

ESTTA Tracking number: **ESTTA442991**

Filing date: **11/23/2011**

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

Proceeding	92052197
Party	Defendant Supercar Collectibles Limited
Correspondence Address	ROBERT D BUYAN STOUT UXA BUYAN & MULLINS LLP 4 VENTURE STE 300 IRVINE, CA 92618 UNITED STATES rbuyan@patlawyers.com
Submission	Testimony For Defendant
Filer's Name	Robert D. Buyan
Filer's e-mail	rbuyan@patlawyers.com
Signature	/Robert D. Buyan/
Date	11/23/2011
Attachments	GMCIN-08M-RX87-90.pdf (8 pages)(2021952 bytes)

R-87



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Ship Date: _____

Invoice # 1056478 CATEGORY: A Page: 1 of 1

EDITE Date of Order: MODIFIED: 03/26/1997
ORIGINAL: 03/26/1997

Account # 453818 CAMARO

Salesperson Code:
453818RTL1056478-29.4500

Billing Address

Shipping Address

Name: CLARY, TOM
Address: PO BOX 375
Address:
City: ALTON State: MO
Country: UNITED STATES Zip/Postal: 65606-0375
Attention:
Phone: (417) 778-6639

Name: CLARY, TOM
Address: #1 CT SQUARE
Address:
City: ALTON State: MO
Country: UNITED STATES Zip/Postal: 65606-
Attention:
Phone: (417) 778-6639

YEAR: 1970 MODEL: STANDARD BODY STYLE:
ENGINE SIZE: CYLINDERS: TRANSMISSION:
INT COLOR: EXT COLOR: INTERIOR STYLE:

Quantity	Unit of Measure	Part Number	Description	Quantity Shipped	Back Ordered	Unit Price	Total Price
1	EA	S5000	SCENTER DASH DUAL SPEAKER	1	0	39.95	39.95
1	EA	K602	69 LH INNR FRAME BUMPER BRKT	1	0	27.95	27.95
1	EA	K603	69 RH INNR FRAME BUMPER BRKT	1	0	27.95	27.95
1	EA	G7855	69 GM VALANCE PANEL	1	0	134.40	134.40
1	EA	YLP1	YENKO LICENSE PLATE	1	0	9.95	9.95
LINE ITEM SUBTOTAL:							240.20

COPY

EXHIBIT PIC 87
Delt. For Identification
Consisting of 1 Page(s)
Witness Leonard
Date 10-25-11
Tami Le, CSR 8716

Products Temporarily Out of Stock * Please allow ample time for delivery of back orders

CUST. ACK. O.S. CHG.	Sub Total	240.20
	COD Fee	13.00
	Shipping and Handling	29.45
	Rush / International Fee	0.00
	California Sales Tax	0.00
	Package Insurance	1.50
	Product Protection Plan	0.00
	Invoice Total	284.15

097H0-00195 Q/P 4-10 \$122.40 COD
097H0-00195 Q/P 4-10 \$161.74 COD



All returns are subject to a 25% restocking fee. All merchandise is non-returnable after 30 days from date of invoice. Literature, CD's, video, printed materials, stencil kits and stripe kits are non-returnable. Gift certificates have no cash value and must be redeemed for merchandise only. Electrical parts, gauges, wiring harnesses, switches, etc. are non-returnable. All special order products require a 50% non-refundable deposit and are non-returnable. There is no guarantee on moving parts such as engines, transmissions, rear ends, steering gears, water pumps, distributors, wiper motors, etc. If any product is modified, altered, painted, installed or disassembled in any way without Classic Industries' expressed written permission, the item is non-returnable. Classic Industries' always recommends professional installation on all products. Any item which has been altered, painted, installed or deemed non-resalable by Classic Industries' will be returned to the customer at the customer's expense. California orders are subject to tax on handling fees, COD fees and rush fees. This additional tax will be applied to invoice. Classic Industries' is not responsible or liable for labor fees associated with the installation, removal, modification or repair of any product purchased regardless of the circumstances.

E#143033 Invoice Total 284.15

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Invoice # 1087275 CATEGORY: A Page: 1 of 1

EDITEIDate of Order: MODIFIED: 06/16/1997
ORIGINAL: 06/16/1997

Account # 453818 CAMARO

Salesperson Code: 5001
453818RTL1087275-9.7500

Billing Address

Shipping Address

Name: CLARY, TOM
Address: PO BOX 375
City: ALTON State: MO
Country: UNITED STATES Zip/Postal: 65606-0375
Attention:
Phone: (417) 778-6639

Name: CLARY, TOM
Address: #1 CT SQUARE
City: ALTON State: MO
Country: UNITED STATES Zip/Postal: 65606-
Attention:
Phone: (417) 778-6639

YEAR: 1970 MODEL: STANDARD BODY STYLE:
ENGINE SIZE: CYLINDERS: TRANSMISSION:
INT COLOR: EXT COLOR: INTERIOR STYLE:

Quantity	Unit of Measure	Part Number	Description	Quantity Shipped	Back Ordered	Unit Price	Total Price
1	EA	HB154A	RACE FLAG BOWTIE PENNANT	1	0	44.95	44.95
2	PR	YLP2	YENKO LICENSE FRAME	2	0	9.95	19.90
1	EA	YLP1	YENKO LICENSE PLATE	1	0	9.95	9.95
LINE ITEM SUBTOTAL:							74.80

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Witness Leonard
Date 10-25-11
Tami Le, CSR 8716

Products Temporarily Out of Stock * Please allow ample time for delivery of back orders

Sub Total	74.80
COD Fee	6.50
Shipping and Handling	9.75
Rush / International Fee	0.00
California Sales Tax	0.00
Package Insurance	1.50
Product Protection Plan	0.00
Invoice Total	92.55

181H0-00206 7/03 QP \$92.55 COD



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#133644

Invoice Total 92.55

* See reverse side of invoice for returned goods information *

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Packaged By: _____
Shipped By: _____
Ship Date: _____



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Invoice # 983921 CATEGORY: A Page: 1 of 1

EDITEIDate of Order: MODIFIED: 04/26/1996

ORIGINAL: 04/26/1996

Account # 453818

CAMARO

Salesperson Code:

453818RTL983921-7.5000

Billing Address

Shipping Address

Name: CLARY, TOM
Address: PO BOX 375
Address:
City: ALTON State: MO
Country: UNITED STATES Zip/Postal: 65606-0375
Attention:
Phone: (417) 778-6639

Name: CLARY, TOM
Address: #1 CT SQUARE
Address:
City: ALTON State: MO
Country: UNITED STATES Zip/Postal: 65606
Attention:
Phone: (417) 778-6639

YEAR: 1970 MODEL: STANDARD
ENGINE SIZE: CYLINDERS:
INT COLOR: EXT COLOR:

BODY STYLE:
TRANSMISSION:
INTERIOR STYLE:

Quantity	Unit of Measure	Part Number	Description	Quantity Shipped	Back Ordered	Unit Price	Total Price
2	EA	DC425	YENKO SHIELD BODY DECAL	2	0	4.25	8.50
2	EA	DC372	70 EMISSION DECAL 250-155HP	2	0	4.25	8.50
1	EA	DC732	YENKO/SC 427 FAN SHROUD DECAL	1	0	4.25	4.25
2	EA	DC421	67-69 YENKO WINDOW DECAL	2	0	2.50	5.00
1	EA	K678	427 YENKO EMBLEM FNDR/HOOD	0	1	130.00	0.00
LINE ITEM SUBTOTAL:							26.25

COPY

EXHIBIT PIC 89
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Witness Leonard
Date 10/25/11
Tami Lc, CSR 8716

Products Temporarily Out of Stock * Please allow ample time for delivery of back orders

Sub Total 26.25

CUST. ACK. COD & CASH ONLY

COD Fee 6.50

Shipping and Handling 7.50

Rush / International Fee 0.00

California Sales Tax 0.00

Package Insurance 1.50

Product Protection Plan 0.00

6

E#150801 Invoice Total 41.75

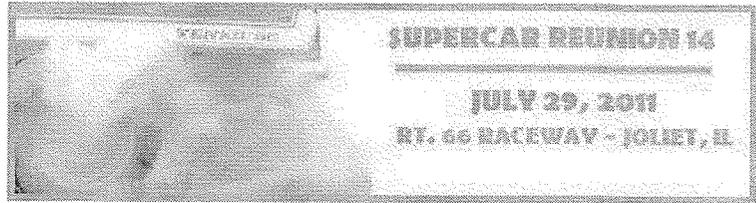
137A6-01977 5-22 UPS \$41.75 COD



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* See reverse side of invoice for returned goods information *

R-90



The Supercar Registry » Forums » Dealer Specific Discussion » Yenko Chevrolet » who owns the rights to the "Yenko" name?

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who owns the rights to the "Yenko" name? #5043 - 10/04/01 08:28 PM

Marc Hi all..great spot on the net you all have here! As the subject states..who owns the name?

Registered: 10/04/01 Posts: 3

Thanks,

Marc

[Top](#)

Re: who owns the rights to the "Yenko" name? [Re: Marc] #5044 - 10/05/01 04:37 AM

bkhpah To my knowledge Kim Mason of Yenko Honda still retains the real rights to Yenko. He had been with Yenko for years and was there during the hipo years and was developmental engineer on the 1981 Yenko Turbo Z. All other people that clame the name have no prior connection with the real Yenko Chevrolet as far as I know...BKH

Registered: 03/30/00 Posts: 4574 Loc: Latrobe, PA

[Top](#)

Re: who owns the rights to the "Yenko" name? [Re: bkhpah] #5045 - 10/05/01 06:40 AM

Marc Hmmm? Any other takes?

Registered: 10/04/01 Posts: 3

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#5046 - 10/05/01 06:49 AM

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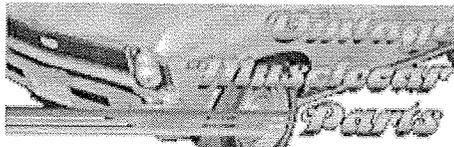
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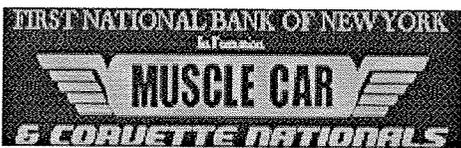
Newest Members

EXHIBIT P# 90
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Witness Leonard
Date 10-15-11
Tami Lee, CSR 8716



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who owns the rights to the "Yenko" name? #5043 - 10/04/01 08:28 PM

Marc (newbie)

Hi all..great spot on the net you all have here! As the subject states..who owns the name?

Registered: 10/04/01 Posts: 3

Thanks, Marc

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Re: who owns the rights to the "Yenko" name? [Re: Marc] #5044 - 10/05/01 04:37 AM

bkhpah (Carpal Tunnel)

To my knowledge Kim Mason of Yenko Honda still retains the real rights to Yenko. He had been with Yenko for years and was there during the hipo years and was developmental engineer on the 1981 Yenko Turbo Z. All other people that clame the name have no prior connection with the real Yenko Chevrolet as far as I know...BKH

Registered: 03/30/00 Posts: 4574 Loc: Latrobe, PA

Top

Today's Birthdays

No Birthdays

Re: who owns the rights to the "Yenko" name? [Re: bkhpah] #5045 - 10/05/01 06:40 AM

Marc (newbie)

Hmmm? Any other takes?

sYc Member Details

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Registered:
10/04/01
Posts: 3
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Re: who owns the rights to the "Yenko" name? [Re: Marc] #5046 - 10/05/01 06:49 AM

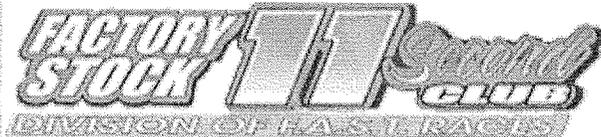
Chevy454

sYc member
Carpal Tunnel

Brian's right. But, I think the 2 girls are partners with Kim, though. When dad gets around this morning, I will ask. Would this have anything to do with the newest issue of Super Chevy ?

Registered:
03/20/00
Posts: 11794
Loc: Alton,
MO, USA

Rob Clary - '69 Yenko Camaro



Top

Newest Members

webco 1, bob_f, BuddyC, bajones,
11964 Registered Users

Forum Stats

11964 Members
46 Forums
46001 Topics
462579 Posts

Max Online: 199 @ 03/17/11 03:52 PM

Re: who owns the rights to the "Yenko" name? [Re: Chevy454] #5047 - 10/05/01 08:09 AM

bowtie3168

sYc member
enthusiast

Brian is 100% right. I think that you might be making an inquiry about different people that have the rights to market the Yenko Logo for tee shirts and trim parts, I am not aware of that person's or persons' name(s). Brian is (like I said before)100% right, Kim Mason (who was Don Yenko's general manager) purchased Yenko's parent corporation with name from the Yenko family after Don's passing. I am sure that Don's daughters have some rights (and they should) but you must remember that when Don was killed (in 1987)that his name and cars had not yet reach the value that they have today, therefore "his name" did not have any significant value over those of any other car dealer of his corporate size.

Andrew

Top

Re: who owns the rights to the "Yenko" name? [Re: bowtie3168] #5048 - 10/05/01 09:25 AM

sYc
sYc member
Carpal Tunnel

The rights to the R/W/B Yenko crest are owned by a person in Texas, who has allowed (sold) others to use it, such as Supercar Collectibles for diecast.

The use of the Yenko name, at least for profit, on such items as cars and/or related parts, is not as clear. The Yenko estate, which is Don's daughters, Terri and Lynn, had John Connolly court appointed to represent the estate. He in turn, with the blessings of the girls, gave the sYc (Tom Clary) written permission to use the Yenko name, including, but not limited to, matters pertaining to the club, reunion, museum, etc. Tom has become the chosen one to succeed John in Yenko affairs, as John moves on to other things of

Registered:
03/20/00
Posts: 7763
Loc: Alton,
MO, USA

90.3

interest.
 Now, to the tricky part. About a year ago, the sYc was contacted by a group of Don's former friends, who wanted to recreate Yenko supercars, 2001/2002 Camaros, Vettes, etc. As discussions were going on, John C. spoke with Kim Mason about the project. At this point, it was discovered that the original Yenko corporation was still intact, controlled by Kim, Terri and Lynn. Thus, the Yenko name is owned by two entities, the estate and corporation, but controlled by John and the sYc. Everyone involved is well aware of how/who is using the Yenko name without permission, but are undecided on how to proceed. Tom

[Edited by sYc (10-05-2001 at 11:25 AM).]

Tom Clary Yenko Sportscar Club <http://www.yenko.net>

[Top](#)

Re: who owns the rights to the "Yenko" name? [Re: sYc] #5049 - 10/05/01 11:26 AM

[bowtie3168](#)

 **sYc member**
enthusiast

Registered:
05/23/00
Posts: 360
Loc: Lincroft,
New Jersey,
USA

It would be great to see a new Yenko Camaro or Corvette but, the car would have to have the right "pedigree" meaning it would have to have multiple ties to the original cars. A car prepped in Cannonsburg, MacMurry, or built with the supervision of Kim Mason would be some starting ideas. A car built somewhere else in the country and delivered to thru a dealer that has, or had NO ties to Yenko Chevrolet or the original dealer network would be an example of something that we do not need. Berger's new line of cars is an example of cars WITH pedigree, they are delivered to Berger and prepped by an outside supplier but final prep and delivery are handled by Berger. I think that this makes the cars legit. An example of what we don't need is a Yenko Camaro that is built in a state having no ties to the original program and delivered by a dealer having NO original ties to the real deal. It takes more than stickers to make a Yenko, the car has to follow some of the original criteria.

Andrew

[Top](#)

Re: who owns the rights to the "Yenko" name? [Re: bowtie3168] #5050 - 10/05/01 01:04 PM

[Marc](#)
newbie

Registered:
10/04/01
Posts: 3

Yes Chevy454...Saw those SSBC calipers and almost jumped off the deep end...Thanks to all who replied.

Here is what they are doing...
www.raceandstreet.com ..any insights? \$69k is out of my league...

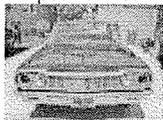
Marc

90-4

[Top](#)

Re: who owns the rights to the "Yenko" name? [Re: Marc] #5051 - 10/05/01 01:57 PM

Belair62
☆☆☆☆☆
syc member
Carpal Tunnel



Someone explain this to me...were these shown at the Reunion as it says in the ad or what ? Is the Estate really part of this effort ? Man I must not be reading enough magazines cause this is the first I've seen of this.



(_{B}_____]~::~

Registered:
11/15/00
Posts: 13444
Loc: Suburban
Chicago
[Top](#)

Re: who owns the rights to the "Yenko" name? [Re: Belair62] #5052 - 10/05/01 03:49 PM

sixtiesmuscle
☆☆☆☆☆
syc member
old hand

Registered:
06/03/00
Posts: 1000
Loc: Chicago
suburb
[Top](#)

See Bob, you should have attended. Everybody got to make a couple passes in the demo at the track. I thought low 11s were a little slow, but, maybe they're still working the bugs out.

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