

ORIGINAL

DEPOSITION OF TODD LEVY

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

BELL, INC.,	§	
	§	
Petitioner.	§	CANCELLATION NO. 31,904
	§	
vs.	§	MARK: BELL PACKAGING
	§	CORPORATION
	§	
BELL PACKAGING CORP.,	§	REGISTRATION NO. 2,089,082
	§	
Registrant.	§	
	§	

THE DEPOSITION OF TODD LEVY

The deposition of Todd Levy, a deponent in the above referenced matter, was taken on the 13th day of August, 2003, at approximately 9:00 a.m., at The Office Court Reporting Service, 301 South Adams Street, Marion, Indiana 46952.

Said deposition was taken before Cathy J. Thompson, a Notary Public in and for the State of Indiana, and the parties were represented by counsel as follows:

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TODD LEVY

The deponent herein, being first duly sworn to tell the truth, the whole truth and nothing but the truth, stated his name to be Todd Levy. The deponent testified as follows:

DIRECT EXAMINATION

QUESTIONING BY PRISCILLA DUNCKEL

Q: Would you take a look at that? It's a notice of deposition, and I just want to check and see if you've seen that before?

A: Yes, I have.

Q: Okay, and I'd like to enter that as Exhibit 1, please? That is the deposition notice of Todd Levy for the deposition today.

COURT REPORTER: [MARKING DEPOSITION EXHIBIT 1]

MS. DUNCKEL: Okay.

Q: Mr. Levy, would you please tell us your, your, who you're employed by?

A: Bell Packaging Corporation, Marion, Indiana.

Q: And what is your position?

A: Currently I'm an account manager.

Q: Can you please tell me what your job responsibilities are

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1 under your current position?

2 A: From a sales and marketing standpoint, for customers in
3 the central Indiana area to about a half hour north of
4 Fort Wayne, Indiana.

5 Q: Okay. When did you first start with the company?

6 A: June 19, 1978.

7 Q: And what was your position when you first started?

8 A: Personnel manager.

9 Q: And have you, can you give me a little bit of your
10 history with the company?

11 A: Okay. I was in that position for a couple years. Well,
12 actually for eleven years, but in 1981 took on the
13 concurrent position of administrative manager,
14 responsible for all the administrative functions for the
15 plant, plus all the human resource functions. Did that
16 till 1990 when I went to the corporate staff in employee
17 relations, safety training, and development, and then
18 also served on the regional staff for a short period of
19 time after Pratt Industries purchased us.

20 Q: As part of your job responsibilities, have you
21 established a familiarity with the company history?

22 A: Definitely, many times.

23 Q: Can you tell me where that information has come from?

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1 A: A variety of different sources. We have extensive
2 archives, and during that nine year period as the
3 administrative manager, I was responsible for overseeing
4 the historical portion of our annual profit plan, keeping
5 that up to date.

6 Q: The documents... have you... are there documents kept in
7 the archives?

8 A: Yes.

9 Q: Okay. And are those documents kept in the, by the
10 company in the ordinary course of business?

11 A: Yes.

12 Q: Alright, in your positions over the years then, are you
13 familiar with the company's use, with the company's name
14 over the years as well as its, the use of trademarks?

15 A: Yes, definitely.

16 Q: Alright. Why don't you first tell us when the company
17 was formed and give me just a, a general overview of the,
18 of the company from...

19 A: Okay.

20 Q: ...its formation?

21 A: Yeah, the company was originally started in 1913 right
22 here in Marion, Indiana, by George Bell, the Bell family
23 here in Marion. That went through two subsequent

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1 generations to John Bell. He owned the company until
2 August of 1997, at which time he sold the company to
3 Pratt Industries, but the corporate headquarters were
4 here in Marion until 1993, at which time they relocated
5 to Dallas, and then Pratt Industries, of course, took it
6 over then at that point.

7 Q: Okay. As, I'm going to show you the, a copy of the
8 trademark certificate which is at issue...

9 A: Okay.

10 Q: ...in, in this cancellation proceeding.

11 A: Um-hum (affirmative).

12 Q: And if you will take a look at that, and the, look at the
13 second page, which identifies the, the mark and the basic
14 information.

15 A: Um-hum (affirmative).

16 Q: And it lists across there the name of the mark. Can you
17 tell me what that says?

18 A: Yes, Bell Packaging Corporation.

19 Q: Alright. At the top of the page under the registration
20 number, it tells the date it was registered. Can you
21 identify that?

22 A: Yes, August 19, 1997.

23 Q: Alright, and under the company information, and why

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1 don't... this indicates a Dallas address for Bell
2 Packaging.

3 A: Um-hum (affirmative).

4 Q: Is that still correct or is that not?

5 A: That was correct from August of 1993 until August of
6 1997. Our corporate headquarters were located in Dallas.

7 Q: Okay, and then the, for Bell Packaging, where are the
8 corporate headquarters now?

9 A: The, well, there are no actual corporate headquarters as,
10 since we're owned by Pratt Industries. They're located
11 in Conyers, Georgia, just outside of Atlanta.

12 Q: Okay. Can you read for us the description of the, the
13 first description of goods that's there for which the
14 trademark is registered?

15 A: Okay, it's "packing paper, cardboard, and packaging
16 goods, namely, liner-boards, corrugating medium paper,
17 corrugated boxes, adhesives for stationery, waxed paper,
18 wax paper bags, in Class 16."

19 Q: And can you identify the first use that's listed here in
20 the, on the, right under there?

21 A: May 24, 1994.

22 Q: Now, is, is that the correct date of first use for the
23 Bell Packaging Corporation mark?

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1 A: No, in 1988, to celebrate our 75th anniversary as a
2 company, John Bell elected, and the board of directors
3 elected to change the name from Bell Fibre Products to
4 Bell Packaging Corporation.

5 Q: Alright, if you could read the second descrip... oh, I'm
6 sorry, let me ask you a question first. On these goods
7 that are listed there, are all of them still being
8 produced by Bell Packaging Corporation?

9 A: The liner-board, corrugated medium paper and the
10 corrugated boxes are definitely still produced. The
11 adhesives for stationery, waxed paper, and wax paper bags
12 are no longer produced.

13 Q: Okay, but you still are making corrugated boxes and...

14 A: Right.

15 Q: ...corrugated paper?

16 A: Yes.

17 Q: Could you read the, the services which are com, which
18 come next on the registration?

19 A: "Consultation and design of pallets, storage rack
20 systems, liner-board, corrugating medium, corrugated
21 boxes, and waxed paper products for others, in Class 42."

22 Q: And would you tell the first use date?

23 A: That was also May 24, 1994.

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1 Q: Is that the correct first use date for those services?
2 A: Not under the name Bell Packaging Corporation. That also
3 would've been in 1988 when the name was changed.
4 Q: Okay. If you'll look through those services, are you
5 still providing all of those services or are there some
6 that you are no longer providing?
7 A: Everything that's on there except for the storage rack
8 systems and the waxed paper products.
9 Q: Okay. Now, in 1988, when you changed your name to Bell
10 Packaging Corporation, can you tell me what the prior
11 name was?
12 A: Bell Fibre Products Corporation.
13 Q: Okay. Oh, that's fine.
14 A: Okay.
15 Q: Can you tell me how long you used the name "Bell Fibre
16 Products"?
17 A: Yes, from approximately 1940 until 1988.
18 Q: Alright. I'm going to show you... oh, I'm sorry,
19 let's... oh, we did mark that as Exhibit 2, the trademark
20 applica, or registration. I'm going to show you a
21 trademark record from the patent and trademark website.
22 And...

23 COURT REPORTER: Exhibit 3.

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1 Q: ...if, we'll mark this as Exhibit 3. If you will please
2 look at the, the mark that's at the top...

3 A: Um-hum (affirmative).

4 Q: ...and can you identify that for me?

5 A: Yes, definitely, that's the logo that we began using in
6 December of 1939. The official name change was then in
7 January of 1940.

8 Q: Okay, and can you read what that says, the wording? It's
9 a little bit tiny, but can you read the wording on it?

10 A: Yes, it says "Bell Fibre Products Corporation" across the
11 top, "Marion, Ind." across the bottom of the logo.

12 Q: And if you will read the description of the goods and
13 services there?

14 A: "Corrugated fibreboard boxes."

15 Q: And it has a, a first use date. Can you...

16 A: Yes.

17 Q: ...tell me what...

18 A: December 31, 1939.

19 Q: Based on your knowledge of the archives, the documents
20 that you've seen over the years, is, does that, is that
21 consistent with what your information is as far as the
22 name of the company and the mark that was used?

23 A: Yes, definitely.

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- 1 Q: If you will turn to the next page where it says "Current
2 Status," can you tell me what it says about the current
3 status?
4 A: "This registration was not renewed and is considered to
5 be expired."
6 Q: And the date of the status?
7 A: May 12, 1997.
8 Q: Can you tell me why the company would not have renewed it
9 at that time?
10 A: That was during the period of time when Bell Packaging
11 was being sold to Pratt Industries.
12 Q: Okay, and in 1997, would Bell Fibre, would, would they
13 have been using this logo?
14 A: No, not, not for the prior nine years since 1988 when the
15 name was changed.
16 Q: Okay. So at the time in 1997, what name and what mark
17 were being used for the company?
18 A: Bell Packaging Corporation was the name. The mark was a
19 bell with a superimposed world behind it.
20 Q: We'll come to that in some other documents here, right?
21 A: Okay.
22 Q: I'm going to show you a piece of paper, and if you could
23 identify this for us? We'll mark this as Exhibit 4.

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1 A: This is an announcement dated January 2, 1940, wherein
2 John, or excuse me, George Bell was announcing the name
3 change from Indiana Fibre Products Company to Bell
4 Packaging Corporation. Excuse me, Bell Fibre Products
5 Corporation.

6 Q: And at that time, were they also merging other companies
7 together?

8 A: Yes, it was an opportunity for him to bring three
9 different areas of his operation together under one
10 common name. It was Hoosier Box & Pie Plate, Indiana
11 Fibre Products, and also Abell Box Corporation.

12 Q: Alright, and based on your knowledge of the corporation
13 records, has the, the term "Bell" been used consistently
14 since 1940 in connection with corrugated boxes and the
15 boxes...

16 MR. GIPPLE: I'll, I'll object to your
17 leading the witness to
18 that extent.

19 MS. DUNCKEL: Alright.

20 Q: Can you tell me... I'll rephrase the question.

21 A: Okay.

22 Q: Can you tell me if the term "Bell" has been used by the
23 company since 1940?

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1 A: It's not, it's been used exclusively as the name for the
2 parent company and for three of the plants that were
3 involved in the corporation since 1940.

4 Q: Has it been used... can, can you tell me the products
5 that it's been used in connection with?

6 A: Yes, corrugated containers and related products displays,
7 and including the production of liner-board and medium
8 from our paper mills.

9 Q: Has there, based on your knowledge of the company
10 archives, has there been any time since 1940 in which
11 Bell has not been used in connection with those products?

12 A: No.

13 Q: Has Bell been also used in connection with services since
14 1940?

15 A: Services?

16 Q: Yes.

17 A: In, in terms of design, that type of thing, yes. We've
18 used various services as opposed to just the production
19 part?

20 Q: Right.

21 A: Yes. Yeah.

22 Q: Alright. I'm going to hand you another document, which
23 we are going to mark as Exhibit 5. Can you identify this

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1 for me?

2 A: Yes, this is one of the internal house organs that we had
3 periodically supplied to our employees. This particular
4 one is from May of 1968.

5 Q: Okay. I'm going to back up one second. For document
6 num, for Exhibit No. 4, which was the announcement, can
7 you tell me where that came from?

8 A: Yes, it, currently it's displayed in the lobby of the
9 Marion, Indiana, plant. It's framed and displayed there,
10 along with other items that are used to identify our
11 corporation.

12 Q: Okay, so this document, is it kept in the ordinary course
13 of business?

14 A: Yes, definitely.

15 Q: Okay. Do you know, this newsletter, where this came
16 from?

17 A: Yes, as same as the previous exhibit, this is a, a copy
18 of a newsletter that we keep in our archives.

19 Q: Okay. And can you identify what you see there at the top
20 of it as far as the logo?

21 A: Yes, the Bell Pack, excuse me, the Bell Fibre Products
22 Corporation logo that we used from 1940 through 1988.

23 Q: And based on your knowledge of the company history and

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1 the, and review of the company archives, was this logo
2 being used in connection with the goods and services
3 offered by Bell Fibre Products...

4 A: Yes.

5 Q: ...Corporation at that time?

6 A: Yes, all letterhead, all correspondence, certification
7 stamps, etc.

8 Q: Okay. And if you'll turn to the inside in which the
9 second page, it, it's giving a history of the company.

10 A: Um-hum (affirmative).

11 Q: Can you look through this and tell me if this history of
12 the company is consistent with what you have found in the
13 company archives?

14 A: Yes, this basically chronicles the history of the company
15 from 1913 when George Bell founded it all the way up
16 through the date of '68 when John Bell, the third
17 generation of the Bell family to own the company, had
18 taken over the company.

19 Q: Okay. Alright. Then I'm going to hand you a brochure.

20 A: Thank you.

21 COURT REPORTER: Is it No. 6?

22 MS. DUNCKEL: Yes, this will be Exhibit
23 No. 6.

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1 Q: And if you will roughly look through this, and can you
2 identify what this is?

3 A: It is a sales brochure that was developed around the
4 early to mid-1980s for, to be used in the field by our
5 sales people. We also used it to introduce the company
6 to prospective employees.

7 COURT REPORTER: We're off record. [OFF
8 RECORD - BACK ON RECORD]
9 We're back on record.

10 Q: If you will look through this and, and see if you can
11 determine approximately when this brochure would've been
12 produced?

13 A: I'm gonna guess around 1984 to 1985.

14 Q: Okay. Actually I think I can point something out to you
15 that might help you...

16 A: Okay.

17 Q: ...identify the date a little bit better. If you will
18 look back on the fourth to the last page, which says
19 "Total Capacity"?

20 A: "Total Capability"?

21 Q: Or "Total Capability," sorry.

22 A: Okay.

23 Q: I misread it. In the first paragraph here, I think that

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1 it will at least give you a date that it couldn't have
2 been before.

3 A: It's talking about the Menominee Paper Company being
4 acquired in, by Bell Fibre in 1973.

5 Q: Oh, we're on the different, we're on different pages.

6 A: Okay.

7 Q: I've got, there's more than...

8 MR. GIPPLE: What, what page are we
9 on? Is it fourteen?

10 MS. DUNCKEL: Okay.

11 MR. LEVY: In my...

12 MS. DUNCKEL: Oh, there is a pa, yeah,
13 page fourteen. I'm
14 sorry, I didn't mean... I
15 think my thumb was on the
16 page I'm re...

17 A: Okay, yeah, that describes the acquisition in 1985 of
18 Dixico Corporation.

19 Q: Okay, so I think it would've had to have been after
20 1985...

21 A: Okay, yes.

22 Q: ...is that correct?

23 A: Um-hum (affirmative).

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1 Q: And if you look at the front of it, it says "Bell Fibre
2 Products Corporation," so does that give you a better
3 idea of, of the date?

4 A: Yes, um-hum (affirmative). Yeah, we had acquired Dixico
5 in 1985, which was a, a grouping of three flexible
6 packaging plants. The name changed then again in 1988 to
7 Bell Fibre, or Bell Packaging Corporation, so it was
8 right around the mid-'80s, 1985.

9 Q: Okay. Do you, were you with the company at this time?

10 A: Yes.

11 Q: Okay. Can you confirm that this brochure was actually
12 used by the company?

13 A: Yeah, absolutely, I used it extensively in recruiting
14 purposes with employees. I also helped develop it, and
15 I know that our sales force was required to use it with
16 prospective accounts.

17 Q: Okay. If you will turn to page 3? Can you tell me what
18 this is?

19 A: Yes, this is a map of the United States showing
20 geographically where the locations of our facilities were
21 at that point in time.

22 Q: Can you tell me what, and I'm trying to think... It looks
23 to me like that there, different plants did different

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1 things...

2 A: Um-hum (affirmative).

3 Q: ...at the time. Can you identify what they were doing?

4 A: We had essentially three different divisions, if you, if
5 you would. We had a paper mill in Menominee, Michigan,
6 the Upper Peninsula of Michigan, which produced the
7 liner-board and medium paper that was used in our
8 corrugated containers. Then as the map shows, we have
9 three corrugated packaging plants, one in Grand Rapids,
10 Michigan, one in Marion, Indiana, and one in South
11 Holland, Illinois, just out of Chicago. The paper from
12 that paper mill would've been used in those three
13 corrugated plants to make corrugated containers and
14 displays. We also then had a division that included four
15 flexible packaging plants. Three of those were under the
16 Dixico name that was acquired in 1985. Those were
17 located in Memphis, Dallas, and Mexico City, and then we
18 had another one that was under the Bell Packaging name,
19 or excuse me, at that point Bell Fibre name in Columbus,
20 Georgia.

21 Q: Alright. Can you tell me what the flexible packaging is?

22 A: It was in a completely different field of packaging for
23 us at that point in time. Potato chip bags, snack bags,

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1 baseball and hockey card wrappers, candy wrappers. There
2 was also at the Columbus, Georgia, plant flexible
3 packaging that was primarily for the military market.
4 Foil lined bags, that type of thing.

5 Q: Alright. Are there some of the products that are
6 discussed in this brochure that the company no longer
7 does?

8 A: Yeah, principally the folding carton, or excuse me, the
9 folding carton... the flexible packaging aspect of it...
10 when Pratt Industries purchased us in 1997, just before
11 that, John Bell had sold the flexible packaging plants.

12 Q: Alright. Okay, then let's move on to... I'm going to
13 hand you a book here.

14 COURT REPORTER: Thank you. This is No.
15 7.

16 Q: And this will be marked as Exhibit 7. Are you familiar
17 with this book?

18 A: Yes.

19 Q: Can you tell me what it is, please?

20 A: This is a compilation of recipes from all of our
21 employees and retirees that we had put together a couple,
22 three different instances, and this has, happens to be
23 probably the second iteration of, of those. It was a

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1 book that we used to give to customers and employees.
2 Q: Alright, and I'm going to note here for the record...
3 MS. DUNCKEL: ...if you don't mind, Mr.
4 Gipple...
5 Q: ...but the copies that we have made are a little bit,
6 they end up being a little bit larger than what the book
7 actually is. What, can you, about how big do you think
8 that book is?
9 A: Looks like 5" x 7" probably.
10 Q: Okay, and what kind of binding does it have on it?
11 A: Spiral.
12 Q: Okay. That's just for the record so that it is clear.
13 Can you look in here and find the date that this book was
14 produced?
15 A: 1996.
16 Q: Okay, and in the, the beginning of this, it, it discusses
17 a little bit about the family history of the comp, or
18 the, the history of the company.
19 A: Um-hum (affirmative).
20 Q: Can you tell me if this summary is accurate to your
21 knowledge of the company archives?
22 A: Yes, this is consistent with the, the history that we
23 used in other internal organs and publications starting

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1 with 1913 with George Bell founding the company up to the
2 name change to Bell Fibre Products, and then ultimately
3 to Bell Packaging Corporation.

4 Q: Alright, and, and you did confirm that this was actually
5 distributed out to customers as well as employees?

6 A: Yes, quite extensively.

7 Q: Alright. And we're going to keep the, the copies in the
8 record as opposed to the originals so that that can be
9 returned to the archives.

10 A: Okay.

11 Q: Alright, and I'm going to hand you our next document.
12 This is going to be Exhibit...

13 MS. DUNCKEL: ...8, is that correct?

14 COURT REPORTER: E i g h t , u m - h u m
15 (affirmative).

16 MS. DUNCKEL: Okay.

17 Q: Can you identify this?

18 A: This is an example of a certification stamp that we use
19 on all of our corrugated containers shipped out of the
20 Marion, Indiana, plant. This is required by Rule 41 of
21 the Department of Transportation regulations.

22 Q: So has this, can you tell me how long this certification
23 stamp has been used?

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1 A: This particular one would've been used since 1988 when
2 the name officially changed to Bell Packaging
3 Corporation.

4 Q: So the, so this certification stamp is on the, did you
5 say on the outside of the boxes?

6 A: Yeah, typically it's on the bottom, one of the bottom
7 outside flaps of a, of the carton, and basically
8 validates the board combination, the paper combination
9 and the paper strength of the box that this is on.

10 Q: What is the, this says "Crown Cork & Seal." Do you know
11 what that is?

12 A: That is the part number for whoever, whatever customer
13 that is. Typically we'll put the part number and the
14 certification stamp on the carton.

15 Q: I'm going to hand you another document.

16 A: Okay.

17 Q: This is, this'll be Exhibit 9. Okay, can you identify
18 this for me, please?

19 A: Yeah, this is a computer generated load identification
20 tag. This goes on all four sides of every unit of
21 corrugated that we ship out of our plant.

22 Q: And at the bottom of this one it says "Bell Packaging."
23 Would all of these have Bell Packaging identified on

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1 them?

2 A: Yes, all of them would since 1988.

3 Q: Okay. Do you know from your personal knowledge if, if a
4 similar tag was used prior to 1988?

5 A: Yes, they were always required to be affixed onto all the
6 units when they were shipped out. Prior to that, it
7 would've been under Bell Fibre Products Corporation.

8 Q: Okay. Can you also tell me as far as the certification
9 stamp that was used prior to 1988?

10 A: Yes, it would've been similar to the one that we had in
11 the prior exhibit, only instead of saying Bell Packaging
12 Corporation it would've said Bell Fibre Products
13 Corporation across the top.

14 Q: Okay.

15 MS. DUNCKEL: Could we go off the
16 record here for a second?

17 COURT REPORTER: Sure. We're off record.
18 [OFF RECORD - BACK ON
19 RECORD] We're back
20 record.

21 Q: Alright. I'm handing you a piece of paper here that
22 we're going to mark as Exhibit...

23 COURT REPORTER: Ten.

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1 Q: ...10.

2 COURT REPORTER: Um-hum (affirmative).

3 Q: Can you identify this?

4 A: This is also a certification stamp that we would use on
5 the bottom of our cartons.

6 Q: And can you identify what it says on it as far as the,
7 the trademark?

8 A: Yeah, in this particular case it says "Bell Fibre
9 Products, Marion, Indiana," and this would be a
10 certification stamp that we would've used out of the
11 Marion plant up to 1988.

12 Q: And it, you know, we have here the original, the... I
13 don't know what you call this.

14 A: Printing plate.

15 Q: Okay, the printing plate. Was that used then in
16 connection with printing the, on boxes?

17 A: Yes.

18 Q: Okay, so would this have been used similarly to the Bell
19 Packaging Corporation certification stamp that's used
20 now?

21 A: Yes, exactly the same concept just, just to reflect the
22 different name changes.

23 Q: Okay. Alright, then I'm going to show you three pages

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1 which are... why don't you identify what those are
2 photographs of?

3 A: Okay, these are three photographs of the same carton.
4 This is an item that's produced at our Marion, Indiana,
5 facility, and on the bottom outside flap has a
6 certification stamp for this particular part number. It
7 says "Bell Packaging Corporation, Marion, Indiana."

8 Q: Alright, and so is that an example of how these
9 certification stamps are used?

10 A: Yes.

11 MS. DUNCKEL: We'll, yeah, I'll let you
12 mark this...

13 COURT REPORTER: Okay.

14 MS. DUNCKEL: ...as Exhibit 11.

15 Q: Let me show you another series of photographs. Can you
16 look at those photographs?

17 A: Okay.

18 Q: And can you identify what that is?

19 A: Yeah, this is three different photographs, one of one,
20 part number for one of our customers, and then the other
21 two are for a different carton, but in both cases they
22 are examples of cartons produced in the Marion, Indiana,
23 facility of Bell Packaging, and in both cases they have

DEPOSITION OF TODD LEVY

1 certification stamps that reflect the, the name of the
2 company that they were produced by.

3 Q: Okay. I think I matched them up wrong, so let's separate
4 which...

5 A: Okay.

6 Q: ...is one box and which is the other.

7 A: That one's by itself, and these two are...

8 Q: Okay. Alright, so we'll mark... this is the Homestyle
9 Pure Beef Patties box, and this will be marked as Exhibit
10 12, and the other two together are... do you know what
11 this box is for?

12 A: Yeah, the company is Best Foods. It's their part number
13 RL-1P. And both photographs, one is just a blown-up
14 version of the other.

15 Q: Okay.

16 MS. DUNCKEL: And we will mark that as
17 Exhibit 13.

18 COURT REPORTER: Okay.

19 Q: Now, can you confirm then that a certification stamp with
20 the, the company name and trademark was on boxes from
21 1940 to currently, which included the term "Bell"?

22 A: Yes.

23 Q: Alright. I'm going to show you, and this is a, an

DEPOSITION OF TODD LEVY

1 Exhibit No. 3 from the deposition of Mark Graham, which
2 was done on June 12, 2003. And I'm going to have you
3 take a look at this. This was identified as a, as a
4 marketing piece, which showed their products of, and that
5 would be the products of Bell, Incorporated, formerly
6 known as Bell Paper Box.

7 A: Okay.

8 Q: If you can...

9 A: [EXAMINING GRAHAM EXHIBIT 3] Okay.

10 Q: Now, can you tell me, do you know what type of products
11 these are that, that they evidently are producing?

12 A: Yeah, the vernacular in our industry would be called
13 "folding cartons."

14 Q: Okay, and does Bell Packaging Corporation make any
15 folding cartons?

16 A: No. A folding carton is all solid fiber, where we use a
17 process with corrugated paper.

18 Q: Okay. Are you capable of making folding cartons?

19 A: Not that I'm aware of, not, not in any of our plants, no.

20 Q: Is, can you use the same equipment to make folding
21 cartons that you use to make corrugated boxes?

22 A: Typically not. They're designed completely separately.

23 Q: Alright. Before this proceeding, had you ever heard of

DEPOSITION OF TODD LEVY

1 a company called Bell Paper Box or Bell, Incorporated?

2 A: No, never.

3 Q: Have you ever had any customer ask you about, if you were
4 affiliated with Bell Paper Box or Bell, Incorporated?

5 A: No, never.

6 Q: Now, if you look at their logo and their name, do you...
7 well, first, let me back up. Can you tell me a little
8 bit about how your products are sold for Bell Packaging
9 Corporation?

10 A: Yeah, typically a person in the same capacity that I'm in
11 will make an initial contact with a customer, a
12 prospective customer, and will hopefully at that point
13 develop a relationship wherein we can quote and/or design
14 corrugated packaging and/or displays for them, which
15 hopefully will result in a sale then.

16 Q: Okay. Are your products sold through sales
17 representatives?

18 A: Yes.

19 Q: Are the sales representatives employees of the company?

20 A: Yes.

21 Q: Okay. When they talk to a potential customer or a
22 customer, do the customers know what company they
23 represent?

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DEPOSITION OF TODD LEVY

1 A: Yes.

2 Q: Do you ever use brokers or agents?

3 A: Very rarely.

4 Q: Are there some occasions that you might?

5 A: Yeah, there, there could be. I, I'm gonna say maybe one
6 to two percent of the time at the most. We have
7 periodically used retirees in sales capacities. They're
8 not technically employed by Bell but on an agent type of
9 relationship, and that's very rare also.

10 Q: Okay. If an agent or broker were representing your
11 products, would the customer know the company that they
12 were representing?

13 A: Yes.

14 Q: On, on what basis can, can you tell me that?

15 A: It's my understanding, and it's my experience working
16 with brokers is that they will represent to the customer
17 who they're working through as far as their principal
18 supplier of corrugated, and that they're representing in
19 this case Bell Packaging Corporation.

20 Q: Do you ever exhibit at any trade shows?

21 A: Not through Bell Packaging that I'm aware of.

22 Q: Okay. Who are your consumers?

23 A: Typically we never sell to the ultimate consumer.

DEPOSITION OF TODD LEVY

1 Usually it's, it's the producer of another product that,
2 who uses our packaging to put their product in, either in
3 the form of a shipping container or a point of purchase
4 display. The wide variety of industries: food, glass,
5 automotive, pet, pet related, just a wide variety of, of
6 different industries.

7 Q: So the box that we have for Best Foods Specialty Products
8 is... who, who is Best Foods?

9 A: Just a corporation that, that... I'm not sure. I don't
10 think we sell directly to them. We sell to a customer
11 who supplies to Best Foods.

12 Q: Okay, so you sell to whoever's making the, the food
13 product, or whatever it is, to put in...

14 A: Yeah, yeah. In that case they're private labeling for
15 Best Foods as far as I know.

16 Q: Alright. Do the same people buy corrugated boxes that
17 buy folding cartons?

18 A: Well, they could.

19 Q: Okay. So are you aware of any confusion between Bell
20 Packaging Corporation and Bell Paper Box or Bell,
21 Incorporated, as they're now known as?

22 A: Not in my twenty-five years. I've never heard of the
23 company, and, and their name has never come up to, as far

DEPOSITION OF TODD LEVY

1 as I'm concerned, either recruiting people from a human
2 resource standpoint or with customers.

3 Q: Can you, have you established any type of a reputation
4 over the years in, in your industry that, as Bell
5 Packaging Corporation?

6 A: Yeah, Bell Packaging, in my opinion, is probably the pre-
7 eminent packaging company in our market here in central
8 Indiana. Like I said earlier, we've been around since
9 1913, an outstanding reputation.

10 Q: Okay. Do you think there will be confusion if Bell,
11 Incorporated, expanded into corporate, into corrugated
12 boxes?

13 A: Depending on what their marketing strategy was, if they
14 decided to come into central Indiana, I guess I could see
15 that there may be some potential confusion. Typically we
16 don't get anywhere outside of 150, 200 mile radius of our
17 plant.

18 Q: Okay. The information provided in the deposition of Mark
19 Graham, who is the president of Bell, Incorporated, was
20 that when he bought Bell Paper Box in 1976, the company
21 was making the white boxes for, like jewelry and garment
22 boxes that... and you may, you probably have an industry
23 term for this... that, that don't fold down, that

DEPOSITION OF TODD LEVY

1 they're, they're stiff?

2 A: Um-hum (affirmative)

3 Q: Do you have an industry term for that?

4 A: Not that I'm familiar with...

5 Q: Okay.

6 A: ... 'cause we don't produce anything... but we just call
7 them call "rigid, rigid"...

8 Q: Okay, rigid boxes...

9 A: Yes.

10 Q: ...okay. Have you ever sold those type of boxes?

11 A: No, never.

12 Q: Okay. So in 1976, were you selling those boxes?

13 A: No.

14 Q: Okay. The information provided in that deposition also
15 was, by Mark Graham, was that they were selling in a
16 hundred miles of Sioux Falls, South Dakota. Did you sell
17 products in Sioux Falls...

18 A: No.

19 Q: ...South Dakota? Did you sell them at that time, in
20 1976?

21 A: In Sioux Falls?

22 Q: Right.

23 A: No, definitely not.

DEPOSITION OF TODD LEVY

1 Q: And what trademark were you using in 1976?

2 A: The Bell Fibre Products logo.

3 Q: Okay, so since 1940, has the company been making the
4 corrugated boxes and providing the, the services in two
5 companies using a trademark that included the term
6 "Bell"?

7 A: Yes. Yes, for the last sixty-three years, the word
8 "Bell" has been in all of our communication, letterhead,
9 everything that we've done.

10 Q: Okay. Alright.

11 MS. DUNCKEL: I pass the witness.

12

13

CROSS EXAMINATION

14

QUESTIONING BY JIM W. GIPPLE

15 Q: I just wanted to clarify the chronology. As far as you
16 know, the company was founded in 1913 under the name
17 Indiana Fibre Products Company?

18 A: Yes.

19 Q: And now, when did it become Bell Fibre Products?

20 A: In January of 1940.

21 Q: In 1940? And what, what happened in '48 then? I thought
22 you said that from 1948 to 1988 that it was Bell Fibre
23 Products?

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DEPOSITION OF TODD LEVY

1 A: If I did, I mis, misspoke. From 1940 to 1988.

2 Q: 1940 to 1988?

3 A: Forty-eight year period it was Bell Fibre Products.

4 Q: Now, do you know what occasioned the change to Bell Fibre
5 Products from Indiana Fibre Products?

6 A: At that particular point, George Bell owned three
7 different companies, and he wanted to bring them under
8 one umbrella name, and wanted to use the Bell name at
9 that point, and so he used his family name and then
10 created this umbrella term.

11 Q: Do you know if there was any period of time since 1940
12 when the name "Bell" was not used?

13 A: No.

14 MR. GIPPLE: Nothing further.

15 MS. DUNCKEL: I think we're done.

16 COURT REPORTER: Okay. We're off record.

17 [OFF RECORD @ 10:00 A.M.]

18

19

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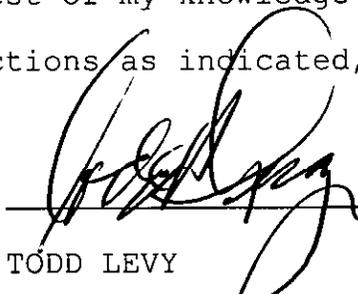
23

DEPOSITION OF TODD LEVY

CERTIFICATION

TODD LEVY

I do hereby certify that I have read, or have had read to me, the foregoing transcription of the deposition of Todd Levy, taken on August 13, 2003, and I do hereby certify that they are true and correct to the best of my knowledge and belief, with the changes and/or corrections as indicated, if any.



TODD LEVY

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DEPOSITION OF TODD LEVY

1 STATE OF INDIANA)
2) SS: CERTIFICATE OF NOTARY
3 COUNTY OF GRANT)
4

5 I, Cathy J. Thompson, a Notary Public in and for the
6 County of Grant, State of Indiana, do hereby certify:

7 That the deponent herein, Todd Levy, was first duly sworn
8 to tell the truth, the whole truth, and nothing but the truth
9 in the foregoing deposition;

10 That all testimony was electronically recorded and
11 afterward reduced to typewritten form under my direction;

12 That I recorded and transcribed any and all objections
13 made by counsel and the reasons therefore;

14 That I am not a relative or employee, attorney or counsel
15 of any of the parties, nor a relative or employee of such
16 attorney or counsel, nor am I financially interested in this
17 action.

18 IN WITNESS THEREOF, I have hereunto set my hand and
19 affixed my Notarial Seal this 3rd day of September, 2003.

20 Cathy J. Thompson
21 Notary Public

22 My Commission Expires: June 13, 2010

23 County of Residence: Grant

10/14/2008 10:10:10 AM

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

BELL, INC.

Petitioner.

vs.

BELL PACKAGING CORP.

Registrant.

§
§
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Cancellation No. 31,904

Mark: BELL PACKAGING
CORPORATION

Registration No. 2,089,082

REGISTRANT'S NOTICE OF DEPOSITION OF TODD LEVY
UNDER RULE 30(b)(1)

To: Bell, Inc., through its attorneys of record, J.W. Gipple, Gipple & Hale, P.O. Box 40513, Washington, D.C., 20016.

PLEASE TAKE NOTICE that on August 13, 2003, beginning at 9:00 a.m., in the offices of The Office Court Reporting, 301 S. Adams, Marion, Indiana, 46952, Registrant Bell Packaging Corp. ("Registrant") shall take the deposition upon oral examination of Todd Levy, Account Manager of Bell Packaging Corp. pursuant to Federal Rule of Civil Procedure 30(b)(1).

The deposition will be recorded stenographically before a notary public or other officer authorized by law to administer oaths and will continue from day-to-day until completed. You are invited to attend and cross-examine.

Respectfully submitted this 22 day of July, 2003.



Priscilla Dunckel
BAKER BOTTS L.L.P.
2001 Ross Avenue
Dallas, Texas 75201-2916
Telephone No. (214) 953-6618
Facsimile No. (214) 661-4618

ATTORNEYS FOR REGISTRANT
BELL PACKAGING CORP.

EXHIBIT #1

Bell, Inc. vs. Bell Packaging Corp.

Deposition of Todd Levy
August 13, 2003

10/14/2003 10:14:10 AM
CANCELLATION NO. 31,904

CERTIFICATE OF SERVICE

I hereby certify that on this 22 day of July, 2003, I mailed, via first class mail, postage prepaid, a true and correct copy of the foregoing REGISTRANT'S NOTICE TO TAKE DEPOSITION OF PETITIONER UNDER RULE 30(b)(1) to:

J.W. Gipple
Gipple & Hale
P.O. Box 40513
Washington, D.C., 20016

Cecily Porterfield
Cecily Porterfield

The United States of America



CERTIFICATE OF REGISTRATION
PRINCIPAL REGISTER

The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.

The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office, that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks, and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.

A copy of the Mark and pertinent data from the application are a part of this certificate.

This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.

EXHIBIT #2

Bell, Inc. vs. Bell Packaging Corp.

Deposition of Todd Levy
August 13, 2003

Commissioner of Patents and Trademarks



EXHIBIT

2 Levy

10/14/2003 10:14:20 AM

Int. Cls.: 16 and 42

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100 and 101

Reg. No. 2,089,082

United States Patent and Trademark Office

Registered Aug. 19, 1997

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

BELL PACKAGING CORPORATION

BELL PACKAGING CORPORATION (INDIANA CORPORATION)
13155 NOEL ROAD, SUITE 900
DALLAS, TX 752405060

FOR: PACKING PAPER, CARDBOARD, AND PACKAGING GOODS, NAMELY, LINERBOARDS, CORRUGATING MEDIUM PAPER, CORRUGATED BOXES, ADHESIVES FOR STATIONERY, WAXED PAPER, WAX PAPER BAGS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 5-24-1994; IN COMMERCE 5-24-1994.

FOR: CONSULTATION AND DESIGN OF PALLETS, STORAGE RACK SYSTEMS, LINER-

BOARD, CORRUGATING MEDIUM, CORRUGATED BOXES, AND WAXED PAPER PRODUCTS FOR OTHERS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 5-24-1994; IN COMMERCE 5-24-1994.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PACKAGING CORPORATION", APART FROM THE MARK AS SHOWN.

SER. NO. 75-129,638, FILED 7-3-1996.

KAREN CLEAVER-BASCOMBE, EXAMINING ATTORNEY



UNITED STATES PATENT AND TRADEMARK OFFICE



TESS was last updated on Tue Jun 10 04:12:24 EDT 2003

PTO HOME TRADEMARK TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICTIONARY BOTTOM HELP

 Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

Check Status

(TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)



Word Mark	BELL FIBRE PRODUCTS MARION, IND.
Goods and Services	(EXPIRED) IC 016. US 037. G & S: CORRUGATED FIBREBOARD BOXES. FIRST USE: 19391231. FIRST USE IN COMMERCE: 19391231
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	220324 240501 241725 260104
Serial Number	73050924
Filing Date	April 30, 1975
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration Number	1045401
Registration Date	August 3, 1976
Owner	(REGISTRANT) BELL FIBRE PRODUCTS CORPORATION CORPORATION INDIANA P.O. BOX 3333 MARION INDIANA 46952
	(LAST LISTED OWNER) BELL PACKAGING CORPORATION CORPORATION BY CHANGE OF NAME FROM INDIANA P.O. BOX 3333 MARION INDIANA 46953

EXHIBIT #3

Bell, Inc. vs. Bell Packaging Corp.

Deposition of Todd Levy
August 13, 2003

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2003-06-10 10:18:41 ET

Serial Number: 73050924

Registration Number: 1045401

Mark



(words only): BELL FIBRE PRODUCTS MARION, IND.

Current Status: This registration was not renewed and is considered to be expired.

Date of Status: 1997-05-12

Filing Date: 1975-04-30

Registration Date: 1976-08-03

Law Office Assigned: Unknown

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -Warehouse (Newington)

Date In Location: 1988-11-17

CURRENT APPLICANT(S)/OWNER(S)

1. BELL PACKAGING CORPORATION

Address:

BELL PACKAGING CORPORATION
P.O. BOX 3333
MARION, IN 46953
United States

State or Country of Incorporation: Indiana

Legal Entity Type: Corporation

GOODS AND/OR SERVICES

CORRUGATED FIBREBOARD BOXES

International Class: 016

First Use Date: 1939-12-31

First Use in Commerce Date: 1939-12-31

Basis: 1(a)

ADDITIONAL INFORMATION

Disclaimer: THE WORDS "MARION, IND." ARE DISCLAIMED APART FROM THE MARK AS SHOWN.

PROSECUTION HISTORY

1997-05-12 - Expired Section 9

1988-10-06 - Section 7 amendment issued

1988-06-27 - Section 7 amendment filed

1981-11-30 - Section 8 (6-year) accepted & Section 15 acknowledged

CONTACT INFORMATION

Correspondent (Owner)

JOSEPH A. NAUGHTON, JR. (Attorney of record)

JOSEPH A. NAUGHTON, JR.
WOODARD, EMHARDT, NAUGHTON, ET AL
SUITE 2000
ONE INDIANA SQUARE
INDIANAPOLIS, IN 46204
United States

Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record JOSEPH A. NAUGHTON, JR.
Disclaimer THE WORDS "MARION, IND." ARE DISCLAIMED APART FROM THE MARK AS SHOWN.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator DEAD

[FTO HOME](#)
[TRADEMARK](#)
[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DICT](#)
[TOP](#)
[HELP](#)

10/14/2003 10:14:20 AM

INDIANA FIBRE PRODUCTS COMPANY

MANUFACTURERS OF

GEORGE A BELL
PRESIDENT



MARION, INDIANA

January 2, 1940

ALL AGREEMENTS ARE CONTINGENT UPON STRIKES, ACCIDENTS, FIRES OR OTHER DELAYS BEYOND OUR CONTROL. ALL ORDERS TAKEN SUBJECT TO ACCEPTANCE BY US AT MARION, INDIANA. MAKE ALL CHECKS PAYABLE TO THE COMPANY ONLY.

ANNOUNCEMENT

We are pleased to announce that in order to simplify our corporate structure and to obtain more efficient operations—the Indiana Fibre Products Company has changed its name and has taken over the operations of its affiliated company as well as its wholly owned subsidiary.

The new corporation is combining the operations of the following:

*Hoosier Box & Pie Plate Company, Established 1911
Indiana Fibre Products Company, Established 1913
Abell Box Corporation, Established 1931*

The merged business will continue under the new name

BELL FIBRE PRODUCTS CORPORATION

The Chicago office was moved December 1, 1939 to our new Chicago factory location; 1111 East 83rd Street—Telephones Regent 4630-1-2-3.

The Marion, Indiana office remains unchanged—Telephones 1542-3-4.

All contracts of each company are assumed by the Bell Fibre Products Corporation.

The management and policy is the same—no change.

We wish to assure you that our combined organization, with its increased facilities, will use every effort to deserve in the future a continuance of business relations which have existed so pleasantly between us in the past.

Wishing you a Happy and Prosperous New Year, we are

Very cordially yours,

HOOSIER BOX & PIE PLATE COMPANY
INDIANA FIBRE PRODUCTS COMPANY
ABELL BOX CORPORATION

President

EXHIBIT #4

Bell, Inc. vs. Bell Packaging Corp.

Deposition of Todd Levy
August 13, 2003

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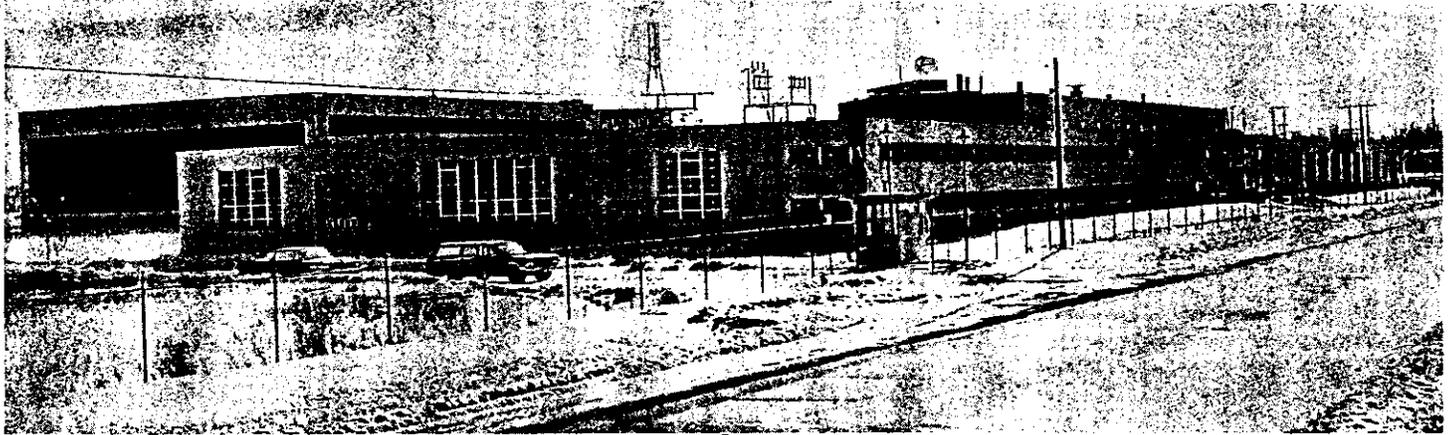
WHAT'S IN A NAME?
For Your New Employee Publication



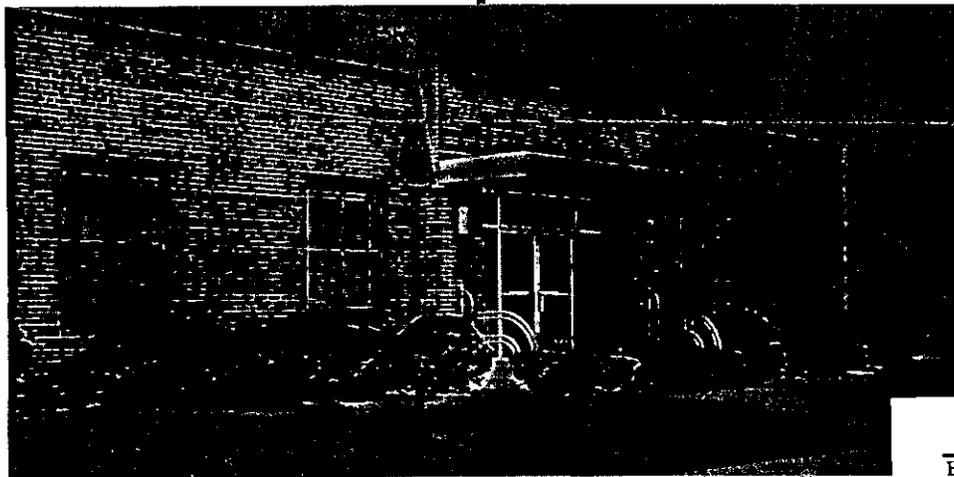
\$50, THAT'S WHAT!
See Page 4 for Details

Volume 1, No 1

May, 1968



Bell Fibre's Newest Plant — in Grand Rapids, Mich.

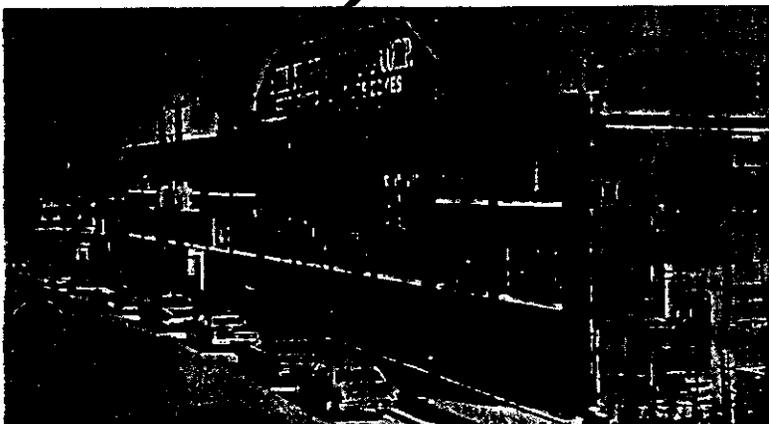


**The "Home Office" Building
Marion, Indiana**

EXHIBIT #5

Bell, Inc. vs. Bell Packaging Corp.

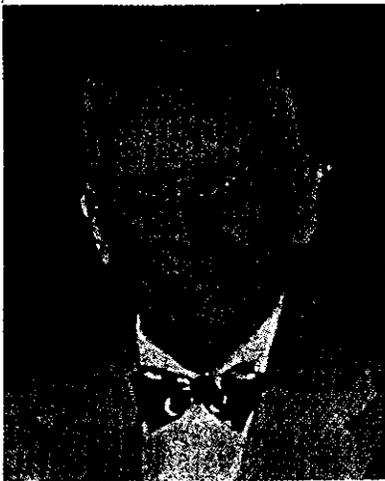
Deposition of Todd Levy
August 13, 2003



**The Chicago Plant — To be Replaced
By a New Facility Next Year**



**The Marion Plant — Still Modern
Although It's the Oldest**



GEORGE A. BELL
Founder



JOHN L. BELL, JR.
President



JOHN L. BELL, SR.
President 1954-1968

THREE GENERATIONS OF PROGRESS

George A. Bell Foresaw Need for Lightweight Containers Back in Days of Wooden Boxes

The idea of using corrugated paper boxes for shipping heavy objects was viewed with suspicion by most shippers back when this Company was founded, 56 years ago.

Virtually everything was shipped in wooden cases and crates, although they were heavy and added to shipping costs. For that reason, about the only use for corrugated containers was for the wrapping of kerosene lamp chimneys, packaging individual bottles and packing calendars.

The corrugating medium in those days usually was made from straw while the liner was made of jute—a combination of wood pulp and waste paper. Tough kraft paper made from pure wood pulp had not yet been placed on the market.

It was against this background that the late George A. Bell, grandfather of John L. Bell, Jr., Company President, established the Indiana Fibre Products Co. in 1913. He did so with knowledge gained in the making and processing of paper at Hoosier Box and Pie Plate Co., of which he was president—knowledge that showed him there would be a need for strong, lightweight shipping containers.

The new container company was one of the nation's earliest manufacturers of corrugated containers. At first, they

were used for shipping the paper plates manufactured by the Pie Plate Company and for the products of the booming glass factories in the Marion area.

In the beginning, most of the operations were performed by hand after a small corrugator turned out double-faced material approximately a yard wide at the rate of 20 to 30 feet a minute. (Today, corrugators manufacture combined board up to 87 inches wide at rates of up to 600 feet a minute.) The only printing was in the form of hand-stamping of numbers on the boxes.

Shortly before the new container company was founded, the railroads, which had refused to accept merchandise packed in corrugated boxes, agreed to permit the shipment of products in the light-weight containers and the way was paved for the ever-expanding use of corrugated boxes.

Progress was slowed after the United States entered World War I when much of the Marion plant's facilities were converted for the manufacture of artillery shell casings.

During the post-war boom, business and industry quickly recognized the savings in handling and shipping that could be obtained through the use of corrugated containers. Demands increased so rapidly that in 1920-21 Mr. Bell expanded plant facilities in Marion.

Part of this program included the building of a storage area so the huge inventory of roll stock could be protected from the weather and a five-ton electric crane installed to handle the two-ton rolls of liner-board.

More expansion took place in 1931 when Mr. Bell established a company in Chicago to operate a sheet plant. The sheets were shipped from Marion until 1940 when a larger plant was purchased and rebuilt and a corrugator installed. At that time, the Chicago company, known as Abell Box Corp., and the Marion company, Indiana Fibre Products Co., were combined and the name changed to Bell Fibre Products Corp., the present name.

World War II posed new challenges for the Company. The military needed a special kind of weatherproof corrugated container for shipping and storing war materiel. Bell joined with other box manufacturers and the adhesives industry to develop production methods for manufacturing waterproof containers.

After peace returned, expansion of the Marion facilities

(Continued on Page 3)



EARLY DAYS — Here's how Bell Fibre's plant in Marion looked in early 1920's, a few years after Company was founded.

The Executive Scratchpad

Many, many times we all have heard people say that the greatest need in this world is for better communication between people. In communication between people the "climate" of a company is established. Basically a communications program or "climate" can be one of secrecy or openness. We are not going to judge the past today, only explain what we hope the future condition of our "communication climate" will be.

Our management has a desire for a climate in which information will be shared fully throughout the company. We want communication to be imaginative, timely, appropriate, and free-flowing — to be communicated downward, upward, and laterally throughout the company.

One media we plan to use is a monthly newspaper. This seems to be an effective and reliable way of communicating the same information to everyone in the company at the same time, in the same way. A successful publication of this type we feel should stress the common interests of the people who read it and the people who write it.

Specifically, this paper will try to promote your acquaintance with other employees and their activities and to report the developments and activities of the company and our industry in general. We will attempt to do a straight forward reporting job with respect to company news, and never knowingly publish items about employees which would in any way be unkind or embarrassing.

Another way we will improve communications and understanding of our company operations is through our reorganization program. Our decision to reorganize was prompted by many reasons of which some were:

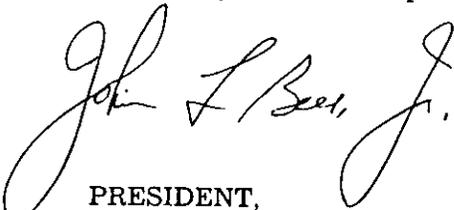
- A. The growth of the company over the past ten years.

- B. Changing management trends and improved techniques.
 C. Changing personnel in all levels of management.
 D. Changes outside the company, such as changing marketing channels, acquisitions of customers by larger companies, new markets developing.

Fundamentally, however, the decision to reorganize or change was based on evidence of organizational shortcomings, which were due to growth or other changes externally and internally. We found evidence that the fundamental objectives of the company were no longer clear to many of our employees and managers. Confusion as to what we all should be trying to do and shoot for as goals and objectives were cloudy or non-existent.

To improve this picture we are almost finished with our reorganization study and will have our recommendations ready soon.

Also, your management feels that the growth potential of Bell Fibre is unlimited. We, as a closely knit team, have spent many hours in and away from corporate headquarters in the long range planning of our company. We have developed a plan which we feel is a sound, solid foundation on which to build our futures. At the base of this foundation to hold it up and intact are our people. We believe that good management is first, last, and always "the development of people."



PRESIDENT,

THREE GENERATIONS — Continued from Page 2

was begun. A new "home office" building was built and a roll pit constructed to expedite the handling of the 4,000 tons of paper kept in inventory. New shipping docks and railroad siding were built so the docks would have a capacity of 13 semi-trailers and the siding could handle four railroad cars. With the Marion plant processing more than 2,800 tons of liner-board monthly, it's necessary to have adequate shipping and receiving facilities.

Meanwhile, John L. Bell, Sr., joined his father in the operation of the Company in 1937 and in 1954 he was elected President of Bell Fibre and George Bell was named chairman of the board, a position he held until his death in 1956.

In 1959, the Company took one of the most important steps in its history when arrangements were made for the Tennessee River Pulp and Paper Co. to build a huge liner-board mill at Counce, Tenn. Bell Fibre owns a substantial interest in this mill and this gives the Company control over the raw material it uses in making containers — kraft paper.

The pulp and paper company in which Bell Fibre has a substantial interest owns or controls approximately 300,000

acres of timberland in Alabama, Mississippi and Tennessee and also owns a railroad for shipping linerboard.

Next expansion step taken by the Company came in 1961 when Bell Fibre acquired plant facilities on a 17-acre site in Grand Rapids, Mich. This completely equipped plant has 200,000 square feet of floor space and has made it possible to add major customers in Michigan as well as to serve better the customers it already had in the state.

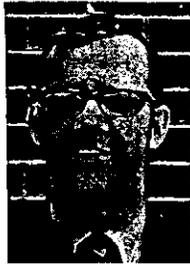
The building of an entirely new plant in the Chicago area, described on Page 4 of this issue, will be the next move to make Bell Fibre one of the most modern companies of its type in the nation.

Leadership in the continued modernization and growth of the 56-year-old Company now is in the hands of John L. Bell, Jr., who joined his father in the operation of Bell Fibre in 1960. He was elected President last August after the death of John L. Bell, Sr.

Actions speak louder than words. And the record of the pioneering Bell Fibre Products Corp. holds promise of future growth to come both for the Company and for the employees who made possible the progress which is important to everyone connected with it.



Bill Peterson
Editor



Tom Cunningham
Chicago Reporter



Dezso Berezcky
Chicago
Photographer



Bob Finn
Grand Rapids
Reporter



Lee Thorne
Grand Rapids
Photographer



Steve Flack
Marion Reporter



Bob Kelley
Marion
Photographer

SIX TO FURNISH NEWS FOR BELL PUBLICATION

Aim of Bell Fibre's new monthly employee publication will be to report accomplishments of employees while on the job and as citizens of the communities in which they live. There also will be articles about employee organizations, such as teams; Company programs, individuals and about Company plans and progress.

A reporter and photographer have been selected in each of the three plants. They will report to "Bill" Peterson, who is in charge of employee relations and who will serve as editor. Bill has been with the company 15 years and is interested in sports, especially golf and tennis. He is married and he and his wife, Sara, have two sons and three daughters, William, Katie, David, Nancy and Barbara. The Petersons live in Van Buren.

In Chicago, Tom Cunningham, Office Manager, will handle the reporting. Tom has been with Bell Fibre since March, 1957, and has had experience in the Order, Estimating, and Sales Service departments. Reading, theatre and hunting for bargain antiques occupy his free time. Tom is single and lives in Riverdale, Illinois.

Dezso Berezcky will be photographer in Chicago. Dezso was born in Budapest, Hungary, and fled to the United States following the Hungarian revolution of 1956, leaving his family in Hungary. He was employed by the Company in September, 1957 as a machinist. In 1964, he was able to bring his family to this country. Dezso, his wife, Louisa, and son, Henry, live on Chicago's south side. His hobbies of photography, skiing and travel keep him busy.

In Grand Rapids, Bob Finn, the reporter, is assigned to Sales Service. Bob is married and has two pre-school age boys, Pat and Mike. He started with Bell Fibre in the Order Department in Marion in July, 1959, and transferred

A NAME'S THE GAME

Winner of Contest to Get \$50 U. S. Savings Bond

Because Bell Fibre's new monthly publication is for and about the 824 employees of the Company, it's appropriate that the employees devise a name for the news-magazine.

A contest is being conducted by the Industrial Relations Department among employees in all three plants with a \$50 U. S. Savings Bond offered as prize for the winning name.

An entry blank is being supplied to each employee in his or her time card slot to get the contest underway. It's suggested that you enclose your entry in an envelope before you submit it to the Personnel Department.

Here's a tip to help you win: Devise a short, catchy name that includes part of the name of the Company and the products it makes. An example would

be, "The Bell News-Box." Get the idea? The complete rules for the contest:

1. All Company personnel, with the exception of Executive Officers and editors of the publication, are eligible.

2. Each eligible employee may submit as many entries as he or she wishes but each entry must be on a separate blank. (Extra blanks are available at the Personnel Office in your plant.)

3. Entries must be submitted to your plant's Personnel Office by June 6th for forwarding to the editor.

4. Judging will be by Company Executive Officers with the winning entry to be judged on merit.

You will note that each entry blank has been devised so that the name of the person making the entry will not be known to the judges.

to the Grand Rapids Order Department in March, 1962. Bob's hobbies are amateur theatricals, bowling, and travel. He is an avid St. Louis Cardinal fan.

Lee Thorne, photographer for Grand Rapids, is Office Manager and is single. Lee has been with Bell Fibre since July, 1949. He has a wide background in manufacturing and design, and in the office areas of the corrugated container business. He was the first person on the administrative staff for Grand Rapids when that plant opened. Hobbies are reading, photography, golf and bowling.

In Marion, the reporter will be Steve Flack. Steve has been with the Company for three and one-half years where he is Quality Control Representative. Steve is married and lists as his other interests fishing, golf, softball and amateur radio.

Bob Kelley, photographer for the Marion plant, is assigned to the Flexographic gluer-folder on the first shift. Bob has been with Bell Fibre since July, 1968. Bob is single and enjoys most sports in addition to his hobby of photography.

PLANS FOR NEW CHICAGO AREA PLANT ANNOUNCED

Plans now are underway for Bell Fibre to break ground for the new South Holland, Illinois plant sometime between June 1 and 15.

The new facility will be one of the largest and most modern of its kind in the Chicago area and will have 235,000 square feet of floor space. Much of the equipment in the new plant will be new. This will include an 87-inch corrugator, Langston-Flexo folder-gluer, S&S Flexo folder-gluer, Ward Rotary die cutter and two new letter presses. Existing equipment to be moved to the new plant includes a folder-gluer, stitchers, tapers, jaw press and slitters and slotters.

Jack Day, Manufacturing Manager, indicated that the corrugator start up date is projected for February 1, 1970, and that the move from the old plant to the new would be completed by May 1, 1970. He further indicated that the plant eventually would employ 225 to 250 hourly personnel.

INDUSTRIAL RELATIONS DEPARTMENT

Bell Fibre Products Corp.

Marion, Indiana 46952



BULK RATE
U. S. POSTAGE
PAID
Marion, Ind.
Permit #499

10/14/2003TTA
10/14/2003TTA



Bell Fibre Products Corporation

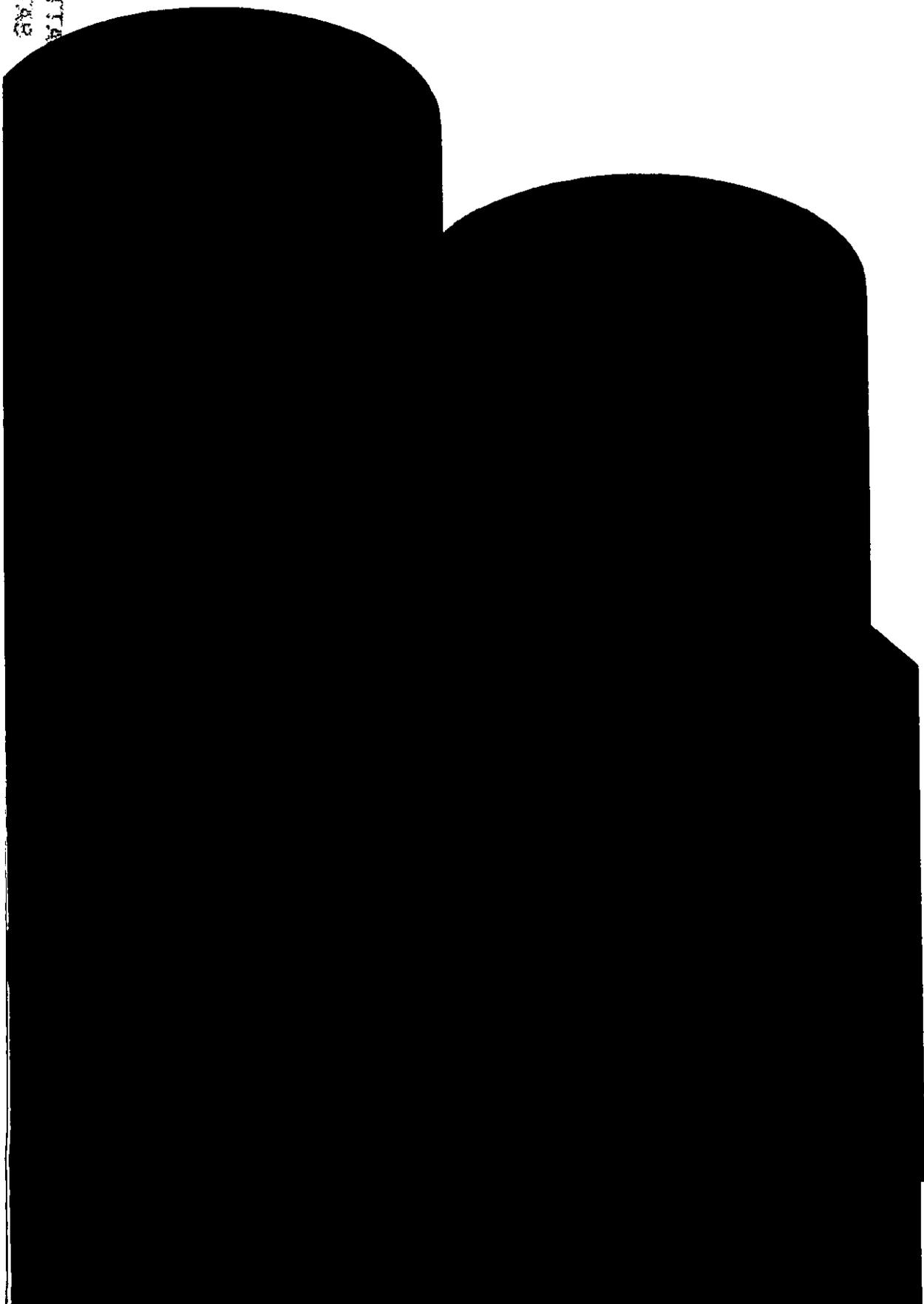


EXHIBIT #6
Bell, Inc. vs. Bell Packaging Corp.

Deposition of Todd Levy
August 13, 2003

You need the Bell Fibre "Total Capability" approach

Let me introduce you to our business philosophy at Bell Fibre Products Corporation.

It's a philosophy that's more than the creation and production of good quality packaging materials. Much more!

Bell Fibre stands for a special way of doing things . . . proof of the difference that dedication and teamwork can make.

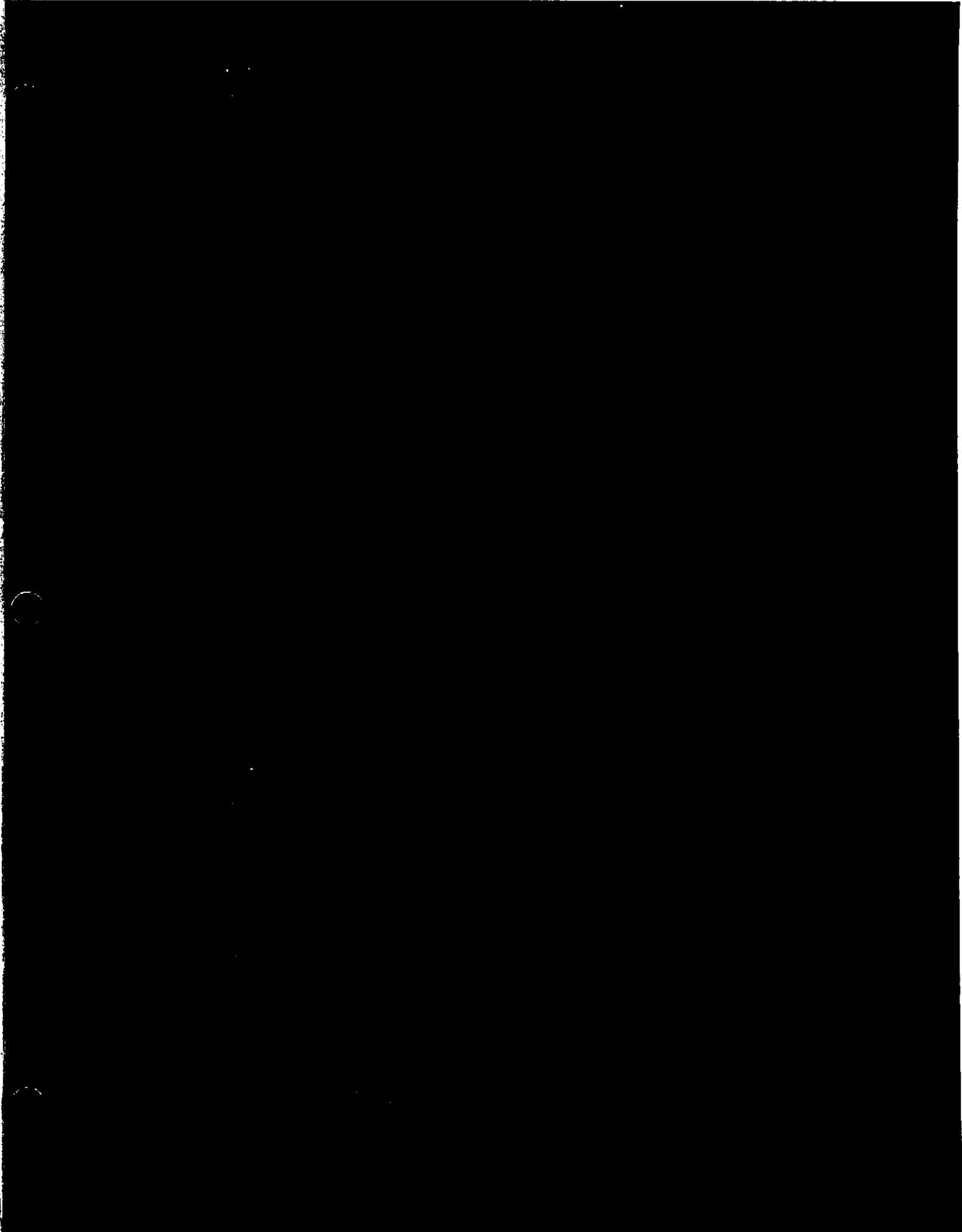
Perhaps the most dominant aspect of our way of doing things is our absolute dedication to our customers. Ever since our company was founded by George A. Bell in 1913, we have been dedicated to just one thing: providing our customers with the highest quality product and service in the industry. This dedication has become the hallmark of our company and of our talented personnel and will always remain so.

Another aspect of our way of doing things is the way in which we react to change. We welcome it. Obviously, since 1913 we've seen a lot of change. We have always recognized change as opportunity. It provides the spark for us to make a new product; to improve an existing one; or to enter a new market area in order to service and satisfy our customers' needs.

Change has also led to our development of a concept which is unique in our industry. We call it "Total Capability."

For decades our people have pioneered the way with innovative packaging solutions for our customers. Our concept of "Total Capability" allows us to establish our leadership position by using a problem-solving approach. We handle all packaging assignments as developmental projects, not commodity runs. Our design and sales specialists create packaging expressly designed and produced for your market and product requirements.

At Bell Fibre, "Total Capability" is more than our promise . . . it's our product.





BELL
FIBRE

For more than 70 years the employees of Bell Fibre Products have been providing custom solutions to our customers' packaging needs. From containerboard to corrugated to flexible, our approach to meeting your specific packaging challenge is based on the simple, but often forgotten, idea that each customer deserves our total commitment.

Customer commitment shapes and drives all our operations. We haven't missed the link between the words "custom" and "customer." So when you work with Bell Fibre you're working with sales and service people, designers, engineers and manufacturing specialists who are committed to giving you a custom container that's cost-efficient and competitive... that extra edge you need to be a consistent winner.

Giving you that special competitive advantage through unique packaging solutions isn't easy. And in a field that is marked by such dramatic change in structures, materials and manufacturing technology, it's an even greater challenge. As a Bell Fibre customer, however, you'll fast recognize that our commitment to your satisfaction is backed by our dedication to being the leader in developmental packaging. You'll see how we maintain this hard-earned reputation in three distinct ways:

1. You work with truly experienced, professional packaging specialists.

We place a high premium on experience and professionalism in every aspect of our service to you. You'll see it immediately in our state-of-the-art knowledge and our rare attitude toward service. The closer we are to you and your packaging needs, the better we will meet and exceed your requirements.

2. You work with a company on the cutting edge of the latest packaging technology.

Packaging companies who are in and out of custom packaging development simply can't offer you the strength and depth Bell Fibre provides. Our tradition of leadership keeps us aware of changing trends and capabilities of new materials and processes while our financial resources are consistently committed to keeping us at the cutting edge of packaging technology.

3. You work with people who have proven packaging solutions across a wide range of products.

You want to work with a packaging specialist with a track record. And Bell Fibre has a long one. Our "Total Capability" approach has produced a high level of customer satisfaction across a spectrum of product packaging challenges including:

- Toys
- Glass
- Furniture
- Auto Parts
- Snack foods
- Military material
- Canned goods
- Electronic components

When you work with Bell Fibre, you get our long history of proven performance... you get confidence that your packaging requirement will be solved in a credible, competitive and cost-efficient manner.







Quaker
Oats

Quaker
Oats
Granola
Bars

2025 RELEASE UNDER E.O. 14176

Control System

of these people are prepared to handle every type of difficulty to your package's safe loss. And taking advantage, negotiating with and producing package automatically through package handling and testing. They present a comprehensive view of the network of your production capabilities.

Investing our capability to every package of better design, superior advantage. Our state-of-the-art approach is the result of over 20 years of experience with successful packaging.

Throughout these years, we have learned that packaging total packaging performance depends on three basic elements: (1) your specific requirements, (2) our state-of-the-art solutions and (3) distribution cost availability. We'll approach each of these

Your Individual Needs

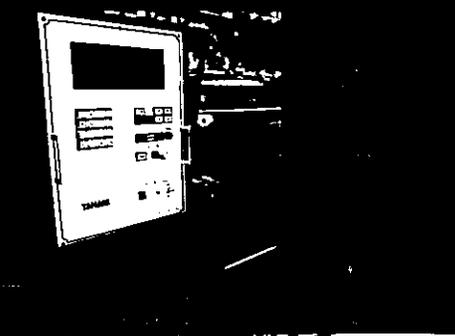
and are the only one that can handle every type of package. That's why we work with you from every step of the way. We are constantly working with you to ensure that every package is handled with care and attention. Our state-of-the-art solutions are designed to meet your individual needs and requirements. We'll work with you to ensure that every package is handled with care and attention.

Control System Solutions

Working with you to ensure that every package is handled with care and attention. Our state-of-the-art solutions are designed to meet your individual needs and requirements. We'll work with you to ensure that every package is handled with care and attention.

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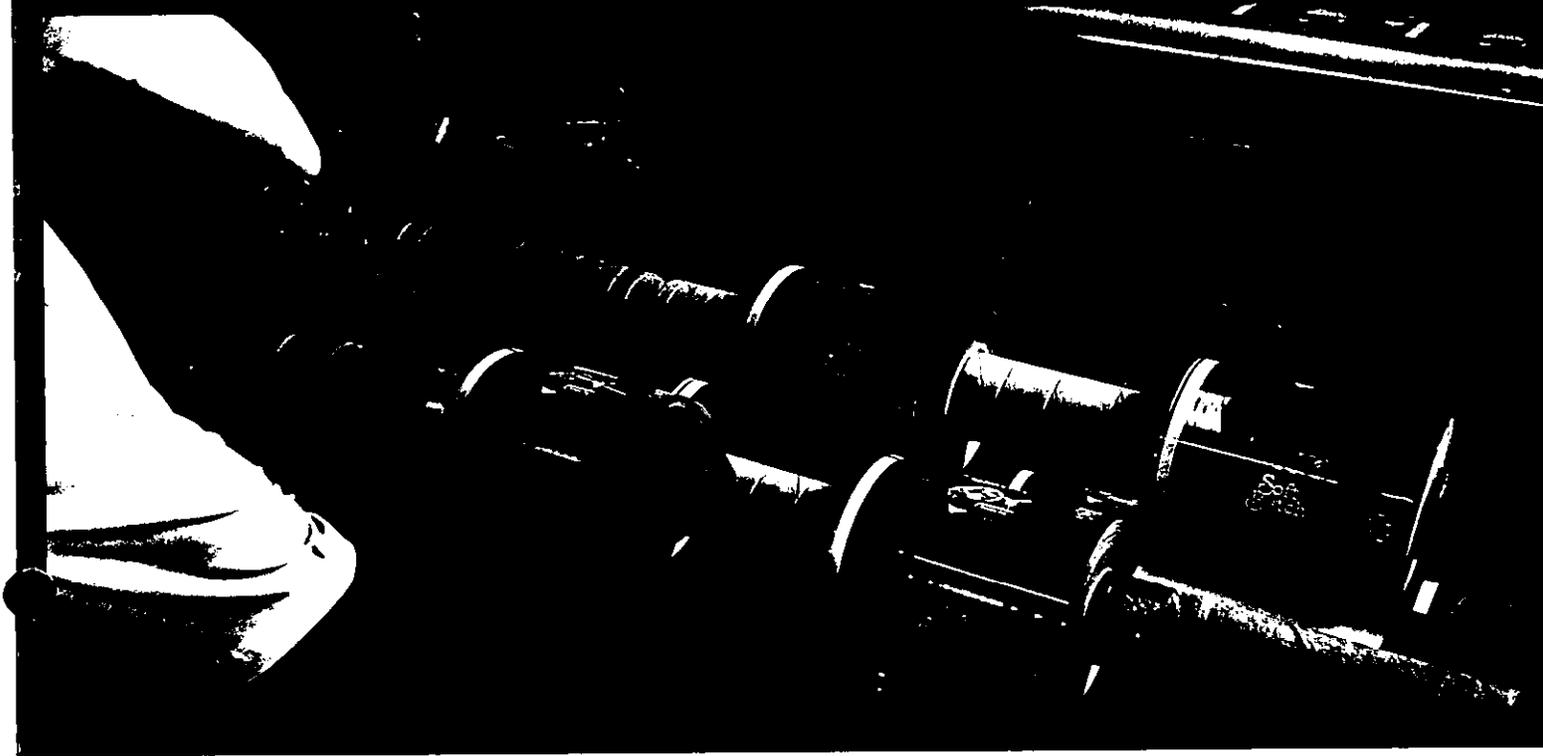


Our multi-unit production capability assists you in the most effective manner.

Whether you require a wide range of packaging alternatives, various quantities and sizes, to produce like products or different types for separate, special packaging, our plant's equipment, staff, location and management can provide the most efficient, economical solution for your needs.

Since our primary was to meet the needs of the growing U.S. market, we have been able to expand our production and packaging facilities with the growing size of the international packaging field and the

increasing complexity of the market. We have proven that we can consistently provide the highest quality products at a competitive price and operate with a minimum of waste. Our commitment to the quality of our products and quality of our customer service is our primary concern. We believe that our customers are doing more than just packaging their products; they are saving quality and the profit and prestige of their business. We believe that our products are the most important part of their business. We are fully committed to providing the highest quality service with constant and consistent advantage.



Our Paper Mill Facility

The paper mill facility is a state-of-the-art production plant designed for maximum efficiency and quality control. It features advanced machinery and a highly skilled workforce.

Our paper mill facility is equipped with the latest technology to ensure consistent quality and high production rates. The facility is designed to minimize waste and maximize energy efficiency.

The paper mill facility is a testament to our commitment to innovation and excellence in paper production. We continuously invest in research and development to stay at the forefront of the industry.

Our paper mill facility is a key component of our overall production strategy. It allows us to meet the demands of our customers while maintaining the highest standards of quality and sustainability.

For more information about our paper mill facility, please contact our sales and marketing department.

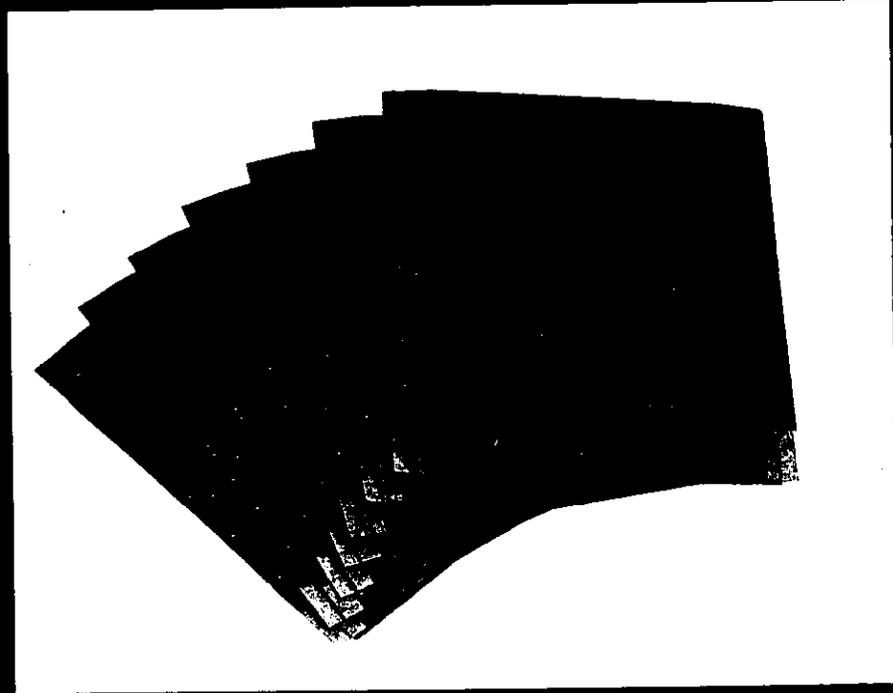
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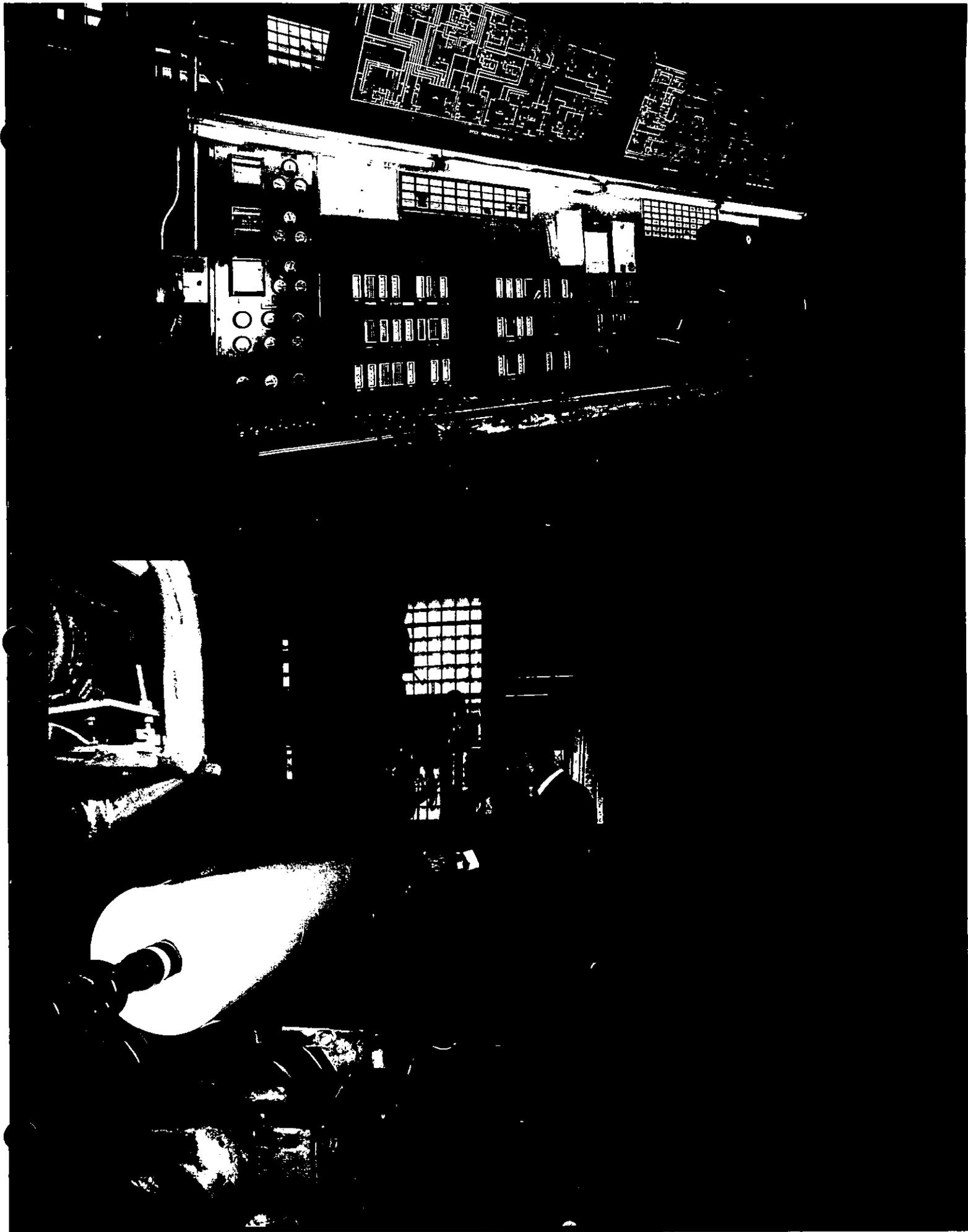
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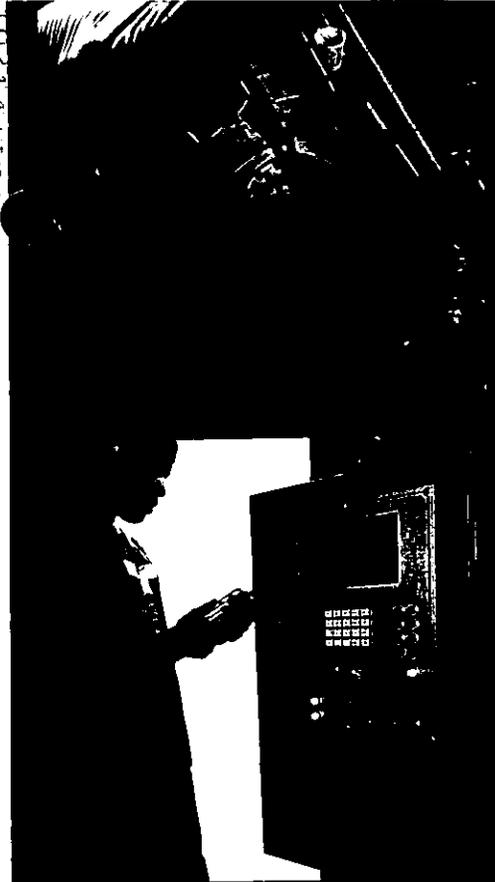
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1041 A 7 1002 TTPA 3



19714/20031149



Your new computer prototype will also be able to handle our complete national data transfer capabilities. This new system will give you package information state wide, while computer will find available facilities, will maximize the total package volume to be shipped with the new design.

Finally, I want to mention our service as a customer and design staff who help you make the most effective marketing tool.

After these steps have been taken will our computer come to life in our service centers that are staffed by professional people with over 40 years of total design center staff in the computer packaging industry.

Extending the skill, experience and knowledge of our computer operators is of course the primary effort equipment and facility of our total operation. But there has always been more and extended work in operation as a center in equipment effectiveness. We are confident in knowing that there are few other packaging marketing equipments you could have that could be as engineered and made by our staff.

To provide you with information just and a national network of service we have been able to create the most complete service for people with facilities of the computer and your network. With its operators in the service center of most centers, training in the use of these new facilities are being more efficient in making our commitment to you of the most complete service in the industry. We have been able to create the most complete service in the industry. We have been able to create the most complete service in the industry.

Knowledgeable service representatives and staff, professional training and staff of the Professional's training center will be able to provide you with the most complete service of the most complete service in the industry. This is what the most complete service in the industry is all about.

The computer is a complete service in the industry. It is a complete service in the industry.



Domestic Storage Plant

THE NEW DOMESTIC
STORAGE PLANT
LOCATED IN MEXICO CITY
WILL BE THE FIRST OF ITS KIND IN THE
COUNTRY.

The new domestic storage plant is a major project of the Mexican government. It is the first of its kind in the country and will be the largest of its kind in the world. The plant is located in Mexico City and will be used for the storage of domestic products. The plant is a major project of the Mexican government and will be the first of its kind in the country.

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10-11-71
10-11-71



...and "Tostitos" (Tostitos) is more
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...and "Tostitos" (Tostitos) is more





Bell Fibre Products Corporation
3102 South Boots Street
Marion, IN 46953
317/664-1261

Bell Fibre Products Corporation
2000 Beverly Street S.W.
Grand Rapids, MI 49509
616/452-2111

Bell Fibre Products Corporation
300 West 170th Street-Armory Drive
South Holland, IL 60473
312/568-6210

Menominee Paper Company, Inc.
144 First Street
Menominee, MI 49858
906/863-5595

Secondary Fibre & Pulp Division
400 West Lake Street—Suite 220
Roselle, IL 60172
312/980-9690

Bell Fibre Products Corporation
Flexible Packaging Division
918 Eighth Avenue
Columbus, GA 31993
404/323-7316

Dixico Incorporated
1415 South Vernon Street
Dallas, TX 75224
214/943-7521
1-800-527-6714

Dixico Incorporated
276 South Parkway West
Memphis, TN 38109
901/948-5687

Papeles Encerados Dixie De
Mexico, S.A.
Av Ferrocarril 167
Col. Moctezuma (Apartado 72-045)
Deleg. Venustiano Carranza
15500 Mexico, D.F.
905/784-2422

**We Find A Need...And Fill It.
We Find A Problem...And Solve It.**

10/14/2003TTAG
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10/14/2003TAS
10/14/2003TAS



**At Bell Fibre, "Total Capability"
Is More Than Our Promise...It's Our Product**

10/14/2003
10/14/2003
10/14/2003

Bell Ringer Recipes



Compiled by
Employees of
Bell Packaging Corporation

10/14/96 10:14:00 AM

BELL PACKAGING CORPORATION

"PERFORMANCE BY DESIGN"

We live today in a complex world. Information is communicated at breathtaking speed. Technological innovation is occurring at a pace that we often cannot comprehend. Ideologies of traditional non-capitalist countries are being transformed in a manner we never imagined as being possible.

To merely exist in a changing world that approaches the twenty-first century will result in apathy and indifference. Those who fail to react to their everchanging environment are destined to find themselves as victims rather than opportunists.

Bell Packaging Corporation is a company of opportunists. It is a company that is proud of a rich tradition of excellence. It is a company that doesn't rest on its significant history but rather uses its laurels as a springboard for further success in the marketplace. The success that makes this tradition so rich does not occur by accident. Rather it is "**Performance by Design.**"

Bell Packaging Corporation is a privately owned manufacturer of a wide variety of packaging products. The company was founded in 1913 by George A. Bell, grandfather of John L. Bell, Jr., current Chairman of the Board and Chief Executive Officer. The original company name was Indiana Fibre Products Company. A few years later the name was changed to Bell Fibre Products Corporation. It was located in Marion, Indiana, and is still the location of the Marion corrugated plant, the largest of Bell Packaging Corporation's converting operations. The new company was one of the nation's earliest manufacturers of corrugated containers.

new technology has continually been acquired. With this investment has come the realized successes of a company that is a step ahead of its competition in the marketplace.

Though buildings and equipment provide the mechanism to ensure market niche advantages it's the human resources at Bell Packaging Corporation that powers the success. Dedicated, innovative, and team-oriented associates perform regularly in fast-paced environments. Without this commitment from its associates Bell Packaging Corporation would not meet its customers' needs at a level its competition attempts to emulate.

Yes, change is an exciting and vibrant element in the world today. It is an integral part of every facet of our lives. The success stories in American business history are those companies that faced the challenges of change head on. That were not opposed to risking comfortable market shares to meet and exceed the needs of the market. That reacted to opportunity with insight, vision, and results.

Bell Packaging Corporation is indeed one of those unique success stories. With a commitment to customers' needs for over 80 years, Bell Packaging Corporation has developed a rare blend of financial, equipment, and human resources that has given the market what it wants — a superior product, at a competitive price, made to the customer's specifications, with a response time to any need that is unparalleled.

Bell Packaging Corporation thrives on the opportunities that our changing world provides. As we approach the twenty-first century Bell Packaging Corporation will continue its tradition. "Performance By Design" will ensure that these opportunities continue to be realized successes.

CROWN CORK & SEAL

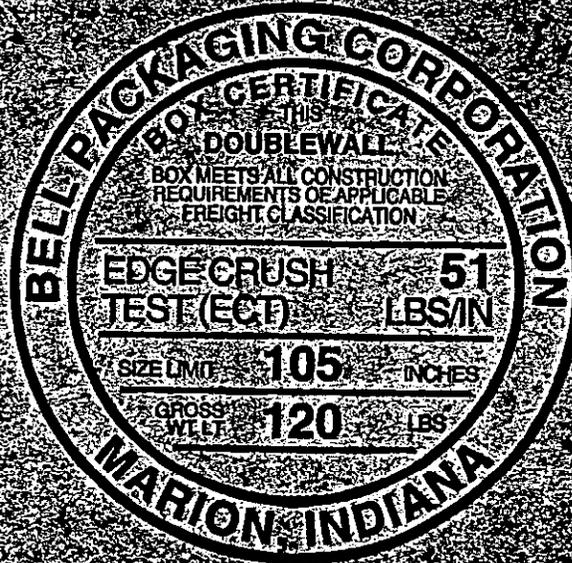
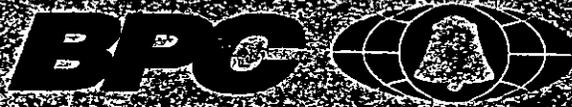


EXHIBIT #8

Bell, Inc. vs. Bell Packaging Corp.

Deposition of Todd Levy
August 13, 2003

10/14/2003 10:14:10 AM

Fold Along Line

**PALLET
TYPE**

**STRETCH
WRAP**

BANDS

SHIPPING

TIED

DELIVERED

Sold To: 758 TARGET CONTAINER-ALBANY

P O BOX 3567

TARGET CONTAINER

Order No:

085604A

File No:

85604A

3431100



Customer Box ID

800 INNER ASSEMBLY

800 INNER ASSEMBLY



Customer PO

82419A

82419A



Qty Per Unit

Due Date

Load 1

1 05/20/03

1/1



BELL PACKAGING CORP

3112 S. Boots, Marion, IN 46953

EXHIBIT #9

Bell, Inc. vs. Bell Packaging Corp.

Deposition of Todd Levy
August 13, 2003

10/14/03
10/14/03
10/14/03

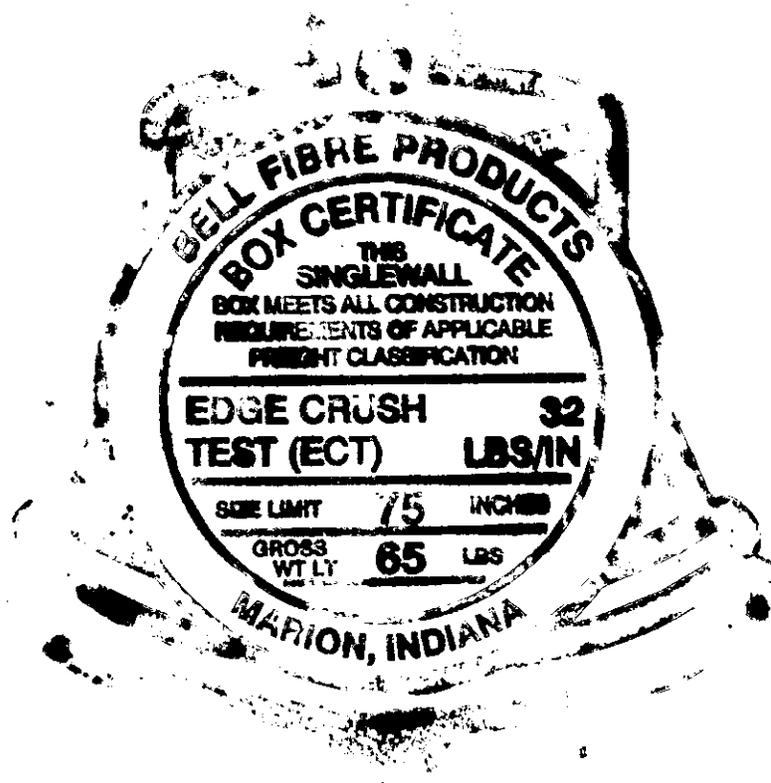


EXHIBIT #10

Bell, Inc. vs. Bell Packaging Corp.

Deposition of Todd Levy
August 13, 2003

10/14/03
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10/14/03

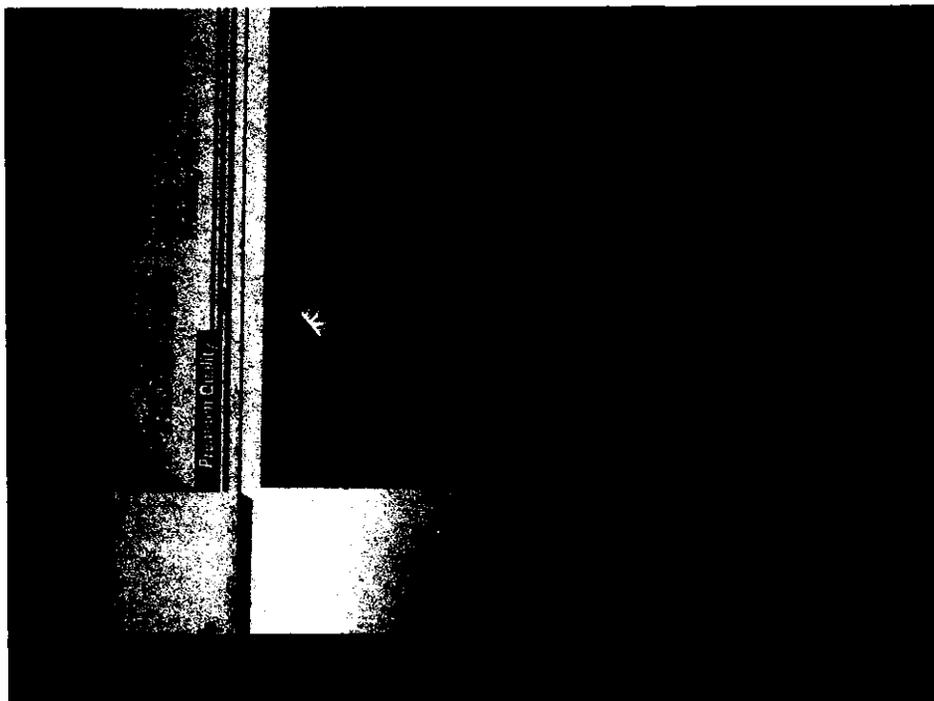
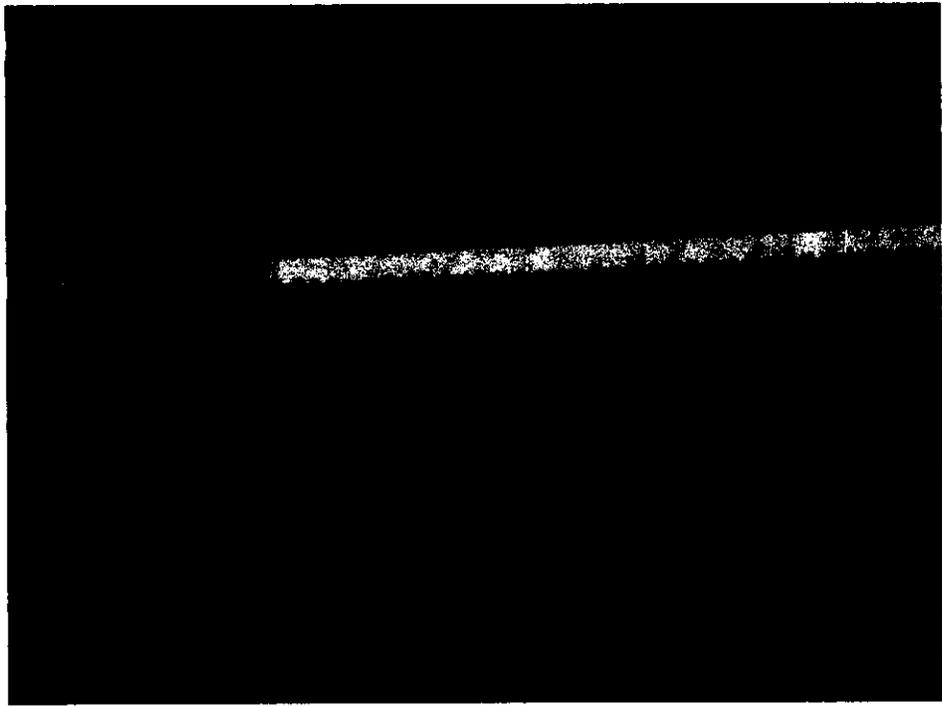


EXHIBIT #11
Bell, Inc. vs. Bell Packaging Corp.

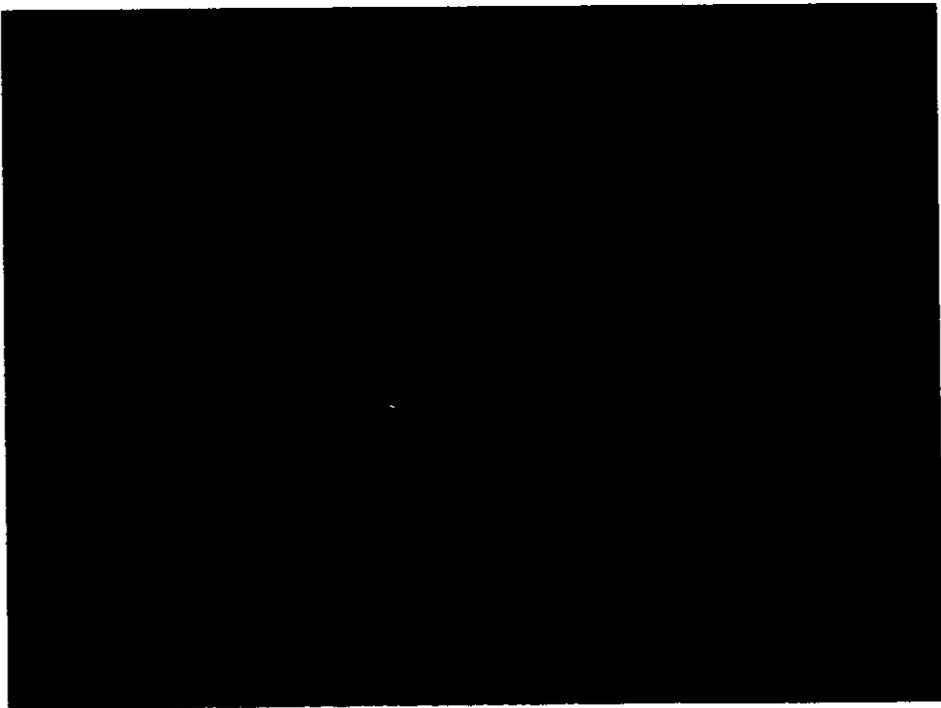
Deposition of Todd Levy
August 13, 2003

10/14/2003
10/14/2003



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19/14/02TTAS
19/14/02TTAS

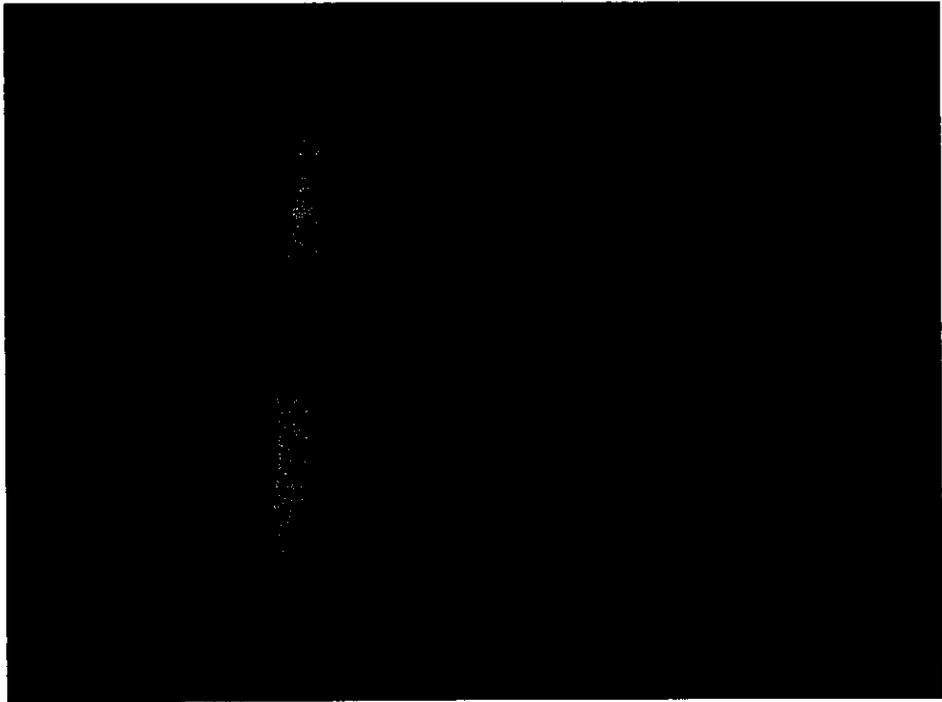


EXHIBIT #12

Bell, Inc. vs. Bell Packaging Corp.

Deposition of Todd Levy
August 13, 2003

10/14/03
10/14/03

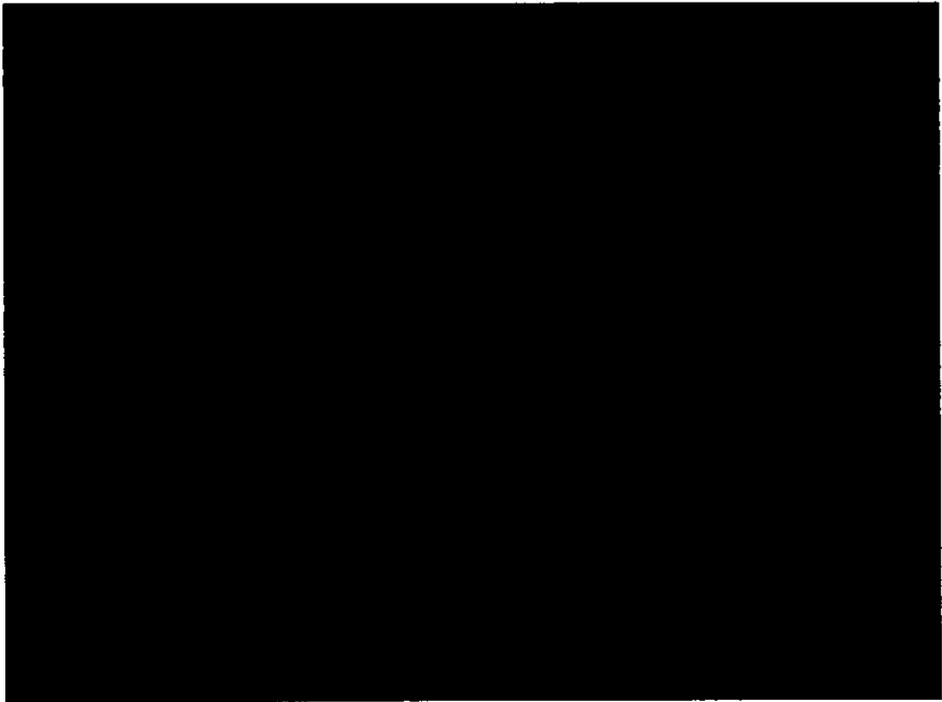


EXHIBIT #13
Bell, Inc. vs. Bell Packaging Corp.

Deposition of Todd Levy
August 13, 2003

10/14/1971
10/14/1971



10/14/2003TTAS
10/14/2003TTAS

Word	Page	Line(s)
but	21	5
corporation	15	5
computed	16	15
identity	17	15
it	5	50
okay	33	10
soon	33	19
tell	10	17
cause	33	6
identification	2	22
1pro	2	25
12homestyle	2	26
13best	2	29
1notice	2	9
2trademark	2	10
3trademark	2	11
4name	5	12
5situation	5	13
6spell	2	14
7bell	2	17
8identification	2	19
9computer	2	21
10examining	2	28
11a.m	1	23
12	35	17
13	11	11
14	18	13
15	3	22
16	18	16
17	17	4
18	18	4
19	19	16
20	17	17
21	16	16
22	6	16
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24	13	13
25	24	13
26	37	9
27	7	9
28	7	24
29	7	1
30	7	17
31	9	11
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33	5	5
34	26	4
35	24	5
36	24	4
37	37	19
38	37	11
39	30	8, 10
40	30	2
41	14	10
42	8	13
43	9	22
44	8	1
45	8	1
46	12	12
47	14	6
48	5	5
49	12	12
50	12	12
51	33	6
52	32	16
53	1	1
54	9	20
55	2	2
56	5	11
57	10	19
58	10	19

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15	15	1, 13
16	21	21
17	22	9
18	26	1
19	27	7, 10
20	20	9
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23	6	2, 22
24	7	5, 5
25	36	6
26	31	5
27	1	39
28	7	18
29	8	11
30	19	23, 23
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32	20	19
33	12	12
34	13	9
35	14	23
36	6	13
37	14	14
38	30	14
39	2	26
40	9	9
41	27	9
42	10	5
43	21	16
44	11	19
45	36	7
46	2	4, 8, 12
47	2	16, 22
48	3	20
49	5	22, 22
50	6	1, 18
51	7	1, 7, 23
52	8	2, 3, 4, 6
53	9	2, 9, 12, 15
54	10	10
55	11	10, 12, 18, 19
56	12	2, 3, 4
57	13	11, 13
58	14	21, 21
59	15	3, 15, 16, 17
60	17	4
61	18	1, 7, 7
62	19	18, 19
63	20	11
64	22	1, 2, 3
65	23	2, 22, 23
66	24	7, 11, 12
67	25	8, 18
68	26	7, 23
69	28	5, 6, 14
70	29	1, 1, 4, 4, 9
71	30	8, 19, 21
72	31	19, 20, 20
73	32	4, 6, 10, 19, 20
74	34	2, 19, 22
75	35	3, 4, 6, 8
76	12	13, 22
77	21	21
78	34	6, 8
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best	27	12
	31	7, 8, 11, 15
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big	31	19
binding	21	7
bit	4	10
	9	9
	10	9
	18	17
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	28	8
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board	1	5
	8	2
	23	8
book	20	13, 17
	21	1, 6, 8, 13
bottom	10	11
	23	6, 6, 22
	25	5
	26	5
boots	32	38
bought	32	30
box	6	25, 27, 28
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	27	6, 9, 11
	28	6
	29	1, 4
	31	7, 20
	32	20
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	23	5
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	27	20
	28	21
	31	16
	32	12, 21, 22
	33	10, 12
	34	4
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carton	20	8
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	23	2
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chip	19	23
chronicles	15	14
chronology	34	15
city	19	17
clarity	34	15
class	7	18
	8	21
clear	2	12
	19	19
Columbus	20	2
com	8	17
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common	12	10
communication	34	8
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company	16	9, 12
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company	36	16
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company	43	10
company	44	5
company	45	12
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company	70	5
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company	74	20
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company	113	21
company	114	5
company	115	22
company	116	1
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company	121	2
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	8	10
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	25	22
	26	18, 21
	31	6
	35	7
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	2	6
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	18	4
	19	18
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	10	19
	11	20
documents	5	6

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don't	7	1
drive	1	33
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dunker	1	37
dunked03	2	5
dunkel	22	13
dunkel...	14	14
dunkel...as	26	21
dunkel...if	12	19
dunkel...light	27	16
dunkel...and	24	15
dunkel...could	34	11
dunkel...	35	15
dunkel...of	17	12
dunkel...okay	3	17
	17	10
	22	16
dunkel...we II	26	11
dunkel...yes	15	22
earlier	32	8
early	16	4
either	31	2
	32	1
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eleven	4	12
element	32	7
employed	30	18
employee	4	6
	37	14, 15
employees	14	3
	16	8
	20	21
	21	1
	22	5
	29	19
enter	3	12
entity	2	8
equipment	28	20
essentially	19	4
established	4	21
etc	32	3
evidence	15	7
exactly	28	11
example	22	18
examples	26	8
except	9	7
exclusively	13	1
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	14	21
	19	19
exhibit	20	8
	2	8
	3	12, 16
	9	19
	10	1
	11	23
	13	23
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force	20	16
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fortiscula	30	20
fort	30	20
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founder	2	7
expanded	32	11
experience	30	15
expired	11	5
express	27	2
extensive	5	1
extensively	18	13
extent	22	6
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falls	33	17
familiar	5	13
familiar	20	16
familiarity	33	4
family	7	21
family	5	22
family	15	17
family	21	17
family	35	9
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formerly	2	17
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fortiscula	1	37
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found	6	1
found	18	20
found	5	22
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found	2	4
found	2	4
found	34	14
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found	12	16
found	35	14
found	17	8
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found	10	10
found	15	12
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found	15	1
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found	32	19
found	33	15
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found	18	5
found	4	5
found	13	5
found	13	22
found	15	19
found	20	13
found	22	11
found	23	15
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found	24	21
found	20	22
found	6	3
found	7	6, 8, 9
found	26	20
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hockey	20	1
holland	19	11
homestyle	27	8
hoser	12	10
hospitably	26	12, 15
hour	4	9
house	2	13
	14	2
human	4	15
	32	1
hundred	33	16
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	28	3
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identify	9	21
	7	19
	10	4
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	27	21
	34	5
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	29	1, 4
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	5	22
	12	3, 10
	14	9
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	26	4, 22
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	37	1, 6
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interested	37	16
internal	14	2
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introduce	16	5
involved	13	3
	31	8
issue	6	8
item	26	4
items	14	10
iteration	20	23
itself	27	7
january	10	1
	12	1
	34	20
jewelry	32	2
jim	2	4
job	34	14
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john	6	20
	8	1
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	15	1
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	10	1, 2, 22
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	28	1
	32	18
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	20	3
	32	7
marketing	4	2
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matched	32	3
mean	27	1
media	12	34
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mexico	6	6
michigan	19	17
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mis	35	1
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misspoke	35	1
most	30	6
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namely	7	16
newsletter	14	15, 18
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official	1	1, 23
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opportunity	32	6
opposed	12	8
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	12	3, 4, 11
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	20	5
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09-05-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

Re: Bell, Inc., Petitioner
vs.
Bell Packaging Corp., Registrant
Trademark Trial & Appeal Board
Registration No. 2,089,082

Dear Commissioner:

As instructed by Ms. Priscilla Dunckel, Attorney for the Registrant in the above matter, I am herewith enclosing the fully executed original of the deposition of **Todd Levy** taken in the above matter on August 13, 2003.

Copies of the deposition have been forwarded to both attorneys this date. If you have any questions, please feel free to contact me at (765) 662-0015.

Very truly yours,

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