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

Proceeding	91213057
Party	Plaintiff Hybrid Athletics, LLC
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

HYBRID ATHLETICS, LLC,	:	
	:	
Opposer,	:	Opposition No. 91213057
	:	
v.	:	
	:	
HYLETE LLC,	:	
	:	
Applicant.	:	

**HYBRID ATHLETICS, LLC’S
MOTION FOR SUMMARY JUDGMENT**

INTRODUCTION

Opposer, Hybrid Athletics, LLC (“Opposer” or “Hybrid”) hereby moves, under Fed. R. Civ. P. 56 and 37 C.F.R. § 2.127, for summary judgment in this opposition proceeding against Applicant, Hylete LLC (“Applicant” or “Hylete”).

This case concerns the successful efforts of an individual - Robert Orlando - to create a strong fitness brand and the actions of another company to profit off those efforts with a confusingly similar trademark.

As a result of Mr. Orlando’s tireless effort, investment and repeated success competing in the CrossFit Games, his  trademark has become well-known throughout the fitness community. Mr. Orlando’s  trademark is used extensively to market his CrossFit gym, Hybrid Athletics, and appears in competitions, advertisements, fitness videos and social media. As part of Mr. Orlando business, since 2008 the  trademark has been used in the sale of apparel and fitness equipment, including axles, farmer’s handles, yokes, logs, and atlas stone

molds. Since 2011, Mr. Orlando has also traveled the world marketing his brand through his CrossFit Strongman Trainer Courses.

After working at one of Mr. Orlando's sponsors and witnessing the strength of Mr. Orlando's brand, Applicant chose to create a strikingly similar logo for use on clothing sold in the same market. Despite warnings from Mr. Orlando regarding the similarity of the marks and repeated instances of actual confusion, Applicant has continued to market products bearing its  logo.

There are no genuine issues of material fact in this proceeding. Given the undisputed similarity of the marks, associated products and the documented confusion among relevant consumers, there is no dispute that the marks are likely to cause confusion and should be refused under Section 2(d).

STATEMENT OF FACTS

The  trademark was designed on or around June of 2008. See Orlando Decl. ¶ 4.¹ The first publically made use of the  trademark was at least as early as August 2008 through signage on the Hybrid Athletics CrossFit gym. Id. ¶5. Since 2008 the  trademark has been used extensively and continuously on and in ongoing nationwide promotion of Hybrid Athletics, the CrossFit Strongman Trainer Courses, apparel and fitness equipment, including axles, farmer's handles, yokes, logs, and atlas stone molds. Id. ¶6. Since 2008 the  trademark has also been used extensively and continuously in conjunction with the sale of physical fitness services

¹ In support of its Motion, Opposer submits (1) the Declaration of Robert Orlando ("Orlando Decl."), and Michael J. Kosma ("Kosma Decl.") as Exhibits A and B, respectively and are incorporated herein by reference; and (2) the exhibits attached to the foregoing Declarations, which are also incorporated herein by reference.

and apparel in the fitness industry. Id. ¶7. Since 2008, Opposer has sold, promoted, and continues to sell and promote its apparel and/or physical fitness services bearing the  trademark through the Hybrid Athletics gym, via the websites, hybridathletics.net and hybridathleticsapparel.com, social media, at CrossFit Strongman training courses, at CrossFit Strongman competitions throughout the U.S., and/or through vendors such as Rogue Fitness and Jaco Athletics. Id. ¶¶7-8, 16.

Opposer is owned and operated by Robert Orlando. Mr. Orlando is responsible for all aspects of the business, including advertising, sales and finances. Id. ¶1. Mr. Orlando's passion is his fitness company, Hybrid Athletics, and the sport and training methods of CrossFit and strongman movements. Id. ¶2. Hybrid believes in both strongman and CrossFit training methods, which is a principal strength and conditioning program that reaches a diversified group of people from police academies, tactical operation teams, and elite athletes to children and the elderly. Id. ¶3. The methods of this training are designed to have universal scalability which has led to its vastly growing and dedicated user base, along with large corporate sponsors, like Reebok, which have invested millions into the sport. Id. ¶3.

CrossFit is one of the fastest growing sports in America with hundreds of thousands of followers, participants and teams worldwide. Id. As discussed on the official CrossFit website² and blogs, the CrossFit Games are a world-renowned, grueling test for the world's toughest athletes. The Games are a three-stage journey. The first stage is the Open, a five-week, five-workout competition held in CrossFit affiliates and garage gyms. In 2014, CrossFit affiliates were just above 5,000, and in 2015, that number increased to well over 11,000. The second stage is Regionals, where the top athletes from 17 regions, participate in a live, three-day competition.

² <http://games.crossfit.com/about-the-games>

The last stage is the Games, where the competition field has whittled down from hundreds of thousands of athletes from the Open to the fittest 40 men and 40 women in the world offers top prizes of \$250,000 to the top male and female athletes.

Mr. Orlando is not only the owner of the Hybrid Athletics' CrossFit gym but he was and now trains competitive CrossFit athletes. In 2009, 2010 and 2011, he competed in the CrossFit Games. Id. ¶10. He placed top three in the CrossFit Northeast Regional Qualifier in 2009, 2010 and 2011, including winning the Northeast Regional in 2010 and placed 22nd and 15th overall in 2009 and 2010. Id. ¶¶10 -11. Leading up to the CrossFit Games in 2010 and 2011, the  trademark was prominently featured on clothing and apparel and promoted in videos and other CrossFit advertisements. Id. ¶¶11-14. For example, CrossFit featured Mr. Orlando as a top ten athlete for which he was promoted in numerous videos leading up the CrossFit Games and included the  trademark. Id. ¶12. He was also featured in a Hi-Temp Weight Equipment commercial that aired at the 2010 CrossFit Games, again featuring him in apparel bearing the  trademark. Id. ¶13. Throughout the 2009, 2010 and 2011 CrossFit Regionals and Games competitions Mr. Orlando competed under the  trademark. Id. ¶14. In 2009 and 2010 Mr. Orlando also competed under the  trademark and won the Vikingfest Strongman Competition. Id. ¶15.

Through Mr. Orlando's competitive seasons alone, Opposer sold thousands of t-shirts and pieces of equipment bearing the  trademark, Id. ¶¶17-18. Mr. Orlando, through his successful career at competitions, was also sponsored by multiple CrossFit clothing and fitness equipment brands and distributors who did and continue to sell goods bearing the  trademark. Id. ¶¶19-

22. These sponsors and distributors are some of the largest names in CrossFit apparel and equipment. Id.

In September 2011, after Mr. Orlando stopped competing at a professional level, he became a CrossFit subject matter expert and started to personally run the CrossFit's Strongman Trainer Courses using the  trademark. Id. ¶¶23-25. These training courses are not only taught in the U.S., but all over the world and had almost five-hundred attendants even prior to Applicant's claim of first use of the  mark. Id.

Besides heavily promoting the  trademark through Opposer's gym, training courses, website and social media for years, prior to Applicant's claim of first use of the  mark through the present, Id. ¶¶26-27, Mr. Orlando along, with the  trademark, was also featured in the July 2011, September 2011 and March 2012 issues of Muscle & Fitness magazine. The July 2011 article, titled "THE KING OF CROSSFIT," was about Mr. Orlando and the Hybrid Athletics gym. Id. ¶28. The  trademark was prominently displayed in numerous photos over six pages. Id. Since September 2011, Mr. Orlando writes a regular column for Muscle & Fitness magazine which regularly features the  trademark. Id. ¶31. The monthly readership of this magazine reaches practically seven million people. Id. ¶29.

As briefly mentioned above, Opposer has a very large social media presence. Opposer's Facebook page, featuring the  trademark and maintained since December 2011, surpasses eight thousand "likes" to date. Mr. Orlando's Facebook page, maintained since November 2011, featuring apparel, fitness equipment and gym services bearing the  trademark surpasses 30 thousand "likes". Id. ¶¶33-35. Also, between Opposer's YouTube Channels, with thousands of

subscribers, and third party videos, including those featured on CrossFit's YouTube Channel featuring the  trademark. Id. ¶¶36-38, these videos have been viewed well over 2 million times. Id. ¶38.

Opposer's trademark is highly recognizable in the CrossFit community and has been a very successful brand. Id. ¶¶40-46. In fact, through Opposer's sponsorship with Jaco Athletics, Opposer worked closely with Applicant, Matt Paulson. Id. ¶40. Applicant worked with Opposer to brand the  trademark on Jaco clothing. Id. Mr. Paulson left Jaco in 2012 to pursue his own clothing company. Id. ¶41. In April of 2012, Mr. Paulson contacted Opposer proposing the opportunity to market the  trademark with the  mark together on clothing in the same fitness field that Opposer was in. Id. ¶¶42-43. Opposer immediately declined the offer and informed Mr. Paulson that he was concerned by how strikingly similar the marks were, yet Mr. Paulson continued to use the  mark on goods in the same marketplace as Opposer. Id. ¶¶44-46. Opposer attempted to demonstrate to Applicant that the  mark was causing confusion in the marketplace and that customers were associating Opposer with Applicant's mark. Yet, Mr. Paulson replied by stating that "with any new logo, people associate that logo with something they have already seen . . ." and that "we had a few people say it looks like your logo." Id. ¶¶47-48. To date, Opposer has continued to receive messages from consumers who believe there is a relationship or affiliation between Opposer and Applicant because the marks are so similar. Id. ¶49. For instance, in addition to the repeated questions in person, Opposer has received the following messages:

- a. March 10, 2013 – "you should investigate HYLETE...unless they r a branch of Hybrid they chicken hawked your logo...heads up." Id. ¶47.

- b. July 28, 2013 – “At the games, I see a lot of people wearing Hylete clothing and posting on Facebook. Does it have anything to do with Hybrid Athletics? The logo looks a lot like Hybrid and the name is very similar so was just wondering.” Id. ¶49.
- c. October 16, 2013 – “Subject: hylete discussion” “Your conversation was actually helpful in knowing the difference between the logos/brands. It was every confusing at first, I completely thought they were one in the same.” Id.
- d. December 5, 2013 – “How do [you] feel about Hylete athletics, basically copying your logo and name?” Id.
- e. December 24, 2013 – “Rob something has to be done about Hylete! It’s a blatant rip off of the hybrid Athletics brand! Not sure what can be done but the “H” and the term hybrid Athlete is something you have created in the CrossFit Community . . . the fact that they are flooding the Community with their Brand over yours is disrespectful in my opinion.” Id.
- f. January 21, 2014 – “Is ‘Hylete’ associated with Hybrid Athletics? Their name and logo is more than a little similar but I can’t find anything on their site to indicate it.” Id.
- g. February 26, 2014 – “I chatted with a hylete rep in Miami and thought they were your apparel.” Id.
- h. November 6, 2014 – “did you know a copy of your brand means that you succeed . . . Here it is: <http://www.hylete.com>” Id.

Since 2008, Opposer has continuously and extensively sold its services under the  trademark and sold its goods bearing the  trademark, well before Applicant’s first date of claimed use in April 2014.

LEGAL STANDARDS

A. Summary Judgment Standard of Review

A movant is entitled to summary judgment when it has demonstrated “that there is no genuine dispute as to any material fact and that it is entitled to judgment as a matter of law.” *John W. Carson Foundation v. Toilets.com Inc.*, 94 USPQ2d 1942, 1945 (TTAB 2010) (citing *Celotex Corp. v. Catrett*, 477 U.S. 317 (1986)); Fed R. Civ. P. 56(c). When the moving party’s motion is supported by sufficient evidence, entitling it to judgment, the burden shifts to the non-moving party to demonstrate the existence of specific genuinely-disputed fact. *John W. Carson*

Foundation, 94 USPQ2d at 1945. The non-moving party must designate specific portions of the record or produce additional evidence showing the existence of a genuine issue of material fact. It cannot rely merely on allegations of its pleadings and unsupported assertions. *Id.*

B. Standard for Refusing Registration of a Mark

Under Section 2(d) of the Lanham Act, the US Patent and Trademark Office should refuse registration of an applied-for-mark when it “so resembles...a mark... previously used in the United States by another and not abandoned, as to be likely, when used on or in connection with the goods of the applicant, to cause confusion, or to cause mistake, or to deceive.”

Citigroup Inc. v. Capital City Bank Grp., Inc., 637 F.3d 1344, 1349 (Fed. Cir. 2011) (quoting 15 U.S.C. § 1052(d)).

An opposer of an applied-for-mark must demonstrate that it 1) owns a protectable mark, 2) has prior rights in and to its mark, and 3) the applied-for-mark is likely to cause consumer confusion as to the source, origin, sponsorship and/or affiliation when used in association with applicant’s goods.

ARGUMENT

As will be demonstrated below, there are no genuine issues of material fact in this opposition. Applicant’s applied-for-mark, , infringes Opposer’s trademark, , for athletic apparel, clothing and accessories.

A. Opposer Owns a Protectable Trademark with Prior Rights in and to such Mark

1. Opposer Owns Trademark Registrations for the  Trademark

An opposer’s prior rights may arise “from a prior registration, prior trademark or service mark use, prior use as a trade name, prior use an alogous to trademark or service mark use, or

any other use sufficient to establish proprietary rights.” *Herbko Int’l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1162 (Fed. Cir. 2002) (internal citations omitted). Opposer’s registrations set forth below are sufficient to prove its protectable and prior rights in Hybrid’s Trademark. *See King Candy Co. v. Eunice King’s Kitchen, Inc.*, 496 F.2d 1400, 1402, 182 USPQ 108, 110(CCPA 1974).

On the date Opposer filed the Notice of Opposition in this action, October 16, 2013, it was the owner of the trademark application: , Serial No. 86,000,809, in IC 41 for “Conducting fitness classes; Health club services, namely, providing instruction and equipment in the field of physical exercise; Personal fitness training services and consultancy; Physical fitness instruction.” On February 11, 2014, this application matured to registration, Reg. No. 4,480,850 (“Registration 1”). Opposer’s first use date of the  trademark, as set forth within Registration 1, is August 1, 2008. There is nothing in the record of this proceeding that disputes Opposer’s first use date of the  trademark in Registration 1 nor has Applicant contested Opposer’s priority. See Kosma Decl. ¶2.

On February 21, 2014, Opposer filed another application for registration of the  trademark in IC 25 for “Bottoms; Headwear; Tops.” This application matured to registration on September 23, 2014, Reg. No. 4,609,469 (“Registration 2”) (collectively Registration 1 and Registration 2 are “Hybrid’s Trademark”). Opposer’s first use date of the  trademark, as set forth within Registration 2, is December 31, 2008. There is nothing in the record of this proceeding that disputes Opposer’s first use date of the  trademark in Registration 2 nor does Applicant contest Opposer’s priority. Id. ¶3.

2. Applicant’s Claim of Use

Applicant applied-for the  trademark on January 30, 2013, in IC 25 for, “Athletic apparel, namely, shirts, pants, shorts, jackets, footwear, hats and caps.” In the  application, Applicant claimed a first use date of April 9, 2012, over four years after Opposer first began using Hybrid’s Trademark in commerce. As mentioned above, this first use date was over a year after Applicant first knew of the  trademark. Id. ¶4. There is nothing in the record of this proceeding that disputes Applicant’s first use date of April 9, 2012. Applicant admits such date of use. Id.

Applicant has not claimed any sales or advertising prior to 2012, let alone 2008. Applicant’s first use of its applied-for mark is well after the dates of first use of Opposer. Hybrid’s Trademark registrations have been properly of recorded and Opposer has submitted ample proof of use of the  trademark prior to Applicant’s April 2012 claimed first use. Therefore Opposer has established that it 1) owns a protectable trademark, and 2) that Opposer’s priority is not an issue as to those goods covered by the Hybrid Trademark registrations.

Opposer’s prior rights in and to Hybrid’s Trademark are clear and there is no genuine issue of fact in dispute.

B. Opposer Has Used Hybrid’s Trademark in Commerce since 2008

As described in great detail above herein, there is no question that Opposer has used the  trademark in commerce since 2008. The  trademark has been used extensively and continuously in ongoing nationwide promotion of Hybrid Athletics, the CrossFit Strongman Trainer Courses, apparel and fitness equipment, including, axles, farmer’s handles, yokes, logs, and atlas stone molds. The sales and promotion of apparel and physical fitness services bearing the

 trademark have occurred at the Hybrid Athletics gym, via the websites, hybridathletics.net and hybridathleticsapparel.com, extensively through social media, at CrossFit Strongman training courses in the U.S. and internationally, at CrossFit Strongman competitions throughout the U.S., and/or through vendors such as Rogue Fitness and Jaco Athletic. See Orlando Decl. ¶8.

Applicant even admits that it was aware of the  trademark as early as 2011, well before Applicant's claim of first use. See Kosma Decl. ¶4 and the Exhibit attached thereto.

Again, Opposer's prior use and rights in and to the Hybrid Trademark are clear and there is no genuine issue of fact in dispute.

C. There is a Likelihood of Confusion Between Hybrid's Trademark and Applicant's Applied-for Mark

Given Opposer's priority, the Board must sustain Opposer's Section 2(d) opposition if Applicant's use of the applied-for mark on clothing and accessories would create a likelihood of confusion with Hybrid's Trademark. A determination of whether or not likelihood of confusion exists can be made upon consideration of the applicable factors set forth in *In re E.I. DuPont DeNemours & CO.*, 476 F.2d 1357, 1361 (CCPA) 1973). The Federal Circuit and the TTAB have both advised that "[n]ot all of the DuPont factors are relevant to every case, and only factors of significance to the particular mark need be considered." *In re Mighty Leaf Tea*, 601 F.3d 1342, 1346 (Fed Cir 2010); *see also Shen Mfg. Co. v. Ritz Hotel Ltd.*, 393 F.3d 1238, 1241 (Fed. Cir. 2004)(holding that the Board and the Federal Circuit need only consider relevant factors). As such, the Board "may focus . . . on dispositive factors, such as similarity of the marks and relatedness of the goods." *Herbko Int'l, Inc.*, 308 F.3d at 1164–65 (*quoting Han Beauty, Inc. v. Alberto-Culver Co.*, 236 F.3d 1333, 1336 (Fed. Cir. 2001)); *see also Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 192 USPQ 24, 29 (CCPA 1976) ("The

fundamental inquiry mandated by §2(d) goes to the cumulative effect of differences in the essential characteristics of the goods and differences in the marks.”).

While there is no rigid test for analyzing likelihood of confusion, T.M.E.P. § 1207.01 lists factors that are relevant in a determination of likelihood of confusion. Of these factors, the most important for the analysis of this case are: 1) the similarities of the marks in appearance and commercial impression, 2) the relatedness of the goods or services as described in an application or registration, 3) the similarity or dissimilarity of established, likely-to-continue trade channels, and 4) the nature and extent of any actual confusion. *Citing In re E.I. DuPont DeNemours & CO.* Moreover, any “reasonable doubt as to the likelihood of confusion” should be “resolved against the newcomer, ‘for the newcomer has the opportunity of avoiding confusion, and is charged with the obligation to do so.’” *In re Mighty Leaf Tea*, 601 F.3d at 1346 (*quoting In re Shell Oil Co.*, 992 F.2d 1204, 1209 (Fed. Cir. 1993)).

Accordingly, the following analysis of the DuPont factors demonstrates that a likelihood of confusion does exist and therefore, this Opposition should be sustained.

1. The Marks are Substantially Similar in Appearance and Commercial Impression

Both parties’ marks are a design of the letter “H.” When viewed side by side, it is hard not to immediately notice the substantial similarities in the marks ( vs. ). The proper test, however, is not a side-by-side comparison, but instead whether the marks are sufficiently similar in terms of their commercial impression’ such that persons who encounter the marks would be likely to assume a connection between the parties.” *See Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 101 USPQ2d 1713, 1721 (Fed. Cir. 2012), *citing Leading Jewelers Guild v. JLOW Holdings, LLC*, 82 USPQ2d 1901, 1905 (TTAB 2007).

As described more below, the goods at issue are identical, which lessens the degree of similarity between the marks needed to find a likelihood of confusion than if there is a recognizable disparity between the goods. *Century 21 Real Estate Corp. v. Century Life of America*, 970 F.2d 874, 23 USPQ2d 1698, 1700 (Fed. Cir. 1992); *Jansen Enterprises Inc. v. Rind*, 85 USPQ2d 1104, 1108 (TTAB 2007); *Schering-Plough HealthCare Products Inc. v. Jing Huang*, 84 USPQ2d 1323, 1325 (TTAB 2007).

Applicant's stylized H design is substantially similar to Opposer's. It is true that both Opposer's and Applicant's business names start with the letter "H." However, it is not a coincidence, nor is it necessary, that Applicant uses a stylized "H" design for its trademark, nor is it a coincidence that the "H" design is so similarly constructed to Opposer's. Both "H" designs have a shield like appearance and have their widest portion of the letter about a quarter of the way down from the top. Both "H" marks also get progressively narrower towards the top and bottom of the marks. Opposer's H has more squared edges within the inside portion of the letter and Applicant's is more rounded, and the horizontal crossbar featured on Applicant's letter "H" is lower than Opposer's, however, these factors do not affect the overall commercial impression of the two marks.

As can be seen from the specimens of Hybrid's Trademark and Applicant's applied-for mark, as attached on clothing or in relation to CrossFit services, the marks look almost identical. When a consumer sees these marks on goods that are identical, or substantially similar and/or related, there is bound to be confusion, as described below in further detail. See Orlando Decl. ¶¶18, 43.

This factor is clearly in Opposer's favor.

2. The Applicant's Goods are Related to Opposer's

The fundamental question when considering this DuPont factor is whether the goods and services at issue can be related in the mind of the consuming public as to their origin. *Recot, Inc. v. M.C. Becton*, 54 U.S.P.Q.2d 1894, 1897 (Fed. Cir. 2000). “It is not necessary that these respective goods be identical or even competitive in order to support a finding of likelihood of confusion.” *Time Warner Entm't Co. v. Jones*, 65 U.S.P.Q.2d 1650, 1661 (T.T.A.B. 2002). Here, Applicant's goods are related to both Opposer's goods and services.

Here, Opposer's Registration 1 covers: “Conducting fitness classes; Health club services, namely, providing instruction and equipment in the field of physical exercise; Personal fitness training services and consultancy; Physical fitness instruction.” Opposer's Registration 2 covers: “Bottoms; Headwear; Tops.” Applicant's applied-for mark cover: “Athletic apparel, namely, shirts, pants, shorts, jackets, footwear, hats and caps.”

“It is well recognized that confusion is likely to occur from the use of the same or similar marks for goods, on the one hand, and for services involving those goods, on the other.” T.M.E.P. § 1207.01 citing, e.g., *In re Hyper Shoppes (Ohio) Inc.*, 837 F.2d 463, 6 USPQ2d 1025 (Fed. Cir. 1988) (likelihood of confusion found between “BIGG'S (stylized)” for retail grocery and general merchandise store services and “BIGGS and design” for furniture); *In re H.J. Seiler Co.*, 289 F.2d 674, 129 USPQ 347 (C.C.P.A. 1961) (likelihood of confusion found between SEILER for catering services and SEILER'S for smoked and cured meats); *In re Phillips-Van Heusen Corp.*, 228 USPQ 949 (TTAB 1986) (likelihood of confusion found between 21 CLUB for various items of men's, boys', girls' and women's clothing and THE “21” CLUB (stylized) for restaurant services and towels). In regards to Opposer's Registration 1, an obvious relationship exists between physical fitness services and athletic apparel. Often gyms, physical

trainers, and other facilities relating to physical fitness, e.g. LA Fitness, World Gym, and Planet Fitness, will sell clothing and apparel with the business' logo and brand on such clothing. See Kosma Decl. ¶6. It is logical then for consumers to believe that Opposer's physical fitness services also offers clothing bearing its brand. Therefore, Applicant's goods in international class 025 are related to Opposer's services in class 041.

In regards to Registration 2, when a registration describes goods in a broad manner, there is no limitation as to the nature, type, channels of trade, or class of purchasers. It is presumed that the registration encompasses all services of the type described, that they move in all normal channels of trade, and that they are available to all classes of purchasers. *See e.g., In re Thor Tech, Inc.*, 90 USPQ2d 1634, 1638 (T.T.A.B. 2009) ("We have no authority to read any restrictions or limitations into the registrant's description of goods.") In this case, Hybrid's Trademark broadly describes "bottom, headwear, tops" without any limitation as to channels of trade or classes of purchasers.

A likelihood of confusion is more readily found when goods and services are competitive and the marks are very similar. Also, as mentioned above, if the goods or services of the respective parties are closely related, the degree of similarity between the marks required to support a finding of a likelihood of confusion is not as great as would apply with more diverse goods and services. *Century 21 Real Estate Corp.*, 970 F.2d at 877. The goods here are essentially identical.

Opposer's, as well as Applicant's, goods and services are not in dispute. This factor is clearly in Opposer's favor.

3. The Marks will Travel in the Same Trade Channels

Like the goods and services relationship evaluation above, the basis for evaluating this factor also stems from the identification of the goods and services in the application and registration. As examined above, the goods and services relating to physical fitness are related to each other and Applicant does not dispute this fact. Nor is it anywhere in the record that Applicant disputes the attendant presumption that the channels of trade and classes of purchasers are the same.

Opposer and Applicant are not only involved in the world of physical fitness and the sale of related apparel. At this time, they are in an even narrower classification of physical fitness, the phenomenon of CrossFit training. This niche of physical fitness is a world sensation and very different from traditional methods of working out. See Orlando Decl. ¶3. While, Opposer's and Applicant's apparel are available for purchase from the wide consumer base of people who exercise in general, they are also sought after by those who actually participate CrossFit training. The parties market their goods and services to a more defined consumer base. See Orlando Decl. ¶¶6 and 19.

Opposer and Applicant both market and sell their goods online via their respective websites, at gyms that sell workout clothing and other related merchandise, through social media and at related events. Id. ¶¶33-39 and Kosma Decl. ¶4. Both Opposer and Applicant also advertises in the same manner through events, Cross Fit events that Opposer also attends, and through social media. See Kosma Decl. ¶4.

Applicant approached Opposer in April 2012 and inquiring whether Opposer wanted to promote the Hylete brand and thereby market their respective goods together. On April 23, 2014 and April 27, 2014, Applicant sent Opposer sets of "Mock-ups" of apparel using Hybrid Athletics'  trademark next to Hylete's  indicating that it strongly wanted to promote its

goods in the same fitness field that Hybrid Athletics' and the  trademark. See Orlando Decl. ¶43.

Applicant does not dispute, but to the contrary agrees through its communication with Opposer and its answers to Opposer's Interrogatories, that the channels of trade and the classes of consumers are indeed the same. Thus, for the purpose of this proceeding, the trade channels are the same.

This factor is clearly in Opposer's favor.

4. Proof of Actual Confusion

Proof of actual confusion is not necessary to show a likelihood of confusion, however, where there is proof of actual confusion, this factor must weigh heavily in favor of Opposer. As cited above, Opposer has received multiple consumer inquiries asking about the similarity between the marks at issue, the relationship between the Opposer and Applicant and other instances of actual confusion. See Orlando Decl. ¶¶48-49.

This factor is clearly in Opposer's favor.

CONCLUSION

In view of the foregoing and there being no genuine issue of material fact, Opposer respectfully requests that the Board grant Opposer's motion for summary judgment and refuse registration of the Applicant's infringing "H" trademark.

March 2, 2015

HYBRID ATHLETICS, LLC

/s/ Wesley W. Whitmyer, Jr.

Wesley W. Whitmyer, Jr.

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ATTORNEYS FOR OPPOSER

CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing OPPOSER'S MOTION FOR SUMMARY JUDGMENT was served by first class mail, postage prepaid on the Correspondent for the Applicant as follows:

Kyriacos Tsircou
Tsircou Law, P.C.
515 S. Flower Street, Floor 36
Los Angeles, CA 90071-2221

March 2, 2015
Date

/s/ Jessica L. White
Jessica L. White

EXHIBIT A

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

HYBRID ATHLETICS, LLC,	:	
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Opposer,	:	Opposition No. 91213057
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v.	:	
	:	
HYLETE LLC,	:	
	:	
Applicant.	:	

**DECLARATION OF ROBERT ORLANDO
IN SUPPORT OF OPPOSER’S MOTION FOR SUMMARY JUDGMENT**

I, Robert Orlando, declare:

1. I am the Owner of Hybrid Athletics. As the Owner of Hybrid Athletics, I am responsible for all aspects of the business, including advertising, sales and finances. I make this declaration based upon my personal knowledge and the business records of Hybrid Athletics as set forth herein.

2. Hybrid Athletics is a fitness company that is dedicated to the sport and training methods of CrossFit and strongman movements.

3. Since opening in 2008, Hybrid Athletics has seen CrossFit become “one of the fastest growing sports in America,” according to Forbes, with hundreds of thousands of followers, participants and teams worldwide. Hybrid Athletics believes in both strongman and CrossFit training methods, which is a principal strength and conditioning program that reaches a diversified group of people from police academies, tactical operation teams, and elite athletes to children and the elderly. The methods of this training are designed to have universal scalability which has lead to its vastly growing and dedicated user base, along with large corporate sponsors, like Reebok, which have invested millions into the sport.

4. The  trademark was designed on or around June of 2008. (Exhibit 1.)

5. The first publically made use of the  trademark was at least as early as August 2008 through signage on the Hybrid Athletics CrossFit gym.

6. Since 2008 the  trademark has been used extensively and continuously in ongoing nationwide promotion of Hybrid Athletics, the CrossFit Strongman Trainer Courses, apparel and fitness equipment, axles, farmer's handles, yokes, logs, and atlas stone molds.

7. Since 2008 the  trademark has been used extensively and continuously in conjunction with the sale of physical fitness services and apparel in the fitness industry.

8. The sales and promotion of apparel and physical fitness services bearing the  trademark have occurred at that Hybrid Athletics gym, via the websites, hybridathletics.net and hybridathleticsapparel.com, social media, at CrossFit Strongman training courses, at CrossFit Strongman competitions throughout the U.S., and/or through vendors such as Rogue Fitness and Jaco Athletics.

9. The  trademark has been used in Hybrid Athletics' advertising, marketing, promotion and sales of goods and services, including:

Signage

Date: At least as early as August 2008.

Website and Online Marketing

Date: At least as early as July 2009.

Apparel

Date: At least as early as December 2008

Equipment

Date: At least as early as October 2010

Periodicals

Date: At least as early as August 2010

10. As the owner of the Hybrid Athletics' CrossFit gym and a competitive CrossFit Athlete, I placed top three in the CrossFit Northeast Regional Qualifier in 2009, 2010 and 2011, including winning the Northeast Regional in 2010.

11. I competed in the CrossFit Games in 2009, 2010 and 2011. I placed 22nd and 15th overall in 2009 and 2010.

12. Leading up to the CrossFit Games in 2010 and 2011, CrossFit featured me as a top ten athlete for which I was promoted in numerous videos leading up the CrossFit Games and included the  trademark.

13. For instance, I was featured in a Hi-Temp Weight Equipment commercial that aired as the 2010 CrossFit Games in which I wore apparel featuring the  trademark. (Exhibit 2; <http://youtu.be/c3GuDCxts94>)

14. Throughout the 2009, 2010 and 2011 CrossFit Regionals and Games competitions I competed under the  trademark. (Exhibit 3; Exhibit 4.)

15. In 2009 and 2010 I also competed under the  trademark and won the Vikingfest Strongman Competition (Exhibit 5; <http://youtu.be/425JSV8o3vQ?t=3m56>)

16. From 2009 to present Hybrid Athletics has sold its apparel and equipment under the  trademark as a vendor at both the North East Regionals and the CrossFit Games.

17. During the 2010 and 2011 seasons, I sold approximately 6,000 to 7,000 t-shirts bearing the  trademark to individuals in the fitness community.

18. Attached are examples of the equipment and apparel sold under the  trademark in 2011. (Exhibit 6) The apparel includes shirts and sweatshirts each of which has the

 trademark displayed prominently on the front and/or back. The apparel also includes training shorts which has the  trademark displayed prominently on the leg. The equipment includes eight sizes of Hybrid Athletics' Stone Molds each of which has the  trademark displayed prominently. Today, Hybrid Athletics now offers 13 sizes of Hybrid Athletics' Stone Molds.

19. Following the 2009 CrossFit Games, I was sponsored in 2010 by Rogue Fitness, Jaco Athletics and Progenex. Rogue Fitness and Jaco offered for sale apparel and/or equipment with the  trademark.

20. In my opinion, Rogue Fitness is one of the world's top suppliers of CrossFit apparel and equipment. Rogue fitness has also been the sole equipment supplier of the CrossFit Games since 2009. (<http://blog.roguefitness.com/2009/06/rogue-is-the-official-supplier-for-the-crossfit-games/>)

21. Since 2010, Rogue Fitness has sold the Hybrid Athletics' Stone Molds, which are branded with the  trademark. (Exhibit 7.) Since 2010, Rogue Fitness has also sold a Rob Orlando T-Shirt featuring the  trademark in an atlas stone.

(<http://www.roguefitness.com/rob-orlando-t-shirt>)

22. As of January 31, 2014, Rogue Fitness had shipped Hybrid Athletics' Stone Molds to 1,455 zip codes throughout the United States and 108 zip codes in Canada. (Exhibit 8.)

23. After the 2011 CrossFit Games, I stopped competing competitively and in September of 2011 became a CrossFit subject matter expert and personally run CrossFit's Strongman Trainer Courses.

24. The  trademark is used in conjunction with every CrossFit Strongman Trainer Course conducted. As of October 2014, there have been over 3,800 attendees.

25. Prior to Hylete's alleged April 9, 2012 date of first use of the  mark, in the first six (6) months of conducting CrossFit Strongman Trainer Courses alone, I conducted 13 courses and had a total of 488 attendees. In the United States I conducted courses in Arizona, Connecticut, California, Colorado, Maryland, New Jersey, New York and Texas for 355 attendees. In Europe, I conducted courses in Belgium, Germany, the Netherlands and the United Kingdom for the remaining 133 attendees.

26. The  trademark is also used in promoting my CrossFit gym and CrossFit Strongman Trainer Courses through the following media outlets: www.hybridathletics.net, Facebook, Instagram, and YouTube.

27. The  trademark is also regularly mentioned in the following media outlets: Magazines, Industry Partners' websites, Facebook pages, and YouTube channels.

28. The  trademark was featured in the July 2011 issue of Muscle & Fitness in an article spanning six pages giving a detailed history of Hybrid Athletics, how it got started, and what makes Hybrid Athletics unique. The article includes two full page photographs and eight smaller photographs of me performing exercises while wearing clothing exhibiting the  trademark. (Exhibit 9.)

29. As evidenced by the 2011 Annual Report issued by American Media, Inc., for 2011, "Muscle & Fitness has a total average monthly circulation of approximately 377,000 copies, including monthly subscriptions of 280,000 and newsstand copies of 97,000, and an estimated total monthly readership of 6.6 million." (Exhibit 10.)

30. Rogue Fitness advertises the Hybrid Athletics' Stone Molds on its website stating: "These are the stone molds made famous by the July 2011 issue of Muscle & Fitness featuring Rob Orlando." (Exhibit 7.)

31. Since September 2011, I write a regular column for Muscle & Fitness Magazine entitled EDGE CROSSFIT CORNER, which has been featured in twenty-seven (27) issues of the Magazine. The  trademark is regularly displayed in photographs as part of my column.

32. Prior to April 2012 alone, the  trademark was also used in at least the September 2011 and March 2012 issues of Muscle & Fitness Magazine. Each of the EDGE CROSSFIT CORNER's for those issues shows me performing exercises while wearing clothing with the  trademark. (Exhibit 11; Exhibit 12.)

33. In the CrossFit community, it is my opinion that one of the most important tools for advertising to current and potential customers is a strong social media presence on websites such as Facebook and YouTube.

34. Hybrid Athletics' Facebook page has been maintained since December 9, 2011. The  trademark is regularly used on the page and athletes are consistently shown wearing gear with the Mark in the videos and photos posted to the page. The page has accumulated 8,420 likes as of October 29, 2014. (www.facebook.com/Hybridathleticsfans)

35. My Facebook fan page has been maintained since November 9, 2011. The  trademark is regularly used on the page and athletes are consistently shown wearing gear with the Mark in the videos and photos posted to the page. The page has accumulated 30,628 likes as of October 29, 2014. (www.facebook.com/crossfitrobo)

36. I have maintained the HybridStonemolds YouTube channel since October 26, 2010. Athletes are consistently shown wearing and using gear with the  trademark in the videos posted to the channel. The channel has accumulated 3,296 subscribers with a combined 374,835 views of my videos on the channel as of October 29, 2014.

www.youtube.com/user/hybridstonemolds/about

37. I have also maintained the HybridAthletics100 Youtube channel since December 3, 2011. Athletes are consistently shown wearing and using gear with the  trademark in the videos posted to the channel. The channel has accumulated 638 subscribers with a combined 39,603 views on the videos on the channel as of October 29, 2014.

www.youtube.com/user/HybridAthletics100/about

38. The  trademark has also been featured in numerous third-party YouTube videos. For instance, CrossFit's YouTube channel features approximately 36 videos with the  trademark having over 2 million views at the end of 2014. For example, the  trademark is featured in the following videos on CrossFit's YouTube Channel:

Exhibit	Bates Range	Video Title	Date Posted	Views (12.28.14)	Link
13	HYBRID 000638-640	Rob Orlando 300x3	7/29/2010	62,559	http://youtu.be/iWxSuazburY
2	HYBRID 000631-633	HiTemp Commercial - Rob Orlando	10/6/2010	49,169	http://youtu.be/c3GuDCxts94
14	HYBRID 000594-596	CrossFit - Questions for Rob Orlando	3/24/2011	32,403	http://youtu.be/et3oi-yf6zA
15	HYBRID 000652-654	Rob Orlando's Bear Complex at 200 lbs.	9/14/2011	121,558	http://youtu.be/8IQftORtxqk
	HYBRID 000641-644	Rob Orlando at the Vikingfest	9/15/2011	257,372	http://youtu.be/425JSV8o3vQ

5		Strongman Competition			
16	HYBRID 000567-569	CrossFit - Back Squat Insights with David Millar, Rob Orlando, and Dave Lipson	9/21/2011	92,315	http://youtu.be/_lmpUTcUTmM
17	HYBRID 000587-589	CrossFit - One Arm "Fran" by Rob Orlando	9/30/2011	201,554	http://youtu.be/gIySef1aMdl
18	HYBRID 000570-572	CrossFit - California Road Trip: Part 1	11/28/2011	126,536	http://youtu.be/wlChB_D5hTU
19	HYBRID 000580-582	CrossFit - "Heavy Bench, Heavy Lunge Workout" with Rob Orlando	12/21/2011	128,051	http://youtu.be/yRTvbalXJeA
20	HYBRID 000564-566	CrossFit - 300 pound "Grace" by Rob Orlando	3/30/2012	172,632	http://youtu.be/ZF72GL5eBd0

39. The  trademark is recognized in the trade and by consumers as Hybrid Athletics' trademark, and as indicating Hybrid Athletics' products and services.

40. Through my sponsorship with Jaco, starting in 2010, I worked regularly with Matt Paulson to brand clothing using the  trademark.

41. In around early 2012, Matt Paulson left Jaco to start a clothing brand named Hylete brand using the  mark.

42. In April of 2012, Matt Paulson contacted me via text and emails regarding an opportunity to promote the Hylete brand.

43. On April 23, 2012 and April 27, 2012, Matt Paulson emailed me sets of "Mock-ups" of apparel using Hybrid Athletics'  trademark next to Hylete's . (Exhibit 21;

Exhibit 22.) Matt Paulson's email indicated that Hylete was seeking to strongly promote its goods in the same fitness field that Hybrid Athletics' and the  trademark are used.

44. Hylete's use of the  on the identical goods in the same market concerned me since the Hylete  was strikingly similar to Hybrid's  trademark.

45. I immediately informed Matt Paulson that the marks were confusingly similar. (Exhibit 23.) However, despite my concern Hylete continued forward and began selling merchandise bearing the  mark.

46. Soon after Hylete began promoting its products, individuals began expressing confusion between Hybrid's  trademark and the Hylete .

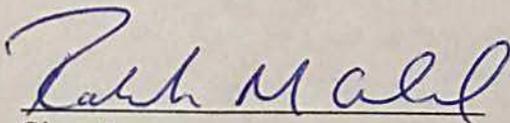
47. I sent Matt Paulson a comment I received on my Facebook where an individual from Lenexa, KS wrote that "you should investigate HYLETE...unless they r a branch of Hybrid they chicken hawked your logo...heads up." (Exhibit 24; Exhibit 25.)

48. Matt Paulson responded that "with any new logo, people associate that logo with something they have already seen . . ." and that "we had a few people say it looks like your logo." (Exhibit 25.)

49. The instances of confusion have not stopped and I am continuously forced to inform people I am not affiliated with Hylete. For instance, in addition to the repeated questions in person, I have received the following messages:

- a. July 28, 2013 – "At the games, I see a lot of people wearing Hylete clothing and posting on Facebook. Does it have anything to do with Hybrid Athletics? The logo looks a lot like Hybrid and the name is very similar so was just wondering." (Exhibit 26.)

- b. October 16, 2013 – “Subject: hylete discussion” “Your conversation was actually helpful in knowing the difference between the logos/brands. It was every confusing at first, I completely thought they were one in the same.” (Exhibit 27.)
 - c. December 5, 2013 – “How do [you] feel about Hylete athletics, basically copying your logo and name?” (Exhibit 28.)
 - d. December 24, 2013 – “Rob something has to be done about Hylete! It’s a blatant rip off of the hybrid Athletics brand! Not sure what can be done but the “H” and the term hybrid Athlete is something you have created in the CrossFit Community . . . the fact that they are flooding the Community with their Brand over yours is disrespectful in my opinion.” (Exhibit 29.)
 - e. January 21, 2014 – “Is ‘Hylete’ associated with Hybrid Athletics? Their name and logo is more than a little similar but I can’t find anything on their site to indicate it.” (Exhibit 30.)
 - f. February 26, 2014 – “I chatted with a hylete rep in Miami and thought they were your apparel.” (Exhibit 31.)
 - g. November 6, 2014 – “did you know a copy of your brand means that you succeed . . . Here it is: <http://www.hylete.com>” (Exhibit 32.)
50. I declare under penalty of perjury the foregoing is true and correct.


Signature

Robert Orlando
Printed Name

March 2, 2015

EXHIBIT 1

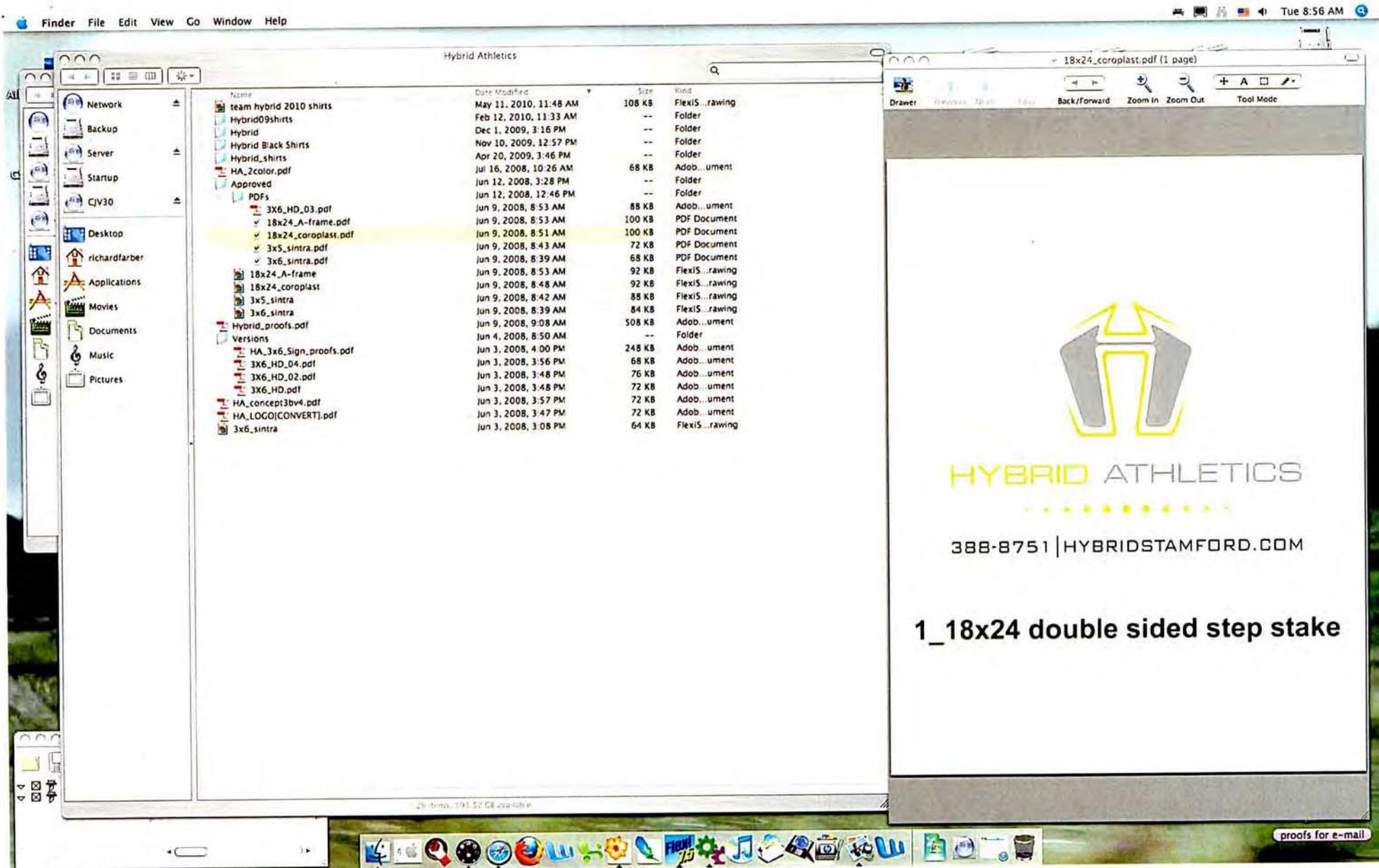


EXHIBIT 2



HiTemp Commercial - Rob Orlando



CrossFit®



557,488

49,169

+ Add to ← Share ... More

👍 137 💬 3

Uploaded on Oct 6, 2010

Commercial for HiTemp aired at the 2010 CrossFit/USAW event featuring Rob Orlando.

SHOW MORE

ALL COMMENTS (40)



Share your thoughts

Top comments



Carlos Cache · 3 years ago
they should pissetest crossfitters!!



Garmett1 · 3 years ago
The ocean sure as fuck don't care.



alex4011 · 3 years ago · *In reply to Carlos Cache*
@carlitoscachesini they do.



code2high · 2 years ago
All I can say is one word: BEAST!



"Isabel-Off" with Josh Everett and Dave Lipson
by CrossFit®
58,240 views



CrossFit - Khalipa's History with the Squat Clean Thruster
by CrossFit®
546,949 views



Rob Orlando at the Vikingfest Strongman Competition
by CrossFit®
253,744 views



Inov8 Commercial - CFNE
by CrossFit®
41,799 views



Rob Orlando, Deadlift
by George Street
72,736 views



RossFit
by CrossFit®
167,234 views



Rob Orlando's Food habits
by Rob Orlando
66,166 views



"Lynne" with 225 and a vest
by Rob Orlando
22,657 views



"How to get stronger" - Rob Orlando
by Jenfolo
94,683 views



James Hobart and CrossFit New England crush a CrossFit WOD
by Steve's PaleoGoods
291,701 views



SEALFIT - EVO 1
by Rogue Fitness
97,673 views



crossfit
by sweets585124



Rob Orlando CrossFit WOD: Overhead, Front & Back Squats
by Progenex Administration
43,255 views



Team of Champions: The Story of the CrossFit Invitational
by CrossFit®
71,855 views



Lucas Parker's Road to the Games Episode 2 - Hard Week #1
by WODtv
Recommended for you

 **Arnouxvaze** 4 years ago
unbeliveble woooooow man one arm keep it up u give me more insperotional

 **CrossfitFan125** 1 year ago
this is serious one of the most impressive commercials..

 **Arnouxvaze** 4 years ago
I really like this speech and I want to print it to put on my wall. I subtitled it, but I am not a native speaker, can you correct it if there are mistakes? "the weight doesn't care for men having a bad day it doesn't care it's 40 degrees in the gym or 90 it's in different in the quality of my sleep or the quality of my diet the weight doesn't care about the crossfit games it only cares about one thing: on this day, at this moment, can I move it?"

 **rangerdew1** 3 years ago [in reply to OKstateCOWboyz](#)
@OKstateCOWboyz I never said he was. I am drawing reference to his over-dramatizing of simply "picking something up, and putting it down". It's not that special.

 **Brandon Beaver** 1 year ago
How in the hell.....?!?!?! Incredible!!

 **TaZZAKASlay3r** 3 years ago
Woooooow!

 **CrossfitFan125** 1 year ago
i can watch this over and over..

 **Todd Bailey** 4 years ago
Arnouxvaze, couple corrections: "The weight doesn't care if I'm having a bad day." Also "It's indifferent to the quantity of my sleep or the quality of my diet." Otherwise, you got it right.

 **LetalisMarmoreus** 3 years ago
Stacked inside out it looks like 25-25-10 So I'm guessing 165, which is STILL no laughing matter. If you haven't seen his workouts, he's BEAST

 **Thomas Foster** 4 years ago
awesome

 **rangerdew1** 4 years ago
Impressive strength, but really dude, lets put it in perspective a bit. I know plenty of dudes downrange whose workplace conditions matter more than your "gym being hot or cold".

 **Peter Davey** 3 years ago [in reply to TheJamo75](#)
whys that then? am i wrong?

 **Sliver04** 4 years ago
This commercial is awesome. I love it! If you guys would like to read the article that obviously inspired this commercial google THE IRON by Henry Rollins.

 **mitchrulez** 3 years ago [in reply to Carlos Cache](#)
@carlitoscachesini they do

 **TheJamo75** 3 years ago
and you sound rather retarded

 **Arnouxvaze** 4 years ago
thank you!

Show more



CrossFit Black Box Commercial
by CFBlack.Box
107,897 views



Rob Orlando
by Rogue Fitness
97,708 views



Progenex and Rob Orlando Hybrid Athletics.mov
by Progenex Administration
15,863 views



2011 CrossFit Commercial (Super Bowl)
by Kevin Houston
570,485 views



I am Your Strongest Competition
by Full Squared Productions
138,731 views

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Language: English ▾

Country: Worldwide ▾

Safety: Off ▾

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<https://www.youtube.com/watch?v=c3GuDCxts94> Sun Dec 28 2014 13:42:33 GMT-0500 (Eastern Standard Time)

EXHIBIT 3

**LIVE SCORING**

Affiliate Cup, Men's, and Women's scores are live!

COMPETITOR INFORMATION

Important information and schedules for competitors.

PARKING INFORMATION

Register now to reserve your parking.

2009 CROSSFIT GAMES**JULY 10-12 AROMAS, CALIFORNIA****2009 SPONSORS**

*
BREAK
RECORDS
LEGALLY

SKINS.
NO OTHER EQUIPMENT

TRAINING
DAY

MARINES
THE FEW. THE PROUD

concept 2
C2A

R
ROGUEFITNESS

AGAINFASTER.COM
SPEED + STRENGTH + POWER + PROGRESS

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GARAGEGYM

GYMBOSS
INTERVAL TIMER

PANDA EXPRESS
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head-to-head

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SPONSORS

Info on sponsoring
the 2009 Games

Athlete Profile: Rob Orlando

June 4, 2009 10:41 AM

Posted in **Competitors** »
4 Comments » on this entry

Rob Orlando

Height: 5' 8"

Weight: 196

Date of Birth: 4/28/1975

Place of Birth: New York

Started doing CrossFit: About a year ago

Affiliate: Owner, **Hybrid Athletics**

Cindy: never done it

FGB: never done it

Fran: 2:23

Grace: 1:35 with 135lbs and no squat cleans...2:40 @ 155lbs and squat cleans

Helen: 7:54 @ 70lbs KB

Nancy: never done it

Freddy's Revenge at 200lbs from the ground...4:54

Deadlift/ Thruster...5,4,3,2,1 @ 500/250 in 11:47

Deadlift: 1 RM 600 or 500 x 10

Back Squat: 475

Press: 254

Clean: 300+

Favorite WOD: King Kong x 2

Least Favorite: Murph

Favorite Lift: Doesn't matter

Least Favorite Lift: Also doesn't matter

2009 Northeast Regional Finish: 5th



4 comments on this entry.

1. **lance uppercut** wrote...

June 4, 2009 1:03 PM

alright! i cant wait to see this guy at the games hes been my hero ever since the thruster/ deadlift video

[Reply to this comment](#)

[Permalink](#)

2. **kathryn** wrote...

June 24, 2009 6:46 PM

Kick ass Rob!!!

[Reply to this comment](#)

[Permalink](#)

3. **kathryn** wrote...

June 24, 2009 6:57 PM

Kick ass Rob!!!

[Reply to this comment](#)

[Permalink](#)

4. **Greg** wrote...

July 8, 2009 5:17 AM

Bring it home to Hybrid, Rob.

[Reply to this comment](#)

[Permalink](#)



CATALYST ATHLETICS
Advancing the Science of Athlete Performance



PRIMARYCOLOR



PROMOTE THE CROSSFIT GAMES ON YOUR WEBSITE OR BLOG

Place our widget on your blog, social networking profile, or your website. Just copy the code to the right and paste it into the HTML of your site.

```
<a href="http://games2009.crossfit.com"></a>
```


EXHIBIT 4

THE CROSSFIT GAMES

PROGENEX



Home

About the Games

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Regional Results

Video

Event Schedule

View Athlete Profiles & Games Scores



1 of 10

- 1. Thomas Bergeron
- 2. Jessica Parnaguir
- 3. Lauren Plumey

Qualifying Affiliates:

- 1. CrossFit New England
- 2. CrossFit Performance
- 3. Guerrilla Fitness
- 4. CrossFit Tribe
- 5. CrossFit Milford
- 6. CrossFit USA

They have all secured the opportunity to vie for the title at the CrossFit Games. After the fantastic display they put on this weekend, you can expect them make a valiant effort when we see them in Los Angeles.

As for the Masters, they still have to wait to see how they stack up against the rest of the competitors around the nation.

A big thank you goes out to all the volunteers and judges that contributed so much this weekend, the event would not have been the same without you. Your hard work and cooperation made this a wonderful experience for all the athletes and spectators. Your time and dedication has shown how amazing this CrossFit community is and we deeply appreciate all you put in to these Qualifiers. That's all from the Northeast Regionals, good luck to the athletes in your next conquest, the 2010 CrossFit Games!

Like Be the first of your friends to like this.

25 comments on this entry

1. **Dan Rx'd** wrote... Permalink
 Some photos from this weekend are posted here: 24 May 2010 / 9:18 a.m.
<http://www.flickr.com/photos/crossfitneq/>

2. **Jason Ackerman** wrote... Permalink
 Thanks again to everyone for coming! We couldn't have done it without all of the volunteers and judges, you were such an integral part of this event and the CrossFit community as a whole. Thank you! 24 May 2010 / 9:31 a.m.

3. **k Malz-FitMom** wrote... Permalink
 UH-MAZING WEEKEND! 24 May 2010 / 9:58 a.m.

Thank you Albany CrossFit, judges, volunteers, athletes, and spectators for making it so successful!

BEST WISHES to our 6 athletes and 6 Affiliate Teams going to the Games in July!

Best,

Kim Malz

4. **Je** wrote... Permalink
 Awesome weekend! Thanks to everyone who helped out this weekend. Thanks to all 24 May 2010 / 11:01 a.m.

Awesome weekend!! Thanks to everyone who helped out this weekend!! Thanks to all the awesome people yelling and cheering on the sidelines. What an outstanding group of people!!
Jen

24 May 2010 / 11:02 a.m.

5. [sevan](#) wrote...

ROB ORLANDO! You are reason enough for me to go to the Home Depot Center this summer. BAD ASS!

[Permalink](#)

24 May 2010 / 11:17 a.m.

6. [D](#) wrote...

To Gregg from Guerrilla Fitness.

[Permalink](#)

24 May 2010 / 11:20 a.m.

First off great event this weekend to all who programmed, but back to Gregg. People complained about the programming at the Sectionals saying it wasn't heavy enough and everything was longer time domains. I think its clear that in this weekends events being strong was a serious advantage. For the most part the top guys from the Sectional were the top guys at this weekends events (aka strong guys).

So all the people who complained that the Sectional programming wasn't going to be heavy enough to put the best/strongest crossfitters through were totally wrong. Aka great job programming at sectionals and great job to all the organizers this weekend. It was a great event. Good to the athletes going to LA

7. [Mike Bissatlon](#) wrote...

Jason, Great event, great programming and an even better time. My hats off to all the volunteers who worked their butts off, we could nt have had all that fun without your hard work. Thanks again!

[Permalink](#)

24 May 2010 / 11:53 a.m.

8. [Scott Lewis](#) wrote...

@ Peter Isky.. Rob O. did dominate this event, with his humble demeanor as well as his strength and conditioning, but...I bet a lot of the athletes that competed this weekend will take issue with your statement. I know a lot of the competitors personally, and everyone who competed this weekend deserved to be at this event because they were "in shape".

[Permalink](#)

24 May 2010 / 12:03 p.m.

Jason Ackerman...awesome event! You and your crew really put together a great weekend and the programming was "on point."

Congratulations to all the athletes...superhuman efforts by all.

9. [Scott Lewis](#) wrote...

[Peter](#)...understood. He is/was quite the mythical anomaly this weekend.

[Permalink](#)

24 May 2010 / 12:46 p.m.

10. [gregg arsenuk](#) wrote...

First, hats off to Jason A, Dave O, and whoever else was part of the team that put together this extraordinary event. The WODs were creative and exactly what should be expected at the regional level. Congratulations to all competitors for great performances all around.

[Permalink](#)

24 May 2010 / 1:42 p.m.

To 'D': Thank you for the mention.

11. [Candice Ruiz](#) wrote...

Congratulations to all athletes who are advancing after this weekend, but especially to Lauren Plumey who made an impression on me personally. I have never met you and I didn't witness any of this past weekend other than scores, but to come from 8th and absolutely crush the final wod to earn your spot in the top 3...amazing. Way to put so much heart into it. You deserve it. Mad respect.

[Permalink](#)

24 May 2010 / 1:55 p.m.

12. [Cool Video from Weekend](#) wrote...

<http://www.flickr.com/photos/37790978@N08/4634335406/>

[Permalink](#)

24 May 2010 / 2:30 p.m.

rob orlando 300 x3

13. [john wopat](#) wrote...

It's difficult to express to "civilians" what Crossfit is or how special and unique an event like this weekend's regional competition was. Crossfitters don't compete against each other, they compete FOR each other. The great athletes we're sending to the Games owe part of their extraordinary performances to those other men and women who were a second slower, or who lifted a pound or two less. So, we're all going to LA. And by the way, Jason Ackerman should run for Governor! Great job everyone!

[Permalink](#)

24 May 2010 / 3:04 p.m.

14. [Pat Sherwood](#) wrote...

Congrats to everyone who competed. Special shout out to Heather! Way to train smart during those couple weeks before the event. Your patience paid off.

[Permalink](#)

24 May 2010 / 3:04 p.m.

15. [lelak](#) wrote...

You're a machine, Mr Orlando. Well done!

[Permalink](#)

24 May 2010 / 5:35 p.m.

16. [Malcolm Spittler](#) wrote...

More photos up at <http://www.flickr.com/photos/48324345@N04/sets/72157624130176900/>

[Permalink](#)

24 May 2010 / 5:51 p.m.

17. [Tom](#) wrote...

Great Job Jessica! I saw your 145 Serious 7 at the NE qualifier and thought you would do well at the Regional Games. Good Luck in Cali!

[Permalink](#)

24 May 2010 / 6:06 p.m.

18. [BK](#) wrote...

Jay!
Awesome event run super smoothly, well done mate.
Rob, that 300 lift was the moment of the games, spinechilling to watch live.
The final minute of the ladies Triplet was off the chain with Heather and Jessica going toe to toe and Lozza Plumey crushing the final WOD was a few of so many insane moments over a memorable weekend.

[Permalink](#)

24 May 2010 / 6:45 p.m.

19. Jason Ackerman wrote...

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Permalink
24 May 2010 / 8:14 p.m.

Maybe I'll run for Governor!

20. Lauren Plumey wrote...

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Permalink
25 May 2010 / 5:44 a.m.

21. Owen Satterley wrote...

To Jay and all the volunteers:

Permalink
25 May 2010 / 6:28 a.m.

What an awesome weekend - the event seems to run like clockwork! Great job!

To the athletes:

Superhuman teklers was shown by all, with special mention to Rob O for going to town all weekend and to Lauren for crushing 'The Crippler'. What an absurdly determined performance! Great work guys! I only wish I was fit enough to have taken part!

See you next year!

O*

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Anyone who saw Rob Orlando CRUSH the workouts knows what an incredible athlete he is but more impressive is what a humble and awesome guy he is to everyone..Always encouraging, to others, always supportive and for someone who could have an huge ego doesn't. He just quietly annihilates any task put in front of him. We loved watching him compete and Win. you are a great friend Rob..We Love ya!

Permalink
25 May 2010 / 11:25 a.m.

23. Denise Thomas wrote...

A big thank you to Jason, Gregg, all the judges and volunteers that made the Northeast sectionals and regionals happen. Great events that definitely tested us in all capacities! To the six athletes going West...good luck, guys! Represent and have a BLAST!!
Rob, if you work on that C&J you may have a good shot at winning this thing :) Finish what you started!!!

Permalink
25 May 2010 / 2:36 p.m.

24. Aaron wrote...

AWESOMENESS Rob! JUST AWESOME! I don't know you quite obviously, but that my man was nothing short of inspirational. Rip it up in LA!

Permalink
25 May 2010 / 5:34 p.m.

25. nick wrote...

Hey Owen,

Permalink
01 June 2010 / 7:02 p.m.

what happened to you - were you injured?

I was following your progress and figured you d give things a good shake

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```
<a href="http://www.crossfit.com/games2010" style="float: left; width: 100px; height: 100px; border: 1px solid black; text-align: center; line-height: 100px; font-size: 10px; font-weight: bold; color: white; background-color: #000080; color: white; padding: 5px;">The CrossFit Games  
2010
```

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Northeast Regional

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NORTHEAST REGIONAL

Photo Credit: Malcolm Spittler

Event Recap: Northeast Regional

Final results in from Albany.



What a wild finish that unfolded here at the Northeast Regional Qualifiers. After a fantastic conclusion in the Affiliate Competition, the individuals stepped up to their last obstacle of the weekend, and what a test it was.

After making cuts following the 3rd workout, the top 18 men and women hit a monster chipper: 10 power cleans (185/115), unload outside weight and carry one plate 30 meters and load it onto a sled (45/25), ski for 20 calories, sprint back 30 meters, 30 power snatches (95/65), carry the other weight (45/25) 30 meters and load it onto the sled, 40 burpees, push loaded sled (90/50) 30 meters on high bars, 50 kettlebell swings (55/35), push loaded sled back 30 meters, 60 double-unders, and then one final sprint back 30 meters to the finish line. If that doesn't sound exhausting to you, you are probably not human.

These phenomenal athletes did not disappoint. Lauren Plumey put on a show for the Women's finale, blazing through the workout as she pulled away from the pack, finishing in 12:49, over a minute ahead of the next closest time. The Men's finale proved just as electrifying, as Austin Malleolo and Rob Orlando gave the fans their money's worth, battling for tops in the heat until the bitter end, before Rob secured his third 1st place event of the weekend with a time of 11:51. The "Albany Crippler" will not soon be forgotten.

The Northeast Qualifiers proved nothing short of spectacular, as the greatest athletes of the region came out in full force to produce epic performances that those in attendance will cherish for a life-time. When all was said and done and the results were tabulated, 3 men, 3 women, and 6 affiliate teams proved they were the best of the Northeast and will move on.

Qualifying Men

1. Rob Orlando
2. James Hobart
3. Austin Malleolo

Qualifying Women

1. Heather Bergeron
2. Jessica Pamanian
3. Lauren Plumey

Qualifying Affiliates

1. CrossFit New England
2. CrossFit Performance
3. CrossFit USA

They have all secured the opportunity to vie for the title at the CrossFit Games. After the fantastic display they put on this weekend, you can expect them make a valiant effort when we see them in Los Angeles.

As for the Masters, they still have to wait to see how they stack up against the rest of the competitors around the nation.

A big thank you goes out to all the volunteers and judges that contributed so much this weekend, the event would not have been the same without you. Your hard work and cooperation made this a wonderful experience for all the athletes and spectators. Your time and dedication has shown how amazing this CrossFit community is and we deeply appreciate all you put in to these Qualifiers. That's all from the Northeast Regionals, good luck to the athletes in your next conquest, the 2010 CrossFit Games!

Be the first of your friends to like this.

25 comments on this entry

1. Dan Rx'd wrote... Permalink
Some photos from this weekend are posted here
<http://www.flickr.com/photos/crossfitneq/> 24 May 2010 / 9:18 a.m.

2. Jason Ackerman wrote... Permalink
Thanks again to everyone for coming! We couldn't have done it without all of the volunteers and judges, you were such an integral part of this event and the CrossFit community as a whole. Thank you! 24 May 2010 / 9:31 a.m.

3. k Maiz--FitMom wrote... Permalink
UH-MAZING WEEKEND! 24 May 2010 / 9:58 a.m.

Thank you Albany CrossFit, judges, volunteers, athletes, and spectators for making it so successful!

BEST WISHES to our 6 athletes and 6 Affiliate Teams going to the Games in July!

Best.

Kim Maiz

4. Je wrote... Permalink
Awesome weekend! Thanks to everyone who helped out this weekend. Thanks to all 24 May 2010 11:01 a.m.



Photo Gallery



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awesome weekend. Thanks to everyone who helped out this weekend. Thanks to all the awesome people yelling and cheering on the sidelines. What an outstanding group of people!!
Jen

24 May 2010 / 11:16 a.m.

5. [sevan](#) wrote...

ROB ORLANDO! You are reason enough for me to go to the Home Depot Center this summer. BAD ASS!

[Permalink](#)

24 May 2010 / 11:17 a.m.

6. [D](#) wrote...

To Gregg from Guerrilla Fitness.

[Permalink](#)

24 May 2010 / 11:20 a.m.

First off great event this weekend to all who programmed, but back to Gregg. People complained about the programming at the Sectionals saying it wasn't heavy enough and everything was longer time domains. I think its clear that in this weekends events being strong was a serious advantage. For the most part the top guys from the Sectional were the top guys at this weekends events (aka strong guys).

So all the people who complained that the Sectional programming wasn't going to be heavy enough to put the best/strongest crossfitters through were totally wrong. Aka great job programming at sectionals and great job to all the organizers this weekend. It was a great event. Good to the athletes going to LA

7. [Mike Bissaillon](#) wrote...

Jason, Great event, great programming and an even better time. My hats off to all the volunteers who worked their butts off, we could nt have had all that fun without your hard work. Thanks again!

[Permalink](#)

24 May 2010 / 11:53 a.m.

8. [Scott Lewis](#) wrote...

@ Peter Isky.. Rob O. did dominate this event, with his humble demeanor as well as his strength and conditioning, but...I bet a lot of the athletes that competed this weekend will take issue with your statement. I know a lot of the competitors personally, and everyone who competed this weekend deserved to be at this event because they were 'in shape'.

[Permalink](#)

24 May 2010 / 12:03 p.m.

Jason Ackerman...awesome event! You and your crew really put together a great weekend and the programming was 'on point.'

Congratulations to all the athletes...superhuman efforts by all.

9. [Scott Lewis](#) wrote...

[Peter](#)...understood. He is/was quite the mythical anomaly this weekend.

[Permalink](#)

24 May 2010 / 12:46 p.m.

10. [gregg arsenuk](#) wrote...

First, hats off to Jason A, Dave O. and whoever else was part of the team that put together this extraordinary event. The WODs were creative and exactly what should be expected at the regional level. Congratulations to all competitors for great performances all around.

[Permalink](#)

24 May 2010 / 1:42 p.m.

To 'D': Thank you for the mention.

11. [Candice Ruiz](#) wrote...

Congratulations to all athletes who are advancing after this weekend, but especially to Lauren Plumey who made an impression on me personally. I have never met you and I didn't witness any of this past weekend other than scores, but to come from 8th and absolutely crush the final wod to earn your spot in the top 3...amazing. Way to put so much heart into it. You deserve it. Mad respect.

[Permalink](#)

24 May 2010 / 1:55 p.m.

12. [Cool Video from Weekend](#) wrote...

<http://www.flickr.com/photos/37790978@N08/4634335406/>

[Permalink](#)

24 May 2010 / 2:30 p.m.

rob orlando 300 x3

13. [john wopat](#) wrote...

It's difficult to express to "civilians" what Crossfit is or how special and unique an event like this weekend's regional competition was. Crossfitters don't compete against each other, they compete FOR each other. The great athletes we're sending to the Games owe part of their extraordinary performances to those other men and women who were a second slower, or who lifted a pound or two less. So, we're all going to LA. And by the way, Jason Ackerman should run for Governor! Great job everyone!

[Permalink](#)

24 May 2010 / 3:04 p.m.

14. [Pat Sherwood](#) wrote...

Congrats to everyone who competed. Special shout out to Heather! Way to train smart during those couple weeks before the event. Your patience paid off.

[Permalink](#)

24 May 2010 / 3:04 p.m.

15. [lelak](#) wrote...

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[Permalink](#)

24 May 2010 / 5:35 p.m.

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[Permalink](#)

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[Permalink](#)

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[Permalink](#)

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O*

Permalink
25 May 2010 / 6:28 a.m.

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Permalink
25 May 2010 / 11:25 a.m.

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Permalink
25 May 2010 / 2:56 p.m.

24. Aaron wrote...

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Permalink
25 May 2010 / 5:54 p.m.

25. nick wrote...

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what happened to you - were you injured?

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Permalink
01 June 2010 / 7:02 p.m.

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```
<a href="http://games2010.crossfit.com" style="border: 1px solid black; padding: 2px 5px; text-decoration: none; color: inherit; font-size: 0.8em;">The CrossFit Games
```

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EXHIBIT 5



Rob Orlando at the Vikingfest Strongman Competition

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<http://youtu.be/425JSV8o3vQ>

Start at:

Uploaded on Sep 15, 2011
Originally published March 18, 2010

230lb axle clean and press for reps, 540lb 18" axle deadlift for reps, 25lb crucifix hold for time, 570lb frame hold for time, and atlas stones at

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ALL COMMENTS (259)



[Top comments](#)

 **yourvidisbad101** 2 months ago
He might be strong but if anyone else tries to emulate his rounded back deadlift form they will be on their way to the hospital.
[Reply](#) - 3 [Like](#) [Dislike](#)



CrossFit - CrossFit Games Behind the Scenes - 2011: Part 5
by CrossFit®
102,454 views



Big Sky, Montana: Clean Event
by CrossFit®
206,734 views



Cigarettes, Roids and Switching Regions with Dan Bailey and Sevan
by CrossFit®
180,293 views



CrossFit - UFC Fan Expo Men's Dummy Carry Toes-to-Bar
by CrossFit®
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US Navy Seal Training, start to end. Can you do it?
by US Military Videos & Photos
2,894,178 views



Khalipa & Maddox Battle Froning
by Jason Khalipa
256,618 views



Rob Orlando, Deadlift
by George Street
72,736 views



Rich Froning Part 1
by George Street
249,526 views



The 20,000 Calorie Strongman Diet: FUEL
by Munchies
1,098,961 views



1000 Burpees for time
by Ian McHugh
264,874 views



SEALFIT - EVO8
by Rogue Fitness
56,581 views



sh't crossfit girls say
by Jenny Morgan
1,268,115 views



Strength & conditioning
by keevross12



Fittest men on earth
by Gigi Sayfan
1,561,323 views



Natural Bodybuilder meets Strongman! (eng sub)
by BodybuildingRev
1,637,139 views

Declan Jones 1 month ago
You don't know what you are talking about.
Reply · 1 · 🗨️ · 📧

力 **Journey to Strength** 4 days ago
What's the diameter of those axles?
🗨️ · 📧

Justin Mathis 3 weeks ago
I train under the 6th strongest man in the country yourvidisbad101 is right Declan Jones
Reply · 🗨️ · 📧

juan ruiz 7 months ago
So watching his back round on those deadlifts off the platforms hurt me
Reply · 4 · 🗨️ · 📧

XnasekOne 4 months ago
crossfuck that's why
Reply · 1 · 🗨️ · 📧

andy lamut 1 month ago
Got to do the strongman seminar with him yesterday! Learned a lot from this seriously strong guy :)
Reply · 🗨️ · 📧

Matt Williams 10 months ago
Rob = Beast mode
Reply · 5 · 🗨️ · 📧

Isac Rozario 4 months ago
That form....
Reply · 2 · 🗨️ · 📧

daniel ainsworth 2 months ago
how much does the axle weigh?
Reply · 🗨️ · 📧

Majke Ti Tvoje 11 months ago
HARLEY DAVIDSOON
Reply · 1 · 🗨️ · 📧

Mathew Arseneau 1 year ago
If you think you're stronger than Rob Orlando and you have time to comment on a youtube video about it, you're wrong.
Reply · 7 · 🗨️ · 📧

Shaun Young 10 months ago
that's the stupidest thing I've ever heard. the dude couldn't even complete the signature strongman events involving grip. none of those results would get a top 5 finish in any event with real competition.
Reply · 6 · 🗨️ · 📧

Something Different 6 months ago
Im not trying to sound like a ass nor a idiot but i don't feel like his grip or technique is safe, correct me if Im wrong appearances can be fooling.
1 · 🗨️ · 📧

[View 1 reply](#) ▾

Americanbullytrainer 10 months ago
For everyone hating. Go do this shit with an axel not a regular barbell, then come back and comment.
Reply · 🗨️ · 📧

[View all 6 replies](#) ▾

100PercentOJ 4 months ago
If lifting heavy weight like a moron with shit form is a competition I'll stay out. I've watched my fair share of Euro strongmen and never seen this retardation.



crossfit motivation rich froning
by Lee Duance
430,918 views



Do it for yourself | Motivational | Rich Froning Jr
by Gnomek
766,317 views



Pro Fighter Vs CrossFit @Razorstorm
by RazorstormUK
332,767 views



Cross fit meets Strong man..
by Mike Rashid
32,672 views



World's Strongest Man 2013 Finals
by meschmeret
5,014,434 views

[SHOW MORE](#)

Reply · 1 · 🗨️ 📧



Nemo Nobody · 4 months ago

speaking of Euro strongman deadlift how about eddie hall screwing himself out of tying for the world record at ESM this year? now THAT was a form clinic. Crazy how the world record keeps getting broken, someones going to hurt themselves

Reply · 🗨️ 📧



jutus77 · 1 year ago

Zamso, that's axel, not normal bar. I bet if u try that u will soon realize your grip won't last. Maybe that is the reason.

Reply · 1 · 🗨️ 📧



Drumwannabe17 · 11 months ago

smh at all these keyboard warriors, I want to see you equal this performance, then you can talk, but for now stfu.

Reply · 5 · 🗨️ 📧

[View all 4 replies](#) ▾



kylethekidable · 8 months ago

+kaga13 but the straps negate that anyway. Anywhere but WSM an axle bar is meant to test your grip given that most guys should be able to deadlift that on an oly bar no issue but by allowing straps in a competition with so few events, it is in fact just as shaun young said... a 540 lbs block pull.

Reply · 2 · 🗨️ 📧



Christoffer Nilsson · 8 months ago

So I cant think Justin Blebers lyrics are bad cause I cant write better ones myself? Good logic you dumb fuck

Reply · 1 · 🗨️ 📧



Ariel Paz · 10 months ago

auch! my back is hurting just from watching this. the guys pretty strong but they left good form @ the door. this kind of videos promotes followers to get injure..

Reply · 1 · 🗨️ 📧



travis jones shared this via Google+ · 11 months ago

Reply · 🗨️ 📧



juan ruiz · 7 months ago

Lol that first grip is so fucking awkward.

Reply · 1 · 🗨️ 📧



RebelForce8 · 7 months ago

Whats the fucking point of axel deadlifts if you use straps ?

Reply · 2 · 🗨️ 📧

[View all 2 replies](#) ▾



Nemo Nobody · 4 months ago (edited)

Yeh. Rob Orlando is a badass but straps are kind of BS in a strongman competition. The only reason for them I can think of is that they probably make for bigger numbers which draws in more viewers. Grip strength is supposed to be a huge part of strongman. Id like to see more anvil holds

Reply · 🗨️ 📧



Carlos Lira · 7 months ago

that's just not right

Reply · 🗨️ 📧



Mike P · 1 year ago

this is retarded. deads off of platforms with STRAPS!!! dude, this is bull. no doubt he's strong but damn, go from the floor and use your damn grip. franco colombo never used wraps nor do any crossfitters who deadlift this kind of weight. and yes, I mentioned crossfitters (the ones who are world elite level). They don't do wraps and deadlift in the 500's. just sayin. let the rebuttals begin.

Reply · 1 · 🗨️ 📧

[View all 4 replies](#) ▾



Michael Westen · 10 months ago

I do believe franco colombo got injured lifting a fridge in strongman if I remember correctly. Strangely a powerlifting meet doesnt necessitate lifting of a fridge. If you look, the bar is thicker than a standard barbell hence the height. It is to mimic the car deadlift frame.

Reply · 🗨️ 📧



badmeetsevi12345 · 8 months ago

You dont belong here.

Reply

Show more



Language: English

Country: Worldwide

Safety: Off

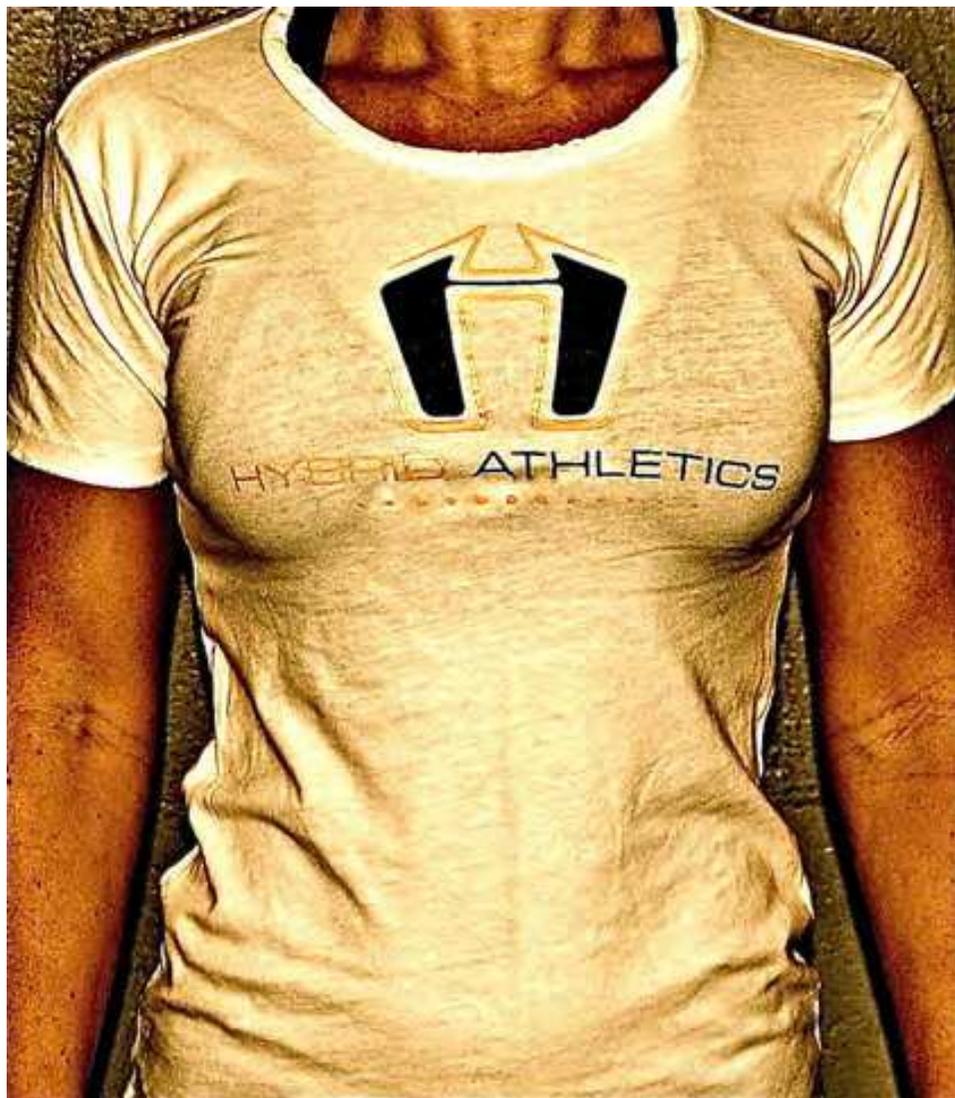
History

Help

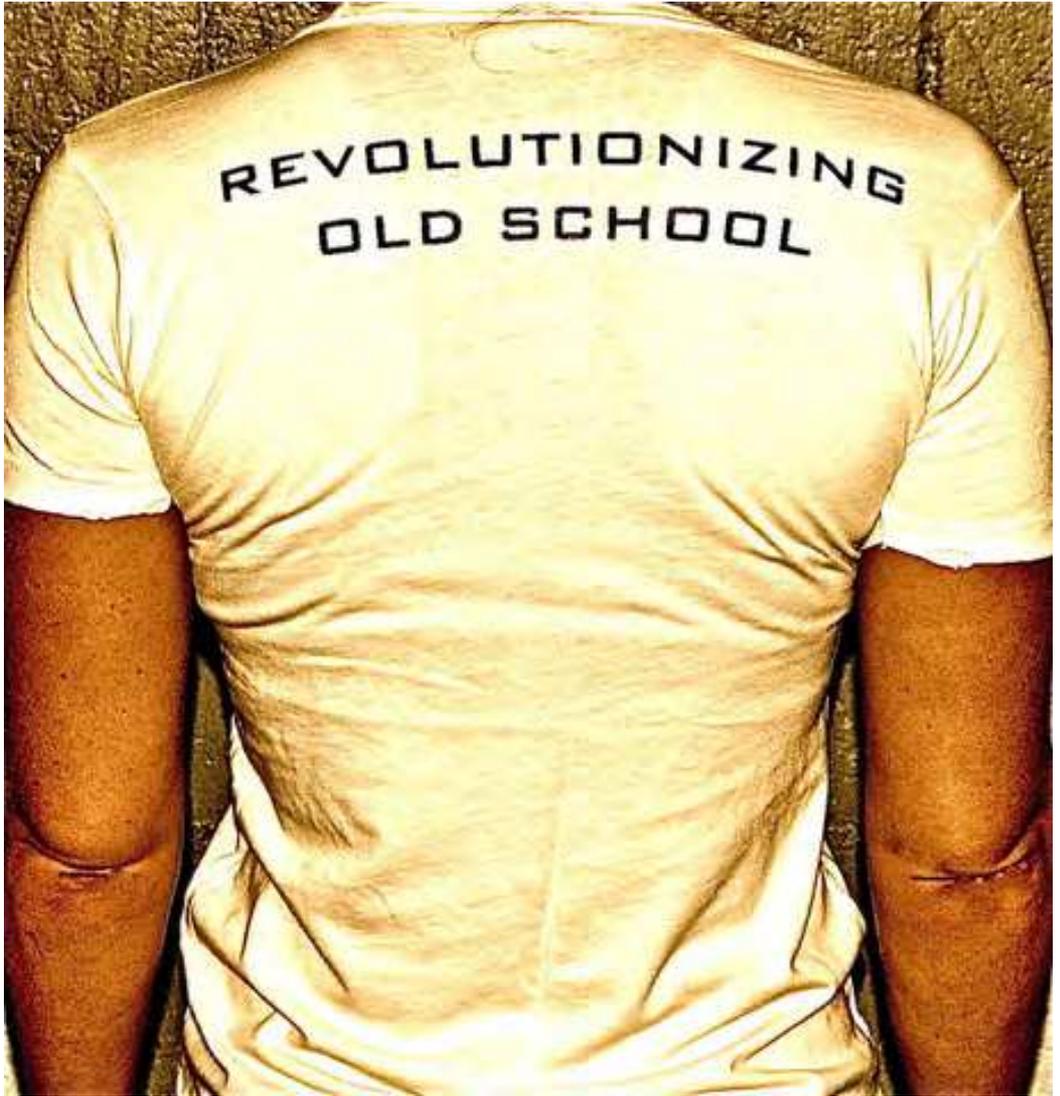
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[Terms](#) [Privacy](#) [Policy & Safety](#) [Send feedback](#) [Try something new!](#)

<https://www.youtube.com/watch?v=425JSV8o3vQ> Sun Dec 28 2014 13:28:56 GMT-0500 (Eastern Standard Time)

EXHIBIT 6



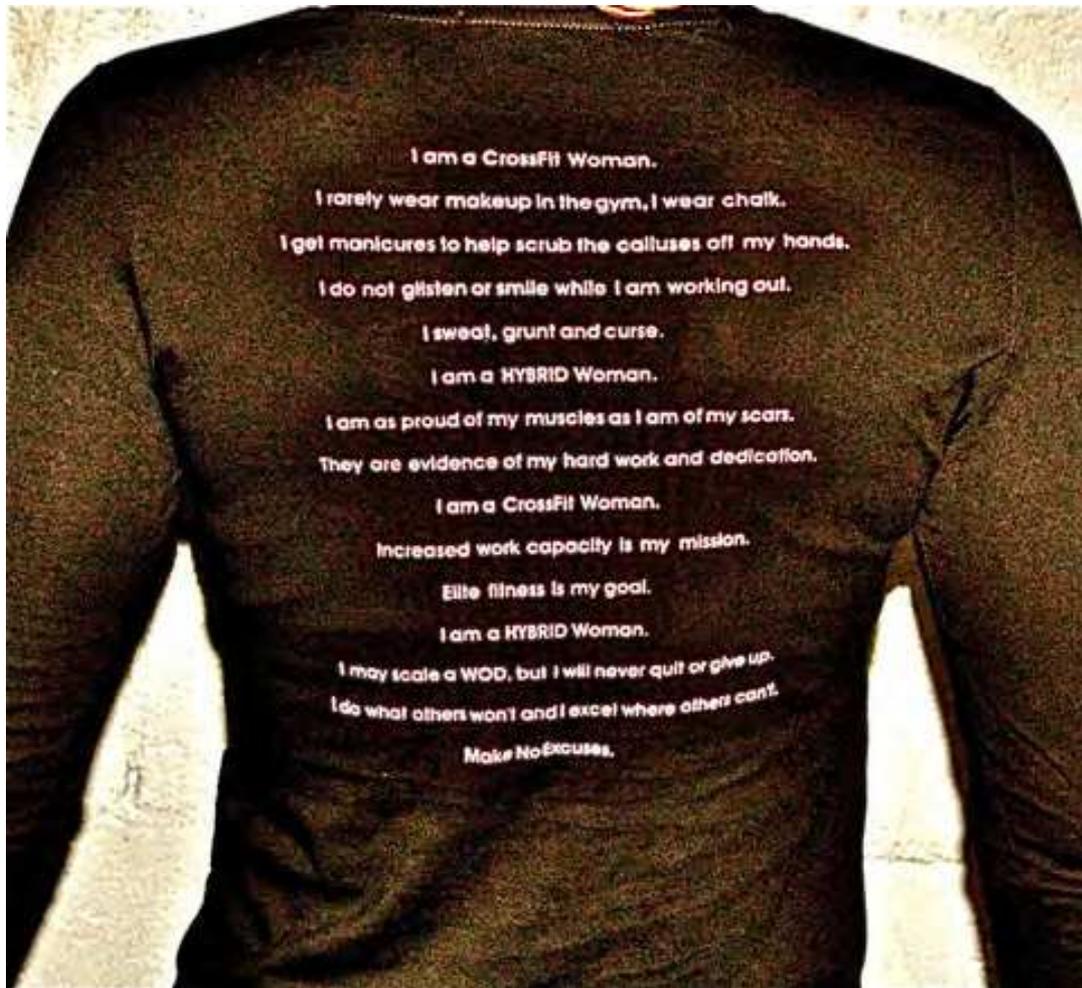
HYBRID000658



HYBRID000659



HYBRID000660



I am a CrossFit Woman.

I rarely wear makeup in the gym, I wear chalk.

I get manicures to help scrub the calluses off my hands.

I do not glisten or smile while I am working out.

I sweat, grunt and curse.

I am a HYBRID Woman.

I am as proud of my muscles as I am of my scars.

They are evidence of my hard work and dedication.

I am a CrossFit Woman.

Increased work capacity is my mission.

Elite fitness is my goal.

I am a HYBRID Woman.

I may scale a WOD, but I will never quit or give up.

I do what others won't and I excel where others can't.

Make No Excuses.

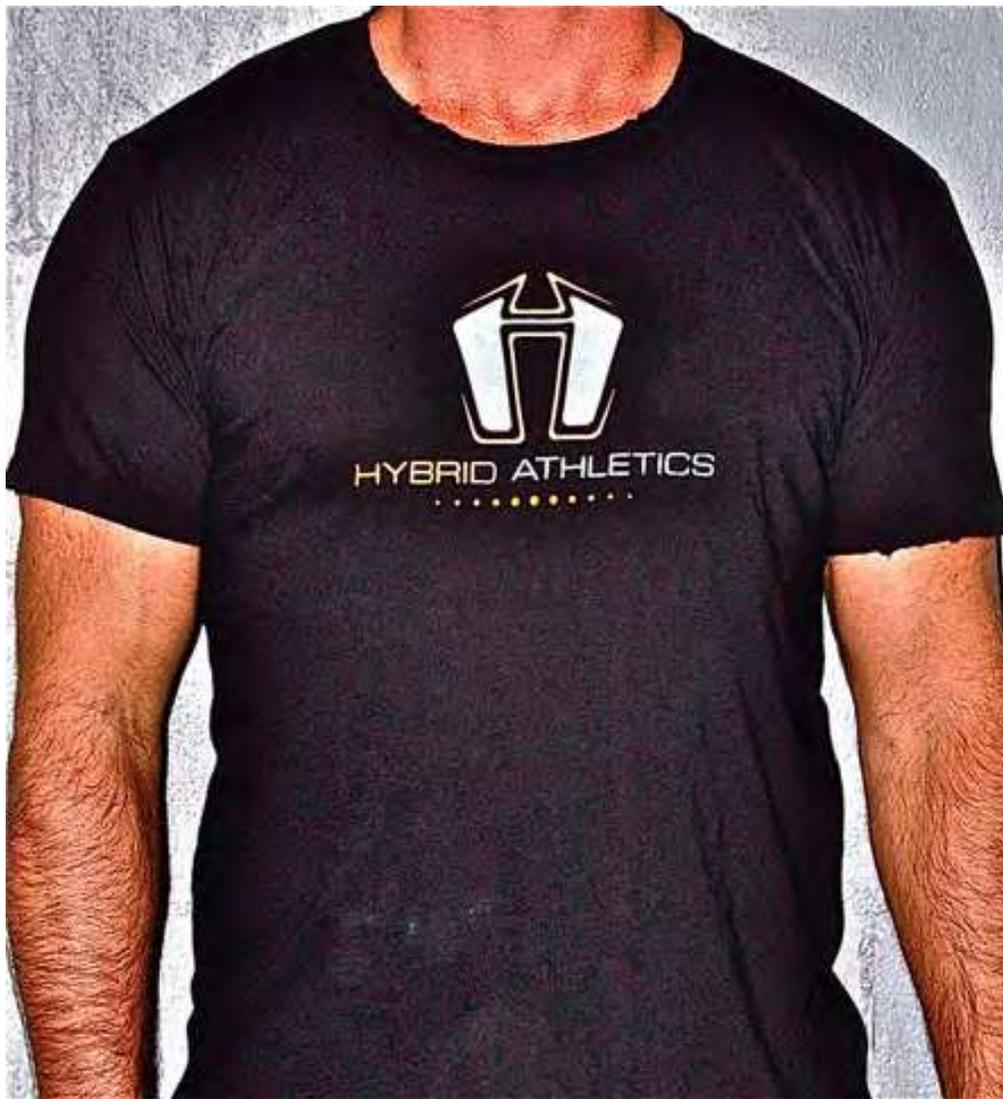
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HYBRID00662



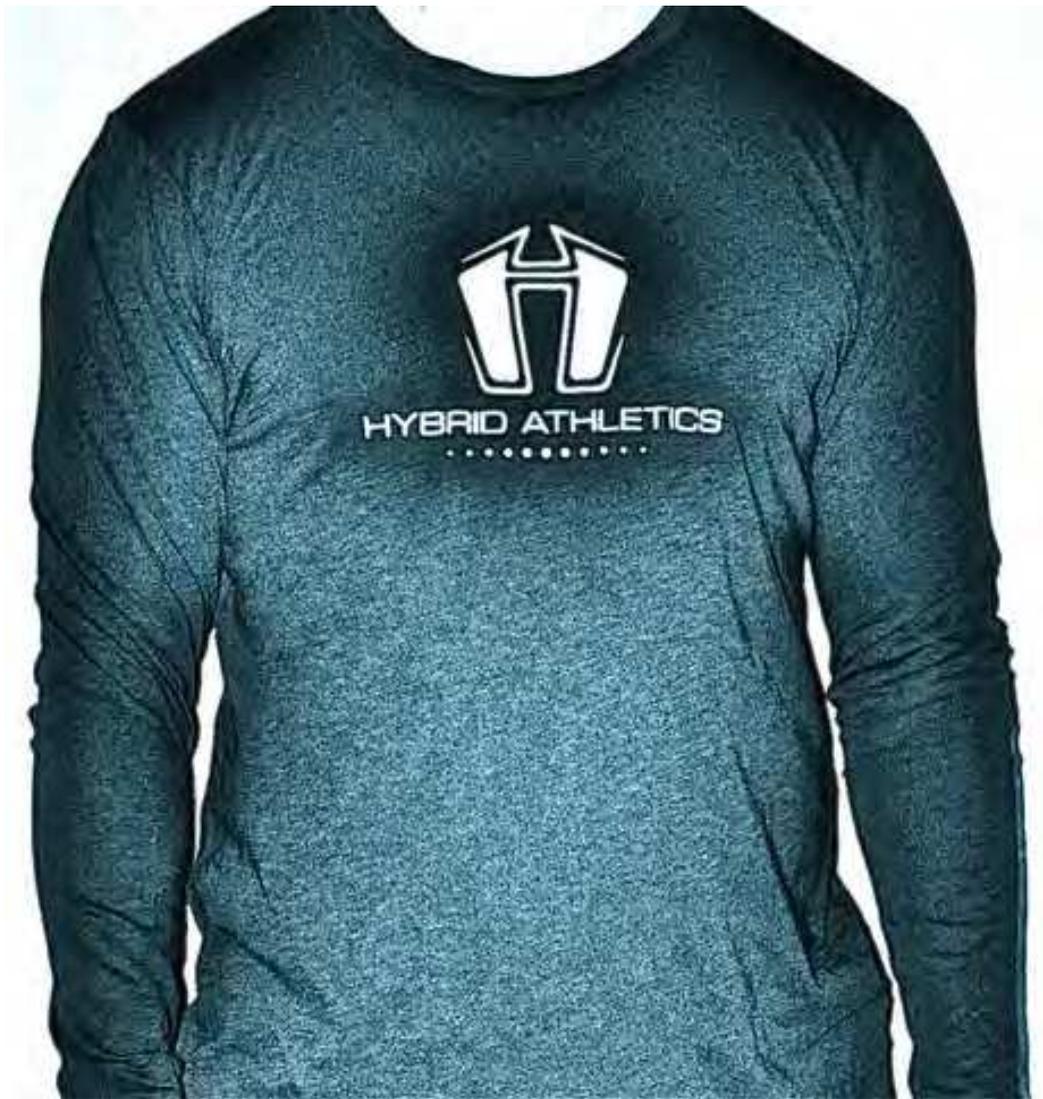
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HYBRID000664



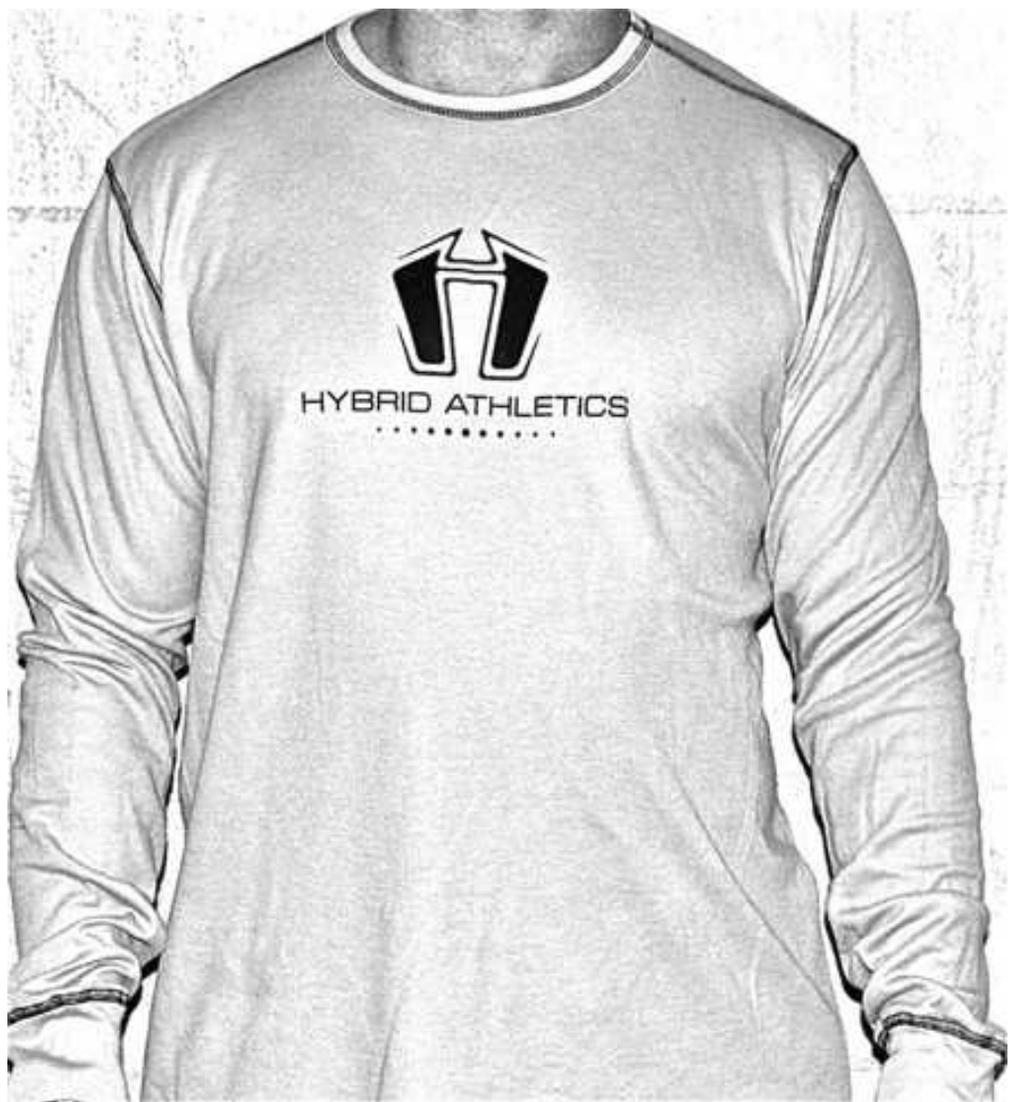
HYBRID000665



HYBRID000666

REVOLUTIONIZING
OLD SCHOOL

HYBRID000667



HYBRID000668

A black and white photograph showing the back of a person wearing a long-sleeved, light-colored shirt. The shirt has a ribbed collar and cuffs. The text "REVOLUTIONIZING OLD SCHOOL" is printed in a bold, sans-serif font across the upper back. The background is a light-colored, textured wall.

REVOLUTIONIZING
OLD SCHOOL

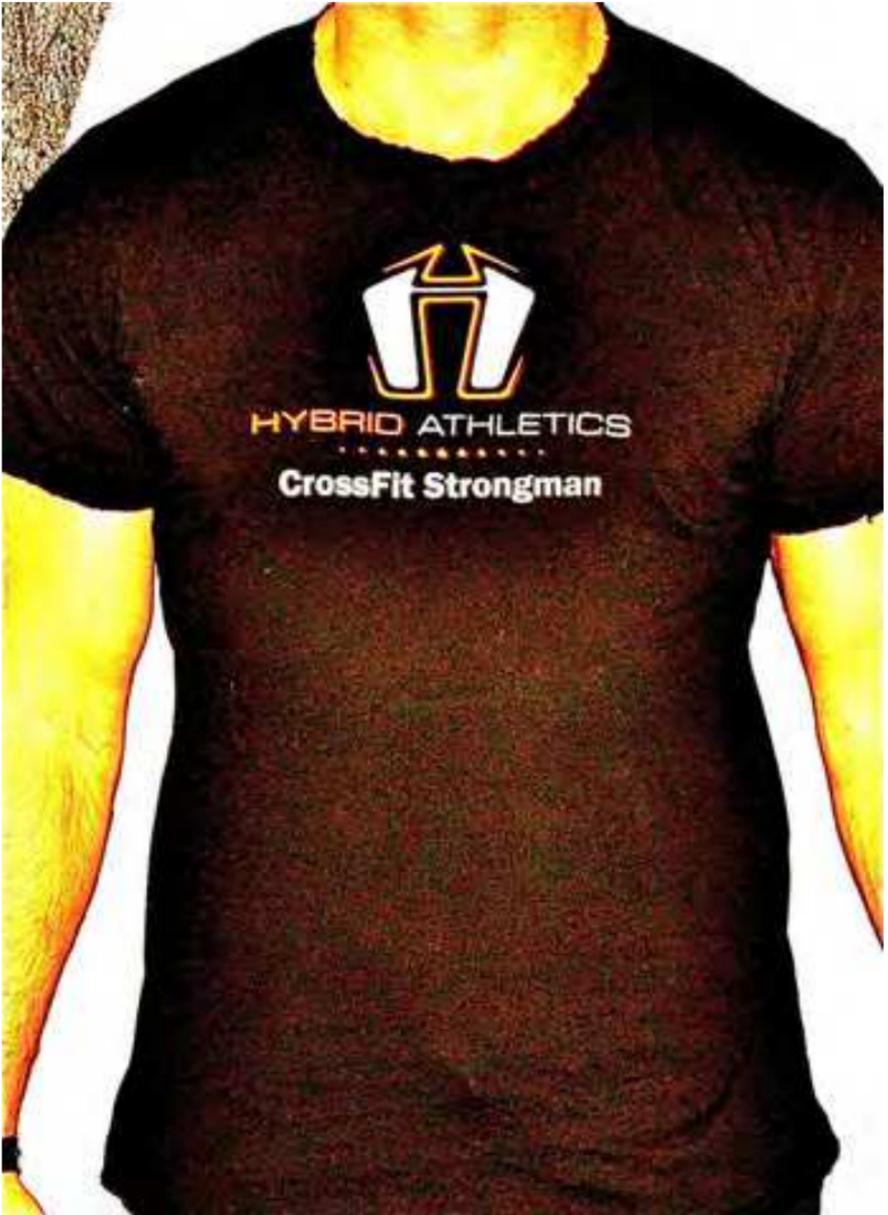
HYBRID000669



HYBRID000670



HYBRID000671



HYBRID000672



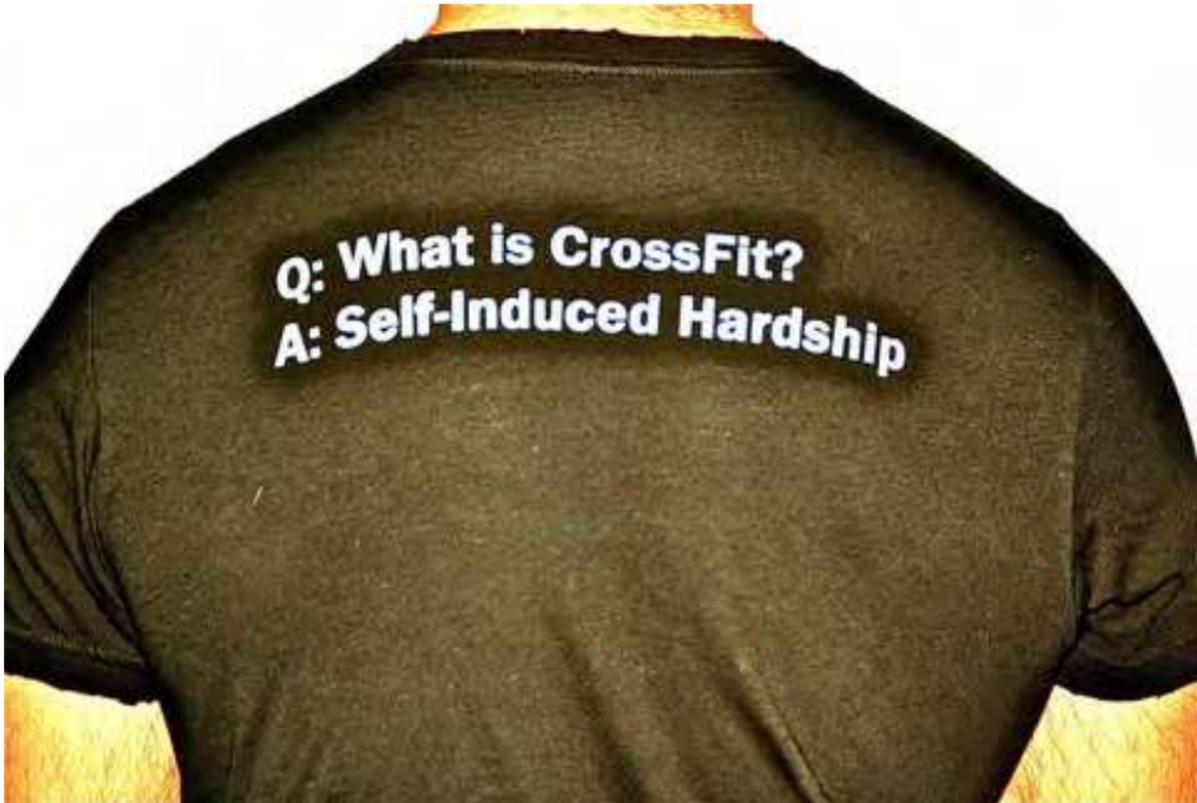
HYBRID000673



HYBRID000674



HYBRID000675

The image shows the back of a black t-shirt with a white text graphic. The text is arranged in two lines, with the first line being a question and the second line being an answer. The text is bold and sans-serif. The t-shirt is shown from the back, with the neck and shoulders visible. The background is white.

Q: What is CrossFit?
A: Self-Induced Hardship

HYBRID000676



HYBRID000677



HYBRID000678

HYBRID000679



HYBRID000680



EXHIBIT 7

[Home](#) / Hybrid Stone Molds

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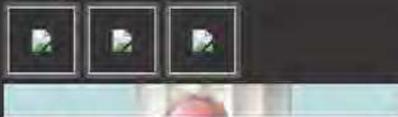
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Hybrid Stone Molds



These are the stone molds made famous by the July 2011 issue of Muscle & Fitness featuring Rob Orlando. Easy to use, Hybrid's stone molds are the best in the industry. For more strongman equipment, check our selection.

Make your own big freaking stones!



Made In USA Yes

Free Shipping No

3 Ships Free Yes

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Availability: In stock

Product Name	Price	Qty
10" dia. 42LB Hybrid Stone Mold	\$60.00	<input type="text" value="0"/>
12" dia. 73LB Hybrid Stone Mold	\$65.00	<input type="text" value="0"/>
13" dia. 93LB Hybrid Stone Mold	\$75.00	<input type="text" value="0"/>
14" dia. 116LB Hybrid Stone Mold	\$80.00	<input type="text" value="0"/>
15" dia. 142LB Hybrid Stone Mold	\$90.00	<input type="text" value="0"/>
16" dia. 173LB Hybrid Stone Mold	\$95.00	<input type="text" value="0"/>
17" dia. 207LB Hybrid Stone Mold	\$105.00	<input type="text" value="0"/>
18" dia. 246LB Hybrid Stone	\$110.00	<input type="text" value="0"/>

Mold

Women's Hybrid Mold Set \$200.00

One Each: 10-12-13 + Free Shipping

Men's Hybrid Mold Set \$245.00

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Mammoth Hybrid Mold Set \$650.00

One of Each Mold: 10-12-13-14-15-16-17-18 + Free Shipping

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Details

2011 issue of Muscle & Fitness featuring Rob Orlando. Easy to use, Hybrid's stone molds are the best in the industry. For more strongman equipment, check our selection.

Make your own big freaking stones!

3 SHIPS FREE ITEM
BUY 3 OF ANY 3 SHIPS FREE ITEMS & THEY ALL SHIP FREE CONTINENTAL US ONLY

Made In USA Yes
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3 Ships Free Yes

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Availability: In stock

Product Name	Price	Qty
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17" dia. 207LB Hybrid Stone Mold	\$105.00	0
18" dia. 248LB Hybrid Stone Mold	\$110.00	0
Women's Hybrid Mold Set	\$200.00	0

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Men's Hybrid Mold Set **\$245.00**

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EXHIBIT 8

From: [Rob](#)
To: [Kosma, Michael J.](#)
Subject: Fwd: [# MBC-137-15735]: Mold sales over time
Date: Friday, January 31, 2014 6:09:28 PM
Attachments: [RobOrlandoStoneMold.xlsx](#)
[ATT00001.htm](#)

Mike--

Here you go.

Please confirm.

Rob O

Sent from my iPhone

Begin forwarded message:

From: Rogue Fitness <team@roguefitness.com>
Date: January 31, 2014 at 5:31:46 PM EST
To: conanrules1@gmail.com
Cc: matt@roguefitness.com, bill@roguefitness.com
Subject: [#MBC-137-15735]: Mold sales over time
Reply-To: team@roguefitness.com

Rob,

The first date of sale for a Hybrid Stone Mold in our system is 11/18/2010.

I have attached a breakdown of the Hybrid mold sales by SKU over that time as well as a list of 1,562 ZIP codes (US and CA) that we have shipped Hybrid Stone Molds to over that time.

Let us know if there is anything else we can do for you.

Thanks,
Blake

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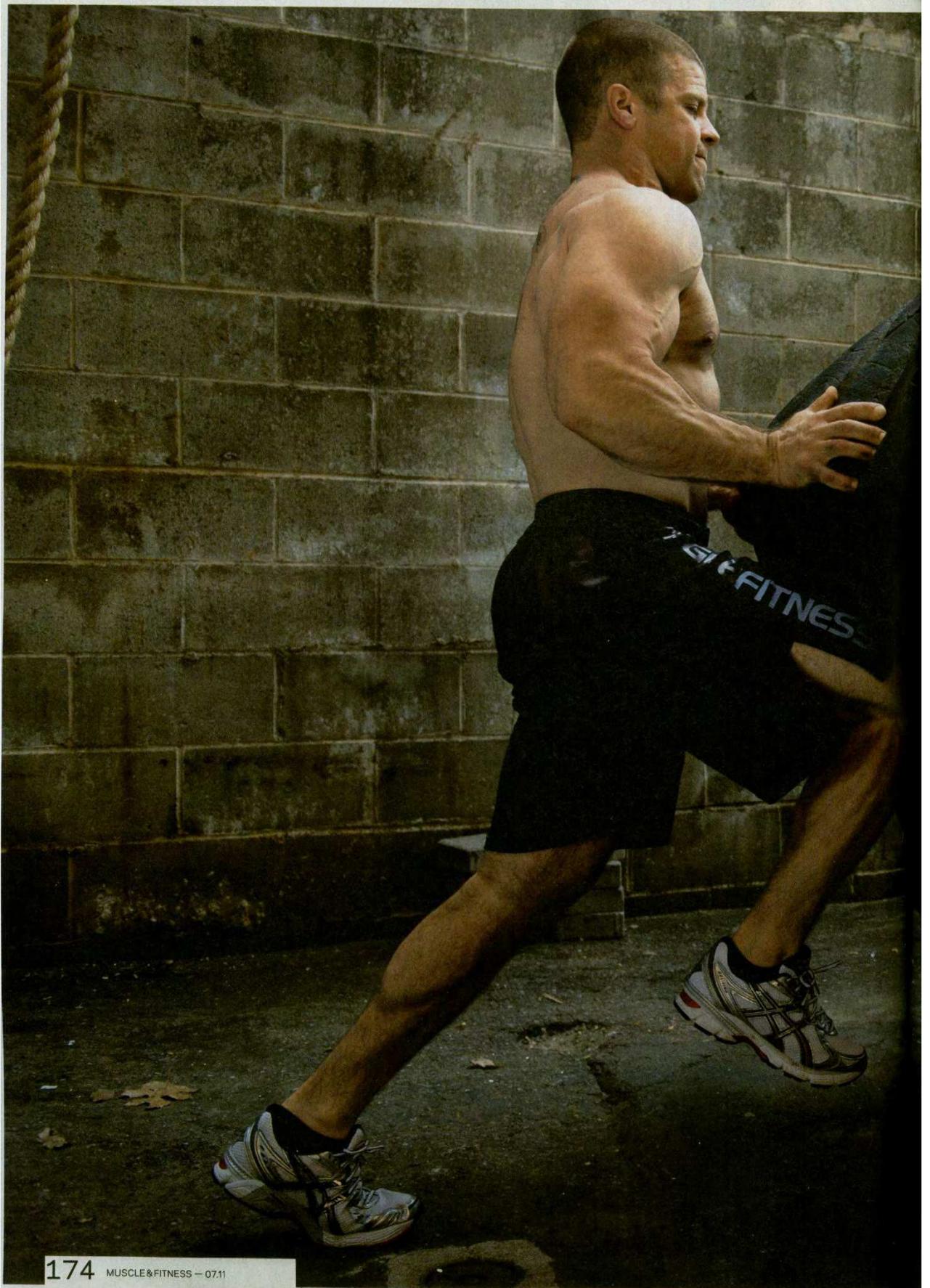
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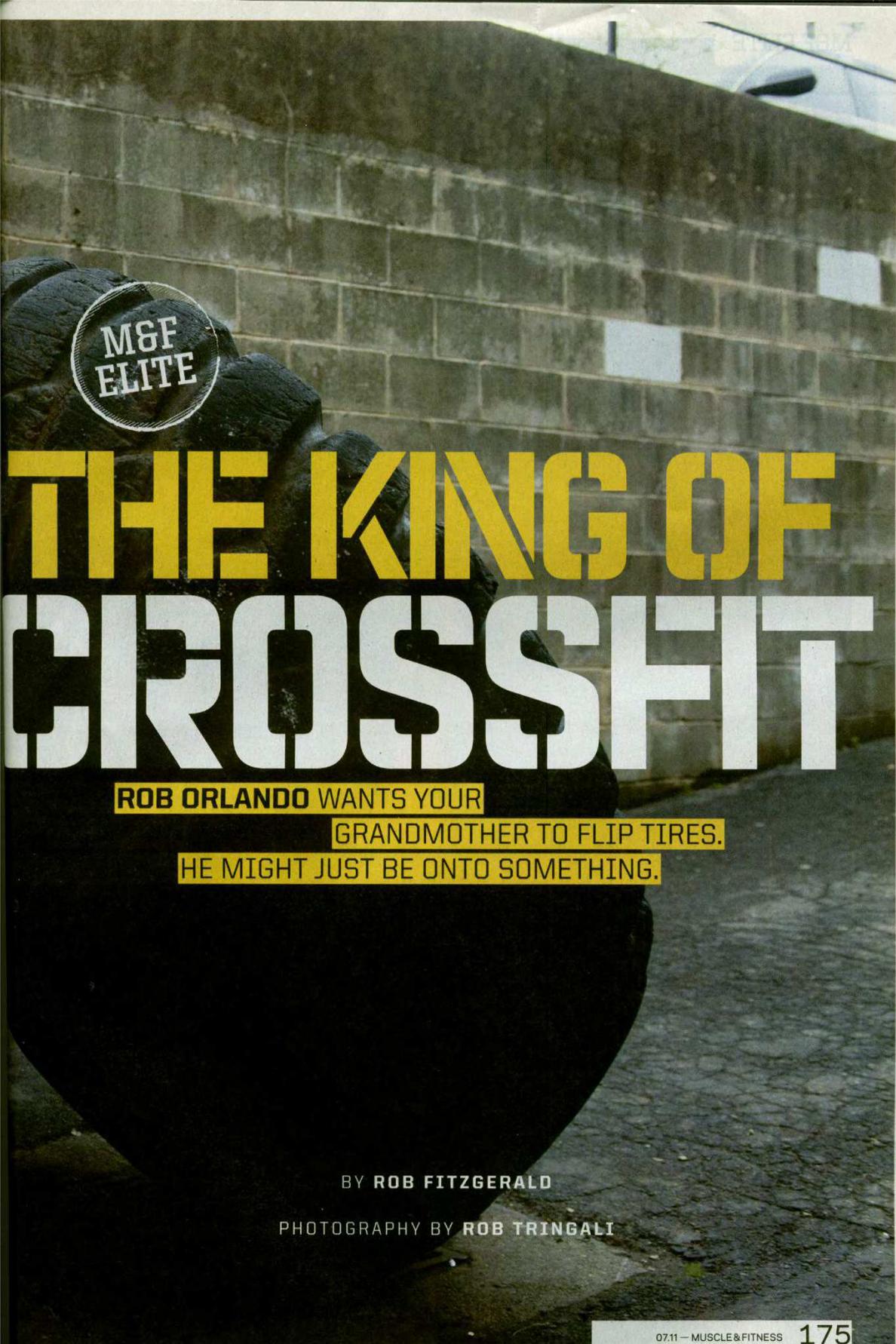
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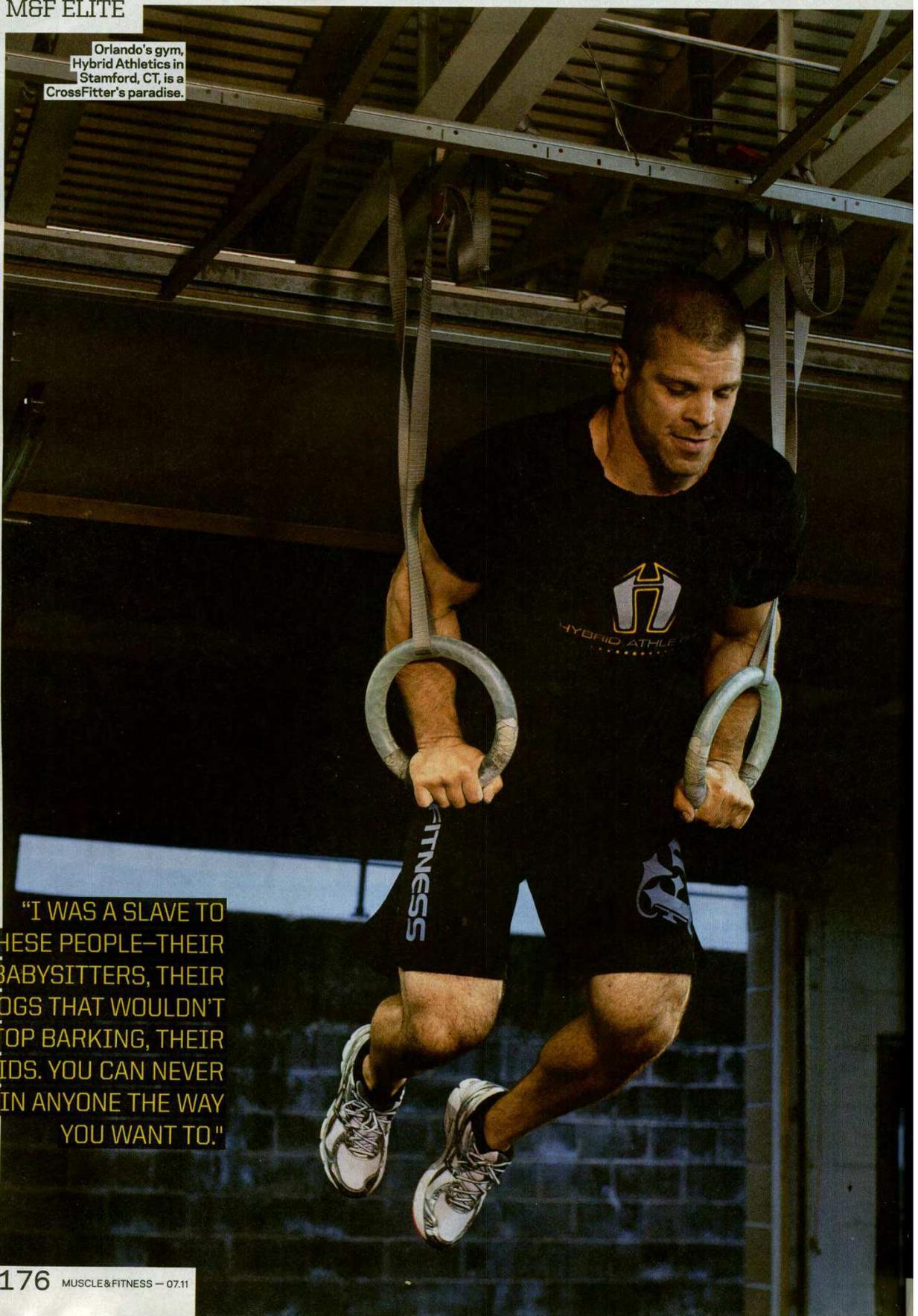
**ROB ORLANDO WANTS YOUR
GRANDMOTHER TO FLIP TIRES.
HE MIGHT JUST BE ONTO SOMETHING.**

BY **ROB FITZGERALD**

PHOTOGRAPHY BY **ROB TRINGALI**

M&F ELITE

Orlando's gym,
Hybrid Athletics in
Stamford, CT, is a
CrossFitter's paradise.



"I WAS A SLAVE TO THESE PEOPLE—THEIR BABYSITTERS, THEIR DOGS THAT WOULDN'T STOP BARKING, THEIR KIDS. YOU CAN NEVER TRAIN ANYONE THE WAY YOU WANT TO."

Rob Orlando weighed less than 150 pounds when he graduated from high school. He played some football and worked himself to the bone in the gym, but recruiters aren't lining up for scrawny 5'8"

kids from Connecticut, regardless of how hard they compete or how much they love the game. For Orlando, it just wasn't happening. A lifelong love affair with training, however, was already well underway.

What college scouts never saw was what Orlando forged on the stone masonry and concrete crews where he labored throughout junior high and high school: his work ethic, tenacity, and willingness to take risks, both professionally and with massive weights over his head.

"I worked with this 80-year-old Italian stone mason who said cement mixers made you lazy," he says. "So every day, I was mixing cement in a wheelbarrow with a hoe as fast as he could lay brick, and I was loading it up and down scaffolding. I think that made me a little different from most teenagers."

KEEP PRESSING

The gym was a constant through high school and his college years at the University of Connecticut—where Orlando majored in exercise science—but there was always a plan, or so it seemed. An alternate track. An intention—one undefined for more than a decade—to do something more with what he loved, as opposed to simply remaining on some predetermined road to something he didn't want to do.

He kept getting stronger, adding weight at the rate of ten pounds a year. He kept working his ass off, never missing a workout, putting heavier and heavier weights over his head, to the point where he'd become a specialist in the field. He didn't know what the hell he wanted to do with his life, but he trained throughout college and the years that followed—including a short-lived suit-and-tie stint in medical sales—as though he wouldn't amount to anything if he didn't.

The personal trainer route came next, and Orlando quickly realized it wasn't what he'd envisioned. "I had an

in-home training company in Stamford, where I was traveling from house to house training people," he says. "I did that for five years, and I had the realization that at some point, I was going to take on a client who was younger than me, somebody who'd eclipsed what I was earning and who could afford my rate, and I didn't like that. I was a slave to these people—their babysitters, their dogs that wouldn't stop barking, their kids. You can never train anyone the way you want to."

INTERNET LEGEND

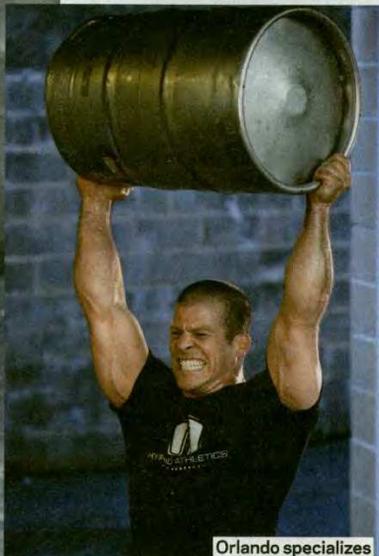
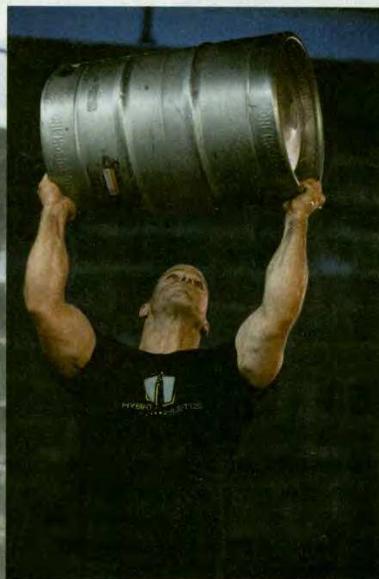
If you quit mixing cement in your wheelbarrow, you don't get paid. Quit carrying the yoke in a strongman competition, and maybe you won't pass out, fall flat on your face, and get scraped off the field like Orlando did in 2006. Take the easy way out, however, and you don't end up on YouTube cranking out reps of overhead presses with the fabled Inch Dumbbell—a thick-handled monstrosity most guys can't even budge off the ground, much less press overhead with a broken nose and fractured eye socket.

The Inch Dumbbell went up, and so did everything else Orlando wrapped his hands around: 365-pound axle cleans, massive log presses. North American weight class strongman records fell left and right whenever he competed. With all of it, every size- and logic-defying feat of strength was catalogued for posterity on YouTube, the videos taking on a life of their own on myriad fitness message boards and forums across the Internet.

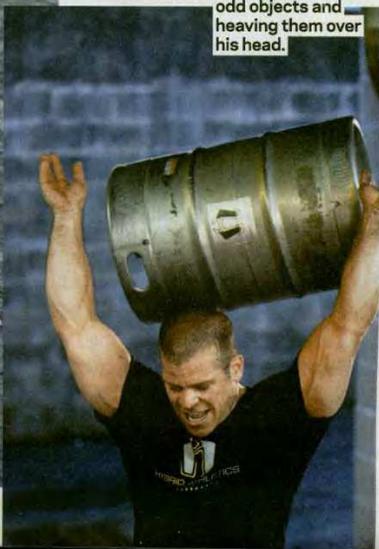
"I was going back to the soccer moms I was training," Orlando says, "and what I was doing in these contests had absolutely no relevance to them. I was training with Derek Poundstone and working out under the same axle for the same sets, and I didn't have anyone to share it with, so YouTube became my outlet. That was the only place I had any acceptance or notice."

HYBRID DREAMS

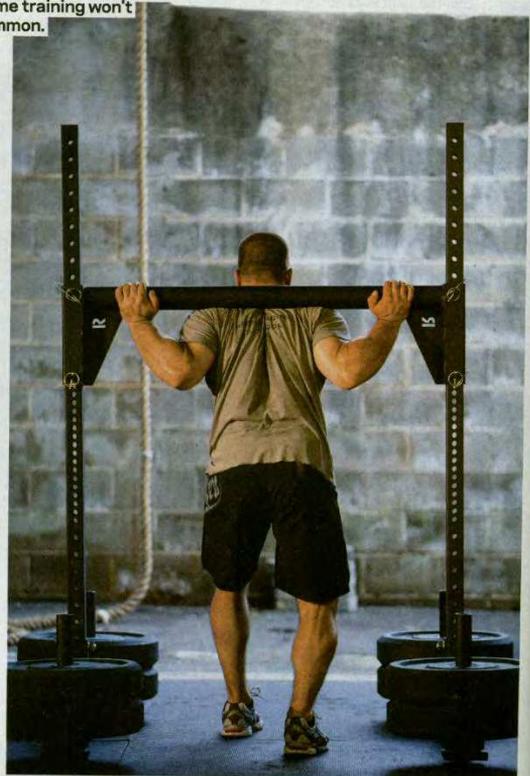
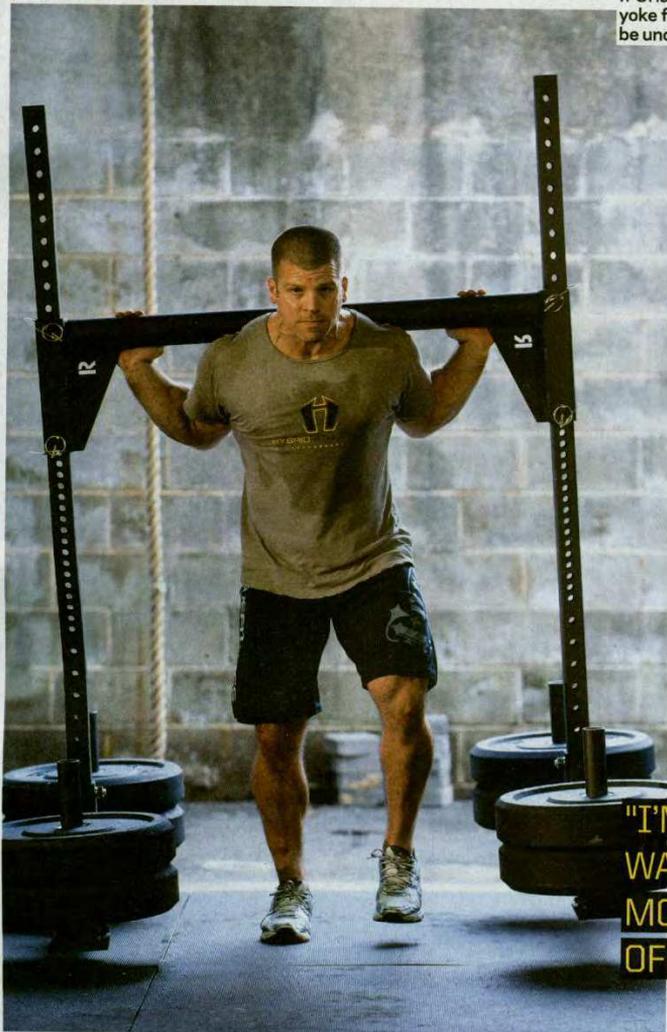
The problem with notice was that Orlando didn't know he'd been noticed by anyone, until a fortuitous breakfast with a client who didn't feel like training one particular morning. Frustrated



Orlando specializes in taking so-called odd objects and heaving them over his head.



If Orlando gets his way, yoke frame training won't be uncommon.



"I'M TRYING TO INTRODUCE A NEW WAY OF TRAINING—STRONGMAN MOVEMENTS—TO THIS HUGE GROUP OF PEOPLE."

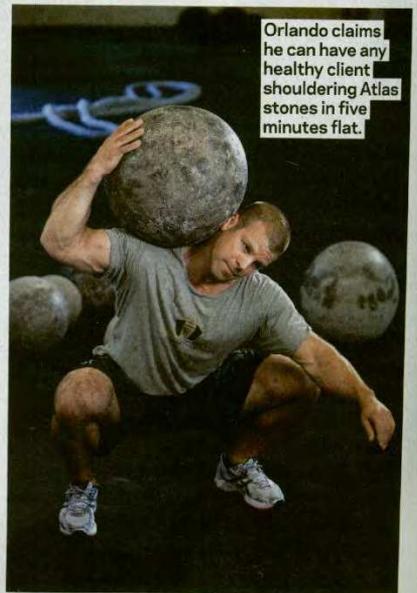
with his in-home training business and the limitations it represented to his still unformed—yet still pervasive—life plan, he vented to his client, a wealthy investment specialist.

"The guy says to me, 'You complain about every gym you've ever trained in. If you think you can do it better, what's stopping you?' I told him fifty grand was what was stopping me, so the guy writes me a check for fifty grand, and my jaw hits the floor. It was time to go find some space and make it happen."

Hybrid Athletics, his combination CrossFit/strongman gym in a decidedly un-Connecticut section of Stamford, is Orlando's dream come into focus. It's where he trained to finish a surprising 22nd in his first CrossFit Games in 2009, despite being stereotyped as a

one-dimensional strength specialist who eschewed endurance events. It's where he transformed himself into a favorite for the 2011 Games and where he trains everyone from stockbrokers to grandmothers. Most important, it's where he says he's going to change the way the world works out.

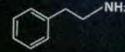
"We affiliated with CrossFit back at the end of 2008, and it's the best thing I've ever done," he says. "I know people love to knock CrossFit, but CrossFitters are so open to trying new stuff. They're the polar opposite of what so many other fitness communities are like in that sense. I'm trying to introduce a new way of training—strongman movements—to this huge group of people. It's a community that can influence and change the landscape of the fitness culture."



Orlando claims he can have any healthy client shouldering Atlas stones in five minutes flat.

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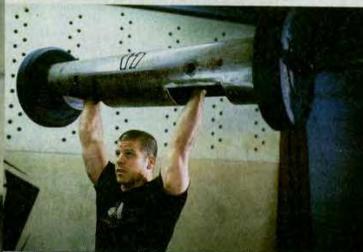


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HYBRID000058

A perfect hybrid: Orlando works with CrossFit, combining heavy lifts and traditional cardio.

"I'M TRYING TO STRIKE A BALANCE WITH ALL THE DIFFERENT THINGS I'M DOING, AND SHARE WHAT I LOVE."



STRONGMAN STARTER KIT

At Hybrid Athletics, Rob Orlando's specialty is turning on moderately fit Average Joes to the benefits of serious strongman training. If you can bench and squat your body weight for reps and deadlift 275 pounds, try this simple strongman medley Orlando uses with his beginner clients. Complete four rounds of this circuit as fast as you can.

EXERCISE	REPS
400-pound tire flip	4
125-pound (per hand) farmer's carry	75 FEET
140-pound Atlas stone to the shoulder	4

If you're ready for one of Orlando's legendary CrossFit workouts, see if you can beat the 18:09 mark he set with the program below.

EXERCISE	REPS
800 meter run	1
315-pound back squat	10
800 meter run	1
225-pound front squat	10
800 meter run	1
135-pound overhead squat	10

MOVEMENTS FOR THE MASSES

Orlando says strongman training is for everyone, and he means *everyone*. The key is scalability. Having a point of entry so everyone can be included in a greater community setting, with nobody shut out. "People want to use stones and logs and all the other great strongman stuff, but they can't because all the other conventional equipment out there is too heavy for them to start using, even without any weight on it." After seeing this limiting factor time and time again with clients, Orlando partnered with a metal fabricator, designing his own Hybrid Athletics equipment line that features "strongman products for the masses."

"We've got a 61-year-old woman who comes in here," he says, "and I started her off with a 30-pound stone on her shoulder, just to break down her fear. Five minutes later, she was up to a 60-pound stone. Is that not strongman? We're opening up a toy chest to people who would otherwise be denied."

It's a movement within a movement.

Love it or hate it, CrossFit boasts a massive international community, so when you make waves within its ever-expanding world—and Orlando certainly does—you're influencing the industry as a whole. That's his destiny, the one he knew he was headed for, yet couldn't quite put his finger on, all those years ago with his wheelbarrow, his hoe, and his 97-pound bags of cement. For Orlando, weights keep going up, only this time, he's shouldering the burden of changing the way we train. His new tattoo showing the word *Balance* across his rib cage—only three weeks old at the time of the photo shoot for this article—is telling.

"For me, everything is about balance. I'm trying to find it on so many different levels—as a father, a husband, a business owner, an athlete, an entrepreneur, an engineer, and a creative guy. I'm trying to strike a balance with all the different things I'm doing, and share what I love—teaching strongman and getting everyone involved—is exactly where I've always wanted to be." **MS&F**

EXHIBIT 10

ANNUAL REPORT

For the Fiscal Year Ended March 31, 2011

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(Address of principal executive offices)

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As of May 31, 2011, 10,000,000 shares of common stock were outstanding.

wholesalers properly deliver our publications and third-party publications to the correct rack locations at each retailer. DSI's sales and marketing services relate to various point of purchase services performed by DSI to increase our publications' and third-party publications' newsstand sales at retail locations.

In addition to the services DSI provides for our publications, DSI acts as a "category manager/front-end advisor" for approximately 47% (based on our estimates) of all new front-end racking programs. This represents approximately 51% (based on our estimates) of all the racks placed annually in the United States and Canada by supermarkets, drugstores, mass market chains and other high volume retailers for our category. DSI continues to leverage its network of field representatives, which are regularly in retail outlets performing its services, by expanding its services to provide merchandising, advertisement placements, resetting of rack programs and point of purchase information gathering services to consumer product companies outside the publishing industry. We continue to expand the distribution of our publications into specialty and niche retail accounts utilizing DSI's extensive retail relationships.

Approximately every three years, supermarkets and other retailers typically redesign their front-end racks, generally as part of store renovations or new store openings. As a "category manager/front-end advisor" DSI is selected by retailers to assist in coordinating the selection and positioning of magazines and overall front-end space on the retailers' racks. Publishers, including the Company, which are allocated space on a rack, enter into agreements directly with the retailer for the payment of fees (rack costs) or other charges with respect to that space. DSI uses its role as "category manager/front-end advisor" of new front-end rack programs initiated by retailers in the United States to achieve better placement of our publications and of the publications of DSI's third-party publishing clients.

Competition

DSI primarily competes with Time Warner Retail Services, Inc. and Comag Marketing Group, LLC (a joint venture between The Hearst Corporation and Condé Nast Publications, Inc.) in providing marketing and distribution services to magazine publishers.

CORPORATE/OTHER SEGMENT

Our Corporate/Other segment aggregates *Muscle & Fitness* and several other publications, publishing services, ancillary sales and corporate overhead.

While most of the publications aggregated in the Corporate/Other segment have certain similar products and services, production processes, type or class of customers and method of distribution as some of the other publications which are aggregated in the other reporting segments (Celebrity Publications, Tabloid Publications and Women's Health and Fitness Publications), their economic characteristics are dissimilar with such other publications. Accordingly, we have aggregated those publications in the Corporate/Other reporting segment.

Our publications in the Corporate/Other segment include the following titles, which have leading market positions in the categories they serve.

- *Muscle & Fitness* is the preeminent monthly fitness training magazine, appealing to exercise enthusiasts and athletes of all ages, especially those focused on resistance training, body fat control and sports nutrition. *Muscle & Fitness* has 71 years of brand equity and has served as a successful brand extension foundation for new titles. *Muscle & Fitness* has a total average monthly circulation of approximately 377,000 copies, including monthly subscriptions of 280,000 and newsstand copies of 97,000, and an estimated total monthly readership of 6.6 million.
- *Men's Fitness* is a leading health and fitness magazine published 10 times a year, for men 18-34 years old with active lifestyles. The magazine promotes a multi-training approach towards exercise and nutrition, while also offering information and advice in the areas of career, relationships, fashion and sports. *Men's Fitness* has a total average circulation per issue of approximately 593,000 copies, including subscriptions per issue of 499,000 and newsstand copies of 94,000, and an estimated total readership per issue of 8.4 million.
- *Muscle & Fitness Hers* is a bi-monthly magazine that delivers a competitive edge for expert training, nutrition, health, beauty and fashion tips for today's woman. *Muscle & Fitness Hers* has a total average bi-monthly circulation of approximately 91,000 copies per issue including monthly subscriptions of 27,000 and newsstand copies of 64,000 and an estimated total bi-monthly readership of 455,000.
- *Flex*, which was spun off from *Muscle & Fitness* in 1983, is a monthly magazine devoted to professional bodybuilding.

EXHIBIT 11

HOLLYWOOD'S BIG GUNS



THE ROCK!



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SEE HOW YOU MEASURE UP WITH CROSSFIT'S BRUTAL BENCHMARK WOD

BY ROB ORLANDO

Ask any CrossFitter about the first time he tried "Murph," "Fight Gone Bad," or "Linda," and it's guaranteed he'll have a story to tell. These are some of the most notoriously brutal benchmark Workouts of the Day (WOD), the standard by which all other WODs are measured. But within that elite group of WODs, one stands above all others: "Fran."

Fran is recognized as THE benchmark because even though many CrossFit workouts don't look like much on paper, Fran is especially deceptive. A 95-pound barbell is pretty light, and pullups just take practice. But after two minutes, even elite athletes hit a wall, struggling to maintain speed and intensity.

The key to approaching Fran is to proceed with caution. Drop the weight down to 65 pounds and perform assisted pullups if you have to. If you think 90 total reps is a piece of cake and attack it full bore, you'll have extreme soreness at best, and rhabdomyolysis—a life-threatening condition where broken-down muscle tissue can actually poison your blood—at worst.

If you're already conditioned to CrossFit's high-intensity functional movements, by all means hit Fran like a freight train. In high-power, short-duration workouts, athletes must outrun fatigue. Fran is similar to an 800-meter sprint: It will push you to your anaerobic threshold and beyond. Fran can be completed in less than two minutes by top CrossFitters. Try to get through the round of 21 without dropping the barbell or breaking up the pullups. Kipping pullups (which utilize momentum) will also help.

The round of 15 is where the lungs, legs, and forearms burn and you realize you're in a serious fight. Experienced CrossFit athletes can push through the pain and complete unbroken sets. If you have to chop up sets, try to keep the rest time short.



ROB ORLANDO

Orlando is the owner of Hybrid Athletics in Stamford, CT, which specializes in combining CrossFit and strongman training.



Finish strong and write down your time. People are going to ask.

The Workout

FRAN: Three rounds for time

EXERCISE	REPS
Barbell Thrusters*	21, 15, 9
Pullups	21, 15, 9

(Men use 95 pounds on the thruster, women use 65.)

*Perform a front squat, then use your momentum to press the bar overhead.

EXHIBIT 12

THE OLYMPIA ISSUE

**ULTIMATE MASS-BUILDING MEAL PLAN
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EDITOR'S LETTER



A few weeks ago, I fired up *Pumping Iron* on my DVD player. There really isn't another film about bodybuilding or anything else in fitness that comes close to hitting the mark set by this 1977 classic. The movie's directors set out to make a documentary covering the men competing for the 1975 Mr. Olympia title but ended up with something a little closer to reality television.

Arnold Schwarzenegger played the

heel—a guy willing to steer his friend Franco Columbu in the wrong direction and wage game-day psychological warfare against an overmatched Lou Ferrigno in order to win. The directors also turned the audience against Ken Waller by staging an incident where Waller allegedly hid a T-shirt belonging to gentle giant Mike Katz, a nice-guy father of two. Say what you will about the veracity of the plot lines—there's no denying the effect that the physiques and personalities featured in *Pumping Iron* had on bringing bodybuilding to the mainstream audience.

This month's issue is dedicated to Olympia Weekend—the Super Bowl of muscle. On the cover we've got Flex Lewis, one of the top contenders in the 202-pound class. With a win at the British Grand Prix and a second-place finish at the New York Pro, Flex is making a run at the Olympia's 202 showdown after taking last year off to put on more muscle. We also have a complete workout guide based on the programs used by Mr. Olympia winners. Want to build Ronnie Coleman's chest? Jay Cutler's quads? How about Arnold's biceps? You may not raise a Sandow overhead anytime soon, but if you want to train like a champion, we've got you covered.

SETH KELLY, Editorial Director



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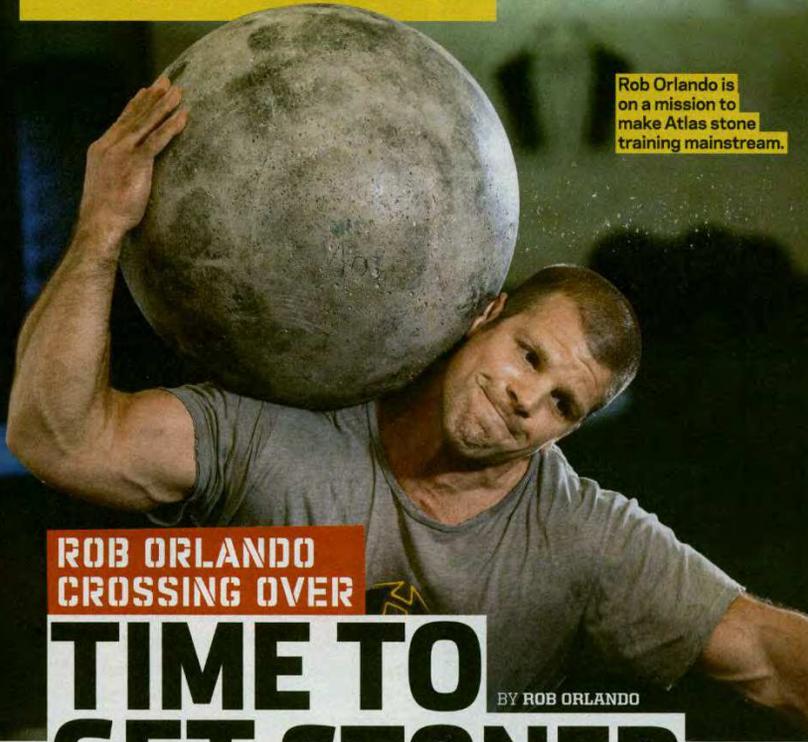
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THE EDGE TRAINING



Rob Orlando is on a mission to make Atlas stone training mainstream.

ROB ORLANDO CROSSING OVER

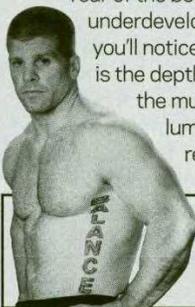
TIME TO GET STONED

BY ROB ORLANDO

ATLAS STONE TRAINING ISN'T JUST FOR STRONGMEN

Bodybuilders are judged on three criteria: size, symmetry, and proportion. After all, what good is 300 pounds of beef if there's no balance? Conversely, who wants to be perfectly balanced at 100 pounds? Blending these three characteristics is of the utmost importance when it comes to stepping on stage.

Atlas stones would be a great complement to any bodybuilder's training, providing a new stimulus to the posterior chain—the muscles on the rear of the body that are often underdeveloped. One thing you'll notice about strongmen is the depth and thickness of the musculature of their lumbar and thoracic region. This comes



ROB TRINGALI; COURTESY OF ROB ORLANDO

ROB ORLANDO is the owner and head trainer of Hybrid Athletics in Stamford, CT. For Orlando's instructions on how to build your own Atlas stones, go to muscleandfitness.com. To purchase Atlas stone molds, go to hybridathletics.net.

from years of deadlifting, hyperextensions, farmer's walks, and Atlas stone lifting.

The deadlift is still the ultimate mass builder—and Atlas stone training is a perfect complement.

THE WORKOUT

This workout is for an athlete weighing about 210 pounds, who can lift a stone equal to his body weight to his shoulder for reps.

- 175-lb stone to the shoulder every 15 seconds for 3 minutes—rest 1 minute
- 215-lb stone to the shoulder every 30 seconds for 3 minutes—rest 1 minute
- 245-lb stone to the shoulder every 45 seconds for 3 minutes—rest 1 minute
- 265-lb stone to the shoulder every 60 seconds for 3 minutes

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EXHIBIT 13



Rob Orlando 300x3

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<http://youtu.be/iWxSuazburY>

Start at: 0:12

Uploaded on Jul 29, 2010
 Rob Orlando clean and jerks 300lbs x3 at the 2010 Northeast Regional Qualifier. Athletes had to establish a max 3 rep clean and jerk within 40 seconds. Video by Again Faster.

SHOW MORE

ALL COMMENTS (97)

 Share your thoughts

Top comments

 **gatorbait87** 2 years ago in reply to BreakingPolicy
 skinny bumper plates are about twice as expensive. it's really not that hilarious

-  **CrossFit - 30 Muscle-ups, Isabel and Grace for time by Rob Orlando**
by CrossFit® 27,333 views
-  **CrossFit - King Kong with Walls at the Arnold**
by CrossFit® 73,743 views
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by CrossFit® Recommended for you
-  **Lucas Parker's Training SECRET!**
by WODiv Recommended for you

 **Sebastian Crespo** 4 years ago
awesome

 **thoomoo** 4 years ago
You guys are awesome

 **sheircaun** 3 years ago
BULLSHIT THATS NOT REAL WEIGHT

 **ke42zazn** 4 years ago [in reply to jdq2570](#)
@jdq2570 Lu Yong 85kg body weight does 214 kg. 471 pounds. I estimated his body weight. You're missing the big picture. The point still remains hes weak garbage.

 **wisdometernal** 3 years ago
Now THIS guy makes me respect what Crossfit can be. Not these lames in my gym doing Cleans with 150# and pullups by swinging their body five feet away from the bar to create enough momentum to float up to chin level and calling it "kipping". THIS man makes Crossfit respectable.

 **BreakingPolicy** 2 years ago
I love how big their plates are its hilarious

 **EndlersaurusRex** 2 years ago
Why are people critiquing his technique? He keeps relatively solid form and the only complaint would be the "press" instead of "jerk" (unless you're going to delve into tiny nuances that even a solid lifter doesn't always do). He's strong and did well.

 **mtsfitness** 3 years ago
Well, I know a decent amount of Rob's athletic career... And, when Rob competed as a Lightweight Strongman he was clean and pressing over 365 on a 2 inch axle... Which for a lighter guy... is top notch. He also has a video of him pressing a 300 axle out of a rack for 10 reps... Yeah, he would win the Olympics, but for a guy weighing 185, who runs a 5 and chance minute mile, and with all of the other cardio he does, a 300x3 C&J is pretty World* Class!

 **Satanicuslupis** 2 years ago [in reply to ArCxioN](#)
FYI In actual Olympic weightlifting competition HOW the weight gets overhead is of the most importance. Pressing will not get passed by judges. Clean & Press \neq Clean & Jerk. Rob Orlando is still strong as hell though.

 **James Jowly** 1 year ago
Obviously a lot of people can do this weight but u have to take in to consideration that crossfit athletes are over all good at everything.

 **srb8522** 3 years ago
Niiiiice

 **justjoshin2006** 3 years ago
BEAST

 **EndlersaurusRex** 2 years ago [in reply to magicapricot](#)
@magicapricot No. A legal jerk has the elbows locked in one smooth motion. He had to finish the movement each time with a press out, otherwise known as a "push press".

 **Nemo Dank** 4 years ago
monster

 **jdq2570** 4 years ago [in reply to ke42zazn](#)
@ke42zazn 50 lbs less would be a 69 kg lifter (Orlando weighs 195 lbs). The record is 193 kg (about 434 lbs -- meaning one man did it in 2003). Where is this land you come from where 145 lbs men C&J 480 lbs?

 **codyjblood** 4 years ago
damn this guy is fucking beast!

 **CrazyAssault** 4 years ago [in reply to azandu](#)
@azandu no no steroids dummy but its funny everytime time you see someone strong its steroids.



Rob O from Hybrid Athletics
by Rob Orlando
17,533 views



CrossFit Games 2010 Adidas Commercial
by CrossFitAspire
2,647,399 views



What Is Crossfit?
by BroScienceLife
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CrossFit Total Control Twin Challenge May 20, 2011 Jacksonville Beach
by cane1988
74,248 views



17 year-old girl outperforms professional athletes
by Bergen Performance Center
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MIMMIFON · 3 years ago · in reply to [GarrettLeeM](#)

@GarrettLeeM sry man i comming off a sprained back.... from a car accident... at 18 last year i did 335x3 just havent lifted in a long while. i just didnt see why this was such a big deal, i didnt know a guy that throws discus who is married is a tool or douche?



Luis, Jr Cofresi · 3 years ago · in reply to [Chiefonteditty](#)

@Chiefonteditty How much straighter can his arm be lol. He had atleast a 2sec lockout on each lift. I call it a legit clean n jerk, well, really a Power Clean & Jerk. Even more impressive.

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EXHIBIT 14



CrossFit - Questions for Rob Orlando



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http://youtu.be/et3oi-yf6zA

Start at: 0:18

Uploaded on Mar 24, 2011

Rob Orlando doesn't use a strength program. To get stronger, he lifts heavy things regularly. Hear Orlando answer some of the community's burning questions on how he has gotten to be one of the strongest and fittest men in the world.

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ALL COMMENTS (19)

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Top comments

work4rd 1 year ago in reply to capscape Thanks!



CrossFit - The Home Gym with Bill Grundler, Shell Beach Fire House by CrossFit® 27,807 views



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CrossFit - CrossFit Games Behind the Scenes - 2011: Part 1 by CrossFit® 240,823 views



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Mold Prep and Pouring by Rob Orlando 26,796 views



Crossfit Supplements & Crossfit Nutrition Recommendations by BestPriceNutrition.com 67,051 views



Rob O from Hybrid Athletics by Rob Orlando 12,291 views



Crossfit HQ - Rob Orlando - 100 BodyWeight Backsquats by CrossFitOgden 13,083 views



Crossfit by LucaVE100



Why are Crossfitters So Jacked? by strengthcamp 879,906 views



Rob Orlando, Heavy Ass Grace by George Street 12,552 views



Rob O from Hybrid Athletics by Rob Orlando 17,533 views



Rob Orlando 3-2-1 WOD by George Street 13,066 views



Kokoro Camp - The Coaches by SEALFIT Media 8,158 views



RossFit by CrossFit® 167,234 views

-  [@MrSteppenwolfe](#) 3 years ago [in reply to MrSteppenwolfe](#)
@MrSteppenwolfe : yeah well...but thats pretty much it
-  [skateman96](#) 1 year ago [in reply to SIMPLExJACKxATTACK](#)
it was a joke. it was pretty obvious
-  [work4rd](#) 1 year ago [in reply to capscave](#)
Hi cap! What CrossFit workouts works on hamstring? Thanks!
-  [Luis Espinoza](#) 2 years ago [in reply to capscave](#)
@capscave Are you qualified to seek out for "specific training programming" advice?? STFU moron
-  [skateman96](#) 1 year ago
lifting heavy all the time is so important, he decided to say the same exact thing twice in a row
-  [novan08](#) 3 years ago [in reply to MrSteppenwolfe](#)
@MrSteppenwolfe what is wrong with that exactly? I'm not taking a swipe at you, I just want to know why you disagree.
-  [Luis Espinoza](#) 2 years ago [in reply to Josue Cano](#)
@captainjosue and you made it to the games at 36 too??? Show me some results brah!!!
-  [Inebriatd](#) 2 years ago
People seek answers with structure, limitations, & sophistication- this is why they're baffled. Rob's "program" is based on variables and no popular trends of exercise or brand of food. Compare this to the myriad of specialists & institutions we acquire our data & certifications he seems too crude to be true. Realistically, Rob's inspirations came first. A reason laborers & blue-collars are innately strong. "Pick shit up."
-  [capscave](#) 3 years ago
In order to get stronger and be the best in a sport it's imperative to follow a strength program. When it comes to the sport of Weightlifting (Olympic lifting) you aren't going to medal without a program. The Russians advanced the sport light years ahead of us and they follow multi year programs. Rob Orlando is a strong guy and had paid his dues. He's not someone to seek out for specific training programming if you want to take it to the highest levels.
-  [SIMPLExJACKxATTACK](#) 1 year ago [in reply to skateman96](#)
if you actually noticed the video replayed itself in the beginning
-  [juan esparragoza](#) 3 years ago
this guy is awesome
-  [Josue Cano](#) 2 years ago [in reply to Luis Espinoza](#)
@luisespinox Actually I am. I'm a Weightlifting coach at CrossFit Camarillo and opening up a weightlifting strength center developing weightlifting talent. I'm sure you're a nice person and if you were to meet with me in person you wouldn't say that to me. Peace my friend.
-  [capscave](#) 2 years ago [in reply to Luis Espinoza](#)
@luisespinox I'm not a CrossFitter. I'm a competitive Weightlifter. Sorry about the confusion. I just teach the sport for CrossFitters where I live. You can check out my videos if you'd like of my lifts. I'm 77kgs = 170lbs. Peace.
-  [QuarterHater9](#) 1 year ago
heavy all the time. hahaha good answer
-  [capscave](#) 1 year ago [in reply to work4rd](#)
Hi there work4rd. Don't know what crossfit workouts work on hams since I don't teach or do crossfit but power cleans work tremendous amount of hams
-  [MrSteppenwolfe](#) 3 years ago
I stopped watching after he said "pick up heavy stuff, put it over your head and do it all the time". Yeah sure.
-  [Salman Mahimkar](#) 1 year ago
if you dudes need to get ripped much faster without spending a single another minute in the gym. then you really want to look closely this video tutorial COOK46.COM I want to gorge myself on gorgeous women.

-  **Crossfit Training Program Review @hodgetwins**
by [TwinMuscleWorkout](#)
151,684 views
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by [CrossFit®](#)
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-  **CrossFit - WOD 120712 Demo with Rob Orlando and Katie Hogan**
by [CrossFit®](#)
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[mada haryoto](#) · 1 year ago

They laughed when I told them I was going to bulk up with Mega Muscle Method, but then they saw the results. Do a search on google for Mega Muscle Method to see their reaction. (You should see their shock!)



Language: English

Country: Worldwide

Safety: Off

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EXHIBIT 15



Rob Orlando's Bear Complex at 200 lbs.

CrossFit®

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121,558

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244 5

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http://youtu.be/8lQftORtxqk

Start at: 0:00

Uploaded on Sep 14, 2011
Originally published April 18, 2010

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ALL COMMENTS (54)

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Top comments

tsujimasan 4 weeks ago
Modified Bear using a Squat Clean instead of a Power Clean, pause, Front Squat
Still requires a lot of strength but a bit easier than the Full Bear.

- CrossFit Games - Sixth for Speal**
by CrossFit®
113,153 views
- CrossFit - Matt Chan and Westside Barbell Programming**
by CrossFit®
69,502 views
- CrossFit - Structure and Purpose**
by CrossFit®
1,221,319 views
- Rob Orlando at the Vikingfest Strongman Competition**
by CrossFit®
253,744 views
- Men's Event 7 Clean & Jerk**
by crossfitconfessions
120,795 views
- Rob Orlando, Deadlift**
by George Street
72,736 views
- 125lb Bear Complex- ANDREA AGER**
by Andrea Ager
254,186 views
- SEALFIT - EVO8**
by Rogue Fitness
56,581 views
- Crossfit 101 - The Basics**
by Prevoin
565,574 views
- Mikko Salo Death by Clean & Jerk**
by George Street
212,350 views
- SR71 Blackbird Mildenhall 1984 (No Music & Higher Quality)**
by Alan Ollerton
Recommended for you
- CrossFit Managing Work and Rest**
by George Street
15,344 views
- Barbell- og Bear complex**
by Tor Larsen
- RossFit**
by CrossFit®
167,234 views
- "Air Force" CrossFit WOD - CrossFit One World**
by Jamigo
113,648 views



WildMight 3 months ago
beautiful
Reply



Julio Guevara 1 year ago
When I grow up I want to be just like Rob!
2



Theron Hoedel 11 months ago
That's awesome and motivating. I did the complex yesterday and wanted die afterwards and I only went up to 125# (failed at 135# after 5 reps/rounds).
Reply



capoman1 11 months ago
That'll make you sweat.
Reply



Rory McDaniels 2 years ago
diggin the marley



mugginish 1 year ago
if you look closely, you'll realise he's actually a bear, wearing human skin over



Brandon Jackson 1 year ago
I did 315



leo pena 2 years ago
Fuckin beast!



Cameron Wylie 2 years ago *in reply to Rafael Villanueva*
Says who? And in what context?



longage12 1 year ago
monster



beamerstones 1 year ago
That's crazy, great job



helghast62nd 2 years ago
We call these man makers lol I like Bear Complex more



Rafael Villanueva 2 years ago *in reply to Patrick Labat*
At the Crossfit gym I go to, the trainer emphasized you can only combine to movements at one time. I guess it's different everywhere.



SublimeDD 1 year ago *in reply to GymReady*
Troll? You would know if I were trolling. I was just asking what you meant by "why don't you" chill dude...



jake helmer 2 years ago
In crossfit terms how much weight it that? 86lb's?



XxProHigh5erxX 2 years ago
well done sir.



Luke Biz 1 year ago
Bob Marley...



SublimeDD 1 year ago *in reply to GymReady*



Why are Crossfitters So Jacked?
by strengthcamp
879,908 views



Team of Champions: The Story of the CrossFit Invitational
by CrossFit®
71,855 views



Getting Complex N' Intense at California Strength
by CaliforniaStrength
98,101 views



CrossFit - Meet Christmas Abbott
by CrossFit®
491,453 views



Donny Shankle is Bigger Than You - 200kg PR Hang Clean
by CaliforniaStrength
1,916,137 views

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You want what in your mouth?



Rafael Villanueva · 2 years ago

Is it me or is he combining the clean, squat and shoulder press all as one. I thought you can't combine more than two movements at one time.

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Safety: Off



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EXHIBIT 16



CrossFit - Back Squat Insights with David Millar, Rob Orlando, and Dave Lipson

CrossFit logo and Subscribe button (557,488)

92,315

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http://youtu.be/_ImpUTcUTmM

Start at: 1:32

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ALL COMMENTS (32)

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angel munoz 8 months ago Is that the beater bar????

Seaweedkills 8 months ago If rather lift 225 for reps than 4 plates with a superbly bad form like these guys



CrossFit - Matt Chan and Westside Barbell Programming



CrossFit - Gaining Strength with Dave Lipson and Nadia Shatila



CrossFit - Jason Khalipa Learns the Backflip with Carl Paoli



CrossFit - WOD 120112 Demo with Dave Lipson



Crossfit's Cutest Couple



Rob Orlando, Deadlift



Heavy Singles and Back Squats on the CNIC



Scott Panchik's Training: CrossFit's 4th Overall Male



CFJ Starrett Solving Knee Problems



Rob Orlando 3-2-1 WOD



Rob Orlando



Mark Rippetoe: Fixing the Squat: Hip Drive



2014 Reebok CrossFit Games [Men's Overhead Squat] Rich Froning



RossFit



CrossFit Squat

- Reply - 🗨️ 👍 🔄
-  **Jeff Hoffmann** 4 months ago
Too bad you can't do either.
Reply - 2 🗨️ 👍 🔄
-  **Draconior87** 10 months ago
Bad form. Period. If you want to keep a good form and be safe, reduce the load. Where's the problem? No good technique, no sense.
Reply - 🗨️ 👍 🔄
-  **Grant Willingham** 1 year ago
rob orlandos a beast, mirn hard
Reply - 🗨️ 👍 🔄
-  **Matthew Risley** 1 year ago
is it me or was that form just awful? there hips rolled under during their squats. some call it the "butt wink"
Reply - 🗨️ 👍 🔄
- [View 1 reply](#) ▾
-  **Marco alberto alonso** 2 years ago
I got scared! I wont do it w/o a spoter
-  **Hemi Mewett** 2 years ago · in reply to jewnior0
hipsters workout
-  **86victorious** 2 years ago
You should really keep that chin in the whole way up and down to prevent worsening the curve in your upper spine.
-  **Cameron Wylie** 1 year ago · in reply to Marco alberto alonso
Do you have access to a power rack with arms or pins?
-  **Joe Willis** 1 year ago
I don't understand all this talking about training, surely you just get in there and do what feels right for your body. You know if you worked hard enough and hit the spots you want to hit. Training is quite a personal thing and you need to find what works for you. Thats why Robs just a bit like what when he asks him about the jump. He's like why does it matter? I know what weights I can lift and what I'm waiting for whats the point in waiting around and being too specific.
-  **Keepa Mewett** 2 years ago · in reply to jewnior0
I just watched your videos too, LOWER PHAGGOT.
-  **mmack9** 1 year ago · in reply to nilmarose2
it wasn't that crazy, and fuck your fat brother. clever new way of spamming though,
-  **Andre Blanc** 1 year ago · in reply to Sam McInturf
P.S. His girlfriend is Camille LeBlanc Bazinet. The most gorgeous female crossfitter in the games. Lipson is a stud and a good man.
-  **Burstfir3** 1 year ago
Crossfit, not even once...
-  **jewnior0** 2 years ago · in reply to Keepa Mewett
dude, do you even lift?
-  **Krisbert1219** 3 years ago
So Sick!!
-  **Stephenwwkay** 1 year ago · in reply to Andre Blanc
*wife.

-  **High Bar Back Squat (HBBS) Coaching Cues - CrossFit Ireland**
by CrossFitIreland
36,281 views
3:27
-  **CrossFit - Press Workout with Rob Orlando**
by CrossFit®
239,829 views
6:50
-  **How To Overhead Squat and Top 3 Mobility Drills For OHS - TechniqueWOD**
by Barbell Shrugged
120,670 views
9:11
-  **CrossFit - WOD 120712 Demo with Rob Orlando and Katie Hogan**
by CrossFit®
39,873 views
6:51
-  **CrossFit - Dave Lipson and Rich Froning Jr on Affiliation**
by CrossFit®
25,649 views
3:48
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topstep · 2 years ago
I did this today and failed at 175. I'm so lame.



Reckful Baker · 1 year ago · in reply to Rod Agre
Just no.



karatemaster57 · 2 years ago
woooooow, i feel weak as a bitch now lol. i can only max out at 225 squatting

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Country: Worldwide

Safety: Off

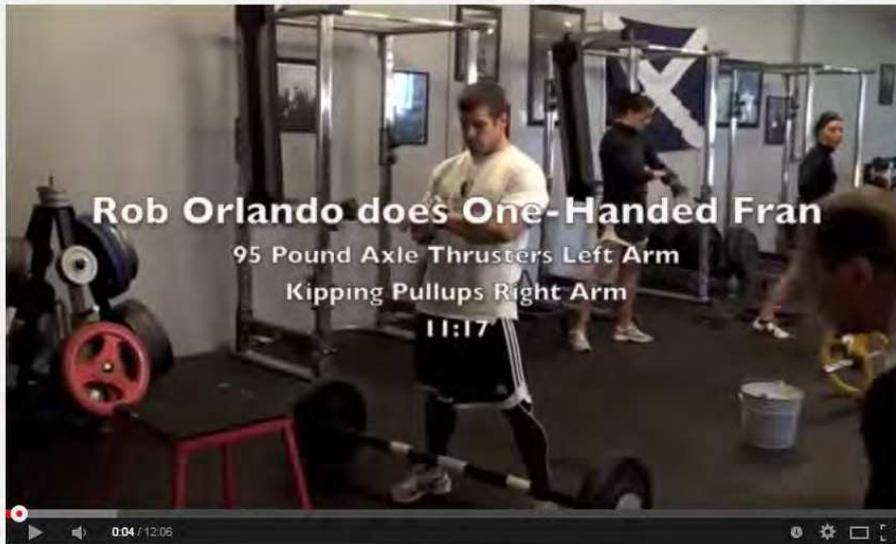
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EXHIBIT 17



CrossFit - One Arm "Fran" by Rob Orlando



CrossFit®



557,488

201,554

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Uploaded on Sep 30, 2011
"Fran"
21-15-9
Thrusters (95#)

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ALL COMMENTS (191)



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Top comments



Jay Krick · 5 months ago

so stupid...what's wrong with doing it the correct way for a good time?

Reply · 2 1 1



PhenomenaDaPhenomenon · 9 months ago

I hate when people say strict pull ups. I'm pretty sure its just a pull up. Crossfit wants to name it strict so it'll seem legit. No. No. Don't do that. And his kipping pull up looks like he's running going up. Man.....idk what's up with all these crazy workouts.

Reply · 3 1 1

View all 8 replies



STHENICS · 4 months ago

+Ryan Yang If you're being honest good for you. Rock those reps!

But, you're atypical in CF realm. It's likely that you already know this. Please quit pretending that you're the norm.



2010 CrossFit Games - Men's Event 1 Final Heat

by CrossFit®
263,848 views



CrossFit - UFC Fan Expo Men's Dummy Carry Toes-to-Bar

by CrossFit®
747,578 views



CrossFit - CrossFit Games Behind the Scenes - 2011: Part 5

by CrossFit®
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CrossFit - King Kong with Walls at the Arnold

by CrossFit®
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Rob Orlando, Deadlift

by George Street
72,736 views



US Navy Seal Training. start to end. Can you do it?

by US Military Videos & Photos
2,894,178 views



Dmitry Klokov - CrossFit King of Prussia

by Дмитрий Клоков
357,339 views



SEALFIT - EVO8

by Rogue Fitness
56,581 views



Khalipa & Maddox Battle Froning

by Jason Khalipa
256,618 views



"Air Force" CrossFit WOD - CrossFit One World

by Jlamigo
113,648 views



7-2-13 Project Mayhem - Training when you don't want to.

by CFProjectMayhem
90,695 views



CrossFit - WORKOUT FROM HELL! (Chris Spealler and Jason Khalipa)

by EeeScap Phoenix
856,778 views



How To Measure Body Fat

by practictroy
491,725 views



"How to get stronger" - Rob Orlando

by Jenfollo
84,683 views



The Muscle Up with Jason Khalipa

by Jason Khalipa
282,272 views

Reply · 1 · 0 · 0

Ryan Yang 4 months ago
+STHENICS Look, I can only speak what I see. I can't speak for the entire community, but at least at the box where I train, people take strength very seriously. We have dedicated strength sessions every week. Kipping techniques are only used when there is a benchmark workout.

Reply · 1 · 0 · 0

sergiobla87 5 months ago
how much weight those discs?? and how much weight the bar??? and are those ROGUE equipment??

Reply · 1 · 0 · 0

Ryan Yang 5 months ago
95# means 95 lbs.

Reply · 1 · 0 · 0

sergiobla87 5 months ago
uh ok, i was confused with the kilos and lbs thing...thanks :)

Reply · 1 · 0 · 0

Travis Stice 1 year ago
I give props to this guy, I could not do the amount of pull-ups (kipping or not) that he did. And to the people who are always saying kippings cheating and its bad form, well the only thing with that is the whole reason people started doing pull-ups were to train their muscles to do a pull-up when a life event occurred, whether that be falling and catching yourself then pulling yourself up or climbing to something. You dont think about form in life circumstances and that is what crossfit is about preparing you for anything.

Reply · 8 · 0 · 0

Ian 1 month ago
yeah prepare you for a serious injury....

Reply · 1 · 0 · 0

Sev TheBest 5 months ago
Fuck the crossfit haters you guys are all just jealous and this is just for fun i would never do barbell lifts with one hand cause thats not what crossfit is

2 · 0 · 0

azertu2u2 6 months ago
do you hate crossfit? Its better than sitting there typing no doubt!

1 · 0 · 0

PhenomenaDaPhenomenon 9 months ago
I hate when people say strict pull ups. I'm pretty sure its just a pull up. Crossfit wants to name it strict so it'll seem legit. No. No. Don't do that. And his kipping pull up looks like he's running going up. Man.....idk what's up with all these crazy workouts.

Reply · 1 · 0 · 0

Ian Marabotto 1 year ago
crossfit ruins everything...its such shit. This guy is strong ,no doubt, but shouldn't give Crossfit (a money-making fitness trend) the credit for what he does. His one arm pull ups aren't legit because he swings too much and is not relying on pure arm tendon and muscle strength, nevertheless, he is a good athlete but again, these athletes that were strong already before "crossShit" came along, should not give crossfit the credit...

Reply · 4 · 0 · 0

View all 9 replies ▾

Jokk3asd 9 months ago
+Matthew Davidson
I have never understooded kipping pullups, what exactly is the goal there?

Reply · 1 · 0 · 0

iscariot5 4 months ago
+Jokk3asd
The goal of kipping is to increase the amount of work done in a shorter period of time. And when i say work i mean the scientific definition of work. Many people don't realize that crossfit is literally boiled down to a science. Anyways kipping is used for a different goal than a "strict pull up." If the crossfit athletes were there to isolate there back and bicep muscles

Reply · 1 · 0 · 0

Marcus Cripe 6 months ago
That is insane.

Reply · 1 · 0 · 0

RossFit
by CrossFit®
167,234 views
24:25

Military Throwdown 2011 at Crossfit Oahu CFO
by yellowthunder92
37,950 views
9:32

Lucas Parker's Road to the Games - Episode 3: Outside the Box
by WODtv
Recommended for you
18:47

Pro Fighter Vs CrossFit @Razorstorm
by RazorstormUK
332,767 views
9:31

Froning vs 540
by Lisa Stancil
220,452 views
6:31

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- aardappelpitsap** 1 year ago
 Lol whatsup with people saying crossfit is a money making trend? My gym is only a crossfit gym and lets us train as much as we want for 30 euros a month. Thats some very very cheap training+coaching 20x a month for me.
 Reply · 1 · 1 · 1
- View all 2 replies** ▾
- aardappelpitsap** 1 year ago
 Forgot to say that we got all the equipment a boy could want, including the sledgehammer :D!
 Reply · 1 · 1 · 1
- Thomasgipsy** 2 years ago · in reply to Stefan Krcelic
 @gunderhaven :) Thanks for the answer,not sure if serious but makes sense!
- H1dden1s** 2 years ago
 Do it holding/drinking a beer next time. Or a Powerade, and maybe get an endorsement.
- Gothexc** 2 years ago
 why hes training only 1 hand?
- Andrew Phong** 1 year ago · in reply to kenzieSP0ng3B0B
 indeed you have, but a 1-rep one-handed chin up doesn't compare to Rob's 45-rep (total) one-handed kipping pull up plus 45-rep (total) one-handed 95lbs thrusters under 11:17...
- TeleprompterCzar** 2 years ago
 Legit. Most people take 12:00+ to do their first fran with both arms.
- Sam Micieli** 1 year ago
 5:23 "im cumming, im squirting"
- alan ba** 2 years ago
 WHY
- Adam Colucci** 1 year ago
 5:23 listen
- William Wong** 2 years ago · in reply to kenzieSP0ng3B0B
 Why don't you try it?
- Charles Shipman** 2 years ago · in reply to xXxMrMysteryxXx
 Why the attack on me? So only people who have won the WSM are world class athletes? So what, 15 people? Rob Orlando has competed 5 times in the Crossfit games. A world competition. He's one in a million. And I'm 31. Not a kid. Don't know what I did to make you so mad.
- [Show more](#)



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EXHIBIT 18



CrossFit - California Road Trip: Part 1



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126,536

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[Like](#) 342 [Dislike](#) 18

Uploaded on Nov 28, 2011

Join an all-star cast on a classic CrossFit road trip as Dave Castro, Sevan Matossian and Rob Orlando embark on a tour of California. This trip, however, isn't for traditional sightseeing. The sights along this journey are barbells and top competitors as the group makes its way north, one workout at a time.

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ALL COMMENTS (83)



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Top comments



Zach Marques 5 months ago
Is this open to the public or closed course?
[Reply](#) [Like](#) [Dislike](#)



zach french 9 months ago
Dave Castro is a fruit
[Reply](#) [Like](#) [Dislike](#)



Lone Runner 10 months ago
Bald dude is from the original crossfit box
[Reply](#) [Like](#) [Dislike](#)



CrossFit - Central East Regional Live Footage: Men's Events 2&3
by CrossFit®
215,769 views



CrossFit - Central East Regional Live Footage: Men's Event 4
by CrossFit®
769,411 views



CrossFit - CrossFit Games Behind the Scenes - 2011: Part 1
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Cigarettes, Roids and Switching Regions with Dan Bailey and Sevan
by CrossFit®
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US Navy Seal Training, start to end. Can you do it?
by US Military Videos & Photos
2,894,178 views



The Purpose of CrossFit Part-1
by George Street
78,522 views



2014 Reebok CrossFit Invitational [Rich Froning, Khalipa, Bridgers, Foucher]
by vine vids
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Days in the Life of Rich Froning
by Jon Fredrik Uggerud
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Rob Orlando, Deadlift
by George Street
72,736 views



CrossFit / Navy Seal Workouts
by Shawn VanWingerden



SEALFIT - EVO 1
by Rogue Fitness
97,673 views



Crossfit Games 2012 - Men's obstacle course - Best of Crossfit
by Best Of Crossfit
131,128 views



I Am CrossFit | Ryan Jones Films
by Ryan Jones
157,218 views



Welcome to U.S. Navy Boot Camp
by US Military Videos & Photos
324,456 views



Navy SEAL Obstacle Course
by SEAL Teams 413
34,228 views

- DUHWININGBRO** 6 months ago
I think Don Shipley should know about this gentlemen...
Reply · 1 · 0 · 0
- AFROTHINKER** 8 months ago
Mr Castro, why don't you do it?
Reply · 0 · 0 · 0
- zach french** 9 months ago
My gram can run that O-course better, and she has emphyzema
0 · 0 · 0
- NelhsuR7** 10 months ago
Dave Lipton is such a fucking douchebag. Somebody knock him the fuck out.
1 · 0 · 0
- Powerlifting Motivation** via Google+ 1 year ago
Awesome #crossfit California Trip
Reply · 1 · 0 · 0
- Jason Leck** 1 year ago
Canine wins every time!
Reply · 1 · 0 · 0
- supitzsammm** 1 year ago
Greg Amundson would be the best workout buddy. So encouraging. Love that dude.
Reply · 0 · 0 · 0
- merces47letifer** 1 year ago
Holy shit, is that "The Cat"?!
0 · 0 · 0
- Ryan90Moore** 2 years ago · in reply to Damon LuVisi
@damonluvisi agreed!
- Kevin Orr** 2 years ago
I like how dog tries to bite him when he goes up the rope lol
- dataviva** 1 year ago
is a microphone in the top of the screen ?
- Nathaniel Fink** 2 years ago
crossfit badass can't do some easy obstacles and he cheated on the vaults. Since when has the cargo net ever been that tight?
- amckenzie101** 2 years ago
part 2?
- Rhythm Bandit** 2 years ago
Josh everrett used to be a athletic conditioner for basketball team at UC riverside.. He used to put us through hell! Toughest month of my life was summer going into my freshman year 09'. "hell month". Ill never forget how crazy that stuff was. The obstacle course used to make you feel like a recruit going through BCT.
- Maxiimaal1** 2 years ago
For the rest an entertaining 30mins! Wel worth watching.
- Jake Lang** 1 year ago
love the dog
- Richtigify** 2 years ago · in reply to ThePoleag8r
Dave Castro was a SEAL and SEALs are big supporters of CrossFit. It's the most popular way to train 'downrange' these days because you can get a real good ass-kicking which yields great results, and all in under 30 minutes! CrossFit appreciates this sport and supports the SEALs in return for their service. Also, SEALs is a SEAL modified CrossFit competition who take

- CrossFit Workout: The Sport of Fitness**
by WatchMojo.com
419,145 views
5:40
- CrossFit Managing Work and Rest**
by George Street
15,344 views
14:59
- 2012 CrossFit Games - Pendleton 1 and 2**
by CrossFit®
348,543 views
26:17
- RossFit**
by CrossFit®
167,234 views
24:25
- CrossFit - Structure and Purpose**
by CrossFit®
1,221,319 views
20:31
- SHOW MORE

support and supports the SEALs in return for their service. Also, SEALFIT is a SEAL-founded CrossFit organization who take CrossFit principles and mix them with SEAL principles to prepare civilians for BUD/S.

Show more



Language: English

Country: Worldwide

Safety: Off

History

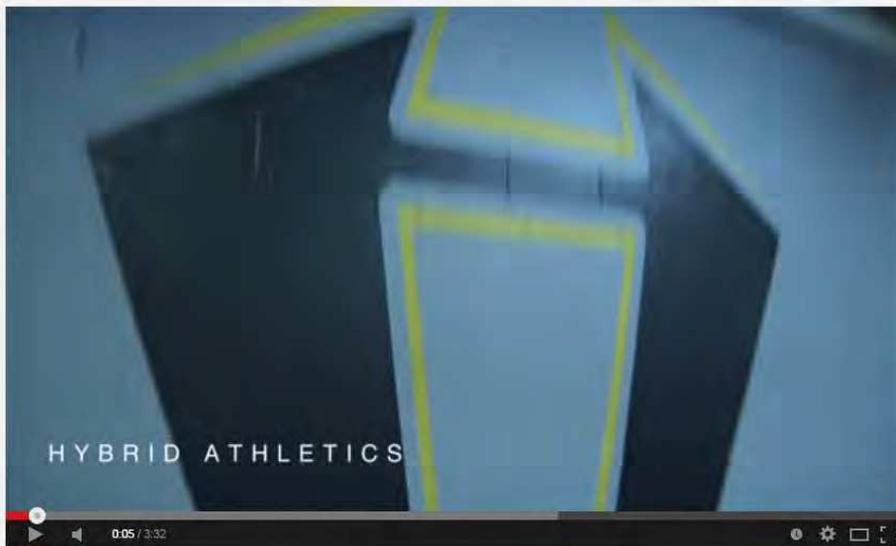
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https://www.youtube.com/watch?v=wChB_D5nTU Sun Dec 28 2014 13:40:49 GMT-0500 (Eastern Standard Time)

EXHIBIT 19



CrossFit - "Heavy Bench, Heavy Lunge Workout" with Rob Orlando



CrossFit®

Subscribe 557,488

126,051

+ Add to Share More

256 25

Uploaded on Dec 21, 2011

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ALL COMMENTS (127)



Share your thoughts

Top comments



Rampage Clover 1 week ago

A 315lbs lunge is pretty impressive but his form on the bench sucks

Reply



mex 8 months ago

have to do this!

Reply



Elite Force Nutrition 11 months ago

did he bounce the weight off his stomach? That is some bad form. Please nobody go home and do that. He is a strong person but that form is not to be replicated. At that rate your better off lowering the weight and doing it "right". Not an expert in crossfit but in the bodybuilding "world" that wouldn't fly and introduces a potential injury.

Reply

View all 7 replies



CrossFit - A Day With Ben Smith

by CrossFit® 340,728 views



2011 CrossFit Games - Men's Beach Event - Games Vault

by CrossFit® 1,535,787 views



Behind the Games: 2013-Part 3

by CrossFit® 172,196 views



CrossFit Games History Reebok Spot by Roadside

by CrossFit® 310,312 views



Rob Orlando, Deadlift

by George Street 72,736 views



The Strongest Man You've Never Heard Of: CT Fletcher

by Strength Project 7,371,910 views



SEALFIT - EVO8

by Rogue Fitness 56,581 views



"How to get stronger" - Rob Orlando

by Jenfolo 84,683 views



Rob Orlando

by Rogue Fitness 97,708 views



How To Increase Your Bench Press (quick tip)

by strengthcamp 1,137,812 views



955kg(2105lb) RAW total

by Konstantinovs 1,262,755 views



RossFit

by CrossFit® 167,234 views



CrossFit Miranda Thruster Muscle Up

by George Street 257,091 views



"Lynne" with 225 and a vest

by Rob Orlando 22,313 views



Pro Fighter Vs CrossFit @Razorstorm

by RazorstormUK 332,767 views

 **Chevy Lingo** 8 months ago
Yeah, sucked at it. Never again. I'm going back to cocaine.

Reply · 🗨️ · 📌

 **Elite Force Nutrition** 8 months ago
You were always better on the powder Chevy :-)

Reply · 1 · 🗨️ · 📌

 **billybob999100** 11 months ago
Strong. Good effort esp walking lunges with that weight.

Reply · 🗨️ · 📌

 **Frank DiMeo** shared this 1 year ago

Reply · 1 · 🗨️ · 📌

 **AncientVirus** 1 year ago
is he doing a half powerlifting bench ?

Reply · 🗨️ · 📌

 **raskolnikov1288** 2 years ago
@DVcustomZ LOL!!!! Arch back because is the better form to do bench press, and wears lifting shirts in some competitions, but you can see RAW competitions and never, never, never you'll see a "suicide grip", and I think people like Scot Medelson (715 lb RAW bench press) are stronger than you. Its a stupid do this type of grip, because you wont have any gain for do it.

 **jeroen uijlen** 1 year ago
is he doing lunges with low bar positon?

 **000Shaihlud666** 1 year ago · in reply to onnoori lee
What does that even mean??? Gypsies?

 **handsome19** 2 years ago · in reply to sean o'fallon
@seanyglass and in this video he has his rear end up =) like all powerlifter video and pressin with his leg why dont he has his rear flat and leg on the bench i bet u he cant even bench not even 315

 **DVcustomZ** 2 years ago · in reply to raskolnikov1288
@raskolnikov1288 powerlifting also allows you to arch back and wear lifting shirts they are not the authority. Also it is dangerous to weak people you must fall into that category I do pullups that way and I do Heavy reverse bench same weight man up or go get on the treadmill and get some pink dumbbells.

 **Erdos2n** 2 years ago
I don't respect many crossfitters, but the athletes who compete in the games, especially this dude, are beasts....

 **mislift138** 1 year ago
This guy is obviously very strong and experienced, but he's using the suicide (thumbless) grip. A lot of experienced people use this grip, but it's very dangerous. Do a youtube search for suicide grip. Lee Hayward has a good video about it.

 **sean o'fallon** 2 years ago · in reply to handsome19
@handsome19 Arching the back is okay, as is driving with the legs; you are supposed to. Lifting your ass off the bench is not okay. You have to remember the bench press was never just a "chest movement" exercise to begin with. It is a total body exercise; chest, back, shoulders, tris, legs. If you want to focus more on building a nice chest, then go do dumbbells. Check out Dave Tate's videos on you tube.

 **TheAustinWinter** 2 years ago
Well one reason why his back is arched is so it puts his shoulders in a good position to pull his elbows in when brings the bar down. Supported shoulders lead to healthy, injury-free ones in the long run!

 **akerbacker** 2 years ago · in reply to straightblast1
No rest.

 **MonsterAndrewable** 1 year ago
crazy strong guy for his size

 **FullBring88** 1 year ago · in reply to Stephenwkway
Everyone has different goals.

 **Rich Froning Jr. - 2011 & 2012 & 2013 & 2014 Crossfit Champion using MiR**
by MiRVest2008
256,144 views

 **Team of Champions: The Story of the CrossFit Invitational**
by CrossFit®
71,855 views

 **Miranda Oldroyd Fran/King Kong 2011 Arnold Classic**
by Rogue Fitness
138,711 views

 **Dmitry Klokov-Weightlifting superstar from Russia**
by Milka Anti-Rokko
429,973 views

 **Rob Orlando 3-2-1 WOD**
by George Street
13,066 views

SHOW MORE



James Patti · 1 year ago
why are you bouncing the weight man



Ken Label · 1 year ago
How much rest it taken between each exercise?

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<https://www.youtube.com/watch?v=yRTVbaIXJeA> Sun Dec 28 2014 13:10:26 GMT-0500 (Eastern Standard Time)

EXHIBIT 20



CrossFit - 300 pound "Grace" by Rob Orlando

CrossFit® [Subscribe](#) 557,488

172,632

+ Add to [Share](#) [More](#)

530 84

Share Embed Email



<http://youtu.be/ZF72GL5eBd0>

Start at: 0:02

Published on Mar 30, 2012

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ALL COMMENTS (279)

Share your thoughts

Top comments

Pat Tebbutt 1 month ago
From an Olympic weightlifters point of view this is just fucked. That form is crazy horrible on both the clean and push press

Payton Rogers 1 month ago
good thing this isnt an olympic weightlifter

- Rob Orlando at the Vikingfest Strongman Competition**
by CrossFit® 253,744 views
- CrossFit - A Day With Ben Smith**
by CrossFit® 340,728 views
- CrossFit - Transforming an NFL Quarterback with Matt Hasselbeck and**
by CrossFit® 232,416 views
- CrossFit - "The Deadlift Set-Up" with Kelly Starrett (Journal Preview)**
by CrossFit® 101,816 views
- Khalipa & Maddox Battle Froning**
by Jason Khalipa 256,618 views
- SEALFIT - EVO8**
by Rogue Fitness 56,581 views
- Spencer Moorman does CrossFit WOD Grace in 13min 40sec with 137kg**
by CaliforniaStrength 46,611 views
- "How to get stronger" - Rob Orlando**
by Jenfollo 84,683 views
- RossFit**
by CrossFit® 167,234 views
- Dave Tate on Human Potential**
by ravsandhu1 139,910 views
- Best 10 min Squat Test EVER | Feat. Kelly Starrett | Ep. 268 | MobilityWOD**
by Kelly Starrett 154,029 views
- Fittest men on earth**
by Gigi Sayfan 1,561,323 views
- Mikko Salo Death by Clean & Jerk**
by George Street 212,350 views
- Motivational**
by Don Mon
- Chris Spealler on Heavy Days**
by George Street 63,439 views

Reply - 5



Andy Merkel 4 months ago
fan request: w/315 in under an hour...

regarding Spencer M. comments; he's truly IS a beast and a gifted strength athlete; and the 13:40 was amazing, but I'd rather have Rob's waistline at the expense of a bit of strength; that's why we like him, because we relate to him, we want to increase our OLY lifts; but we also want to be able to run/jump/pull ourselves up, push ourselves up, etc.... my hats off to both...

Reply - 3



Noah Morris 2 months ago
I love crossfit and have been following it for so long..but this video is the definition of too much testosterone.

Reply - 3



Again Faster Equipment 6 months ago
An oldie but goodie for #TBT. 300lb #Grace by Rob Orlando. #crossfit
<http://againf.as/1l9Izj3>

Reply - 1



Peta Flux 5 months ago
A screaming idiot on steroids and people are admiring this.
No wonder the world is such a shitty place.

Reply - 1



Lenny Russo 9 months ago
Good thing Spencer is a slob, compared to Rob!

Reply - 1



Shane Concepcion 1 year ago
Spencer Moorman from CalStrength did this in 13:40 lol

Reply - 1



Mia Hannah 1 year ago
At least it wasn't this shitty.

Reply - 1



Darryl Garber 1 year ago
just watched spencer moormans one... he has good technique.. rob orlando has great strength but can't clean / jerk properly

Reply - 1



clevelandtundra 1 year ago
at least rob orlando is strong, most of these xfitters wear the fanciest squatting shoes and have all this nice rogue apparel but can hardly squat 185 ATG and they're snatching 95 pounds like a bunch of pussies.

Reply - 1



craigherbert25 1 month ago (edited)
+clevelandtundra Which CrossFitters are you referring? Rich Froning just Overhead Squatted 385 in competition is that not strong? If you are talking about beginners why would they not buy Rogue gear? It's cheaper than most other sports apparel, and will last a long time. Its cheaper than Nike apparel that "generic" gyms goers and runners wear. Everyone was a beginner at some stage.

Reply - 1



Chris Miller 1 year ago
My reaction to missed reps is abut the same as his... nothing worse.

Reply - 1



Brendan Joseph 1 year ago
I bet nobody who disliked or talked shit here can clean & Jerk at all with good form especially even close to 300lbs, let alone 300lbs for 30 reps for time. Most people here probably can not even squat 300lbs.

Reply - 4

[View all 5 replies](#)



Brendan Joseph 1 year ago
Kendrick does, so if he did this exact same WOD he would have control. Doubtful. Why would he need to have to do a squat clean if he doesn't have to, thats a wast of energy and less efficient. Kendrick has explained that himself. Just like rob is doing here.

Reply - 1



Team of Champions: The Story of the CrossFit Invitational
by CrossFit®
71,855 views



CFJ Starrett Solving Knee Problems 1.mov - Manchester Personal Trainer
by Sean Murray
57,610 views



CrossFit - Kendrick Farris Does Isabel
by CrossFit®
157,364 views



Рекорд молодежный! :)))AVI
by ruszim
630,421 views



CrossFit Tour - Froning and Bailey: Big Sky Tour Debut
by CrossFit®
349,856 views

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jaggiarbananer 1 year ago

+Brendan Joseph That's not what I said. He doesn't have to go into full squat depth, but seeing how he has trouble getting under the bar it might be useful. And the use of a push for the last part is also a waste of energy, why aren't you pointing that out?

Reply · Like · Retweet



Ryan Ratkowski 1 year ago

what a D-Bag

Reply · Like · Retweet



Darryl Garber 1 year ago

worst technique.. i can't clean jerk 300 pounds but the clean jerks i do look like clean jerks lol

Reply · Like · Retweet



The Grid Box via Google+ 1 year ago

300 pound (136kg) "Grace" by Rob Orlando
"Grace": 30 reps Clean & Jerk

OMFG!!!

Reply · Like · Retweet



andrew Nesmith 1 year ago [in reply to Daniel Balzano](#)

I'd live to see your video of you cleaning 300lbs mr. Keyboard warrior :)



camius1 1 year ago

he's cleaning like a high school kid



Daniel Balzano 1 year ago

And @taviskrug, I've studied Sambo, BJJ and Muay Thai for over 20 years, so yeah.....I'm not really worried.



hypoxide 2 years ago [in reply to Chew Berks](#)

Like Dimas' terrible form when he power jerked his world record c&j. Whatever gets the weight from point a to point b.



mollers92 2 years ago [in reply to Drew Nadeau](#)

At least come up with a good insult if you're going to be a child. Besides, he looks the more likely to cry. Olympic lifting is a sport, and one of tradition. No place for meatheads. Maybe if he didn't waste so much energy screaming and spent a little bit of time working on his form he'd lift a little (or lot) more. I don't begrudge him though. He'll need all the sympathy he can get after he's riddled with injuries from his crossfit form olympic lifting.



CrossfitFan125 1 year ago [in reply to Mike Dowling](#)

can't say it any better..



Daniel Balzano 1 year ago

Umm, let's not and say I did. I'd rather do less weight with strict form. I'd like to keep my spine intact for when I'm 60, thank you.

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EXHIBIT 21

From: Matt Paulson <mpaulson@hylete.com>
Sent: Monday, April 23, 2012 12:03 PM
To: Robert Orlando <conanrules1@gmail.com>
Subject: Mock-ups
Attach: Hybrid Athletics 03- Womens.jpg; Hybrid Athletics- 02.jpg; HybridAthletics-01.jpg; HYLETE Ambassador Compensation Program- Rob Orlando 4.18.2012.xlsx; HYLETE Brand Presentation 2012 04 18-2.pptx

Hey Rob,

Here are some mockups and files for you. This is just a start and she will be working on more this week. Do you have time to speak today? I want to go over the other two attachments that covers the brand direction and also the revenue-sharing program I was talking about.

Let me know when have 15 minutes or so.

Thanks, Matt



HYLETE

Hybrid Athletics Women's Black T-Shirt

1" wide logo
1" from shoulder



Front



8" Wide
Centered Back

Back

Back Logo:
- 8" Wide Centered Back
- Placed 4" from neckline

Front Logo:
- 1" Wide
Placed 1" from shoulder seam

430 C 
123 C 

* Not to Scale





HYLETE

Hybrid Athletics Black T-Shirt



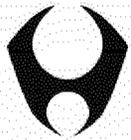
Front Logo:
 - 12" Centered Chest
 - Placed 1.5" from top of neck line

Back Logo:
 - 3" Wide
 - Placed 1.75" from top of neck line

430 C 
 123 C 

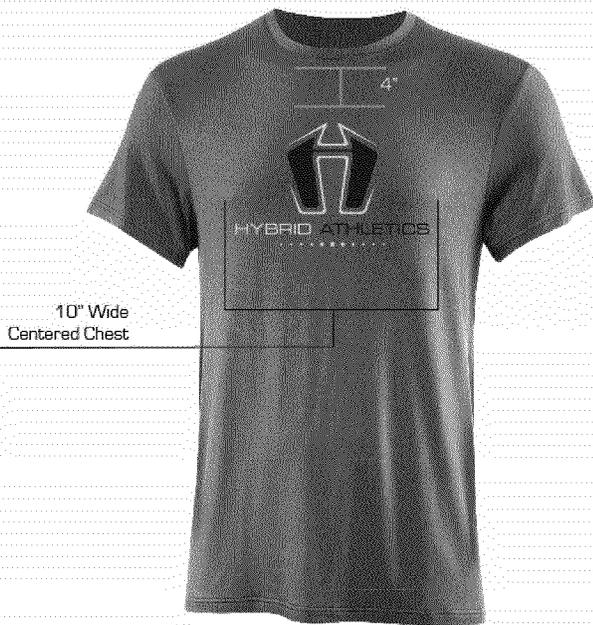
*Not to Scale





HYLETE

Hybrid Athletics Gunmetal T-Shirt



Front



Back

Front Logo:
- 12" Centered Chest
- Placed 1.5" from top of neck line

Back Logo:
- 3" Wide
Placed 1.75" from top of neck line

*Not to Scale

Black 
123 C 

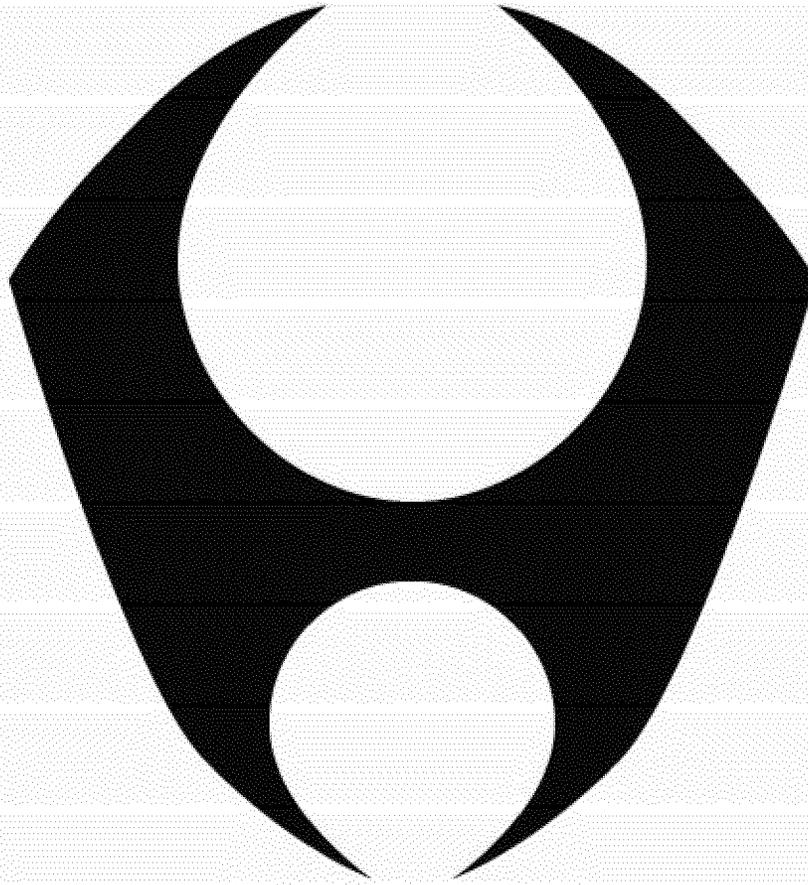


A

1	HYLETE Ambassador Elite Commission Program
2	Ambassador
3	
4	Program Specifics:
5	
6	
7	
8	
9	
10	Assumption Inputs:
11	
12	
13	
14	
15	
16	
17	
18	Commission Payments:
19	
20	
21	
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	B	C	D	E	F	G
1						
2	Rob Orlando					
3						
4	HYTELE Ambassador Trainers receive commissions on Direct Referred Athlete Net Purchases, Direct Referred					
5	Commissions on Direct Referred Athlete Accounts (Retail Pricing):	20%				
6	Commissions on Direct Referred Ambassadors Net Purchases (50% off Retail):	5%				
7	Commissions on Indirect Referred Athlete Net Purchases (Retail Pricing)	5%				
8						
9						
10		Per Year	Per Month	Per Day		
11	Projected Direct Referred Athletes	72	6.0	0.2		
12	Projected Direct Referred Ambassadors	60	5.0	0.2		
13	Projected Indirect Referred Athletes per Direct Referred Ambassador	48	4.0	0.1		
14	Estimated Yearly Net Purchases of each Ambassador Trainer	300	\$ 25.00	\$ 0.83		
15	Estimated Yearly Net Purchases of each Athlete	100	\$ 8.33	\$ 0.28		
16						
17						
18	Ambassador Commissions (Projected)	Year				
19	<i>*Calculated on input assumption cells above (yellow)</i>	2012	2013	2014	2015	2016
20						
21	Commissions on Direct Referred Athlete Accounts (Retail Pricing):	720	2,160	3,600	5,040	6,480
22	Commissions on Direct Referred Ambassadors Net Purchases (50% off Retail):	450	1,350	2,250	3,150	4,050
23	Commissions on Indirect Referred Athlete Net Purchases (Retail Pricing)	7,200	21,600	36,000	50,400	64,800
24	Total Commissions per Year (\$)	8,370	25,110	41,850	58,590	75,330
25	Monthly Commissions (\$)	698	2,093	3,488	4,883	6,278
26	<i>1. Chart is calculated on input assumption cells above (yellow)</i>					
27	<i>2. Chart assumes that the Referred Athletes and Ambassadors Remain HYTELE Customers from their initial first purchas year through 2017</i>					
28	<i>3. 2012 is calculated as only 6 months or one-half year</i>					
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19	2017	
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21	7,920	
22	4,950	
23	79,200	
24	92,070	
25	7,673	
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HYLETE

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HYLETE

brand statement

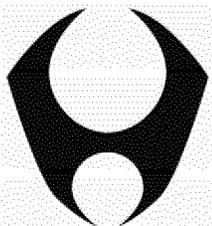
Founded upon three intertwined principles:

train to push yourself both physically and mentally;

compete so as to improve yourself, as well as those around you;

and ***live*** to be healthy in mind, body, and soul.

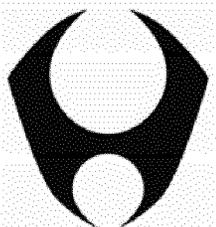
train. compete. live



HYLETE

vision

Create innovative, performance cross-training apparel that captures the spirit of a new breed of hybrid athlete.



HYLETE

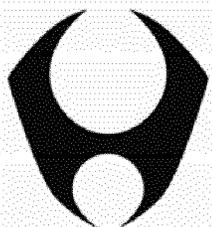
marketing mix

positioning: what is the market opportunity and who is the core consumer persona that we desire to resonate with?

products: what are the product offerings that will engage our core consumers?

placement: how can we most effectively reach and sell to our core consumers?

promotion: how will we most effectively communicate the value of our products to grow the brand?

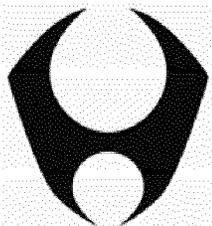


HYLETE

marketing opportunity

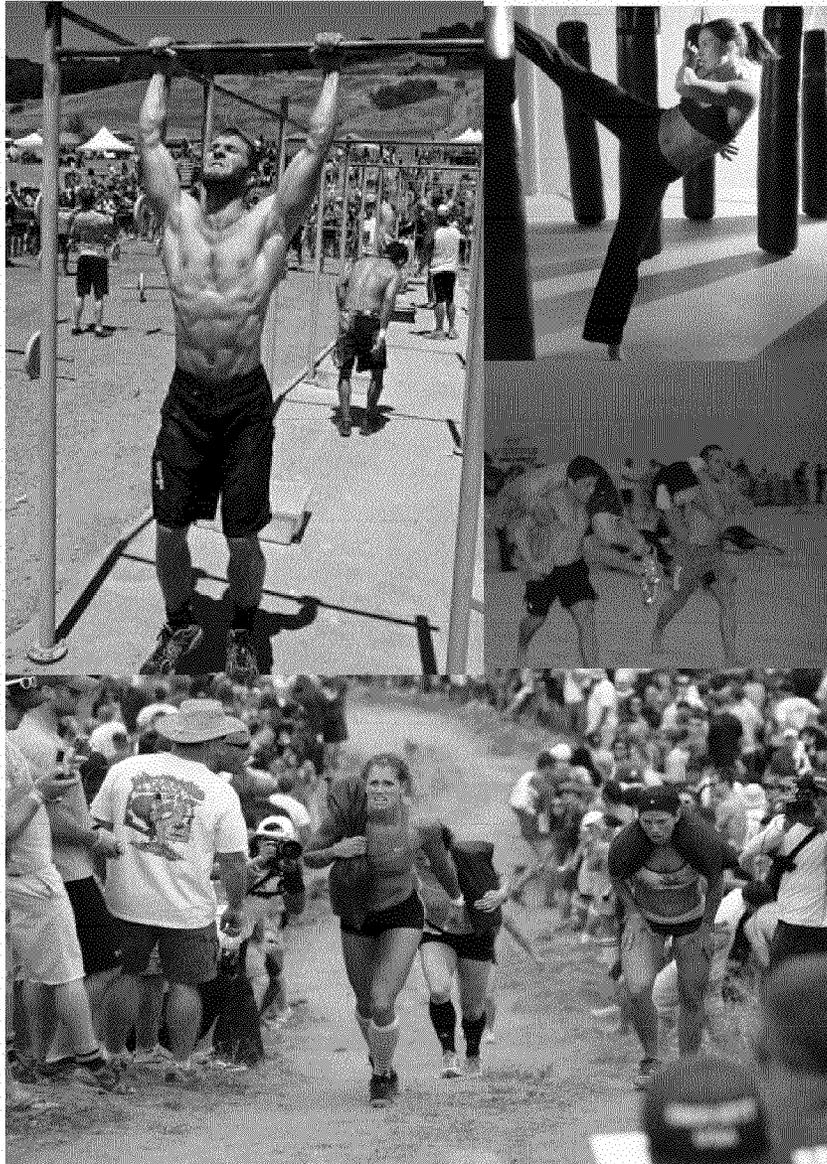
Cross-training is an overarching training category that is comprised of CrossFit, Boot Camps, Jiu-Jitsu, Muay Thai, TRX, P90x, Yoga, etc. and is the blend of physical and mental challenges that improve the endurance, flexibility, strength, performance, and mind-set of today's athletes.

The total number of persons in the United States who trains in one or more of the above categories on a frequent basis is over 50,000,000; or about 15% of the total US population.



HYLETE

consumer persona

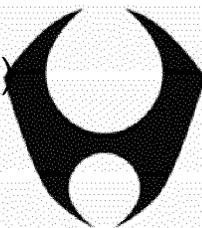


“HYBRID” HALEY:

- > HALEY truly enjoys the mental challenge as much as the physical challenge of his/her training
- > HALEY loves the camaraderie of training
- > HALEY will adopt a new brand, if he/she learns of it in an organic, personal manner *and* if it authentically connects to his/her life

cognitive age: 25 to 39

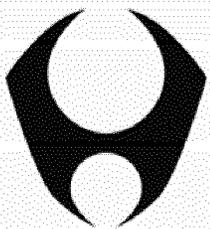
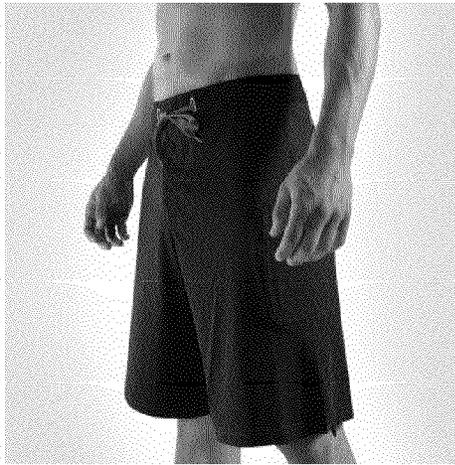
(*SELF PERCEIVED AGE VERSUS ACTUAL AGE)



HYLETE

products

shorts. compression. tees.

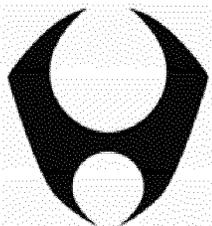


HYLETE

placement

HYLETE will leverage a direct to consumer platform (website e-commerce for sales & facebook for marketing) that will target two key sectors:

1. Trainers (CrossFit, Martial Arts, Fitness)
2. Service Personnel (Military, Police/Detectives, EMT/Paramedics, and Firefighters)

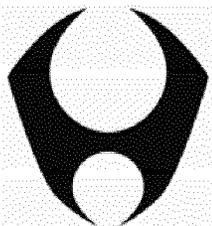


HYLETE

promotion - trainers

HYLETE will leverage its Founders' proven method of attracting and engaging Trainers to become not only consumers of HYLETE products, but also become HYLETE Ambassadors in their spheres of influence, namely the Trainers' clientele.

HYLETE already has approximately 500 Trainers that it will leverage as of its web/product launch on May 29th, 2012. HYLETE will grow the number of Trainers to 2,500 by the end of 2013 and to 12,500 by 2017.



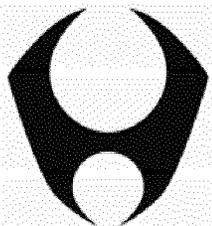
HYTELE

promotion - trainers

There are 250,000 Trainers in the United States with each Trainer having on average 27 Clients for a total Client population of 6,500,000.

HYTELE estimates that each Trainer will spend \$200 per year on HYTELE apparel. Additionally, HYTELE projects that each Trainer will influence an average of 7 of his/her clients to spend \$100 per year on HYTELE apparel.

This Trainer sector is anticipated to yield \$2.250,000 of Revenues for 2013 and grow to \$14,375,000 of Revenues by 2017.

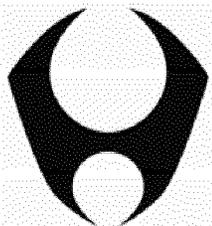


HYLETE

promotion - trainers

Question: How do we attract and engage so many Trainers, so quickly?

Answer: The same formula that we have developed and successfully executed this past year in another company. **Each Trainer receives 50% off of Retail for all of their purchases of HYLETE (the industry average is 15% off Retail Price)** Of course, HYLETE products must be exceptional for Training, and the brand must resonate with the Trainer's lifestyle.

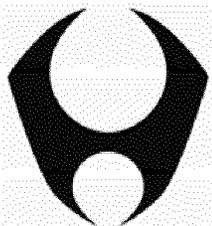


HYLETE

promotion – service personnel

HYLETE will attract and engage Service Personnel to become not only consumers of HYLETE products, but also become HYLETE Ambassadors in their spheres of influence, namely their peers/friends.

HYLETE anticipates having 6,400 Service Personnel Ambassadors by the end of 2013 and growing this number to over 50,000 by the end of 2017.



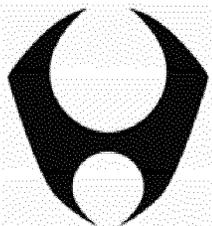
HYLETE

promotion – service personnel

There are 1,211,575 Active Military; 794,300 Police/Detectives; 226,500 EMT/Paramedics; and 310,400 Firefighters in the United States.

HYLETE estimates that each Service Personnel Ambassador will spend \$100 per year on HYLETE apparel. Additionally, HYLETE projects that each Trainer will influence an average of 4 peers/friends to spend \$40 per year.

This Service Personnel sector is anticipated to yield \$1,652,804 of Revenues for 2013 and grow to \$13,222,430 of Revenues by 2017.



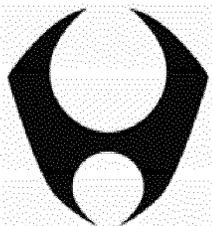
HYLETE

promotion – service personnel

Question: How do we attract and engage so many Service Personnel, so quickly?

Answer: Each Service Personnel Ambassador receives 50% off of Retail for all of their purchases of HYTELE for their Entire Household. Of course, HYTELE products must be exceptional, and the brand must resonate with the Service Personnel's lifestyle.

The Service Personnel Sector is the ideal secondary target for HYTELE due to CrossFit's close correlation and ties with military training and the physical training needs of this sector in general.



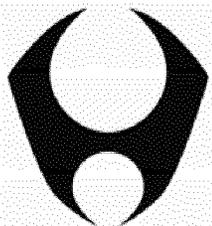
HYLETE

promotion – ambassador

Question: How do we effectively integrate our HYTE Ambassadors to become fully engaged in our brand?

Answer: Listen to our Ambassadors needs, create exceptional apparel for them and their spheres of influence, and compensate them for being a significant part of the ultimate success of HYTE.

Because of HYTE's direct to consumer model, we have the ability to share the revenues of the company with our most valuable marketing partners, our HYTE Ambassadors.



HYLETE

promotion – ambassador

Ambassador Referral Program Specifics:

1. Receive referral commissions of 20% of Direct Referred End Consumer Net Purchases (Retail Pricing)
2. Receive referral commissions of 5% of Direct Referred Ambassador/Trainer/Service Personnel Net Purchases (50% off Retail Accounts)
3. Receive 5% of Indirect Referred End Consumer Net Purchases (Retail Pricing)

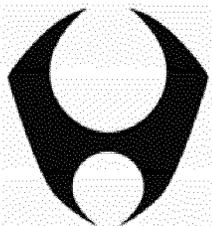


EXHIBIT 22

----- Forwarded message -----

From: **Matt Paulson** <mpaulson@hylete.com>

Date: Fri, Apr 27, 2012 at 10:30 AM

Subject: More Mock-Ups

To: Robert Orlando <conanrules1@gmail.com>

Hey Rob,

Hope you're doing well! I attached some more mock-ups for you. Please review and let me know what you think. If you are concerned about the font, we can remove the font and just put the icon similar to the women's tank attached.

I also sent a sample of the tri-blend performance fabric we will be offering for the majority of our shirts. We can also do some cotton-poly performance blends and cotton if desired.

Give me a call when you are free so we can catch up.

Thanks, Matt

Matt Paulson | Chief Integration Officer | [858-225-7185](tel:858-225-7185) | ex 102

HYLETE 

train. compete. live.





HYLETE

Hybrid Athletics Black Tank



Front



Back

- 4300 C
- 193 D





HYLETE

Hybrid Athletics Black Tank



Front



Back

- 4000 C
- 183 D

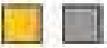


EXHIBIT 23

Messages

Matt Paulson

Edit

Apr 9, 2012, 11:13 AM

Great talking with you.
Excited to be a part of
something new. What's
the name of your brand?

Great speaking with you
too and glad to have you
on board! Later this week,
i'll give you the name,
logo, and walk you
through a brief
presentation. On

ce u get back and settled,
let me know and i'll send it
to you.

Roger. Talk to you later



Text Message

Send

Messages

Matt Paulson

Edit

Hey Matt--I spent some time looking at the Hylete logo and I must say that it looks eerily similar to the Hybrid Athletics image. The font on the text is identical. Also, Hybrid Athletics is the long version of your brand name. This is odd, no?

Apr 24, 2012, 1:48 AM

Hey Rob.. just now seeing this.. Hylete is a condensed 'Hybrid Athlete' that we have been saying at JACO for a long time. However, I can see your concern



Text Message

Send

Messages

Matt Paulson

Edit

saying at JACO for a long time. However, I can see your concer

n.. the font we used is Eurostile. Is that your font also? Let's discuss tomorrow. I assure you we are not trying to copy anything from you.

May 1, 2012, 12:36 PM

Hey Rob, how are you? You get my sample material? I know your busy getting ready for Australia but i'd like to touch base before you leave. Do you hav



Text Message

Send

Messages

Matt Paulson

Edit

material? I know your busy getting ready for Australia but i'd like to touch base before you leave. Do you hav

e time? Thx. Matt

May 15, 2012, 8:42 PM

Hey Rob- how are you?
Hope your Aus trip went well. U settled yet? Are you free to chat this week? Go to shop.hylete.com to see how the new site is

shaping up.

Oct 29, 2012, 7:33 PM

Hey Rob- how are you?



Text Message

Send

EXHIBIT 24



Jesse Clay ▸ Rob Orlando

March 10, 2013 at 9:53am near Lenexa, KS

You should investigate HYTE...unless they r a branch of Hybrid they chicken hawked your logo...heads up.

Like Comment



Rob Orlando I am well aware of those guys. Best way to fight this kind of thing is to boycott their product. Spread the word thru your network. Thanks for watchdogging.

March 11, 2013 at 9:30am

EXHIBIT 25

From: Robert Orlando <conanrules1@gmail.com>
Sent: Tuesday, May 28, 2013 4:23 PM
To: Steve Weiss <steve@crossfit.com>
Subject: Hylete responds to my accusation

Matt--

Thought you might like to see this. His email is one of a hundred I've gotten...and literally thousands of people have asked if you guys are an off shoot of Hybrid Athletics.



Jesse Clay Rob Orlando
23 hours ago near Lenexa, KS

[Options](#)

You should investigate HYLETE...unless they r a branch of Hybrid they chicken hawked your logo...heads up.

Like





Matt Paulson <mpaulson@hylete.com>

Mar 11



--
Rob O

to me

Images are not displayed. Display images below - Always display images from mpaulson@hylete.com

Hey Rob,

Hope you're doing well!

With any new logo, people associate that logo with something they have already seen or are familiar with until that new logo takes a life of its own. Our logo is no different. I won't lie, in the beginning we had a few people say it looks like your logo. We also had people tell us it looks like our old JACO logo. If you look at our FB page, you'll see many people comment that it reminds them of Under Armour. In fact, the Under Armour comment has been received the most because that is the brand more people are familiar with. The list could continue with the number of logos that we are compared to- Honda, Hurley, Hyperlite, Spyder, etc. If you put all these logos in a line, you could pick out similarities and dissimilarities; however, they are all individually distinctive.

If you haven't already, put our two 'H's next to each other- Is there a common H element? Sure. Other than that, it's completely different. Ours is round, yours square. The peaks and valleys totally different, etc.

Again, I'm sorry you feel like we 'knocked off' your logo. It couldn't be further from the truth. I'm sure at this point a relationship between HYLETE and HA is off the table. However, I hope we can remain friends.

In regards to an email I sent late last year, the offer is still out there. A European magazine would like to do an article/interview with you. Let me know if you want me to connect you.

Best Regards,

Matt

www.hybridathletics.net
www.strongmanwod.com
www.hybridscoreboard.com

EXHIBIT 26

From: [Robert Orlando](#)
To: [Kosma, Michael J.](#)
Subject: Fwd: Hylete
Date: Tuesday, October 22, 2013 7:21:43 PM

----- Forwarded message -----

From: Yusuke <yusukeaonuma@yahoo.com>
Date: Sun, Jul 28, 2013 at 1:14 PM
Subject: Hylete
To: Robert Orlando <conanrules1@gmail.com>
Cc: Dale Saran <dale@crossfit.com>, Tony Schmidt <tschmidt@pacificrisksolutions.com>

Hi Rob,

Hope everything is going well!!

At the games, I see a lot of people wearing Hylete clothing and postings on Facebook. Does it have anything to do with Hybrid Athletics?

The logo looks a lot like Hybrid and the name is very similar so was just wondering.

Lift heavy!!

Aloha,

Yusuke

--

Rob O

www.hybridathletics.net
www.strongmanwod.com
www.hybridscoreboard.com

EXHIBIT 27

From: Miki Carey <mikicarey1@gmail.com>
Sent: Wednesday, October 16, 2013 6:07 PM
To: conanrules1@gmail.com
Subject: hylete discussion

Hi Rob,

Your conversation was actually helpful in knowing the difference between logos/brands. It was very confusing at first, I completely thought they were one in the same.

Thank you again for coming to Gardens CrossFit, everyone loved it!

You are always welcome back and we'd love to be on the list for future tours and/or workshops.

Thanks again,

--

Miki Carey

Exercise Dirty, Eat Clean!

Gardens CrossFit

www.gardenscrossfit.com

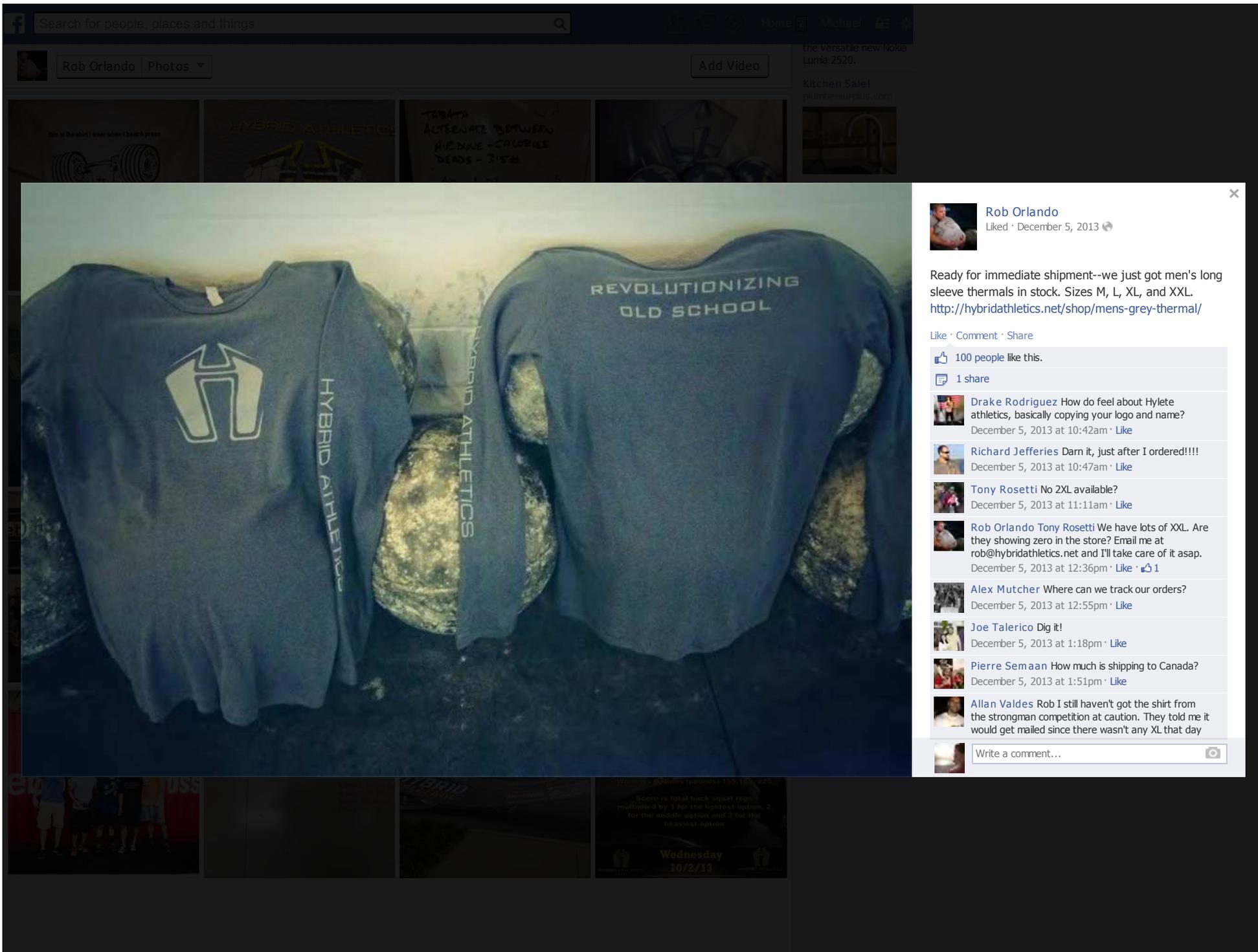
4098 PGA Blvd

Palm Beach Gardens

561-630-3118 w

810-730-6844 c

EXHIBIT 28



Rob Orlando

Liked · December 5, 2013

Ready for immediate shipment--we just got men's long sleeve thermals in stock. Sizes M, L, XL, and XXL. <http://hybridathletics.net/shop/mens-grey-thermal/>

Like · Comment · Share

100 people like this.

1 share

- 

Drake Rodriguez How do feel about Hylete athletics, basically copying your logo and name?
December 5, 2013 at 10:42am · Like
- 

Richard Jefferies Darn it, just after I ordered!!!!
December 5, 2013 at 10:47am · Like
- 

Tony Rosetti No 2XL available?
December 5, 2013 at 11:11am · Like
- 

Rob Orlando Tony Rosetti We have lots of XXL. Are they showing zero in the store? Email me at rob@hybridathletics.net and I'll take care of it asap.
December 5, 2013 at 12:36pm · Like · 1
- 

Alex Mutchler Where can we track our orders?
December 5, 2013 at 12:55pm · Like
- 

Joe Talerico Dig it!
December 5, 2013 at 1:18pm · Like
- 

Pierre Semaan How much is shipping to Canada?
December 5, 2013 at 1:51pm · Like
- 

Allan Valdes Rob I still haven't got the shirt from the strongman competition at caution. They told me it would get mailed since there wasn't any XL that day

Write a comment... 

EXHIBIT 29

From: SynCFH <syn@crossfitharlem.com>
Sent: Tuesday, December 24, 2013 7:46 PM
To: Conanrules1@gmail.com
Subject: Hylete...

Rob something has to be done with Hylete! It's a blatant rip off of the Hybrid Athletics brand!

Not sure what can be done but the "H" and the term Hybrid Athlete is something you have created in the CrossFit Community.

I'm not sure what can be done but the fact that they are flooding the Community with their Brand over yours is disrespectful in my opinion.

I'm sure they didn't contact you or discuss anything with you which makes the situation even worse.

The CrossFit Community has been in my corner and alert me everytime anyone tries to copy any image of mine or catch phrases.

I'm here to support you in this situation because I know what you've done for the CrossFit Community and for me personally.

This has to be addressed!

Let me know how I can help!

Syn Martinez
Owner
CrossFit Harlem
212-365-0404

EXHIBIT 30

Close

Rob Orlando

Recent Posts by Others



CrossFit 3350

Hey Rob Orlando, Course spot booked for Sydney 16/02 flights booked, wasn't going to miss out a third year in a row lol, and love the Go Heavy shirt! although my wife didn't feel it was so appropriate when I visited her at her work wearing it ;D -James

Like · Comment · 17 hours ago



Rob Orlando likes this.



Rob Orlando Pretty funny the looks you get in that shirt. We considered having a contest to see the most inappropriate place to wear it but we dropped the idea after some of the suggestions---funeral and weight watchers meeting were two that stand out.

16 hours ago · Like · 1



CrossFit 3350 Yeah I could see that going bad pretty quick haha, some people's faces where so great, that look of confusion like they weren't sure exactly what they were reading, the old "did that just happen?..." expression

16 hours ago · Like



Write a comment...



Eric W. Lester

Is "Hylete" associated with Hybrid Athletics? Their name and logo is more than a little similar but I can't find anything on their site to indicate it.

Like · Comment · January 21 at 5:21pm



Rob Orlando Eric---absolutely not. They have nothing to do with Hybrid Athletics.

23 hours ago · Like



Eric W. Lester Thanks, Rob.

23 hours ago · Like



Write a comment...



Jack Martin

710 lb yoke carry x 50 feet (pr)

<https://www.youtube.com/embed/dwtrNaP2IBg>

710 lb yoke carry Jack Martin - crossfit Lando

www.youtube.com

50 feet 18 years old 175 bw StrongmanWod

Post
Write some

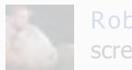


Did anyone
135x30, 22
right you v

Like · Comm

20 peop

View 14



Rob
scre

Gar

11 h

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Rob
23 h

Rogue put

of strongm

v=3RJFcCI



Like · Comm

264 peo

View 14



Jan 16



Rob sick 2 ho



Wr



Like · Comment · Share · January 18 at 3:12pm

9 people like this.



Molly Cunningham Must have been the shirt
January 18 at 6:02pm · Like · 1



Write a comment...



Rob Jan

CrossFit S anyone wi

Like · Comm

55 peop

View 21



Dre gets Jan



Zac mus Jan



Wr



Rob Jan

I have han rehab my

Like · Comm

268 peo

View 34



Beo thro Jan



Cha Jan



Wr



Rob Jan



Josh Bohnen

Hey rob, just wondering if you will be doing any seminars on the west coast in Canada anytime soon? Thanks!

Like · Comment · January 13 at 11:08am

Rob Orlando likes this.



Rob Orlando Josh---I'd love to get up in the northwest corner. We need a host. You have any ideas?
January 14 at 7:26pm · Like



Josh Bohnen I will check and get back....really not to sure but I am very motivated and really want to get some of that knowledge
January 14 at 7:46pm · Like



Write a comment...



Payse Puckett

Did a version of Team Linda today, Deads with the axel bar regular grip, used the log for pwr cleans and benched with a normal bar. It was rough...

Like · Comment · January 9 at 11:40pm near Atlanta, GA



Carolina Del Villar

Hey Rob!! I send you a beast kind of WOD created by Sebastian Stange head coach of Alianza CrossFit in Chile! Hope you can try it out and send feedback!! ENJOY!!

Justin So
beyond v



Like · Comm

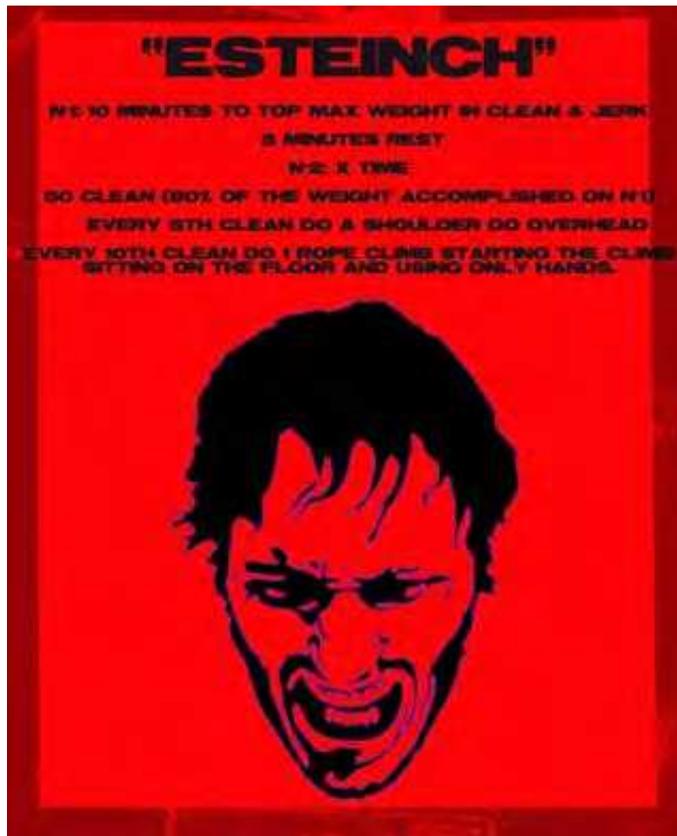
Marc Co

View 8

Nick
Jan

Joh
Jan

Wr



Like · Comment · Share · December 29, 2013 at 6:29pm

8 people like this.

View 2 more comments

Francisca Salinas
December 30, 2013 at 9:50am · Like

Andres Navia
December 30, 2013 at 1:16pm · Like

Write a comment...

More Posts

Write a comment...

See More Recent Stories

EXHIBIT 31

From: Zach Even - Esh <undergroundstrengthcoach@gmail.com>
Sent: Wednesday, February 26, 2014 11:27 AM
To: Rob Orlando <conanrules1@gmail.com>
Subject: From Zach

Rob

Hey, Bro

Hope you're GREAT my man!

I chatted with a Hylete rep in Miami and thought they were your apparel line

I know I saw you were working with them before my man but just checking in to see if this is legit.

Don't hesitate to reach out, my man!!

See you soon!

--Z--

--

<http://ZachEven-Esh.com>

<http://UndergroundStrengthGym.com>

Connect w/me:

<http://ZachsFanPage.com>

<http://TwitterZach.com>

EXHIBIT 32

From: [Robert Orlando](#)
To: [Kosma, Michael J.](#)
Subject: Fwd: copy of Hybrid aghletics...
Date: Sunday, December 28, 2014 11:07:30 AM

----- Forwarded message -----
From: **Daniel** <daniel@reebokcrossfitnuernberg.com>
Date: Thu, Nov 6, 2014 at 12:56 AM
Subject: copy of Hybrid aghletics...
To: Robert Orlando <conanrules1@gmail.com>
Cc: Drake <drake@crossfitreeboknuernberg.com>

Hi Rob,

did you know that a copy of your brand means that you succeed...

Here it is:

<http://www.hylete.com>

Daniel Vörös
Owner Reebok Crossfit Nürnberg
www.reebokcrossfitnuernberg.com
Tel.: +49-151-558-397-43
daniel@reebokcrossfitnuernberg.com

EXHIBIT B

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

HYBRID ATHLETICS, LLC,	:	
	:	
Opposer,	:	Opposition No. 91213057
	:	
v.	:	
	:	
HYLETE LLC,	:	
	:	
Applicant.	:	

**DECLARATION OF MICHAEL J. KOSMA
IN SUPPORT OF OPPOSER’S MOTION FOR SUMMARY JUDGMENT**

I, Michael J. Kosma, declare:

1. I am an attorney at St. Onge, Steward, Johnston, & Reens, LLC, 986 Bedford Street, Stamford, CT 06905 and I am admitted to practice law in the State of Connecticut. I submit this Declaration based upon my personal knowledge, information and belief and from review of the documents and business records produced in this matter.

2. A true and correct copy of Opposer’s  trademark registration, Reg. No. 4,480,850, printed from the USPTO database is attached hereto as **Exhibit A**.

3. A true and correct copy of Opposer’s  trademark registration, Reg. No. 4,609,469, printed from the USPTO database is attached hereto as **Exhibit B**.

4. A true and correct copy of Applicant Hylete’s Objections and Responses to Opposer’s First Set of Interrogatories is attached hereto as **Exhibit C**.

5. Opposer sets forth information to show that a natural relationship exists between physical fitness services in International Class 041 and athletic apparel in International Class 025. As show in existing trademark applications and registrations containing both classes, such a relationship exists.

6. True and correct copies of the trademark registrations and applications listed below covering goods and services in International Classes 041 and 025 and printed from the USPTO online database are attached hereto as **Exhibit D**.

a. Reg. No. 2326358:  for IC 041.

b. Ser. No. 86094397:  for IC 025.

c. Reg. No. 3387627:  for IC 025 and IC 041.

d. Reg. No. 4490362:  for IC 025 and IC 041.

Also attached as part of **Exhibit D**, are printouts of webpages from the registrants above offering for sale clothing and apparel bearing the gyms' logos and brands.

7. I submit this Declaration in support of Opposer's Motion for Summary Judgment

8. I declare under penalty of perjury the foregoing is true and correct.

Date: March 2, 2015



Michael J. Kosma

EXHIBIT A



United States Patent and Trademark Office

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Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Feb 25 03:20:58 EST 2015

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Start List At: OR Jump to record: **Record 3 out of 4**

[TSDR](#)

[ASSIGN Status](#)

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(Use the "Back" button of the Internet Browser to return to TESS)



Word Mark	H
Goods and Services	IC 041. US 100 101 107. G & S: Conducting fitness classes; Health club services, namely, providing instruction and equipment in the field of physical exercise; Personal fitness training services and consultancy; Physical fitness instruction. FIRST USE: 20080801. FIRST USE IN COMMERCE: 20080801
Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number	86000809
Filing Date	July 2, 2013
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	November 26, 2013
Registration Number	4480850
Registration Date	February 11, 2014
Owner	(REGISTRANT) HYBRID ATHLETICS, LLC LIMITED LIABILITY COMPANY CONNECTICUT 7 HYDE STREET STAMFORD CONNECTICUT 06907
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Wesley W. Whitmyer, Jr.

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the stylized letter "H".

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

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EXHIBIT B



United States Patent and Trademark Office

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Start List At: OR Jump to record: **Record 2 out of 4**

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

(Use the "Back" button of the Internet Browser to return to TESS)



Word Mark H
Goods and Services IC 025. US 022 039. G & S: Bottoms; Headwear; Tops. FIRST USE: 20081231. FIRST USE IN COMMERCE: 20081231
Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number 86199948
Filing Date February 21, 2014
Current Basis 1A
Original Filing Basis 1A
Published for Opposition July 8, 2014
Registration Number 4609469
Registration Date September 23, 2014
Owner (REGISTRANT) **Hybrid Athletics, LLC** LIMITED LIABILITY COMPANY CONNECTICUT 7 Hyde Street Stamford CONNECTICUT 06907
Attorney of Record WesleyW. Whitmyer Jr.
Prior Registrations 4480850
Description of Mark Color is not claimed as a feature of the mark. The mark consists of the stylized letter "H".
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

EXHIBIT C

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

HYBRID ATHLETICS, LLC,

Opposer,

v.

HYLETE, LLC,

Applicant.

Opposition No.: 91213057

Application Serial No.: 85/837,045

APPLICANT HYLETE'S
OBJECTIONS AND RESPONSES
TO OPPOSER'S FIRST SET OF
INTERROGATORIES

PROPOUNDING PARTY: Opposer, Hybrid Athletics, LLC

RESPONDING PARTY: Applicant, Hylete LLC

SET NO.: One

Applicant Hylete, LLC (“APPLICANT”) responds to Opposer Hybrid Athletics, LLC (“OPPOSER” or “PROPOUNDING PARTY”) Interrogatories, Set One as follows:

PRELIMINARY STATEMENT AND GENERAL OBJECTIONS

1. The following Preliminary Statement and General Objections are incorporated into APPLICANT’s responses to each Interrogatory as if APPLICANT separately so objected and/or stated in response to each Interrogatory.

2. Investigation and discovery by APPLICANT is continuing and is not complete. As discovery proceeds, witnesses, documents, facts, and evidence may be discovered that were not presently known, but upon which APPLICANT may rely in support of its contentions in this action. The responses contained herein shall not preclude APPLICANT from introducing evidence based on such new and/or additional information.

3. Facts and evidence now known may be imperfectly understood, or the relevance or consequences of such facts and evidence may be imperfectly understood, and, accordingly, such facts and evidence may, in good faith, not have been analyzed for purposes of the following responses. APPLICANT reserves the right to refer to, conduct discovery with reference to, or offer into evidence at trial any and all such witnesses, facts, and evidence, notwithstanding these responses. APPLICANT expressly reserves the right to rely at any time, including trial, on information omitted from these responses as a result of mistake, error, oversight, inadvertence, or subsequent discovery.

4. APPLICANT objects to these Interrogatories to the extent that they seek information that is not in the possession, custody or control of APPLICANT or is in the custody or control of a person or entity that is not a party to this

litigation, or is in the joint custody and control of APPLICANT and PROPOUNDING PARTY, or is equally or more readily accessible to PROPOUNDING PARTY and its counselor is contained in public records.

5. APPLICANT objects to these Interrogatories and accompanying definitions to the extent they require the production or identification of documents, writings, records or publications in the possession of third parties or in the public domain, because such information is equally available to PROPOUNDING PARTY.

6. APPLICANT objects to these Interrogatories to the extent that they seek information which requires legal interpretation and/or a legal conclusion.

7. APPLICANT objects to these Interrogatories to the extent that they seek privileged information, including, without limitation, information protected by the attorney-client privilege, the attorney work-product doctrine, or any applicable common law, statutory or constitutional privileges. To the extent that these Interrogatories seek such privileged or protected information, APPLICANT will not provide such information. Moreover, even if APPLICANT inadvertently provides information protected from disclosure by the foregoing privileges or protections, APPLICANT does not waive its right to assert those privileges and/or objections to disclosure.

8. Nothing herein should be construed as an admission by APPLICANT with respect to the admissibility or relevance of any fact or document, or as an admission that APPLICANT agrees with the characterization of such fact or document(s) by APPLICANT. Responses to any Interrogatory are subject to all objections as to competence, relevance, materiality, propriety and admissibility, as well as to any and all other objections on any grounds that would require the exclusion of any statement therein if the response were introduced in

court, all of which objections and grounds are expressly reserved and may be interposed at any time of any motion or trial.

9. APPLICANT objects to the INSTRUCTIONS on the grounds they seek to impose obligations on it beyond those provided for by the Code of Civil Procedure.

10. These responses are made without prejudice to APPLICANT's right to produce evidence or contentions, or to add, modify, or to otherwise change or amend the responses herein based upon information hereafter obtained or evaluated, including, but not limited to, information and documents produced by APPLICANT and other witnesses and/or any developments in the law.

**APPLICANT'S OBJECTIONS AND RESPONSES TO
OPPOSER'S FIRST SET OF INTERROGATORIES**

INTERROGATORY NO. 1:

Identify all persons who participated in any way in the preparation of the responses to Hybrid's interrogatories and state specifically, with reference to interrogatory numbers, the area of participation of each such person.

RESPONSE TO INTERROGATORY NO. 1:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is not relevant nor likely to lead to the discovery of admissible evidence; protected by the attorney-client privilege and/or work-product doctrine; seeks information that is confidential, privacy protected, and/or trade secrets.

Subject to and without waiving the objections above, APPLICANT responds as follows: Ron Wilson; Matt Paulson; and Jennifer Null.

INTERROGATORY NO. 2:

With respect to the April 9, 2012 first date of use alleged by Applicant in its U.S. Trademark Serial No. 85837045 for the Hylete Mark, identify all documents upon which Applicant relies to establish that date.

RESPONSE TO INTERROGATORY NO. 2:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is not relevant nor likely to lead to the discovery of admissible evidence; protected by the attorney-client privilege and/or work-product doctrine; seeks expert opinions and/or legal conclusions; seeks information that is confidential, privacy protected, and/or trade secrets.

Subject to and without waiving the objections above, APPLICANT responds as follows:

Applicant's date of first use is at least as early as April 9, 2012. A zazzle.com web order placed on April 9, 2012. Pursuant to Fed. R. Civ. P. 33(d), Applicant directs Opposer to documents bearing bates nos. HYLETE 001-0133.

INTERROGATORY NO. 3:

State and describe any known incidents wherein a person was confused, mistaken, or deceived as to the source of products sold by Hylete or any business conducted by Hylete under the Hylete Mark, believing that Opposer's business and Hylete's business were related in some way, and identify all documents related to each incident or purported incident.

RESPONSE TO INTERROGATORY NO. 3:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is not relevant nor likely to lead to the discovery of admissible evidence; protected by the attorney-client privilege and/or work-product doctrine; seeks information that is confidential, privacy protected, and/or trade secrets.

Subject to and without waiving the objections above, APPLICANT responds as follows:

Prior to Opposer's Objections and Responses to Applicant's First Set of Interrogatories, wherein a Facebook posting was provided, Applicant was unaware of any incidents wherein a person was confused, mistaken, or deceived as to the source of products sold by Hylete or any business conducted by Hylete under the Hylete mark.

INTERROGATORY NO. 4:

State whether you have received any inquiries or communications as to whether products sold by Hylete are associated with, sponsored by, or in any manner connected with Hybrid and/or the Hybrid Mark, or whether you are aware of any other incidents of actual confusion, mistake or deception arising from the use of the Hylete Mark. Identify and describe all relevant facts and circumstances surrounding each incident and identify all documents relating thereto.

RESPONSE TO INTERROGATORY NO. 4:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; protected by the attorney-client privilege and/or work-product doctrine; seeks expert opinions and/or legal conclusions; seeks information that is confidential, privacy protected, and/or trade secrets.

Subject to and without waiving the objections above, APPLICANT responds as follows:

Prior to Opposer's Objections and Responses to Applicant's First Set of Interrogatories, wherein a Facebook posting was provided, Applicant was unaware of any incidents wherein a person was confused, mistaken, or deceived as to the source of products sold by Hylete or any business conducted by Hylete under the Hylete mark.

INTERROGATORY NO. 5:

State the facts and circumstances under which you first became aware of Opposer's use of the Hybrid Mark, including the date on which it first became aware of Opposer's use of the Hybrid Mark, and identify each document relating to such facts and circumstances.

RESPONSE TO INTERROGATORY NO. 5:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is not relevant nor likely to lead to the discovery of admissible evidence; seeks expert opinions and/or legal conclusions.

Subject to and without waiving the objections above, APPLICANT responds as follows:

Matt Paulson and Jennifer Null were aware of Opposer's mark in 2011. There is no documentation relating to such facts and circumstances.

INTERROGATORY NO. 6:

State whether, after Hylete became aware of Opposer's use of the Hybrid Mark, anyone affiliated with Hylete questioned the propriety of Hylete's use of the Hylete mark, and identify the parties involved in such matters, each document

that evidences such matters, and any person who has knowledge about such matters.

RESPONSE TO INTERROGATORY NO. 6:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is not relevant nor likely to lead to the discovery of admissible evidence; protected by the attorney-client privilege and/or work-product doctrine; seeks information that is confidential, privacy protected, and/or trade secrets.

Subject to and without waiving the objections above, APPLICANT responds as follows:

No one affiliated with Applicant questioned the propriety of Hylete's use of the Hylete mark.

INTERROGATORY NO. 7:

Identify and fully describe the channels of trade and/or the potential channels of trade, including all distributors, agents, or retail outlets, through which Hylete's goods and/or services bearing the Hylete Mark are currently sold, offered, or distributed and/or intended to be sold, offered, or distributed.

RESPONSE TO INTERROGATORY NO. 7:

APPLICANT objects to this request to the extent it is: vague and ambiguous; seeks information that is not relevant nor likely to lead to the discovery of admissible evidence; seeks information that is confidential, privacy protected, and/or trade secrets.

Subject to and without waiving the objections above, APPLICANT responds as follows:

Applicant's items are sold primarily through web sales via website www.hylete.com. In addition, items are also sold through approximately 150 gyms that carry co-branded merchandise.

INTERROGATORY NO. 8:

Fully describe the facts surrounding the selection of the Hylete Mark.

RESPONSE TO INTERROGATORY NO. 8:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is not relevant nor likely to lead to the discovery of admissible evidence; protected by the attorney-client privilege and/or work-product doctrine; seeks information that is confidential, privacy protected, and/or trade secrets.

Subject to and without waiving the objections above, APPLICANT responds as follows:

Ron Wilson designed the mark on the days of March 17 – March 20, 2012. Given that the Applicant's company name is Hylete, Applicant sought to design the mark to have a shield like appearance and contain a stylized "H".

INTERROGATORY NO. 9:

Identify all products and/or services sold or intended to be sold by Hylete in the United States in connection with the Hylete Mark and identify all documents related thereto.

RESPONSE TO INTERROGATORY NO. 9:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is not relevant nor likely to lead to the

discovery of admissible evidence; protected by the attorney-client privilege and/or work-product doctrine; seeks information that is confidential, privacy protected, and/or trade secrets.

Subject to and without waiving the objections above, APPLICANT responds as follows:

Hylete products and/or services sold can be seen on Applicant's website www.hylete.com. Hylete currently sells or intends to manufacture and sell men's and women's performance apparel including but not limited to: shirts, pants, socks, base layer, compression tops/bottoms, and tights. In addition, Hylete manufactures and sells a convertible backpack, a drawstring bag, and sells or intends to manufacture and sell equipment bags, messenger bags, duffle bags, and toiletry bags.

INTERROGATORY NO. 10:

Describe all methods in which goods bearing the Hylete Mark are, or are intended to be, advertised, promoted, marketed or otherwise brought to the attention of customers and potential customers.

RESPONSE TO INTERROGATORY NO. 10:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is not relevant nor likely to lead to the discovery of admissible evidence; protected by the attorney-client privilege and/or work-product doctrine; seeks information that is confidential, privacy protected, and/or trade secrets.

Subject to and without waiving the objections above, APPLICANT responds as follows:

Applicant advertises, markets, and promotes its products through events and social media.

INTERROGATORY NO. 11:

With respect to the products and services identified in response to Interrogatory No. 9, provide the date(s) that the Hylete Mark was first used in interstate commerce as defined by the Lanham Act (15 U.S.C.S. §§ 1051 et seq.).

RESPONSE TO INTERROGATORY NO. 11:

APPLICANT objects to this request to the extent it is vague and ambiguous.

Subject to and without waiving the objections above, APPLICANT responds as follows: at least as early as July 7, 2012.

INTERROGATORY NO. 12:

With respect to the products and services identified in response to Interrogatory No. 9, provide the geographical scope of such former or current use of the Hylete Mark within the U.S.

RESPONSE TO INTERROGATORY NO. 12:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is not relevant nor likely to lead to the discovery of admissible evidence; seeks information that is confidential, privacy protected, and/or trade secrets.

Subject to and without waiving the objections above, APPLICANT responds as follows:

Applicant's current use of the Hylete mark extends throughout the entire United States.

INTERROGATORY NO. 13:

With respect to the products and services identified in response to Interrogatory No. 9, identify the dates during which you have continuously used the Hylete Mark, or if such use(s) has (have) not been continuous, state with particularity the dates and reason for any period that the Hylete Mark has not been used by you.

RESPONSE TO INTERROGATORY NO. 13:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is confidential, privacy protected, and/or trade secrets.

Subject to and without waiving the objections above, APPLICANT responds as follows:

Applicant has continuously used the Hylete mark from at least as early as July 7, 2012 to present day.

INTERROGATORY NO. 14:

Describe fully any advertising conducted by any person of the Hylete Mark within the U.S. including, but without limitation, the nature of such advertising, the geographic scope of such advertising, and the amount of money spent for such advertising on a yearly basis.

RESPONSE TO INTERROGATORY NO. 14:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is not relevant nor likely to lead to the discovery of admissible evidence; seeks information that is confidential, privacy protected, and/or trade secrets.

Subject to and without waiving the objections above, APPLICANT responds as follows:

Applicant has conducted advertising and marketing nationwide through events and social media.

INTERROGATORY NO. 15:

State the names and addresses of each Hylete customer and the inclusive dates each such person has been a customer.

RESPONSE TO INTERROGATORY NO. 15:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is not relevant nor likely to lead to the discovery of admissible evidence; protected by the attorney-client privilege and/or work-product doctrine; seeks information that is confidential, privacy protected, and/or trade secrets.

INTERROGATORY NO. 16:

Identify all facts and documents which support Hylete's first affirmative defense that the "Notice of Opposition, and each paragraph thereof, taken individually or collectively, fails to state claims upon which relief can be granted."

RESPONSE TO INTERROGATORY NO. 16:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is not relevant nor likely to lead to the discovery of admissible evidence; protected by the attorney-client privilege and/or work-product doctrine; seeks information that is confidential, privacy protected, and/or trade secrets.

Subject to and without waiving the objections above, APPLICANT directs Opposer to provided documents.

INTERROGATORY NO. 17:

Identify all facts and documents which support Hylete's second affirmative defense that "Opposer has abandoned any and all rights to the alleged mark in this Opposition."

RESPONSE TO INTERROGATORY NO. 17:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible.

Subject to and without waiving the objections above, APPLICANT directs Opposer to provided documents.

INTERROGATORY NO. 18:

Identify all facts and documents which support Hylete's third affirmative defense that "Opposer's alleged mark is not protectable as sought in this Opposition."

RESPONSE TO INTERROGATORY NO. 18:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is not relevant nor likely to lead to the discovery of admissible evidence.

INTERROGATORY NO. 19:

Identify all facts and documents which support Hylete's fourth affirmative that "Opposer's alleged rights in its mark, if any, are narrow and not subject to wide protection due to dilutive third party use of similar marks for similar goods and services."

RESPONSE TO INTERROGATORY NO. 19:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible.

Subject to and without waiving the objections above, APPLICANT responds as follows:

Applicant has provided all information it is currently knowledgeable of and in its current possession.

INTERROGATORY NO. 20:

Identify all facts and documents which support Hylete's fifth affirmative defense that "Opposer does not have standing to oppose registration of Applicant's application."

RESPONSE TO INTERROGATORY NO. 20:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is not relevant nor likely to lead to the discovery of admissible evidence; protected by the attorney-client privilege and/or work-product doctrine; seeks information that is confidential, privacy protected, and/or trade secrets.

Subject to and without waiving the objections above, APPLICANT responds as follows:

Subject to and without waiving the objections above, APPLICANT directs Opposer to provided documents.

INTERROGATORY NO. 21:

Identify all manufacturers of goods using the Hylete Mark.

RESPONSE TO INTERROGATORY NO. 21:

APPLICANT objects to this request to the extent it is: vague, ambiguous and unintelligible; seeks information that is not relevant nor likely to lead to the discovery of admissible evidence; seeks information that is confidential, privacy protected, and/or trade secrets.

DATE: April 2, 2014

By /kyri tsircou/
Kyriacos Tsircou
Attorney for Applicant HYLETE, LLC

EXHIBIT D



MEN'S

LADIES

HEADGEAR

BAGS

MERCH

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CLEARANCE

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MEN'S CONTRAST TANK TOP
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LADIES CUTOFF ECO-FLEECE
 The only fleece that you'll wear year-round. This insanely soft Alternative Apparel throwback classic will become your go-to both at home and in the gym - and it's perfect for pairing with tank tops or sports bras!
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DRY-COMBAT TEE
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PREMIUM LOGO TEE
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PREMIUM LOGO TEE
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PREMIUM LOGO TEE
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PREMIUM LOGO TEE
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PREMIUM LOGO TEE



PREMIUM LOGO TEE



PREMIUM LOGO TEE



LAF VERTICAL TEE



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LAF VERTICAL TEE
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\$16.99



ELITE VINTAGE TRI-BLEND TEE
\$19.99

\$16.99



ELITE VINTAGE TRI-BLEND TEE
\$19.99

\$16.99



THE ACCENT TEE
\$17.99



THE ACCENT TEE
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THE ACCENT TEE
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MEN'S BURNOUT TEE
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MEN'S BURNOUT TEE
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MEN'S PREMIUM TANK
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MEN'S PREMIUM TANK
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MEN'S CONTRAST TANK
\$17.99



MEN'S CONTRAST TANK
\$17.99





LONG SLEEVE FITTED TEE
\$19.99



LONG SLEEVE FITTED TEE
\$19.99



LONG SLEEVE FITTED TEE
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MEN'S FITTED THERMAL
\$26.99



MEN'S FITTED THERMAL
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\$49.99



PREMIUM LOGO HOODIE
\$47.99



PREMIUM LOGO HOODIE
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ATHLETIC MESH SHORT
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ATHLETIC MESH SHORT
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MEN'S CUTOFF SWEATSHORT
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LA | FITNESS

Word Mark LA | FITNESS

Goods and Services IC 018. US 001 002 003 022 041. G & S: Gym bags, leather key chains, key chains of imitation leather

IC 021. US 002 013 023 029 030 033 040 050. G & S: Beverageware

IC 024. US 042 050. G & S: Towels

IC 025. US 022 039. G & S: T-shirts, tank tops, compression shirts, hooded sweatshirts, jackets, polo shirts, collared shirts, shorts, pants, hats

IC 028. US 022 023 038 050. G & S: Weight training gloves, weight training wraps, weight training belts, yoga mats

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 26.05.03 - Incomplete triangles (must have two angles); Triangle, incomplete (two angles)
 26.05.21 - Triangles that are completely or partially shaded
 26.05.25 - Triangles with one or more curved sides
 26.05.28 - Miscellaneous designs with overall triangular shape; Triangular shape (miscellaneous overall shape)
 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)
 26.17.04 - Bands, vertical; Bars, vertical; Lines, vertical; Vertical line(s), band(s) or bar(s)
 26.17.12 - Angles (geometric); Chevrons

Serial Number 86094397

Filing Date October 17, 2013

Current Basis 1B

Original Filing Basis 1B

Published for Opposition September 30, 2014

Owner (APPLICANT) FITNESS INTERNATIONAL, LLC LIMITED LIABILITY COMPANY
CALIFORNIA 3161 Michelson Drive, Suite 600 Irvine CALIFORNIA 92612

Attorney of Record Kevin J. McDevitt

Prior Registrations 1806464;2902071;3007720;AND OTHERS

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the literal elements "LA FITNESS" with a vertical line between "LA" and "FITNESS" and a chevron and triangle forming sails above the literal elements.

Type of Mark TRADEMARK

Register PRINCIPAL-2(F)-IN PART

Live/Dead Indicator LIVE

Distinctiveness

Limitation Statement as to "LA FITNESS"

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LA FITNESS

Word Mark	LA FITNESS
Goods and Services	IC 041. US 100 101 107. G & S: health club services. FIRST USE: 19890401. FIRST USE IN COMMERCE: 19890401
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75665303
Filing Date	March 22, 1999
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	December 14, 1999
Registration Number	2326358
International Registration Number	1211180
Registration Date	March 7, 2000
Owner	(REGISTRANT) L.A. FITNESS INTERNATIONAL LLC LIMITED LIABILITY COMPANY CALIFORNIA 100 Bayview Circle, Suite 4100 Newport Beach CALIFORNIA 92660 (LAST LISTED OWNER) FITNESS INTERNATIONAL, LLC LIMITED LIABILITY COMPANY CALIFORNIA 3161 MICHELSON DRIVE, SUITE 600 IRVINE CALIFORNIA 92612
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Daniel M. Cislo
Prior Registrations	1806464
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FITNESS" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK

Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20100308.
Renewal 1ST RENEWAL 20100308
Live/Dead Indicator LIVE

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Gear

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Tees

Sort By:

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Men

Infants/Children

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SALE



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Planet Fitness Judgement Free Tee

unisex sized tee

\$10.00



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Planet Fitness Gear Line

unisex sized tee

\$10.00



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Planet of Triumphs I'm A Work of Art T-Shirt

unisex sized tee

\$10.00



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Planet of Triumphs Good Better Me T-Shirts

unisex sized tee

\$10.00



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Planet of Triumphs We're All In This Together T-Shirt

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Planet of Triumphs I Did Something Great T-Shirt

unisex sized tee

\$10.00



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Planet of Triumphs Every Step Counts T-Shirt

unisex sized tee

\$10.00



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Planet of Triumphs Let's Get Elliptical T-Shirts

unisex sized tee

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Planet Fitness World Black Card Tee

unisex sized tee



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Planet Fitness Vortex White T-Shirt

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\$10.00



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Planet Fitness American Flag Navy T-Shirt

unisex sized tee

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\$10.00



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Original Planet Fitness Light Blue Tee

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\$7.99



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unisex sized tee

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 \$14.99



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Planet Fitness Women's Retro Logo Ringer Tee

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Planet Fitness 92 T-Shirt

unisex sized tee

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Planet Fitness Vintage Burnout Baseball T-Shirt

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unisex sized tee



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Planet Fitness Moisture Wicking T-Shirt

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unisex sized tee

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Planet Fitness T-Shirt - White Established

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Planet Fitness T-Shirt - Black

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For assistance with the PF Online Store, please contact:

Phone: 855-449-2560

Email: store@planetfitness.com

For information regarding Planet Fitness:

Visit: www.planetfitness.com

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Word Mark PLANET FITNESS

Goods and Services IC 025. US 022 039. G & S: CLOTHING, NAMELY, T-SHIRTS, SHORTS, SWEATSHIRTS, SWEAT PANTS, JACKETS AND HATS. FIRST USE: 20020501. FIRST USE IN COMMERCE: 20020501

IC 041. US 100 101 107. G & S: PHYSICAL FITNESS INSTRUCTION AND TRAINING; HEALTH CLUB SERVICES, NAMELY, PROVIDING INSTRUCTION AND EQUIPMENT IN THE FIELD OF PHYSICAL EXERCISE. FIRST USE: 20020501. FIRST USE IN COMMERCE: 20020501

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 02.11.14 - Finger pointing (gesture); Fingers walking (gesture) ; Gestures (OK, thumbs up, thumbs down, fingers walking, handshake, finger pointing); Hands and fingers forming the following: handshake, finger pointing, fingers walking, OK sign, and thumbs up or thumbs down; Handshake (gesture); OK gesture; Thumbs up or thumbs down (gesture)
15.07.01 - Cog wheels; Gears

Trademark ART-15.07 Wheels; bearings

Search Facility HUM Accurate representation of a human form, or any portion of a human form

Classification Code SHAPES-CIRCLE Circle figures or designs including semi-circles and incomplete circles
SHAPES-COLORS-3-OR-MORE Design listing or lined for three or more colors

Serial Number 77060305

Filing Date December 8, 2006

Current Basis 1A

Original Filing Basis 1A

December 11, 2007

Published for Opposition

Registration Number 3387627

International Registration Number 1123045

Registration Date February 26, 2008

Owner (REGISTRANT) PFIP, LLC LIMITED LIABILITY COMPANY NEW HAMPSHIRE 26 Fox Run Road Newington NEW HAMPSHIRE 03801

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record TERESA C. TUCKER

Prior Registrations 2438677;2698976;3105988;AND OTHERS

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FITNESS" APART FROM THE MARK AS SHOWN

Description of Mark The color(s) black, yellow, purple, and white is/are claimed as a feature of the mark. The mark consists of a design of a cogwheel with a ring inside the cogwheel and with the stylized design of a human arm and hand protruding from the center of the ring with the wording, "planet fitness" below the arm. The color black appears in the outer edge of the cogwheel, in the background of the cogwheel and in the arm and hand; the color purple appears in the ring; the color yellow appears in the arm and hand; and the color white appears on the inner edge of the cogwheel and in the wording, "planet fitness". The stippling is for shading purposes only.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

Live/Dead Indicator LIVE

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World Gym Muscle Tank

This ribbed tank top is made from a special 100% ringspun cotton featuring the World Gym gorilla screen-print. A ribbed wife beater has a form-fit making it a great muscle tank top. Available in four colors. Like all workout clothing this mens ribbed tank top ships to destinations around the globe the same business day.

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World Gym Bodybuilding Shirt circle logo

A bodybuilding shirt with the new circle heritage logo. This World Gym shirt is made from a supersoft 100% cotton. This fabric gives it more of a form-fit, making it a great muscle shirt. Available in three colors and ships the same business day.

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World Gym bodybuilding shirt jumbo

This sku is for the 3X-5X World Gym shirt in jumbo sizes. Please see the listing for W101 M-2XL. This is for the World Gym bodybuilding t shirt with the gorilla logo on the front only. 3X-5X shirt bodybuilding colors: black, gray, charcoal .

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World Gym Bodybuilding T Shirts

These bodybuilding t shirts feature the gorilla screen-print on the front side only. Most World Gym shirts are 100% cotton except grey and char. See the W101J for the jumbo size bodybuilding shirts in 3X-5X. World Gym tops are in-stock. 2XL +\$2

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World Gym Hoodie Muscle Gorilla logo

A pullover gym hoodie with the World Gym gorilla logo. Roomy uni-pocket. The World Gym hoodie has an elastic bottom and cuffs plus a drawstring with steel rivet eyelids. The Black muscle hoodie is 80/20 The Char gym hoodie is 60/40 cotton/poly.

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World Gym Mens Tank Top

Mens Tank Top often called athletic, regular, or full-cut. It has wider coverage than a racerback tank or stringer tanktop. Almost like a sleeveless muscle shirt. Most colors are 100% cotton. This World Gym clothing mens tank top ships same day.

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World Gym Muscle Shirt Burnout Tee

World Gym shirt made from a special acid washed 100% cotton fabric called a burnout tee. It's a popular muscle shirt with bodybuilders for it's lightweight and more stretchy feel. All World Gym clothing and muscle shirts ship the same day. 2XL +\$2

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World Gym Muscle Shirt Long Sleeve Thermal

Long sleeve muscle shirt with coverstitched neck, sleeves, shoulders, and hem. Pre-shrunk vintage thermal 60/40 cotton/poly fabric. World Gym shirt has the gorilla print. A great form-fitting bodybuilder shirt. All workout clothes are in-stock.

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World Gym Shirt Retro Gorilla logo

World Gym shirt with retro double side logo screen-print. The gorilla-on-the-globe appears on the front and rear view is also on the back of the bodybuilding t shirt. All workout clothes and World Gym shirts are in-stock. 2XL +\$2

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World Gym Shorts

World Gym shorts with the gorilla logo. The same 601 blank is used by Powerhouse and Golds for their mens workout shorts. 100% cotton, elastic waistband, 3" inseam. All gym shorts and workout clothes ship the same business day. These run small!

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World Gym sleeveless muscle shirt

sleeveless muscle shirt with the World Gym gorilla logo. Most colors are 100% cotton except the gray sleeveless muscle t shirt. Same business day shipping on World Gym Shirts and workout clothing to destinations around the globe. XXL-Add \$ 2

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World Gym Stringer Tank Top

World Gym stringer tank with the gorilla image. 100% cotton mens tank top with a loose, open fit. Sewn shoulder straps to prevent roll-up. Same F300 blank used for Powerhouse and Golds. All mens y-back stringer tanks ship the same business day.

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World Gym Sweatshirt

The World Gym sweatshirt has a roomy upper chest area and a tapered lower body portion. The neck, cuffs, and bottom edge of the bodybuilding sweatshirt are elastic for a comfortable fit. The gorilla icon is screened on the gym sweatshirt. 2XL +\$5

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World Gym workout sweatpants

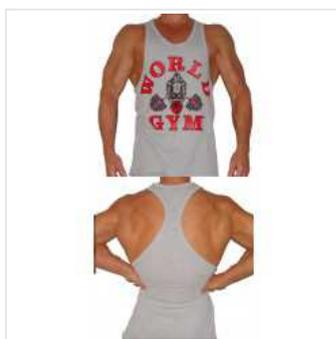
with the World Gym gorilla logo sweatpants are 50/50 cotton / poly fleece. These pants have an elastic bodybuilder drawcord waistband, ankle cuffs, but no pockets. All bodybuilding gym pants and clothes ship same business day. 2XL + \$ 4

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World Gym Workout Tank Top Racerback

Workout tank top sometimes called a t-back because of the back split at the neckline. This World Gym Clothes mens racerback tank has the gorilla icon. There are six gorgeous colors to choose from in this 100% cotton World Gym tank top. 2XL +\$2

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Word Mark WORLD GYM
Goods and Services IC 025. US 022 039. G & S: clothing, namely, shirts, tank tops, shorts, pants, sweat bands, sweat suits, jackets, hats, gloves, socks, footwear. FIRST USE: 20090930. FIRST USE IN COMMERCE: 20090930

IC 028. US 022 023 038 050. G & S: athletic sporting goods in the nature of athletic supports, namely, wrist wraps, wrist straps, elbow wraps, and knee wraps; weightlifting belts. FIRST USE: 20090930. FIRST USE IN COMMERCE: 20090930

IC 041. US 100 101 107. G & S: gymnasium services; health club services, namely, providing instruction and equipment in the field of physical exercise; providing exercise and fitness facilities; conducting exercise classes; conducting seminars on nutrition and fitness; providing personal instruction on nutrition, exercise and physical fitness; providing mixed martial arts training and fitness training; providing boxing training and fitness training; providing kickboxing training and fitness training; conducting bodybuilding, mixed martial arts, athletic, and sports exhibitions, competitions, and contests. FIRST USE: 20090930. FIRST USE IN COMMERCE: 20090930

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 01.07.01 - Globes with outlines of continents

Serial Number 85814326

Filing Date January 2, 2013

Current Basis 1A

Original Filing Basis 1A

December 17, 2013

**Published for
Opposition****Registration
Number** 4490362**Registration
Date** March 4, 2014**Owner** (REGISTRANT) World Gym International IP, LLC LIMITED LIABILITY COMPANY DELAWARE
Suite 1100 1901 Avenue of the Stars Los Angeles CALIFORNIA 90067**Attorney of
Record** Elliot B. Gipson**Prior
Registrations** 1354193;1783000;1791584;AND OTHERS**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GYM" APART FROM THE MARK AS
SHOWN**Description of
Mark** Color is not claimed as a feature of the mark. The mark consists of a stylized design of a globe with
the wording "WORLD GYM" in capitalized stylized lettering appearing on the upper right outer
quadrant of the globe design with the word "WORLD" above the word "GYM".**Type of Mark** TRADEMARK. SERVICE MARK**Register** PRINCIPAL**Live/Dead
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