxidants (Vit. A, C & E)

NET WT 1.76 OZ (50g) ©D

BB0000095

Nutrition Bar for Lasting Energy



Balance^{bar}

almond brownie

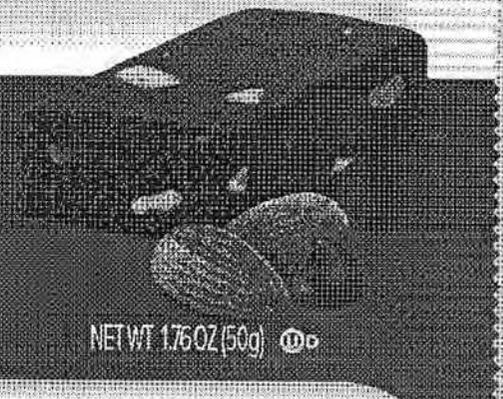
14g
PROTEIN

23 Vitamins
& Minerals

Glycemic
Index (23)

Excellent Source of
Antioxidants (Vit A, C & E)

NET WT 1.76 OZ (50g) 



BB0000096

Nutrition Bar for Lasting Energy



Balance bar

chocolate craze

14g
PROTEIN

23 Vitamins
& Minerals

Glycemic
Index (20)

Excellent Source of
Antioxidants (Vit A, C & E)

NET WT 1.75 OZ (50g) ©

BB0000097

Nutrition Bar for Lasting Energy

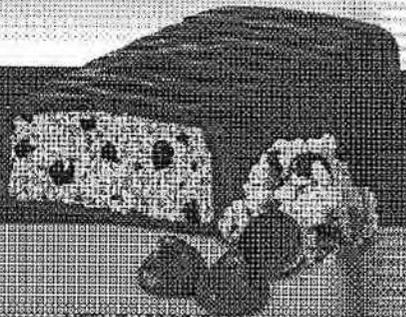


Balance bar[®]

cookie dough

15g
PROTEIN

25 Vitamins | Glycemic | Excellent Source of
Minerals | Fiber (2g) | Antioxidants (Vit A, C, E)



NET WT 1.76 OZ (50g)

BB0000098

Nutrition Bar for Lasting Energy



Balance bar

double chocolate brownie

14g PROTEIN | 23 Vitamins & Minerals | Glycemic Index (23) | Excellent Source of Antioxidants (Vit A, C & E)

NET WT 1.76 OZ (50g) ©D

BB0000099

Nutrition Bar for Lasting Energy



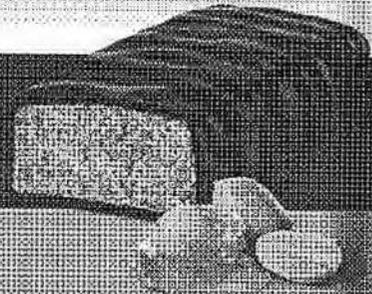
Balance^{bar}

honey peanut

15g
PROTEIN

23 Vitamins & Minerals | Glycine | Excellent Source of Antioxidants (Vit A, C, E)

NET WT 1.50Z (50g) 



BB0000100



Original Flavor - It's Back!



Balance bar
Nutrition Energy Bar

mocha chip

15g
PROTEIN

BB0000101

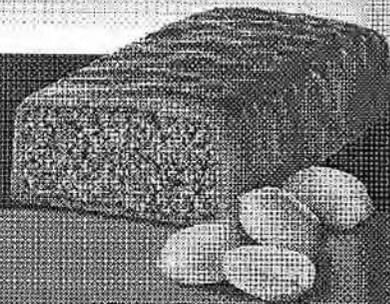
Nutrition Bar for Lasting Energy



Balance_{bar}

peanut butter

15g
PROTEIN



BB0000102

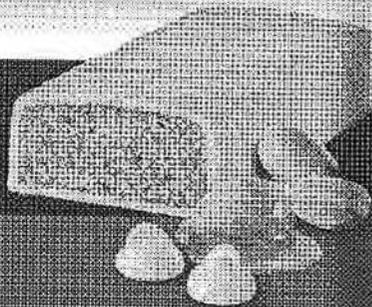
Nutrition Bar for Lasting Energy



Balance bar[®]

yogurt honey peanut

15g
PROTEIN



BB0000103

July 15, 2013

EXCLUSIVE
Matthew Perry's Untold Story
MY LIFE AS AN ADDICT
GETTING SOBER & HELPING OTHERS

The best friend & star of *Friends* shares his battle with addiction and alcohol.

So the question is: what to get tattooed up like Dad yet? I went to pick him up at preschool the other day and all of the kids had drawn fake tattoos on their arms—except him! He has zero interest. Kids like to rebel! If my dad had tattoos, I definitely think I wouldn't! —JESSICA HENDON

WELCOME BABY ACE
 MELISSA MCCARTHY
 ANNE STAM
 CHANGED WITH FRIENDS

"It was different this time because everyone had grown up," says Wentz, 34, of *Rock and Roll*.

Wentz (second from left) with Fall Out Boy.

Natalie Cole
Natalie Cole En Español

LATIN

On this Spanish-language collection, Natalie Cole brings her classy touch to Latin standards such as "Besame Mucho" (with Andrea Bocelli) and "Quizás, Quizás, Quizás." She even pulls off the neat trick (again) of duetting with her late father, Nat King Cole, on "Acércate Más." Nothing here, though, is really unforgettable.

COMMENTS: WRITE TO CHUCK
 chuck@latimes.com

Booker T
Sound the Alarm

The Memphis soul organist, who led Booker T. & the MG's backing the likes of Otis Redding and Wilson Pickett, returns to the Stax label. He still plays well with others, from Estelle to Anthony Hamilton (on the highlight "Gently").

Walt
The Gifted

This rapper continues to display his natural-born talent on his third album, with help from guests like Rihanna, Nicki Minaj, Ne-Yo and Cee Lo Green. It's enough to forgive some lackluster tracks in an overlong 70 minutes.

Capital Cities
In a Tidal Wave of Mystery

With its buoyant synth-pop sheen, "Safe and Sound," the hit single that opens this disc, is bound to be one of the songs of summer. And this new duo keep the hooks coming on tracks like "Sold My Bed but Not My Stereo."

Laura Marling
Once I Was an Eagle

Conjuring up Joni Mitchell with her alluring alt-folk, this British singer-songwriter truly soars in the continuously mixed first half of her latest. Although she comes down some after the interlude, Marling is still a rare bird.

Music

QUICK CUTS

Running for a train...



or training for a run...



Find your Balance. Every delicious Balance Bar® gives you the perfect caloric ratio of 40% carbohydrates to 30% protein to 30% dietary fat... for energy that lasts.



© 2013 Balance Bar Company

EXHIBIT *BBB*
 4/30/14
 17 Opposer
 91196954

PENGAD 800-631-6989



Have you found your Balance?™

June 10, 2013

EXCLUSIVE
Time Apart,
Jealousy &
Baby Plans!

THE TRUTH ABOUT MY MARRIAGE

BLAKE SHELTON OPENS UP

The country star
opens up about his life
with Miranda
Lambert

6th Grade
Champion
FIGHTS
TO GET IT

THE REAL
STORY

WEEK 1
MAY 27, 10PM
WEEK 2
JUNE 3, 10PM
WEEK 3
JUNE 10, 10PM
WEEK 4
JUNE 17, 10PM



One big family
determined
to be happy

The Fosters

ABC Family, June 3,
9 p.m. ET, PT | ★★★

DRAMA

Executive-produced by Jennifer Lopez, this is one modern family drama. A cop and her partner, a school vice principal (Teri Polo and Sherri Saum), are raising adopted twins plus the cop's son from a previous marriage (to a fellow cop). Now they're adding to the household, offering a place to a troubled teenage girl (Maia Mitchell) who's likely to disappear into Social Services if they don't help. All sorts of chains from the past are attached to this family—the twins' birth mother is bad news, and the troubled teen's foster father is potentially much worse than that. Somehow the premiere hour fills in all this background without getting lost and—more importantly—with sincerity and sensitivity. Good job.

COMMENTS: WRITE TO EW.COM FOR A CHANCE TO WIN A \$500 GIFT CARD.



Dwayne Johnson's
'The Hero'
premieres on
TNT June 6.

THE ROCK AND A HARD PLACE

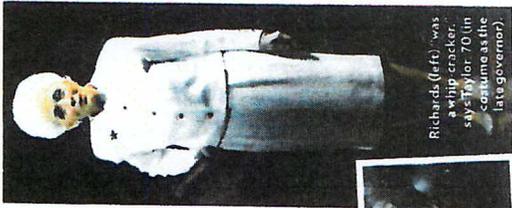
What kind of reality show does Dwayne "the Rock" Johnson host? Any kind he wants! *The Hero* is an extremely physical challenge that, in the enjoyably vertiginous pilot, features dizzying rappelling footage. It's also interesting to watch Johnson try to inspire and console on a recognizably human scale—his grand entrance suggests a cross between Donald Trump and a Transformer. ★★★

TWO AND A HALF MEN'S HOLLAND TAYLOR BIGAS TEXAS

You're Tony-nominated for Ann, your one-woman show about Texas governor Ann Richards. There is such excitement around the show. It has felt like doing a political campaign. I can hardly keep up. I haven't even opened my opening-night presents yet. It's been weeks!

What inspired it? I had great affection for her. I didn't know her, but when she died I was inconsolable. I thought, "I'll do something creative with my feelings."

Theater is so different from your sitcom. I was offered that job [just after] my mother died. I was wondering what to do with my life. I thought, "I don't feel I've accomplished much." This feels like a big accomplishment. —PATRICK GOMEZ



Richards (left) "was a whip cracker," says Taylor, 70 (in costume as the late governor).

Running for a train...



Find your Balance. Every delicious Balance Bar® gives you the perfect caloric ratio of 40% carbohydrates to 30% protein to 30% dietary fat... for energy that lasts.



©2013 Balance Bar Company

Have you found your Balance?™



or training for a run...



September 2, 2013

PEOPLE'S CHOICE VIDEO MUSIC AWARDS

inman at the VMAs, airing on MTV Aug. 25 at 9 p.m. ET/PT.

BACKLOGGERS TRACK HEAT
DAVE NAVES
 Beach Walkers

At Home With VIDEO GEORGE!
 NEW FAMILY PHOTOS
 William & Kate were not ar...
 Family Williams are...
 and Lamar...
 really this is a battle between...
 Timbalade and Thicke...
 I'm picking 'Winners' as Video of...
 the Year. I'm pulling for 'Blurred...
 Lines' to use this for its male-...
 fantasy-fulfiling chickness...
 almost six minutes into the d/p!

BEST FEMALE VIDEO
 Demi Lovato, "Heart Attack"
 Miley Cyrus, "We Can't Stop"
 Pink featuring Nate Ruess,
 "Just Give Me a Reason"
 ▶ **Phish** featuring
 Mikky Ekko, "Stay"
 Taylor Swift,
 "I Knew You Were Trouble"
 If Pink had been nominated
 for her body-painted, body-
 twinning turn in "Try," she would
 have gotten my vote hands
 down. But this affecting rammer
 or a real Philana captures the
 dropped-down declaration of
 her heart-breaking piano ballad.

BEST HIP-HOP VIDEO
 ASAP Rocky featuring
 Drake et al., "F---in' Problems"
 Drake,
 "Started from the Bottom"
 J. Cole featuring Miguel,
 "Power Trip"
 Kendrick Lamar,
 "Swimming Pools (Drank)"
 ▶ **Marklemore & Bryant Lewis**
 "Can't Hold Us"
 MBL, should really be winning
 this for "Thrift Shop," which
 is inescapably not named
 here, so great to them for their
 no-
 can't hold them, indeed.

Music

BUZZ ARTIST!



Valerie June
Pushin' Against a Stone ★★★★★

ROOTS' Pop

If there were a female member of the Black Keys, she might sound something like Valerie June, a Memphis singer-songwriter with true bluesy grit. In fact, Black Keys frontman Dan Auerbach serves as a producer of her debut album while also cowriting, singing backup and playing guitar. You can really hear Auerbach all over: "You Can't Be Told," with its nasty guitar riff and Black Keys-esque swagger. June's voice is a tart, tangy witch's brew conjuring up Erykah Badu, Duffy and even Amy Winehouse, whom you could just imagine coming back to life on the retro-soulful title track.

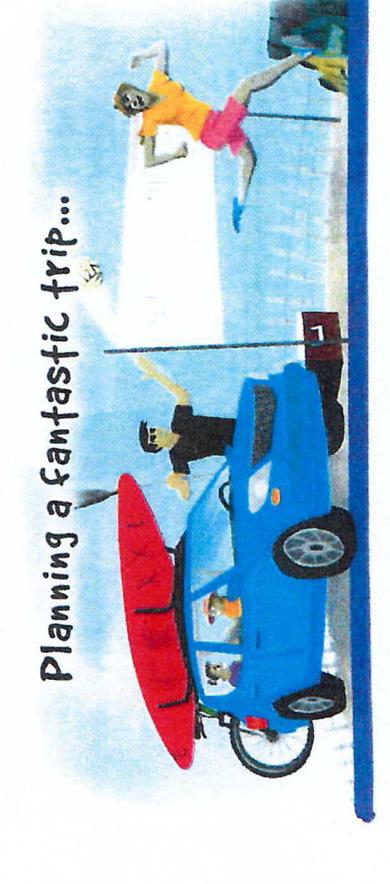
QUICK QUIT!

Lee DeWyze
Frames
 One of the most forgotten Ameri- can Idols, the 2010 champ shows that, while dropped from his major label, he's not done yet. A strong folk-pop effort evokes Mumford & Sons, Ed Sheeran and, yes, 2012 Idol Phillip Phillips. ★★★★★

TGT

Three Kings
 The debut album from this R&B supergroup—consisting of Tyrese, Ginuwine and Tank—lacks any real TNT. With few standout songs, this is just background music for the bedroom, playing out like one long slow jam. ★★★★★

Planning a fantastic trip...



NEW delicious Balance Bar® Dark gives you the perfect caloric ratio of 40% carbohydrates to 30% protein to 30% dietary fat... for energy that lasts. Find your Balance.

f/BalanceBar
 ©2013 Balance Bar Company

EXHIBIT
 Opposer
 19 4/30/14
 91196954
 PENGAD 800-631-6989

or tripping the light fantastic...



NEW!



Balance Bar® Dark
 40-50% Natural Energy Bar
 13g Protein
 Dark chocolate crunch

Have you found your Balance?™

BB0002018