

ESTTA Tracking number: **ESTTA409211**

Filing date: **05/14/2011**

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

Proceeding	92052197
Party	Plaintiff Terri Yenko Gould, Executor
Correspondence Address	George E. Bullwinkel 425 Woodside Avenue Hinsdale, IL 60521 UNITED STATES geb@bullwinkel.com
Submission	Testimony For Plaintiff
Filer's Name	George E. Bullwinkel
Filer's e-mail	geb@bullwinkel.com
Signature	/George E. Bullwinkel/
Date	05/14/2011
Attachments	24. Car Tech ad.pdf ( 1 page )(235519 bytes ) 25. Yenko Wildfire Corvette (Bill Rea).pdf ( 1 page )(468301 bytes ) 26. GEB cease-and-desist letter b.pdf ( 2 pages )(95007 bytes )

**NEW BOOK!**

**CarTech**<sup>®</sup>  
Auto Books & Manuals

# YENKO

## The Man, The Machines, The Legend



Coming  
January 2010  
Advance Order  
Now!

- ◆ The only full and complete history of Yenko Sportscars, Inc., covering each and every specialty car produced.
- ◆ Features never-before-seen family photos and insider interviews from the people who were there.
- ◆ Written by acclaimed author/photographer Bob McClurg, who was present at original road tests of Yenko Camaros.

There is no question the collectible muscle car market is hot, and there are few cars hotter than those sold with the distinctive Yenko stripes and badges. A wide range of Chevrolet cars that received Yenko treatment, starting with the Stinger Corvairs and finishing with turbocharged Camaros and Vegas. In between these projects, Don Yenko would work his magic on Novas, Chevelles, and of course the legendary first-generation Camaros.

*YENKO: The Man, The Machines, The Legend* follows the life of Don Yenko from birth to his untimely passing and offers an in-depth look into the man behind the legendary cars. While the cars will always be the stars, the story of how they came to be is a fascinating one, and author Bob McClurg interviewed Yenko family members, former employees, family friends, and professional contemporaries to get the complete story behind the legendary Yenko name. Never before has the Yenko story been told in such detail and depth first-hand.

In a time when such cars can command million dollar plus bids, the story behind them swirls with myth and legend. Get the complete and accurate authorized history with *YENKO: The Man, The Machines, The Legend* and learn the whole truth.

10 x 10", 192 pages, 350 color & 100 b/w photos. Hardcover. ISBN: 9781932494853. Item #CT485.....\$39.95

### About the Author

*Bob McClurg grew up in 1950s southern California, where he was surrounded (and heavily influenced) by early hot rod culture. In 1966 Bob shot his first drag race at Lions Associated Drag Strip, and a four-plus-decade career in racing photography was launched. Bob's photos have been published in all the major drag racing publications, as well as previous CarTech titles including, Diggers, Funnies, Gassers & Alters and How to Build Supercharged and Turbocharged Small-Block Fords.*

### ADVANCE ORDER!

I would like to advance order \_\_\_\_\_ copies of *Yenko: The Man, The Machines, The Legend*. I understand that the book(s) will be shipped to me as soon as they are available (Approximately January 2010), & that my Visa/Mastercard will not be charged until my order has shipped.

Name: \_\_\_\_\_

Billing Address: \_\_\_\_\_

Daytime Phone #: \_\_\_\_\_

If paying by check, please enclose a total of \$39.95 per copy, plus a one-time shipping and handling fee of \$6.95. (MN residents, please add 6.5% sales tax). If paying by Visa or Mastercard, your card will be charged this amount when your order is shipped to you.

Check enclosed       Please bill my Visa or Mastercard

Card #: \_\_\_\_\_

Expiration Date (Must be later than 1/10): \_\_\_\_\_

Signature: \_\_\_\_\_

Please mail your order to:  
CarTech Inc., 39966 Grand Ave., North Branch, MN 55056  
Or, place your order by phone or online:

1-800-551-4754

www.carttechbooks.com

## 1957 Yenko Wildfire Corvette

Views	Date Posted
<b>720</b>	<b>Wed February 13, 2008</b>
Price	Type Listing
<b>\$140,000.00</b>	



[supersize](#)



[supersize](#)



[supersize](#)



[supersize](#)

### Description: 1957 Yenko Wildfire Corvette

\$140,000 2008 Barrett-Jackson Auction Scottsdale AZ

We've seen the name Yenko adorning 657 cars built under Don's tutelage. We've watched as it popped up on hundreds of fakes and well done re-creations. We've collected T-shirts, caps and decals with the Yenko likeness installed. But, what would Don build today if he were still with us? Who better to consult with than his Performance Manager, Donna Mae Mims, best friend, Bob McClure, and long time co-conspirator and friend, Bill Rea. Don't forget that during our last meal together, he said "Bill, there's just no money in domestic car sales anymore." He went to Honda, Subaru, Porsche and Mazda shortly thereafter. The route we took was a bit unique. After building a limited run of Corvette, Camaro, SSR and Caddy's from 2002 through 2005, we decided on a "road less traveled." A series of cars based on timeless beauty, function and form was soon underway. We "Baby Boomers" wanted cars that took us back to the 50's and 60's, but that were lightning quick, luxurious and durable as Detroit's best today. Ask an Air Force pilot to name the most beautiful plane ever to fly and most of them will argue between the WWII P51 Mustang and the latest F16 fighter jet.

Along those lines, we call our newest creation, the Yenko Wildfire Commemorative Series Corvette. Our goal at Yenko was to blend state-of-the-art technology with true automotive art. We began by coercing my attorney to part with his original

P-26



**GEORGE E. BULLWINKEL**

ATTORNEY AT LAW

425 WOODSIDE AVENUE  
HINSDALE, ILLINOIS 60521

BY CERTIFIED MAIL

December 11, 2009

Jim Sullivan  
Supercar Collectibles Ltd.  
11760 Justen Circle, Unit E  
Maple Grove, MN 55369

Re: YENKO Trademarks

Dear Mr. Sullivan:

First, let me introduce myself. I represent the Estate of Donald Frank Yenke, who as you well know is the man who put Canonsburg, Pennsylvania on the sports car map in the 1960s and 1970's with some of the most awesome supercars ever produced in America.

Today, Don's Estate is represented by his daughter and executor, Terri Yenke Gould. Terri, for the Estate, has recently become concerned about the increasing activity of certain companies with respect to commercial use of the name and trademark YENKO without the approval and permission of the Estate. As you may be aware, in all the years since Don's untimely death in 1987, only the long-established Yenke Sportscar Club of Alton, Missouri has had permission to use the YENKO name.

It has come to our attention that your company has for some time advertised and sold high-quality scale models of some of the legendary automobiles which bore the Yenke name. From what I know so far, your products are well made, fairly marketed, and do proper credit to the Don's name and reputation. Still, in order to preserve his legacy in the future, it is necessary for the Estate to reassert its control over the use of the name and trademark YENKO.

Telephone 630 418 2273

eFax 630 214 3210 eMail geb@bullwinkel.com

Jim Sullivan  
December 11, 2009  
Page 2

I have determined that on April 1, 1997 you were issued U.S. Trademark Registration No. 2,049,857 for "toy cars". You assigned your registration, and the business to which it pertained, to Supercar Collectibles Ltd. That company renewed the registration on October 13, 2006.

While that registration is now theoretically "incontestable" with respect to a challenger claiming prior use, it is nevertheless subject to cancellation because it falsely suggests a connection to, and/or misrepresents the approval by, the rightful estate and heirs of Don Yenko, all contrary to Sections 2(a) and 14 of the Lanham Trademark Act.

The Estate has therefore requested that I contact each unauthorized user of the Yenko name, of which your company is one, and to propose a reasonable business solution which benefits all parties. What we are asking is that your company assign all its right, title and interest to U.S. Trademark Registration 2,049,857 to the Estate, or to a Trust which is to be established for the protection and preservation of Don Yenko's memory, reputation and heritage.

In return, your company would receive an exclusive license, on reasonable terms, to continue merchandising goods in substantially the same way as it has been doing. In the absence of material breach which is not cured within 30 days, the license would be annually self-renewing. Other details, including royalty rate, reporting requirements, assignability and similar matters would of course be negotiated to each party's satisfaction.

I look forward to your response. Feel free to contact me by mail, telephone, telefax or email, as you choose. If you have legal counsel for your trademark matters, I would be pleased to talk to them also.

Sincerely,

GEB/gb