

ESTTA Tracking number: **ESTTA563233**

Filing date: **10/04/2013**

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

Proceeding	92053501
Party	Plaintiff Christian M. Ziebarth
Correspondence Address	KELLY K PFEIFFER AMEZCUA-MOLL ASSOCIATES PC LINCOLN PROFESSIONAL CENTER, 1122 E LINCOLN AVE SUITE 203 ORANGE, CA 92865 UNITED STATES kelly@amalaw.net, kelpfeiffer@aol.com
Submission	Testimony For Plaintiff
Filer's Name	Kelly K. Pfeiffer
Filer's e-mail	kelly@amalaw.net
Signature	/Kelly K. Pfeiffer/
Date	10/04/2013
Attachments	Affidavit of C. Ziebarth w all Exhibits (public) (comp)3.pdf(4828687 bytes )

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

In the Matter of Registration No. 1043729  
Date of Registration: July 13, 1976

---

CHRISTIAN M. ZIEBARTH  
Petitioner,

Cancellation No.: 92053501

v.

DEL TACO, LLC  
Registrant.

---

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

**PETITIONER'S TESTIMONY AFFIDAVIT OF CHRISTIAN ZIEBARTH**

I, Christian M. Ziebarth, swear as follows:

1. I am the Petitioner in this proceeding against Registrant DEL TACO, LLC ("Del Taco") wherein I am seeking the cancellation of Del Taco's registration no. 1043729 for the mark NAUGLES in connection with restaurant services. I have personal knowledge of the facts stated herein.
2. Since approximately 2005, I have been an online blogger, focusing mainly on food in Orange County, California. In a blog entry in 2008, I wrote about the old fast-food chain NAUGLES, which used to exist in the 1970's and 1980's and originated in Southern California. At first, I intended that blog entry solely to be a remembrance of the chain, but after I posted it, I noticed the entry got a lot of attention by way of people posting responses, indicating how much

they liked NAUGLES food and wished it would return. I also analyzed the web traffic to this blog which also indicated a high level of public interest.

3. At that time in 2008, I was under the misconception that Del Taco was the only one who could use the mark NAUGLES in connection with food and restaurants, so I thought Del Taco should capitalize on the interest I was seeing through my blogs from people who truly wanted to see NAUGLES food return. When I learned that, legally, Del Taco had most likely abandoned its use of the NAUGLES mark because all NAUGLES restaurants disappeared by the early to mid-1990's and it became very clear to me that they had no interest in using it again, I had the idea to open either a chain of restaurants or some kind of food establishment myself and name it NAUGLES.

4. On May 17, 2010, I filed an intent-to-use ("ITU") trademark application with the United States Patent and Trademark Office ("USPTO") for the mark NAUGLES in International Class 43 for cafeteria and restaurant services. Attached hereto as Petitioner's Exhibit A is a true and correct copy of my application. On January 10, 2011, I received an Office Action from the USPTO containing a final refusal of my application because of the existence of Del Taco's registration no. 1043729 for the mark NAUGLES in connection with restaurant services. Attached hereto as Petitioner's Exhibit B is a true and correct copy of that Office Action.

5. Prior to filing my ITU application, I shared with many people my ideas to use the mark NAUGLES in connection with cafeteria and restaurant services. A few of the people that I spoke with include Barbara Caruso, William "Bill" O'Dell, Rob Hallstrom, Jeff Naugle, Josh Maxwell, Dan Dvorak, and Nancy Luna, a writer at the Orange County Register Newspaper.

6. I am informed and believe that Barbara Caruso is (or was) the long-time public relations representative for Del Taco. I first made her acquaintance when she began sending me information to post on my blog about new Del Taco items. On July 31, 2008, Ms. Caruso and I had a lunch meeting. Attached hereto as Petitioner's Exhibit C is a true and correct copy of a page out of my personal appointment calendar wherein I recorded that I had a lunch meeting with Barbara Caruso scheduled for July 31, 2008 at 12:30pm. At this meeting, I told Ms. Caruso that I thought Del Taco should bring back the food items that used to be served at the old NAUGLES fast-food chains. It was my understanding that Ms. Caruso thought it was a good idea and was going to bring it back to Del Taco's marketing people. Ms. Caruso contacted me shortly after that meeting, indicating that Del Taco's marketing people wanted to meet with me. Ms. Caruso and I communicated back and forth for several months, and it seemed to me like she was trying to get a meeting set up, but it never happened. Attached hereto as Petitioner's Exhibit D are true and correct copies of a series of emails between Ms. Caruso and me. We exchanged these emails between between May 2009 and January 2011. These emails illustrate some of our exchanges and verify that Ms. Caruso told me she trying to set up a meeting between Del Taco, herself and me.

7. On page 1 of Exhibit D, Ms. Caruso and I both refer to a man named "Noah," who I believe is or was Del Taco's Marketing Vice President. I believe his last name is Chillingworth. I wanted a meeting with Mr. Chillingworth because I wanted to talk to him about Del Taco creating some type of sub-menu based on food items from the old NAUGLES fast-food chain. At the time, I thought Del Taco was passing up a great opportunity by not capitalizing on the public's interest in NAUGLES food items which I was witnessing firsthand in response to my blogs. I made one attempt, myself, to reach out to Mr. Chillingworth to set up a meeting. I sent

him a LinkedIn connection request, which he accepted, then I sent him a private message.

Attached hereto as Petitioner's Exhibit E is a true and correct copy of the message I sent to Mr. Chillingworth via LinkedIn on December 22, 2009. I never received a response to this message.

8. I shared with a friend of mine, Bill Odell, that I had made attempts to discuss a NAUGLES revival with Del Taco. In late 2009, after more than a year of attempting to bring this idea to Del Taco, I believed that Del Taco had no interest in my idea and shared as much with Mr. Odell. I also told Mr. Odell that I had recently learned that trademarks are considered abandoned after three consecutive years of non-use with no intent to resume use and that I was thinking of using the trademark myself. In 2009, I had at least 5 conversations with Mr. Odell regarding my desire to use the mark NAUGLES myself in connection with cafeteria and restaurant services. I had mentioned these same general points to others back in 2009, but Mr. Odell stands out among them because he accompanied me to my first meeting with a gentleman named Jeff Naugle.

9. I first became acquainted with Jeff Naugle after he left a comment on my blog asking me to contact him on or about September 8, 2009; I subsequently contacted him. We exchanged e-mails sporadically for a few months before my first in-person meeting with him in 2010. On February 13, 2010, I drove with Mr. Odell to Visalia, California to meet with Jeff Naugle to discuss the fact that I wanted to use the mark NAUGLES in connection with cafeteria and restaurant services. Attached hereto at Petitioner's Exhibit F is a true and correct copy of a page out of my personal calendar wherein I recorded that I drove to Visalia with Mr. Odell to meet with Jeff Naugle on February 13, 2010. I am informed and believe that Jeff Naugle is the nephew of Richard ("Dick") Naugle. I am informed and believe that Dick Naugle is the individual who founded the old fast-food chain called NAUGLES that was primarily based in

Southern California in the 1970's and 1980's. To my knowledge, Mr. Naugle runs a restaurant in Visalia, California called Buns & Torts that utilizes the recipes from the original NAUGLES menu. During this meeting on February 13, 2010, we talked about a NAUGLES revival, old recipes that we could use, possible locations and many other specifics about starting a restaurant or some type of food establishment under the NAUGLES name. At this meeting, we also discussed capital to get this idea off the ground, and Mr. Naugle volunteered that he would supply capital.

10. Since my first meeting with Mr. Naugle in February of 2010, I have kept in touch with him. I have exchanged numerous emails with him regarding my efforts to to open NAUGLES food establishments. Attached hereto as Petitioner's Exhibit G are true and correct copies of a few email exchanges between me and Mr. Naugle regarding my efforts to open a food establishment under the name NAUGLES. These emails are dated March 8, 2010 and May 27, 2010. In the March 8, 2010 emails, we discussed that I had already registered the [www.nauglestacos.com](http://www.nauglestacos.com) domain name for use in connection with my intended NAUGLES venture. In the May 27, 2010 emails, I was simply keeping Mr. Naugle in the loop by informing him that I had filed my ITU application with the USPTO and was working to establish rights in the NAUGLES trademark. My impression was that Jeff was supportive; he wrote "great! Keep me posted!"

11. I am informed and believe that Mr. Naugle is supportive of me taking this venture and is willing to help me with recipes and anything else he can. It is my impression that Mr. Naugle is basically just waiting for this trademark dispute to be over so we can have the green light to go forward. Mr. Naugle has explained to me that he is interested in seeing his family's legacy preserved and preserved well. I have had approximately 6 more in-person visits with Mr. Naugle

at his place of business in Visalia, California. My last meeting with him about my efforts to start up a NAUGLES food business took place in September 2013.

12. Rob Hallstrom is another person I spoke to and conferred with about my intent to start up a food business of some kind using the mark NAUGLES prior to filing my ITU application. Mr. Hallstrom is the one who first shared with me the legal concept of abandonment of trademarks. Subsequently, I did my own research on the subject. I learned that, because Del Taco had not used the NAUGLES mark in connection with restaurant services since about 1994 and, clearly, as I experienced myself through the lack of response from Ms. Caruso and Mr. Chillingworth, Del Taco had no interest in using the mark again for restaurant services, my ability to get Del Taco's trademark registration cancelled looked promising.

13. I approached Mr. Hallstrom with my idea to start up a NAUGLES food business because of his experience in the restaurant and food industry. In approximately January of 2010, I first asked Mr. Hallstrom if he would be willing to help me make this idea of opening restaurants under the NAUGLES name a reality. It is my recollection that Mr. Hallstrom remembered NAUGLES very well, because he grew up up right by the original location in Riverside, California. Based on my interactions with Mr. Hallstrom, it was my belief that he was interested in helping. Attached hereto as Petitioner's Exhibit H are true and correct copies of email exchanges between Mr. Hallstrom and me, reflecting a few of our numerous discussions about opening up restaurants under the NAUGLES mark. These emails date back to December 9, 2009. On pages 1, 2 and 3 of Exhibit H, I wrote to Mr. Hallstrom on January 4, 2010 and asked, "Rob, does your group have any interest in helping a new restaurant open? I stumbled into something like an opportunity that I am quite sure would be very profitable and am trying to find the right people to help pull it off. I'll give more details if interest is shown. For now I will stay

that it's actually kind of a fast-food concept or maybe a blend between fast food and fast casual.”

On the same date, January 4, 2010, Mr. Hallstrom replied, “There is always an interest. Please let me know when you can share more info and we can discuss further.” I, once again, wrote to Mr. Hallstrom on that date, stating, “Do you remember the old Naugles chain?”

14. After this email exchange with Mr. Hallstrom in January 2010, I had meetings in person with him about opening NAUGLES restaurants. We first talked about it in person at his Matador Cantina restaurant in Fullerton, California. During the initial, in-person meeting at Matador Cantina, Mr. Hallstrom mentioned to me a building not too far from there that he thought he remembered being an old NAUGLES location. On my way back home that day, I drove by that location and saw that it indeed appeared to have been a NAUGLES before. The building had a “For Lease” sign out front. I called the number shortly thereafter to inquire how much the rent would be, with the idea in mind of making it a NAUGLES again. I am informed and believe that, not too long after that, the building was leased by someone else who made it into a Golden Ox restaurant. Mr. Hallstrom and I had a subsequent meeting at the Golden Ox restaurant in Fullerton, California. I am informed and believe that customers of the Golden Ox often comment how the restaurant used to be a place called NAUGLES. At one or more of these meetings, the issue of financial backing was discussed, and Mr. Hallstrom agreed to provide it. Both of these meetings took place prior to the filing of my ITU application with the USPTO on May 17, 2010. Between January 2010 and May 2010, Mr. Hallstrom and I also had many more discussions about potential locations for my NAUGLES restaurants, and we looked at a few properties. We also did a little research into old NAUGLES locations.

15. In addition to Jeff Naugle, I have had contact with multiple members of the Naugle family regarding my efforts to use the NAUGLES trademark in connection with food services of some kind. As outlined above, I have emailed, spoken with and had multiple meetings with Jeff Naugle. I have also exchanged emails with John Joseph (“JJ”) Naugle regarding a revival of NAUGLES, including discussions of recipes from the original NAUGLES menus. Attached hereto as Petitioner’s Exhibit I are true and correct copies of some of the emails I exchanged with JJ Naugle. The content of these emails discuss how I want to open NAUGLES restaurants, that I am in the process of trying to get Del Taco’s registration for the trademark cancelled, and that I have been in contact with other members of the Naugle family about doing this.

16. I have also exchanged emails with Bill Naugle, who I am informed and believe is JJ’s father and another relative of Dick Naugle, the founder of the original NAUGLES restaurants, regarding my intent to use the NAUGLES mark for restaurant services. I first made Bill’s acquaintance when he left a comment on one of my blog posts and asked me to contact him, so I did. Bill and I talked, via email, about this proceeding where I am trying to get Del Taco’s registration for the trademark cancelled because I wanted to open NAUGLES restaurants myself. Attached hereto as Petitioner’s Exhibit J are true and correct copies of some of those emails.

17. In addition to everything testified to above, I have taken other concrete steps to further my intentions to use the trademark NAUGLES in connection with cafeteria and restaurant services. On January 13, 2010, I registered the domain name [www.nauglestacos.com](http://www.nauglestacos.com) and still keep it active to date. Attached hereto as Petitioner’s Exhibit K is a true and correct copy of the confirmation I received from [www.godaddy.com](http://www.godaddy.com) for said registration. I maintain sole control over this website. Currently, the website shares information about how NAUGLES restaurants began in 1970 and lasted until 1988. It explains that the last NAUGLES restaurant closed in

1994 or 1995, and that I am currently involved in this proceeding before the TTAB to get Del Taco's registration for NAUGLES cancelled so I can open NAUGLES restaurants myself.

Attached hereto as Petitioner's Exhibit L is a true and correct copy of my website as of the date I executed this affidavit. In the future, I intend to use the website to advertise and promote my own NAUGLES restaurants once I get Del Taco's registration cancelled

18. Prior to filing my ITU application, I created the "Señor Naugles" twitter account "@Naugles," which I still operate today. I also have some involvement with the NAUGLES Facebook page. I am not the creator of it but the creator has made me a moderator.

19. I am informed and believe that, in 1989, Del Taco announced its intent to cease use of the NAUGLES trademark and phase out all NAUGLES restaurants. I am informed and believe that Del Taco intended to turn all of the remaining NAUGLES restaurants into Del Tacos. I know this because Jeff Rowe wrote an article that was published in the Orange County Register Newspaper on the subject on May 17, 1989. It quoted the owner, who stated that they were phasing the restaurants out. The article was called "Adios to Naugles," and I do believe I remember seeing this article in the paper when it was originally published. On January 18, 2010, I asked a friend of mine who is a writer at the Orange County Register, Nancy Luna, to look in the newspaper's archives and find the article for me, and she did. Attached hereto as Petitioner's Exhibit M is a true and correct copy of the emails exchanged between Ms. Luna and me, evidencing how I asked her to retrieve this article and her response to me, complying. In the body of her email response, the "Adios to Naugles" article that was published in the Orange County Register in 1989 is reproduced in its entirety.

20. I can also personally testify to the fact that, in the early 1990's, the NAUGLES locations I had personally been to before in Orange County, California were now only known as "Del Taco." I believe the very last NAUGLES restaurant closed in 1994 or 1995.

21. Prior to filing my ITU application, I, myself, did some research into what type of evidence Del Taco had supplied to the Trademark Office to prove its alleged ongoing use of the NAUGLES mark. I went onto the USPTO website and started looking at the documents that were on file for Del Taco's registration for NAUGLES in connection with restaurant services. I saw that Del Taco had renewed its registration in 1996 and again in 2006. I couldn't believe it, because I am informed and believe that the last restaurant closed in 1994 or 1995. Attached hereto as Petitioner's Exhibit N is a true and correct copy of one of the documents I saw on the USPTO website in Del Taco's file for the NAUGLES mark. It appears to be a renewal application and/or declaration of use. On pages 3 to 4, there is a sworn statement from Del Taco's Vice President and General Counsel, Michael Annis, which I remember reading when I first saw this document. Mr. Annis swore that NAUGLES was currently in use and he signed it in 2006. I believe this statement to be untrue, because, again, I am informed and believe that Del Taco closed all of their NAUGLES restaurants in the early 1990's. The last 2 pages of the document appear to be the specimen that Del Taco submitted, but it is nothing more than a printout from Del Taco's "History" section on its website. On the specimen, the only place I even see the word "Naugles" is in a graphic at the top of page 5 that says "Viva Naugles; Via Del Taco," and then again in a short explanation of the history of how Naugles and Del Taco merged in 1988. This specimen does not contain anything remotely relating to any NAUGLES restaurants that were in existence back in 2006 when this was signed and filed.

22. In my research, another specimen was brought to my attention which was in Del Taco's file at the PTO; my understanding is that this "specimen" is supposed to show how Del Taco uses the trademark in connection to restaurant services. Attached hereto as Petitioner's Exhibit O is a true and correct copy of the specimen I came across online on the USPTO's website under Del Taco's registration. This is a really old picture of an old Naugles restaurant sign. I, personally, have not seen this sign on display anywhere in at least 17 years or more. The USPTO's website lists a filing date of 2007 for this specimen. It was unclear to me whether this image existed in the NAUGLES file prior to 2007 and was simply uploaded digitally in 2007, or whether this specimen was newly submitted in 2007.

23. I have received media attention in relation to my efforts to use the mark NAUGLES. On June 2, 2012, an article appeared in the Orange County Register Newspaper, a newspaper of general circulation published in Orange County, California, entitled "Twitter Talk Suggests Comeback for Naugles Fast-Food Brand" which discussed my efforts to use the NAUGLES mark in connection with restaurant services. Although, at the time, I did not want to be directly named, and thus I am not referred to by name, the central focus of the article is the @Naugles Twitter account that I run. Attached hereto as Petitioner's Exhibit P is a true and correct copy of that article. I am the source who spoke with the author of this article prior to it being printed in the newspaper. This article talks about the buzz amongst fans of NAUGLES restaurants who are excited to hear that I might be able to open NAUGLES restaurants myself.

24. On July 9, 2013, an articles appeared in The OC Weekly, a publication of general circulation in Orange County, California, entitled “Naugles, Legendary SoCal Mexican Fast-Food Chain, is Trying to Make a Comeback, and We Have the Proof.” I am not sure whether this article ever made it to print or was only published in The OC Weekly online newspaper.

Attached hereto as Petitioner’s Exhibit Q is a true and correct copy of this article.

I was the source who spoke with the author of this article, who also happens to be the Editor, about getting NAUGLES off the ground. I dropped off some NAUGLES taco sauce in the hopes that the author/editor might give it a brief mention in his paper or on the associated website. I had talked with him a few times before about my NAUGLES plan. As can be seen from the contents of the article, the author claimed to like the sauce.

25. Since filing my ITU application for the mark NAUGLES, I have taken many other steps to make opening NAUGLES restaurants a reality. I have taken partners in my venture, Josh Maxwell and Dan Dvorak, and we have sought and obtained investors, created detailed business plans, scoped locations, and much more.

26. Attached hereto as Petitioner’s Exhibit R (filed as CONFIDENTIAL) is a detailed summary of our intended operations. This document was created by Josh Maxwell, Dan Dvorak and myself and was given to Del Taco in relation to this proceeding in or about June of 2012. As can be seen from the contents of this document, Mr. Maxwell, Mr. Dvorak and I have scoped out and have already planned for at least 5 initial locations in Southern California, as page 1 of this document illustrates. We have spoken with investors at length about their willingness to hit the ground running on this venture as soon as this proceeding is concluded.

27. We have also made it a point to research and experiment extensively on menu items, and I have provided preview meals under the NAUGLES mark. On or around March 20, 2012, I catered a lunch serving NAUGLES menu items and created a NAUGLES menu for the lunch. On or around July 25, 2012, I served burritos to the Gringo Bandito Hot Sauce Company as a potential vendor in connection with NAUGLES products. I and my partners continue to prepare preview meals, scout locations, develop our menu, ingredients, products, and marketing, and continue to hold regular meetings, all in an effort to develop the NAUGLES Restaurant concept as outlined in Petitioner's Exhibit R.

I, Christian M. Ziebarth, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 35 U.S.C. 25 and 18 U.S.C. 1001 of the United States Code, and that such willful false statements may jeopardize the validity of the foregoing statements, declare that all statements are made of my own knowledge and are true, and all statements made on information and belief are believed to be true.

Executed on October 3, 2013 in Orange, California

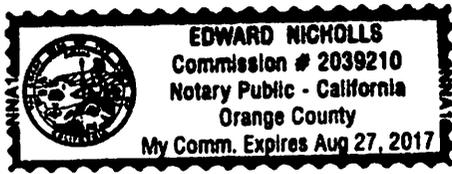
  
Christian Ziebarth

State of California  
County of ORANGE

Subscribed and sworn to (or affirmed) before me on this 03 day of OCTOBER,  
2013, by CHRISTIAN ZIEBARTH, who provided to me on the basis of satisfactory evidence  
to be the person who appeared before me.

(seal)

Signature: 



**PETITIONER’S EXHIBITS**

Petitioner’s ITU Application for NAUGLES mark	Exhibit A
January 10, 2011 Office Action: Final Refusal of Petitioner’s Application	Exhibit B
Petitioner’s Calendar Entry dated July 31, 2008	Exhibit C
Emails between Petitioner and B. Caruso	Exhibit D
LinkedIn Message from Petitioner to N. Chillingworth	Exhibit E
Petitioner’s Calendar Entry dated February 13, 2010.	Exhibit F
Emails between Petitioner and Jeff Naugle	Exhibit G
Emails between Petitioner and R. Hallstrom	Exhibit H
Emails between Petitioner and JJ Naugle	Exhibit I
Emails between Petitioner and Bill Naugle	Exhibit J
Confirmation of nauglestacos.com domain registration	Exhibit K
Nauglestacos.com printout	Exhibit L
Emails between Petitioner and Nancy Luna, OC Register writer	Exhibit M
Del Taco’s 2006 renewal application	Exhibit N
Del Taco’s 2007 specimen	Exhibit O
OC Register Article “Twitter Talk Suggests Comeback for Naugles”	Exhibit P
OC Weekly Article “Naugles . . . Trying to Make a Comeback”	Exhibit Q
Confidential Business Plans <b>(FILED AS CONFIDENTIAL)</b>	Exhibit R

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing **PETITIONER'S TESTIMONY AFFIDAVIT OF CHRISTIAN ZIEBARTH** was served upon April L. Besl, DINSMORE & SHOHL, LLP, attorney of record for the Registrant in this action by depositing one copy thereof in the United States mail, first-class postage prepaid on October 4, 2013 and addressed as follows:

April L. Besl, Esq.  
DINSMORE & SHOHL, LLP  
255 East Fifth Street, Suite 1900  
Cincinnati, OH 45202

/Kelly K. Pfeiffer/  
Kelly K. Pfeiffer  
AMEZCUA-MOLL & ASSOCIATES, P.C.  
Lincoln Professional Center  
1122 E. Lincoln Ave., Suite 203  
Orange, CA 92865  
Attorney for Petitioner CHRISTIAN M. ZIEBARTH

# **EXHIBIT A**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**

# Trademark/Service Mark Application, Principal Register

## TEAS Plus Application

Serial Number: 85040746

Filing Date: 05/17/2010

*NOTE: Data fields with the \* are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

The table below presents the data as entered.

Input Field	Entered
<b>TEAS Plus</b>	<b>YES</b>
<b>MARK INFORMATION</b>	
*MARK	<a href="#">NAUGLES</a>
*STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	NAUGLES
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	Ziebarth, Christian M.
*STREET	183 Alicante Aisle
*CITY	Irvine
*STATE (Required for U.S. applicants)	California
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	92614
PHONE	(949) 387-1457
EMAIL ADDRESS	ChristianZ@netscape.net

<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>LEGAL ENTITY INFORMATION</b>	
<b>*TYPE</b>	SOLE PROPRIETORSHIP
<b>* STATE/COUNTRY WHERE LEGALLY ORGANIZED</b>	California
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
<b>*INTERNATIONAL CLASS</b>	043
<b>IDENTIFICATION</b>	Cafeteria and restaurant services
<b>*FILING BASIS</b>	SECTION 1(b)
<b>ADDITIONAL STATEMENTS INFORMATION</b>	
<b>*TRANSLATION</b> (if applicable)	
<b>*TRANSLITERATION</b> (if applicable)	
<b>*CLAIMED PRIOR REGISTRATION</b> (if applicable)	
<b>*CONSENT (NAME/LIKENESS)</b> (if applicable)	
<b>*CONCURRENT USE CLAIM</b> (if applicable)	
<b>CORRESPONDENCE INFORMATION</b>	
<b>*NAME</b>	Ziebarth, Christian M.
<b>FIRM NAME</b>	Ziebarth, Christian M.
<b>*STREET</b>	183 Alicante Aisle
<b>*CITY</b>	Irvine
<b>*STATE</b> (Required for U.S. applicants)	California
<b>*COUNTRY</b>	United States
<b>*ZIP/POSTAL CODE</b>	92614
<b>PHONE</b>	(949) 387-1457
<b>*EMAIL ADDRESS</b>	ChristianZ@netscape.net
<b>*AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	1

<b>FEE PER CLASS</b>	275
<b>*TOTAL FEE PAID</b>	275
<b>SIGNATURE INFORMATION</b>	
<b>* SIGNATURE</b>	/christian m. ziebarth/
<b>* SIGNATORY'S NAME</b>	Christian M. Ziebarth
<b>* SIGNATORY'S POSITION</b>	Owner
<b>* DATE SIGNED</b>	05/17/2010

---

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

**Serial Number: 85040746**

**Filing Date: 05/17/2010**

#### To the Commissioner for Trademarks:

**MARK:** NAUGLES (Standard Characters, see [mark](#))

The literal element of the mark consists of NAUGLES.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Ziebarth, Christian M., a sole proprietorship legally organized under the laws of California, having an address of

183 Alicante Aisle

Irvine, California 92614

United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

#### **For specific filing basis information for each item, you must view the display within the Input Table.**

International Class 043: Cafeteria and restaurant services

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant's current Correspondence Information:

Ziebarth, Christian M.

Ziebarth, Christian M.

183 Alicante Aisle

Irvine, California 92614

(949) 387-1457(phone)

ChristianZ@netscape.net (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

**Declaration**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /christian m. ziebarth/ Date Signed: 05/17/2010

Signatory's Name: Christian M. Ziebarth

Signatory's Position: Owner

RAM Sale Number: 5829

RAM Accounting Date: 05/18/2010

Serial Number: 85040746

Internet Transmission Date: Mon May 17 18:37:59 EDT 2010

TEAS Stamp: USPTO/FTK-98.164.215.102-201005171837594

45437-85040746-460b3e1fe8a21aa3caa7b7d84

912f8675e0-CC-5829-20100517174917533084

NAUGLES

# **EXHIBIT B**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**

**To:** Ziebarth, Christian M. ([efiling@kmob.com](mailto:efiling@kmob.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85040746 - NAUGLES - CZIEB.000GEN  
**Sent:** 1/10/2011 6:17:05 PM  
**Sent As:** ECOM105@USPTO.GOV  
**Attachments:** [Attachment - 1](#)  
[Attachment - 2](#)  
[Attachment - 3](#)  
[Attachment - 4](#)  
[Attachment - 5](#)  
[Attachment - 6](#)  
[Attachment - 7](#)  
[Attachment - 8](#)  
[Attachment - 9](#)  
[Attachment - 10](#)  
[Attachment - 11](#)  
[Attachment - 12](#)  
[Attachment - 13](#)  
[Attachment - 14](#)  
[Attachment - 15](#)  
[Attachment - 16](#)  
[Attachment - 17](#)  
[Attachment - 18](#)  
[Attachment - 19](#)  
[Attachment - 20](#)  
[Attachment - 21](#)  
[Attachment - 22](#)  
[Attachment - 23](#)  
[Attachment - 24](#)

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

**APPLICATION SERIAL NO.** 85040746

**MARK:** NAUGLES

**\*85040746\***

**CORRESPONDENT ADDRESS:**

Gregory B. Phillips  
Knobbe, Martens, Olson & Bear, LLP  
14th Floor  
2040 Main Street  
Irvine CA 92614

**CLICK HERE TO RESPOND TO THIS LETTER:**  
<http://www.uspto.gov/teas/eTEASpageD.htm>

**APPLICANT:** Ziebarth, Christian M.

**CORRESPONDENT'S REFERENCE/DOCKET**

**NO:**

CZIEB.000GEN

**CORRESPONDENT E-MAIL ADDRESS:**

efiling@kmob.com

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

**ISSUE/MAILING DATE: 1/10/2011**

**THIS IS A FINAL ACTION.**

This Office action is in response to applicant's communication filed on December 20, 2010. Applicant has clarified its entity for the record. TMEP §§713.02, 714.04. The communication did not address the remaining refusals therefore the examining attorney is issuing this final action. TMEP §718.03.

The following refusals are made FINAL: likelihood of confusion refusal under Trademark Act Section 2(d) with respect to U.S. Registration No. 1043729; and (2) surname refusal under Trademark Act Section 2(e)(4). See 15 U.S.C. §§1052(d), (e)(4); TMEP §§1207.01, 1211; 37 C.F.R. §2.64(a).

SUMMARY OF ISSUES that applicant must address:

- Likelihood of Confusion Refusal
- Surname Refusal

**SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION**

Applicant is seeking registration of the mark NAUGLES in connection with cafeteria and restaurant services. The cited registration, Reg. No. 1043729, is for the identical mark NAUGLES and covers restaurant services. Registration has been refused under Trademark Act Section 2(d) on the grounds that the marks are likely to be confused.

Comparison of the Marks

In a likelihood of confusion determination, the marks are compared for similarities in their appearance, sound, meaning or connotation and commercial impression. *In re E. I. du Pont de Nemours & Co.*, 476

F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973); TMEP §1207.01(b). Similarity in any one of these elements may be sufficient to find a likelihood of confusion. *In re White Swan Ltd.*, 8 USPQ2d 1534, 1535 (TTAB 1988); *In re Lamson Oil Co.*, 6 USPQ2d 1041, 1043 (TTAB 1987); *see* TMEP §1207.01(b).

In the present case, applicant's mark is NAUGLES and the registrant's mark is NAUGLES. The marks are identical in appearance, sound, meaning and commercial impression.

Applicant has not made any attempt to distinguish the marks. In fact, because the marks consist of the same word spelled in the same way, they are not distinguishable.

#### Comparison of the Services

Where the marks of the respective parties are identical or virtually identical, there need be only a viable relationship between the relevant goods and/or services to support a finding of likelihood of confusion. *See, e.g., In re Davey Prods. Pty Ltd.*, 92 USPQ2d 1198, 1202 (TTAB 2009); *In re Thor Tech, Inc.*, 90 USPQ2d 1634, 1636 (TTAB 2009); *In re Wilson*, 57 USPQ2d 1863, 1867 (TTAB 2001); *see also In re Shell Oil Co.*, 992 F.2d 1204, 1207, 26 USPQ2d 1687, 1689 (Fed. Cir. 1993).

In the present circumstances, the services are also identical. The application covers cafeteria and restaurant services. A cafeteria is a type of restaurant. Please see attached definition. The registration covers restaurant services. Because the services and the marks are identical, consumers are likely to believe that applicant's and registrant's services are being provided by the same entity.

The Trademark Act not only guards against the misimpression that the senior user is the source of the junior user's goods and/or services, but it also protects against "reverse confusion," that is, the junior user is the source of the senior user's goods and/or services. *In re Shell Oil Co.*, 992 F.2d 1204, 1208, 26 USPQ2d 1687, 1690 (Fed. Cir. 1993); *Fisons Horticulture, Inc. v. Vigoro Indust., Inc.*, 30 F.3d 466, 474-75, 31 USPQ2d 1592, 1597-98 (3d Cir. 1994); *Banff, Ltd. v. Federated Dep't Stores, Inc.*, 841 F.2d 486, 490-91, 6 USPQ2d 1187, 1190-91 (2d Cir. 1988).

The overriding concern is not only to prevent buyer confusion as to the source of the goods and/or services, but to protect the registrant from adverse commercial impact due to use of a similar mark by a newcomer. *See In re Shell Oil Co.*, 992 F.2d 1204, 1208, 26 USPQ2d 1687, 1690 (Fed. Cir. 1993). Therefore, any doubt regarding a likelihood of confusion determination is resolved in favor of the registrant. TMEP §1207.01(d)(i); *see Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1265, 62 USPQ2d 1001, 1003 (Fed. Cir. 2002); *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 464-65, 6 USPQ2d 1025, 1025 (Fed. Cir. 1988).

Because the marks and the services are identical, consumer confusion is likely and registration is refused under Section 2(d) of the Trademark Act.

If the mark in the cited registration has been assigned to applicant, applicant can provide evidence of ownership of the mark by satisfying one of the following:

- (1) Record the assignment with the Office's Assignment Services Branch (ownership transfer documents such as assignments can be filed online at <http://etas.uspto.gov>) and promptly notify the trademark examining attorney that the assignment has been duly recorded;
- (2) Submit copies of documents evidencing the chain of title; or

(3) Submit the following statement, verified with an affidavit or signed declaration under 37 C.F.R. §2.20: **“Applicant is the owner of U.S. Registration No. 1043729.”**

TMEP §812.01; *see* 15 U.S.C. §1060; 37 C.F.R. §§2.193(e)(1), 3.25, 3.73; TMEP §502.02(a).

Merely recording a document with the Assignment Services Branch does not constitute a response to an Office action. TMEP §503.01(d).

Applicant should note the following additional ground for refusal.

#### SECTION 2(e)(4) REFUSAL – PRIMARILY MERELY A SURNAME

Registration is also refused because the applied-for mark is primarily merely a surname. Trademark Act Section 2(e)(4), 15 U.S.C. §1052(e)(4); *see* TMEP §1211. The primary significance of the mark to the purchasing public determines whether a term is primarily merely a surname. *In re Kahan & Weisz Jewelry Mfg. Corp.*, 508 F.2d 831, 832, 184 USPQ 421, 422 (C.C.P.A. 1975); *In re Binion*, 93 USPQ2d 1531, 1537 (TTAB 2009); *see* TMEP §§1211, 1211.01.

Evidence of the surname significance of the term NAUGLES was included with the original Office Action. Additional evidence consisting of a representative sample of excerpts from a database of news articles showing that the surname NAUGLES appears to be used throughout the United States is also attached, along with printouts from an online directory of names showing that the name appears 62 times in a nationwide directory of names.

There is no rule as to the kind or amount of evidence necessary to make out a prima facie showing that a term is primarily merely a surname. This question must be resolved on a case-by-case basis. TMEP §1211.02(a); *see, e.g., In re Monotype Corp. PLC*, 14 USPQ2d 1070 (TTAB 1989); *In re Pohang Iron & Steel Co.*, 230 USPQ 79 (TTAB 1986). The entire record is examined to determine the surname significance of a term. The following are examples of evidence that is generally considered to be relevant: telephone directory listings, excerpted articles from computerized research databases, evidence in the record that the term is a surname, the manner of use on specimens, dictionary definitions of the term and evidence from dictionaries showing no definition of the term. TMEP §1211.02(a).

Because the term NAUGLES appears to be primarily merely a surname, registration on the Principal Register is refused under Section 2(e)(4) of the Trademark Act.

Although an amendment to the Supplemental Register would normally be an appropriate response to this refusal, such a response is not appropriate in the present case. The instant application was filed under Trademark Act Section 1(b) and is not eligible for registration on the Supplemental Register until an acceptable amendment to allege use meeting the requirements of 37 C.F.R. §2.76(b), (c) has been timely filed. 37 C.F.R. §2.47(d); TMEP §§816.02, 1102.03.

If applicant files an acceptable allegation of use and also amends to the Supplemental Register, the effective filing date of the application will be the date on which applicant met the minimum filing requirements of 37 C.F.R. §2.76(e) for the amendment to allege use. 37 C.F.R. §2.75(b); TMEP §§816.02, 1102.03. In addition, the undersigned trademark examining attorney will conduct a new search of the Office records for conflicting marks based on the later application filing date. TMEP §§206.01, 1102.03.

To amend the application filing basis from an intent-to-use application under Trademark Act Section 1(b) to a use in commerce basis under Section 1(a), applicant must file, prior to approval of the mark for

publication, an amendment to allege use that satisfies the requirements of 37 C.F.R. §2.76. *See* 15 U.S.C. §1051(c); 37 C.F.R. §2.35(b)(8); TMEP §§806.01(b), 1103.

The following must be submitted in an amendment to allege use in order to amend an application to use in commerce under Section 1(a):

- (1) The following statement: “ **Applicant is believed to be the owner of the mark and that the mark is in use in commerce;**”
- (2) The date of first use of the mark anywhere on or in connection with the goods and/or services;
- (3) The date of first use of the mark in commerce as a trademark or service mark;
  - (4) A specimen showing actual use of the mark in commerce for each class of goods and/or services for which use is being asserted. If a single specimen supports multiple classes, applicant should indicate which classes the specimen supports rather than providing multiple copies of the same specimen;
  - (5) A filing fee of \$100 per class for each international class of goods and/or services for which use is being asserted (current fee information should be confirmed at <http://www.uspto.gov/>); and
  - (6) Verification of the above (1) through (3) requirements in an affidavit or signed declaration under 37 C.F.R. §2.20.

*See* 37 C.F.R. §§2.6(a)(2), 2.56, 2.76(b), 2.193(e)(1); TMEP §§1104.08, 1104.09(e).

Amendments to allege use can be filed online at <http://www.uspto.gov/teas/index.html>. Filing an amendment to allege use does not extend the deadline for filing a response to an outstanding Office action. TMEP §1104.

Please note, an amendment to the Supplemental Register will not overcome the refusal under Section 2(d).

Although applicant’s mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration.

## RESPONSE GUIDELINES FOR FINAL ACTIONS

**TEAS PLUS APPLICANTS MUST SUBMIT DOCUMENTS ELECTRONICALLY OR SUBMIT FEE:** Applicants who filed their application online using the reduced-fee TEAS Plus application must continue to submit certain documents online using TEAS, including responses to Office actions. *See* 37 C.F.R. §2.23(a)(1). For a complete list of these documents, see TMEP §819.02(b). In addition, such applicants must accept correspondence from the Office via e-mail throughout the examination process and must maintain a valid e-mail address. 37 C.F.R. §2.23(a)(2); TMEP §§819, 819.02(a). TEAS Plus applicants who do not meet these requirements must submit an additional fee of \$50 per international class of goods and/or services. 37 C.F.R. §2.6(a)(1)(iv); TMEP §819.04. In appropriate situations and where all issues can be resolved by amendment, responding by telephone to authorize an examiner’s amendment

will not incur this additional fee.

If applicant does not respond within six months of the date of issuance of this final Office action, the application will be abandoned. 15 U.S.C. §1062(b); 37 C.F.R. §2.65(a). Applicant may respond to this final Office action by:

- (1) Submitting a response that fully satisfies all outstanding requirements, if feasible; and/or
- (2) Filing an appeal to the Trademark Trial and Appeal Board, with an appeal fee of \$100 per class.

37 C.F.R. §§2.6(a)(18), 2.64(a); TBMP ch. 1200; TMEP §714.04.

In certain rare circumstances, a petition to the Director may be filed pursuant to 37 C.F.R. §2.63(b)(2) to review a final Office action that is limited to procedural issues. 37 C.F.R. §2.64(a); TMEP §714.04; *see* 37 C.F.R. §2.146(b); TBMP §1201.05; TMEP §1704 (explaining petitionable matters). The petition fee is \$100. 37 C.F.R. §2.6(a)(15).

If applicant has questions about the application or this Office action, please telephone the assigned trademark examining attorney at the telephone number below.

/Kate DuBray/  
Trademark Examining Attorney, Law Office 105  
Tel: 571-272-4815  
Email: katherine.dubray@uspto.gov

**TO RESPOND TO THIS LETTER:** Use the Trademark Electronic Application System (TEAS) response form at <http://teasroa.uspto.gov/roa/>. Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov).

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.



**livelife3738**

- Email
- Wink

VIEW SINGLE

NEAR ZIP:

Women

[Chat Now »](#)

msn dating

encarta greeting cards

MSN home Mail My MSN

msn encarta®

## Dictionary

Find

cafeteria

in Dictionary

Dictionary Thesaurus Translations

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

caesura

CAFE

café

café au lait

café de move-

on

café latte

**cafeteria**



caf·e·te·ri·a [kăfə teerē ə] (*plural*  
caf·e·te·ri·as)

Advertisement

"NO, PICK ME UP AT WORK."



- café noir
- café society
- ▶ **cafeteria**
- cafeteria benefit
- cafeteria plan
- cafeteria-style
- cafetière
- cafetorium
- caff
- caffè americano
- caffè corretto



noun

**Definition:**

**self-service restaurant:** a self-service restaurant or coffee shop, especially one in a workplace or school.

[Mid-19th century, < American Spanish < *café* "coffee"]

Also available:

[World English Dictionary](#)  
[Dictionnaire Français](#)

---

Encarta® World English Dictionary [North American Edition] © & (P)2009  
Microsoft Corporation. All rights reserved. Developed for Microsoft by  
Doomsbury Publishing Etc.



**Sony Ericsson**  
online-only deals [Learn More](#)  
Free shipping



Find People

Find a Business

Reverse Phone

Reverse Address

Help | [Sign In](#)

\*

ADVERTISEMENT: [See profiles and photos for Naugles at MyLife.com](#)

62 Results [See in map >>](#)

1 2 3 4 5 Next >

<a href="#">You?</a> Claim & edit >>	<b>Alexandra Naugles</b> (Age 18-24)	<b>Palm Glen Dr Santee, CA</b>	<b>Associated people:</b> Robert J Naugles Nathan A Naugles <a href="#">Click to see more</a> <a href="#">Full listing &gt;&gt;</a>
-----------------------------------------	-----------------------------------------	--------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------

<a href="#">You?</a> Claim & edit >>	<b>Alexandra Naugles</b>	<b>Via Anita Santee, CA</b>	<b>Associated people:</b> unknown <a href="#">Full listing &gt;&gt;</a>
-----------------------------------------	--------------------------	-----------------------------	-------------------------------------------------------------------------------

<a href="#">You?</a> Claim & edit >>	<b>Alvin Naugles</b>	<b>Illinois St Detroit, MI</b>	<b>Associated people:</b> unknown <a href="#">Full listing &gt;&gt;</a>
-----------------------------------------	----------------------	--------------------------------	-------------------------------------------------------------------------------

ADVERTISEMENT



**View profiles & photos for Naugles**  
[Click here to view Naugles's information](#)

<a href="#">You?</a> Claim & edit >>	<b>Alyssa M Naugles</b>	<b>Harding St Detroit, MI</b>	<b>Associated people:</b> unknown <a href="#">Full listing &gt;&gt;</a>
-----------------------------------------	-------------------------	-------------------------------	-------------------------------------------------------------------------------

<a href="#">You?</a> Claim & edit >>	<b>Anna B Naugles</b> (Age 65+)	<b>Woodiron Dr Duluth, GA</b>	<b>Associated people:</b> unknown <a href="#">Full listing &gt;&gt;</a>
-----------------------------------------	------------------------------------	-------------------------------	-------------------------------------------------------------------------------

<a href="#">You?</a>	<b>Ava H Naugles</b>	<b>Queens Ave</b>	<b>Associated people:</b>
----------------------	----------------------	-------------------	---------------------------

ADVERTISEMENT: [Lowest Rates at BestWestern.com](#)



**Weird Tip To Whiter Teeth**

Alexandria: Mom Discovers A Way To Get White Teeth For Under \$6!



**Alexandria: Mom Makes \$77/Hr Online**

Unemployed Mom Makes \$6,397/Month Working Online.



**SHOCKING: 46" LED TV's for only \$98.76!**

Alexandria: Over 1,000 Samsung 46" LED TV's selling for \$98.76 each!



**You?** Claim & edit >>  
 (Age 55-59)  
**Queens Ave**  
**Saint Louis, MO**  
**Associated people:**  
 Paul J Naugles  
 Click to see more  
[Full listing >>](#)

**You?** Claim & edit >>  
**Ava H Naugles**  
 (Age 55-59)  
**Willow Brook Dr**  
**Saint Louis, MO**  
**Associated people:**  
 Paul J Naugles  
 Click to see more  
[Full listing >>](#)

**You?** Claim & edit >>  
**Barbara Naugles**  
 (Age 60-64)  
**S Cornell Ave**  
**Chicago, IL**  
**Prior:** Chicago, IL  
 Click to see more  
**Associated people:**  
 unknown  
[Full listing >>](#)

**You?** Claim & edit >>  
**Bessie M Naugles**  
 (Age 45-49)  
**County Road 31**  
**Houston, MS**  
**Associated people:**  
 David E Naugles  
 Click to see more  
[Full listing >>](#)

**You?** Claim & edit >>  
**Brenda J Naugles**  
**S Indiana Ave**  
**Chicago, IL**  
**Associated people:**  
 Mary E Naugles  
 Click to see more  
[Full listing >>](#)

Pages 1 2 3 4 5 Next >

But feel free to visit our sponsors!



SPONSORED LINKS

[4 More Records for Naugles](#)

Name	Location	Age	Possible Contact Info	People Report
<a href="#">Besse Naugles</a>	Houston, MS	45		<a href="#">View Details</a>
<a href="#">David E Naugles</a>	Houston, MS	46		<a href="#">View Details</a>
<a href="#">Ava Harris Naugles</a>	Saint Louis, MO	58		<a href="#">View Details</a>
<a href="#">Goldie M Naugles</a>	Chicago, IL	64		<a href="#">View Details</a>

[See All Records for Naugles](#)

Sponsored by [PeopleSmart.com](#)

SPONSORED LINKS

Name	Age	Location	Email	Places Online
<a href="#">Alexandra Naugles</a>	24	Santee, CA		<a href="#">View Details</a>
<a href="#">Sharon Naugles</a>	51	Chicago, IL		<a href="#">View Details</a>
<a href="#">Dolores Naugles Merta</a>	76	Arapahoe, N Carolina		<a href="#">View Details</a>
<a href="#">Robert A Naugles</a>	91	Chicago, IL		<a href="#">View Details</a>

[Robert A. Naugles](#)

91

Chicago, IL



[View Details](#)

[View All 70 Profiles for Naugles](#)

[Sponsored by MyLife](#)

SPONSORED LINKS

[68 Vital Records Found for Naugles in](#)

Get instant access to these records:

**49 Birth Records**

[view details](#)

**28 Death Records**

[view details](#)

**6 Marriage Records**

[view details](#)

**5 Divorce Records**

[view details](#)

[Trace Your Family Tree!](#)

Sponsored by [Archives](#)

**NO FOOD IS OFF LIMITS. EVER.**

WeightWatchers<sup>®</sup>  
BECAUSE IT WORKS.

[START NOW](#)

Local information for Santee, CA

- [Pick a Santee Restaurant](#)
- [Find Santee Hotels](#)
- [Santee Hospitals](#)
- [Banks in Santee](#)
- [Choose a Santee Attorney](#)
- [Find a Dentist in Santee](#)

[About Us](#) | [Advertise](#) | [Careers](#) | [Blog](#) | [Privacy](#) | [Help](#) | [Feedback](#) | [Site Map](#)

[People Search](#) | [Business Search](#) | [Reverse Phone](#) | [Reverse Address](#) | [Area Codes](#) | [Area Code Maps](#) | [ZIP Codes](#) | [International](#) | [More...](#)

[ROLL OVER TO PLAY](#)

**Earn. Redeem. Explore.**

Earn 25,000 Membership Rewards<sup>®</sup> bonus points, and always earn 3X points on airfare

No annual fee for the first year

[APPLY NOW](#)



**1 TRICK to White Teeth**

Learn the simple trick a single mom used to turn yellow teeth brilliantly white from home without breaking the bank!

[Read More>](#)



**Do NOT BLEACH**

A single mom discovers a trick that dentists do not want you to know about!

[Read More>](#)

Find People

Find a Business

Reverse Phone

Reverse Address

Help | [Sign-in](#)

ADVERTISEMENT: [See profiles and photos for Naugles at MyLife.com](#)

62 Results [See in map >>](#)

< Prev 1 2 3 4 5 Next >

You? Claim & edit >>	<b>Cassandra Naugles</b>	W 129th Pl Chicago, IL	<b>Associated people:</b> Willie M Naugles Cynthia D Naugles <a href="#">Click to see more</a> Full listing >>
----------------------------	--------------------------	---------------------------	----------------------------------------------------------------------------------------------------------------------------

	<b>Cecelia A Naugles</b> (Age 65+)	PO Box Aquebogue, NY	<b>Associated people:</b> Joseph P Naugles <a href="#">Click to see more</a> Full listing >>
--	---------------------------------------	-------------------------	-------------------------------------------------------------------------------------------------------

You? Claim & edit >>	<b>Chris J Naugles</b> (Age 30-34)	Calico Rd West Palm Beach, FL	<b>Associated people:</b> Thomas J Naugles Jennifer D Naugles <a href="#">Click to see more</a> Full listing >>
----------------------------	---------------------------------------	----------------------------------	-----------------------------------------------------------------------------------------------------------------------------

ADVERTISEMENT

**my life**

[View Naugles's Profile Now](#)

[Click here to view Naugles's information](#)

You? Claim & edit >>	<b>Cynthia D Naugles</b> (Age 50-54)	W 129th Pl Chicago, IL	<b>Associated people:</b> Willie M Naugles Cassandra Naugles <a href="#">Click to see more</a> Full listing >>
----------------------------	-----------------------------------------	---------------------------	----------------------------------------------------------------------------------------------------------------------------

You? Claim & edit >>	<b>Darren D Naugles</b> (Age 35-39)	Turnberry Pl Lithonia, GA	<b>Associated people:</b> Kurt E Naugles <a href="#">Click to see more</a> Full listing >>
----------------------------	----------------------------------------	------------------------------	-----------------------------------------------------------------------------------------------------

You?	<b>David E Naugles</b>	Countryside Rd 34	<b>Associated people:</b>
------	------------------------	-------------------	---------------------------

ADVERTISEMENT: [No need for phone books? Join us!](#)

**WEIGHT WATCHERS ONLINE**  
GIVES YOU THE FREEDOM  
TO LOSE WEIGHT  
AND LIVE YOUR LIFE.

**WeightWatchers Online** [SEE HOW](#)

**Mom's \$5 Wrinkle Trick**  
Dermatologists DON'T want you knowing about this Skin Care Secret!

**Weird Tip To Whiter Teeth**  
Alexandria: Mom Discovers A Way To Get White Teeth For Under \$6!

**Alexandria: Mom Makes \$77/Hr Online**  
Unemployed Mom Makes \$6,397/Month Working Online.

**You?** Claim & edit >>  
**David E Naugles**  
 (Age 45-49)  
 County Road 31  
 Houston, MS  
**Associated people:**  
 Bessie M Naugles  
 Click to see more  
[Full listing >>](#)

**You?** Claim & edit >>  
**Deanna L Naugles**  
 (Age 35-39)  
 Renee Dr  
 Troy, MI  
**Associated people:**  
 unknown  
[Full listing >>](#)

**You?** Claim & edit >>  
**George H Naugles**  
 County Road 460  
 Calhoun City, MS  
**Associated people:**  
 Henry M Naugles  
 Click to see more  
[Full listing >>](#)

**You?** Claim & edit >>  
**George J Naugles IV**  
 (Age 45-49)  
 Jasper Ave  
 Ventura, CA  
**Associated people:**  
 Shelley M Sussman  
 Click to see more  
[Full listing >>](#)

**You?** Claim & edit >>  
**George J Naugles**  
 Owner @  
 George J Naugles Do Pa  
 Forest Creek St  
 Benbrook, TX  
[Full listing >>](#)

< Prev 1 2 3 4 5 Next >

**But feel free to visit our sponsors!**

SPONSORED LINKS

[4 More Records for Naugles](#)

Name	Location	Age	Possible Contact Info	People Report
<a href="#">Bessie Naugles</a>	Houston, MS	45		<a href="#">View Details</a>
<a href="#">David E Naugles</a>	Houston, MS	46		<a href="#">View Details</a>
<a href="#">Ava Harris Naugles</a>	Saint Louis, MO	58		<a href="#">View Details</a>
<a href="#">Goldie M Naugles</a>	Chicago, IL	64		<a href="#">View Details</a>

[See All Records for Naugles](#)

Sponsored by [PeopleSmart.com](#)

SPONSORED LINKS

Name	Age	Location	Email	Places Online
<a href="#">Alexandra Naugles</a>	24	Santee, CA		<a href="#">View Details</a>
<a href="#">Stratori Naugles</a>	51	Chicago, IL		<a href="#">View Details</a>
<a href="#">Dolores Naugles Merta</a>	76	Arapahoe, N Carolina		<a href="#">View Details</a>
<a href="#">Robert A Naugles</a>	91	Chicago, IL		<a href="#">View Details</a>

[View All 70 Profiles for Naugles](#)

Sponsored by [MyLife](#)

SPONSORED LINKS

[More on Naugles from the Archives Records](#)

Record Type	Name	State	Records
<a href="#">Marriage Records</a>	Naugles		<a href="#">View Details</a>
<a href="#">Divorce Records</a>	Naugles		<a href="#">View Details</a>
<a href="#">Birth Records</a>	Naugles		<a href="#">View Details</a>
<a href="#">Death Records</a>	Naugles		<a href="#">View Details</a>

[Trace Your Family Tree!](#)

Sponsored by [Archives.com](#)



**FREE\***  
phone packages  
Free shipping! Online only!

[Learn More](#)

\*Restrictions apply.

Local information for Chicago, IL

- [Pick a Chicago Restaurant](#)
- [Find Chicago Hotels](#)
- [Chicago Hospitals](#)
- [Banks in Chicago](#)
- [Choose a Chicago Attorney](#)
- [Find a Dentist in Chicago](#)

[About Us](#) | [Advertise](#) | [Careers](#) | [Blog](#) | [Privacy](#) | [Help](#) | [Feedback](#) | [Site Map](#)

[Reverse Search](#) | [Business Search](#) | [Reverse Phone](#) | [Reverse Address](#) | [Area Codes](#) | [Area Code Maps](#) | [ZIP Codes](#) | [International](#) | [More...](#)

**PERSONAL SAVINGS** from American Express

**1.30% APY\*** | FDIC INSURED | NO FEES | NO MINIMUM BALANCE

[LEARN MORE](#)

Accounts offered by American Express Bank, FDIC. Member FDIC.

**TAKE CHARGE** 



- BS in Psychology
- BS in Business
- MS in Counseling
- MPH in General Public Health
- PhD in Education
- PhD in Human Services

[LEARN MORE](#)

Find People

Find a Business

Reverse Phone

Reverse Address

Help | [Sign In](#)

ADVERTISEMENT: [See profiles and photos for Naugles at MyLife.com](#)

62 Results [See in map >>](#)

< Prev 1 2 3 4 5 Next >

You? Claim & edit >>	<b>Geraldine S Naugles</b> (Age 65+)	Forest Creek St Benbrook, TX	<b>Associated people:</b> unknown
	<a href="#">Full listing &gt;&gt;</a>		

You? Claim & edit >>	<b>Henry M Naugles</b> (Age 65+)	County Road 460 Calhoun City, MS	<b>Associated people:</b> George H Naugles <a href="#">Click to see more</a>
	<a href="#">Full listing &gt;&gt;</a>		

You? Claim & edit >>	<b>Jasmine Naugles</b>	Eureka Rd Taylor, MI	<b>Associated people:</b> unknown
	<a href="#">Full listing &gt;&gt;</a>		

ADVERTISEMENT

**View Naugles's Profile Now**  
[Click here to view Naugles's information](#)

You? Claim & edit >>	<b>Jeanne Naugles</b> (Age 60-64)	Feuerisen Ave Ronkonkoma, NY	<b>Associated people:</b> unknown
	<a href="#">Full listing &gt;&gt;</a>		

You? Claim & edit >>	<b>Jennifer D Naugles</b> (Age 35-39)	Calico Rd West Palm Beach, FL	<b>Associated people:</b> Chris J Naugles Thomas J Naugles <a href="#">Click to see more</a>
	<a href="#">Full listing &gt;&gt;</a>		

You? Claim & edit >>	<b>Johnathan Naugles</b>	Crosstie Cir Fort Worth, TX	<b>Associated people:</b> unknown
----------------------------	--------------------------	--------------------------------	--------------------------------------

ADVERTISEMENT: [No need for phone books? Join us!](#)

**1 Tip To Wrinkles**  
Obey this 1 weird tip and remove 20 yrs of wrinkles for free.

**SHOCKING: 46" LED TV's for only \$98.76!**  
Alexandria: Over 1,000 Samsung 46" LED TV's selling for \$98.76 each!

**Alexandria: Mom Makes \$77/Hr Online**  
Unemployed Mom Makes \$6,397/Month Working Online.

**I still feel like Jennifer**

System  
edit >>

FULL WORTH, TX

UNKNOWN

Full listing >>

You?  
Claim &  
edit >>

**Johnny P Naugles**  
(Age 50-54)

Shaw Rd  
Eupora, MS

**Associated people:**  
Shirley H Naugles  
Stephanie H Naugles  
Click to see more  
Full listing >>

You?  
Claim &  
edit >>

**Joseph A Naugles III**  
(Age 50-54)

Treasure Rd  
Riverhead, NY

**Associated people:**  
Virginia N Naugles  
Click to see more  
Full listing >>

**Joseph P Naugles**

PO Box  
Aquebogue, NY

**Associated people:**  
Cecelia A Naugles  
Click to see more  
Full listing >>

You?  
Claim &  
edit >>

**Joseph P Naugles Jr**

Church Ln  
Riverhead, NY

**Associated people:**  
Tony Naugles  
Kelli A Naugles  
Click to see more  
Full listing >>

< Prev 1 2 3 4 5 Next >

But feel free to visit our sponsors!

SPONSORED LINKS

[4 More Records for Naugles](#)

Name	Location	Age	Possible Contact Info	People Report
<a href="#">Dessa Naugles</a>	Houston, MO	45	  	<a href="#">View Details &gt;&gt;</a>
<a href="#">David E Naugles</a>	Houston, MS	46	  	<a href="#">View Details &gt;&gt;</a>
<a href="#">Ava Harris Naugles</a>	Saint Louis, MO	58	  	<a href="#">View Details &gt;&gt;</a>
<a href="#">Goldie M Naugles</a>	Chicago, IL	64	  	<a href="#">View Details &gt;&gt;</a>

[See All Records for Naugles](#)

Sponsored by [PeopleSmart.com](#)

SPONSORED LINKS

Name	Age	Location	Email	Places Online
<a href="#">Alexandra Naugles</a>	24	Santee, CA		<a href="#">View Details</a>
<a href="#">Sharon Naugles</a>	51	Chicago, IL		<a href="#">View Details</a>
<a href="#">Dolores Naugles Merta</a>	76	Arapahoe, N Carolina		<a href="#">View Details</a>
<a href="#">Robert A Naugles</a>	91	Chicago, IL		<a href="#">View Details</a>



Like Jennifer Hudson. Just with a new body and this smile.

*Jennifer Hudson*

**WeightWatchers**  
BECAUSE IT WORKS.

**JOIN ME**

[Robert A Naugles](#) 91 Chicago, IL  [View Details](#)  
[View All 70 Profiles for Naugles](#) [Sponsored by MyLife](#)

SPONSORED LINKS

[88 Vital Records Found for Naugles in](#)

Get instant access to these records:

**49 Birth Records**  
[view details](#)

**28 Death Records**  
[view details](#)

**6 Marriage Records**  
[view details](#)

**5 Divorce Records**  
[view details](#)

[Trace Your Family Tree!](#)

Sponsored by [Archives](#)



**FREE\***  
phone packages  
Free shipping! Online only!

[Learn More](#)

\*Restrictions apply.

Local information for Benbrook, TX

- [Pick a Benbrook Restaurant](#)
- [Find Benbrook Hotels](#)
- [Benbrook Hospitals](#)
- [Banks in Benbrook](#)
- [Choose a Benbrook Attorney](#)
- [Find a Dentist in Benbrook](#)

[About Us](#) [Advertise](#) [Careers](#) [Blog](#) [Privacy](#) [Help](#) [Feedback](#) [Site Map](#)

[People Search](#) | [Business Search](#) | [Reverse Phone](#) | [Reverse Address](#) | [Area Codes](#) | [Area Code Maps](#) | [ZIP Codes](#) | [International](#) | [More...](#)



The **NEW** American Express® Gift Card.  
**NO** Monthly Fees. **NO** Lost Value. [ORDER NOW](#)

108B8C

Time of Request: Monday, January 10, 2011 17:53:42 EST

Client ID/Project Name:

Number of Lines: 373

Job Number: 1821:262198168

Research Information

Service: Terms and Connectors Search

Print Request: Selected Document(s): 2,4,5,8,10,11,15,19,24,27,29

Source: US Newspapers

Search Terms: plural (naugle)

Send to: DUBRAY, KATHERINE  
TRADEMARK LAW LIBRARY  
600 DULANY ST  
ALEXANDRIA, VA 22314-5790

2 of 472 DOCUMENTS

Copyright 2010 Eastern Express Times  
All Rights Reserved  
Eastern Express Times (Pennsylvania)

June 16, 2010 Wednesday

**SECTION:** NEWS; Pg. B3

**LENGTH:** 224 words

**HEADLINE:** Death threat made on chief, police say BELVIDERE POLICE SAY SLATE BELT WOMAN called 12 times after her pickup truck was impounded.

**BYLINE:** BILL WICHERT The Express-Times

**BODY:**

...left the area as Castles arrived but was later stopped heading toward the Riverton bridge, police said.

Naugle received a summons for driving an unregistered vehicle and the car was impounded, police said. The car is registered to Naugle's husband, Todd, according to Sweigert.

For leaving the messages, Naugle faces disorderly conduct and harassment charges, police said.

No one picked up the phone at the Naugles' home Tuesday afternoon or early evening.

4 of 472 DOCUMENTS

Copyright 2009 ProQuest Information and Learning  
All Rights Reserved  
ProQuest SuperText  
Copyright 2009 The Arizona Daily Star  
Arizona Daily Star (Tucson)

December 23, 2009 Wednesday  
Final Edition

**SECTION:** TUCSON/REGION; Pg. A2

**LENGTH:** 473 words

**HEADLINE:** Struggling couple sees glimmer

**BYLINE:** STEPHANIE INNES, STEPHANIE INNES, ARIZONA DAILY STAR

**BODY:**

Big donation, host of others, new job offset their despair

A death, a job loss and a bankruptcy - 2009 was a year of tumult and sadness for Nick Cosentino and Nancy Naugles.

But there was an unexpected gift, too. And it came from a complete stranger.

The Tucson couple's year began with a desperate and reluctant decision. They filed for Chapter 7 personal bankruptcy, citing medical expenses.

Naugles, 51, has been on Medicare since 1998. But the federal coverage did not pay for all the costs of a neck surgery she had in 1999, kidney stone surgery she had last year and other hospitalizations. She also had out-of-pocket costs for her prescriptions and oxygen supply.

To compound the couple's troubles, Cosentino has a congenital heart problem that required an implant last year. Cosentino, 51, was covered by his employer-sponsored insurance plan at the time, but the copayment was \$2,500, he said.

Filing for bankruptcy meant they had no credit, and not enough cash, to pay the \$3,873 their Medicare provider required as a copayment for a new \$19,000 wheelchair for Naugles.

Naugles has been mostly bedridden since 2005. She suffers from a rare congenital orthopedic disease, from severe scoliosis and from a constricting lung condition that leave her unable to walk on her own. Her 10-year-old wheelchair did not fit her properly and left her in excruciating pain.

The couple had been surviving on Cosentino's \$12-per-hour job as a medical assistant. But he lost his job in the fall when the practice he joined was cutting staff. For nearly three months, the couple was on food stamps.

Cosentino, who had no health insurance, had a bout of mononucleosis. Naugles' sister was diagnosed with breast cancer. Then this month, Cosentino's mother died after a stroke.

It was a tough year.

But the couple also had some reasons to celebrate.

Cosentino recently started a new job.

And Naugles is now getting out of bed every day because she finally got her wheelchair.

After the Arizona Daily Star ran a story about the couple in August, the two began receiving phone calls from people offering used wheelchairs, letters of support and some checks for \$50, \$100 and \$200.

Then, about a week after the story was published, an unexpected gift came in the mail. It was an anonymous, certified check for the full amount of the \$3,873 copayment, and a note.

"There was no name on it, no return address, just a tiny little note,"

Naugles said.

The note said, "Your story touched my heart. Enjoy the wheelchair and your freedom."

Naugles received the chair on Oct. 13, which was also the couple's 25th wedding anniversary.

"I don't know who they are, but I sure would like them to know I'm happy," Naugles said as she moved through her living room in the high-tech chair. "I'm getting my life back."

Contact reporter Stephanie Innes at 573-4134 or sinnes@azstarnet.com

**PUB-PERSON:**

Cosentino, Nick; Naugles, Nancy

5 of 472 DOCUMENTS

Copyright 2009 South Florida Sun-Sentinel  
South Florida Sun-Sentinel (Fort Lauderdale)

Distributed by McClatchy-Tribune Business News

December 20, 2009 Sunday

**SECTION:** STATE AND REGIONAL NEWS

**LENGTH:** 1136 words

**HEADLINE:** Florida Guard soldiers head back to Iraq: It's a bittersweet holiday season for troops and their families

**BYLINE:** Mike Clary Staff writer, Sun Sentinel, Fort Lauderdale, Fla.

**BODY:**

...more than 600 men and women of the battalion will take part in two months of intensive training before deploying to Iraq and a mission of providing convoy security.

Knowing the soldiers are likely to still be deployed at this time next year, many families are trying to make this holiday special.

Jetaune Kelly is flying to her native Cleveland for a visit with her mother and relatives who have yet to meet Kemora.

The Naugles are planning a family outing to Fort Myers and a trip aboard the Murder Mystery Dinner Train.

Training for war has been going on for months. In addition to monthly drills, the battalion in October and November spent 30 days at Camp Blanding in North

Florida Guard soldiers head back to Iraq: It's a bittersweet holiday season for troops and their families South Florida Sun-Sentinel (Fort Lauderdale) December 20, 2009 Sunday

Florida, where they rehearsed convoy formations and what to do when confronted by improvised explosive devices or roadside bombs and insurgent snipers,

Harder to ...

8 of 472 DOCUMENTS

Copyright 2009 Courier News (Bridgewater, NJ)  
All Rights Reserved  
Courier News (Bridgewater, New Jersey)

September 29, 2009 Tuesday

SECTION: HEALTH; Pg. NaN

LENGTH: 715 words

HEADLINE: Home is where the heart is

BYLINE: JEFF WEBER

BODY:

...involvement on the patient's part with assisted living," Jean Naugle said. "Being able to stay home, where the services - if they are provided by Medicare - are 100 percent covered, just seems like a better option to me."

Admittedly, Jean Naugle is a bit biased. That's because she and her husband are physical therapists for Holy Redeemer Home Care, which is based in Elizabeth and serves patients in Union, Somerset and Middlesex counties.

To the Naugles, who live in Scotch Plains, the concept of home care is simple: keeping an elderly person in their home while giving them peace of mind and keeping them safe.

"Home care is one-on-one care in a relevant setting," said Jim Naugle, who has worked for Holy Redeemer for the past four years and generally sees patients in Scotch Plains, Westfield and New Providence. "It's kind of exciting if you have a patient who can't walk and you get them to the point where they can walk."

Physical therapy might be the Naugles' specialty, but Holy Redeemer offers many more services, including occupational speech therapy, home health aides, social work, dietitians, nurses and the telehealth system, in which a patient's vitals are transferred through a phone line to the central hub in Elizabeth for monitoring by a nurse.

Home care roots

Jean Naugle once thought she wanted to be a nurse, working as ...

...couldn't bear to see her patient struggle, so she turned to Jim for advice.

Home is where the heart is Courier News (Bridgewater, New Jersey) September 29,  
2009 Tuesday

"Jim came up with the suggestion to cut tennis balls and put them on the four legs so she could push the walker," Jean said. "The softness of the tennis ball wouldn't scratch the floor, and she wouldn't have to lift and place the walker. It was a perfect, safe solution, and safety at home really is one of the most important things for our patients."

To the Naugles, that situation typifies what they believe home care should be - personal, caring, attentive.

"It's so individualized," said Jean, who can see patients as far north as Elizabeth, south as Monroe and west as Bridgewater. "You get what is totally important to that one person when you do it in the home setting, and it's an honor and a privilege to be invited into someone's home. That's why we do what we do."

Jeff Weber: 732-565-7327; jweber@MyCentralJersey.com ...

10 of 472 DOCUMENTS

Copyright 2009 ProQuest Information and Learning  
All Rights Reserved  
ProQuest SuperText  
Copyright 2009 The Arizona Daily Star  
Arizona Daily Star (Tucson)

August 17, 2009 Monday  
Final Edition

**SECTION:** TUCSON/REGION; Pg. A14

**LENGTH:** 676 words

**HEADLINE:** Even with Medicare, she's in a bind

**BYLINE:** STEPHANIE INNES, STEPHANIE INNES, ARIZONA DAILY STAR

**BODY:**

Nancy Naugles is at the center of a health-care tug of war.

She and her husband, Nick Cosentino, have health insurance through Medicare, but they can't afford the \$3,873 co-payment that their Medicare provider is requiring for the new, \$19,000 power wheelchair that she qualified for earlier this year.

The 51-year-old Tucsonan can't sit in her current wheelchair, which is 10 years old, for longer than four hours or ...

co-payment is just 20 percent of the wheelchair's cost - standard for Medicare. But it's a fortune to Naugles and Cosentino, who became so mired in debt last year that in January they filed for Chapter 7 bankruptcy. They say medical expenses were the cause.

"We were so embarrassed by the bankruptcy," Cosentino said. "We really

Even with Medicare, she's in a bind Arizona Daily Star (Tucson) August 17, 2009  
Monday

haven't told people about that."

Their story is not unique. A recent report by researchers at Harvard Medical School and Harvard Law School said that medical bills were the source of 62 percent of personal bankruptcy filings in the United States in 2007.

"We hear so much about the 47 million who are uninsured, but most people do have health insurance. It's a question of what we face and how unaffordable it is if we are really sick," said Monica Sandschafer, an Arizona organizer for Health Care for America Now, grass-roots group advocating health-care overhaul.

Naugles, who has been mostly bedridden since 2005, suffers from a rare congenital orthopedic disease called arthrogryposis, from severe scoliosis and from a constricting lung condition that leave her unable to walk on her own. She needs an oxygen tube to breathe and a wheelchair to get around.

Naugles has been covered by Medicare for more than a decade. She's one of about 5 million Americans under 65 who qualify for Medicare coverage because they are totally and permanently disabled. She's been on Medicare since 1998, but that federal coverage did not pay for all the costs associated with the neck surgery she had in 1999, surgery she had for a kidney stone last year and numerous hospitalizations for breathing ...

...couple's troubles, Cosentino has a congenital heart problem called an atrial septal defect that required an implant last year. Cosentino, 50, was covered by his employer-sponsored insurance plan at the time, but the co-payment was \$2,500, he said.

Cosentino works full time as a medical assistant, earning \$12 per hour (about \$25,000 per year), and Naugles receives \$340 per month from Social Security. Until recently, Cosentino was in a job that paid \$11 per hour. He took the new position because it meant an increase in salary, but at the moment he has no health insurance.

He'll have it from his new employer after three months, but in the meantime he's shopping around for a short-term plan. ...

...COBRA, but it applies only to people who were laid off.

The bankruptcy wiped out their debts, but it also ruined the couple's credit rating, so they can't put the wheelchair co-payment on a credit card or take out a loan for it.

"We are trying," Cosentino said. "We've started a savings account. So far it's \$150, but we have one."

Naugles, who has worked in an insurance office and for a market-research firm, said she wants nothing more than to get out of the house every morning.

"I'm not this person," she said. "I used to be very independent."

Contact reporter Stephanie Innes at 573-4134 or [sinnes@azstarnet.com](mailto:sinnes@azstarnet.com)

**PUB-PERSON:**

Naugles, Nancy; Cosentino, Nick

Developer shows off site of proposed 40 house lots The Union Leader (Manchester, NH) April 22, 2009 Wednesday

11 of 472 DOCUMENTS

Copyright 2009 Union Leader Corp.  
All Rights Reserved  
The Union Leader (Manchester, NH)

April 22, 2009 Wednesday

**SECTION:** Pg. 02

**LENGTH:** 217 words

**HEADLINE:** Developer shows off site of proposed 40 house lots

**BODY:**

...property under conservation easement, to be held and managed by the New England Forestry Foundation, he said.

Bartlett said the houses would be built on speculation or to suit the owner. The single-family homes would be on 1 1/2-acre lots, he said. Bartlett said he has not set a price range yet because the "market is tough."

Vickie and Steve Naugle and their teenage daughter Kali walked the site Saturday morning. The **Naugles**, who live on the curve of Goboro Road just before the site, said their main concern was the extra traffic the development would generate on the rural road.

"But other than that, it looks like he has some good plans," Steve Naugle said.

Bartlett made his formal application to the planning board in January. The project is still under review, he said.

The board meets the second and fourth Wednesdays of the month at ...

15 of 472 DOCUMENTS

Copyright 2009 MediaNews Group, Inc.  
All Rights Reserved  
The Evening Sun (Hanover, Pennsylvania)

January 21, 2009 Wednesday

**SECTION:** LOCAL

**LENGTH:** 591 words

**HEADLINE:** Despite tickets, some turned away at inauguration gates

**BYLINE:** By ERIN JAMES Evening Sun Reporter

Despite tickets, some turned away at inauguration gates The Evening Sun  
(Hanover, Pennsylvania) January 21, 2009 Wednesday

BODY:

... a line that "just seemed to be endless."

"We realized we weren't going to get in," said Moreno, who attended the inauguration with her daughter.

Gettysburg Borough Councilwoman Susan Haugle and her husband Pat Haugle spent an hour and a half in line with blue tickets only to have the experience end in frustration.

"The line just snaked around," she said. "We never knew if we were even in the right line."

Moreno and the Haugles lucked out, however, when they found a last-minute spot to watch the ceremony on a large TV screen.

One local couple was able to make use of their tickets, however.

Ken and Dona Maguire, of East Berlin, held tickets to the silver section and said they had no problem getting in - despite "outrageous" lines.

"Considering the amount of people moving through, this was wonderful," Dona Maguire said.

Still, she said it was ...

19 of 472 DOCUMENTS

Copyright 2008 Fort Worth Star-Telegram  
All Rights Reserved

**Star-Telegram**

Found on DFW.com

Fort Worth Star-Telegram (Texas)

August 30, 2008 Saturday

SECTION: E; Pg. 12

LENGTH: 665 words

HEADLINE: No web

BODY:

...strong>Matt Snyder invites helps Eric and Liz buy a place in the mountains.

<em>10:30 p.m. , HGTV</em>

<strong><span class="subhead">Friday</span></strong>

**<strong>Designed to Sell: </strong>**A million-dollar mansion is going on the market soon, so Taniya gets it ready. <em>7 p.m., HGTV</em>

**<strong>Hidden Potential: </strong>**The **Naugles** want to purchase their own home in Westminster, Md. <em>7:30 p.m., HGTV</em>

**<strong>My Parents' House: </strong>**Host Andrika Lawren returns to her parents' home to redesign the kitchen. <em>10:30 p.m., HGTV</em>

24 of 472 DOCUMENTS

Copyright 2007 ProQuest Information and Learning  
All Rights Reserved  
Copyright 2007 Michigan Chronicle  
Michigan Chronicle (Detroit)

November 7, 2007 - November 13, 2007

**SECTION:** COMMUNITY; Pg. C6 Vol. 71 No. 8

**LENGTH:** 461 words

**HEADLINE:** Coleman A. Young Foundation adds new board members

**BODY:**

...A. Young Foundation (CAYF) recently elected five new trustees to its Board. The new board members include Michael G. Bickers, executive vice president, National City Bank; W. Rollin Henderson, Jr., president, Henderson Financial Associates, Inc.; Conrad L. Mallett, Jr., president, Detroit Medical Center and adjunct professor of business/health care law of Oakland University; Deanna L. **Naugles**-Jack, Lead, Accenture Detroit City Council/Grow America Program and alumna of the Coleman A. Young Foundation and Adam A. Shakoor, Esq., founding partner, Adam Shakoor and Associates, P.C. and former chief judge, 36th District Court.

...A. Young Foundation (CAYF) recently elected five new trustees to its Board. The new board members include Michael G. Bickers, executive vice president, National City Bank; W. Rollin Henderson, Jr., president, Henderson Financial Associates, Inc.; Conrad L. Mallett, Jr., president, Detroit Medical Center and adjunct professor of business/health care law of Oakland University; Deanna L. **Naugles**-Jack, Lead, Accenture Detroit City Council/Grow America Program and alumna of the Coleman A. Young Foundation and Adam A. Shakoor, Esq., founding partner, Adam Shakoor and Associates, P.C. and former chief judge, 36th District Court.

27 of 472 DOCUMENTS

Copyright 2007 Rochester Democrat and Chronicle  
All Rights Reserved  
Rochester Democrat and Chronicle (New York)

Strong seeks to expand Rochester Democrat and Chronicle (New York) October 2,  
2007 Tuesday

October 2, 2007 Tuesday

**SECTION:** NATIONAL; Pg. 1A

**LENGTH:** 1266 words

**HEADLINE:** Strong seeks to expand

**BYLINE:** Chris Swingle CSWINGLE@DemocratandChronicle.com

**BODY:**

...Toronto and Philadelphia in a frustrating quest to treat a condition that causes strokes. Conner regularly has a roommate, separated only by a curtain, including one youngster who cried from 3 a.m. to noon.

"It was awful," said Michelle Hicks, 35. "I spent most of the night out in the hall, crying and complaining."

She spoke Monday in the room that her family was sharing with Tom Naugles, 13, of Lowville, Lewis County, and his parents. The two families were friendly, but the crowded arrangement, with the one bathroom and window on the Hicks end of the room, was not ideal.

Tom's mother, Jennifer Smith, 34, said they first moved into the room late last Wednesday when the Hickses were sleeping, so Smith slept sitting up rather than open the noisy recliner.

As she spoke to a reporter Monday, roommate Conner blew ...

29 of 472 DOCUMENTS

Copyright 2007 Ventura County Star  
All Rights Reserved  
Ventura County Star (California)

June 26, 2007 Tuesday

**SECTION:** LOCAL

**LENGTH:** 328 words

**HEADLINE:** ADSFSDAFSDFDSF

**BYLINE:** By Ben Carter boarter@VenturaCountyStar.com

**BODY:**

...learn about Chumash displays in the museum, participate in hands-on art projects, and enjoy stories, songs and food to enhance their understanding of the culture.

Gerry Browning has been a museum docent in Ventura since 1975 and originated

the program in 1987. Browning said she is happy to see how receptive the children are to the cultural information.

"They learn to use the natives' methods and types of tools they had," Browning said.

Zac Naugles, 9, worked carefully last week to use a rock as sandpaper in a surface-smoothing project.

"It's really fun to see how they (the Chumash) lived," he said.

Wendy VanHorn, director of education at the museum, said the program is a great resource.

"It's so rewarding to help people understand where their history has come from," she said. "That's such a gift to give back &#8212; that people can come here and feel ...."

108B8C

\*\*\*\*\* Print Completed \*\*\*\*\*

Time of Request: Monday, January 10, 2011 17:53:42 EST

Print Number: 1821:262198168

Number of Lines: 373

Number of Pages: 11

Send To: DUBRAY, KATHERINE  
TRADEMARK LAW LIBRARY  
600 DULANY ST  
ALEXANDRIA, VA 22314-5790

**To:** Ziebarth, Christian M. ([efiling@kmob.com](mailto:efiling@kmob.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85040746 - NAUGLES - CZIEB.000GEN  
**Sent:** 1/10/2011 6:17:07 PM  
**Sent As:** ECOM105@USPTO.GOV  
**Attachments:**

## IMPORTANT NOTICE REGARDING YOUR U.S. TRADEMARK APPLICATION

USPTO OFFICE ACTION HAS ISSUED ON **1/10/2011** FOR  
SERIAL NO. 85040746

Please follow the instructions below to continue the prosecution of your application:

**TO READ OFFICE ACTION:** Click on this [link](#) or go to <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to [access](#) the Office action.

**PLEASE NOTE:** The Office action may not be immediately available but will be viewable within 24 hours of this e-mail notification.

**RESPONSE IS REQUIRED:** You should carefully review the Office action to determine (1) how to respond; and (2) the applicable [response time period](#). Your response deadline will be calculated from **1/10/2011** (or sooner if specified in the office action).

**Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System [Response Form](#).**

**HELP:** For *technical* assistance in accessing the Office action, please e-mail [TDR@uspto.gov](mailto:TDR@uspto.gov). Please contact the assigned examining attorney with questions about the Office action.

## WARNING

**Failure to file the required response by the applicable deadline will result in the [ABANDONMENT](#) of your application.**

# **EXHIBIT C**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**

Thursday  
31  
July 2008

JULY						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- ✓ Completed
- Forwarded
- ✗ Deleted
- 6 ✓ Delegated
- In Process

## Non Sequitur

### ↓ ABC Prioritized Daily Task List

✓	A1	[REDACTED]
✓	A2	[REDACTED]
✓	B2	[REDACTED]
✓	A4	[REDACTED]
✓	A3	[REDACTED]
✓	B1	[REDACTED]

### Appointment Schedule

6

7

8

9

10

30 work

11

12

30 lunch

1

Barbara Caruso

2

3

4

5

# **EXHIBIT D**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**

From: christianz <[REDACTED]>  
To: carusocom <[REDACTED]>  
Subject: Re: Lunch  
Date: Sat, May 2, 2009 12:04 pm

That's fine. Thursday's likely to be a little better than Wednesday but just let me know what works for you and Noah. Thanks.

Christian

— Original Message —  
From: Barbara Caruso <[REDACTED]>  
To: [REDACTED]  
Sent: Fri, 1 May 2009 10:36 am  
Subject: Lunch

Hi, Christian,  
Thanks for the call!  
Noah's been pretty busy, so hard to pin down for a day but I'm trying for next Wed/Thursday... Will get back to you as soon as I know.  
Thanks,  
Barbara

Barbara Caruso, APR  
Caruso Communications  
[REDACTED]  
[REDACTED]

Can't afford a new spring wardrobe? [Go shopping in your closet instead!](#)

From: christianz <[REDACTED]>  
To: caruso@com <[REDACTED]>  
Subject: Re: Twitter  
Date: Mon, Sep 28, 2009 1:14 pm

Hi Barbara

I don't know if you ever presented the idea of bringing a Naugles sub-menu back to the Del Taco marketing team but people are still very interested in it. I normally get 30 - 40 hits a day from people looking for Naugles info but at this point today it has already well exceeded that amount due to links in comments left on an entry at Nancy's blog. With the nostalgia factor that is driving business so heavily at places like Bob's Big Boy and Farrell's this could be a *huge* selling point for Del Taco and would require little in the way of new ingredients needing to be stocked or whatever. Nancy's story on Jack in the Box bringing back a 30-yr. old burger has itself been getting a ton of traffic and was the #1 most viewed story on the Register website for a while.

Trying not to be a pest over this but my blog is the one spot where interest in Naugles can be gaged and I can tell that it is high. If it's out of the question then it's out of the question but I'd hate to see Del Taco miss an easy and profitable opportunity with public interest already so acute in a property Del already owns.

Christian

-----Original Message-----  
From: Barbara Caruso <[REDACTED]>  
To: [REDACTED]  
Sent: Fri, Sep 11, 2009 11:41 am  
Subject: Re: Twitter

I'll have to check... last time I talked about this with the marketing dept. there wasn't an account open... Hope all is well your way!

Barbara Caruso, APR  
Caruso Communications  
[REDACTED]  
[REDACTED]

-----Original Message-----  
From: [REDACTED]  
To: [REDACTED]  
Sent: Fri, Sep 11, 2009 11:04 am  
Subject: Twitter

Is this Del's official Twitter account? <http://twitter.com/deltaco>

**From:** Barbara Caruso <[REDACTED]>  
**To:** ChristianZ <[REDACTED]>  
**Subject:** Re: Models?  
**Date:** Fri, Jan 14, 2011 3:48 pm

Hey Christian,  
I was actually just curious as to what this is about and why you might be interested in seeing the Naugles trademark become public domain. And of course, you can imagine I would want to know if you will be blogging about the petition! ) Certainly don't want to cause any issues for you or your attorneys!

Take care,  
Barbara

Barbara Caruso, APR  
Caruso Communications  
[REDACTED]  
[REDACTED]

-----Original Message-----  
**From:** Christian Ziebarth <[REDACTED]>  
**To:** Barbara Caruso <[REDACTED]>  
**Sent:** Fri, Jan 14, 2011 3:37 pm  
**Subject:** Re: Models?

Received the following e-mail from my lawyer

Were you planning on responding or do you think you can wait until sometime after Feb 23rd?

So you know, we (Knobbe) won't be able to communicate with a Del Taco employee without Del Taco's attorneys on the phone as well. This falls under ethical rules of conduct for attorneys.

In anything I do I try my best to create a positive outcome for everyone involved (I don't have a "there has to be losers so there can be winners" mentality) so I don't want *anybody* here zinged for "breach of ethics" or whatever. There may be a gray area if you are not technically considered a Del Taco employee, although I'm guessing you're close to enough to being one to count as one in this particular case. . . I guess. So the best I can say now is if you still have a few questions and are okay with e-mailing them I will see what I can do, but am not in the position to guarantee anything.

Christian

On 1/14/2011 2:28 PM, Barbara Caruso wrote

Hey, Christian,  
Small world - Brooke was my kids instructor at junior lifeguards and we all adore her! one of my favorite parts of fb is the baby pictures and can't wait to see her little own grow. I only met her husband Joe once but seems like a great guy  
No problem if you need your attorneys to get on the phone, too. just have some questions!  
Thanks,  
Barbara

Barbara Caruso, APR  
Caruso Communications  
[REDACTED]

[REDACTED]

-----Original Message-----

From: Christian Ziebarth [REDACTED]  
To: Barbara Caruso [REDACTED]  
Sent: Fri, Jan 14, 2011 2:20 pm  
Subject: Re: Models?

Hey Barbara,

Been really busy. Have attorneys handling Naugles so they may want to be involved.

Hope all is well.

Christian

p.s. saw that you also recently became friends with Brooke on Facebook; i've known her for a long time (and we share the same birthday) and am also friends with her husband Joe

On 1/13/2011 3:23 PM, Barbara Caruso wrote:

Hey Christian,  
Do you have some time to talk soon? I'm very curious about your Naugles petition!  
Let me know  
cheers,  
barbara

Barbara Caruso, APR  
Caruso Communications

[REDACTED]  
[REDACTED]

-----Original Message-----

From: Christian Ziebarth [REDACTED]  
To: Barbara Caruso [REDACTED]  
Sent: Wed, Jan 12, 2011 3:17 pm  
Subject: Re: Models?

Still doing my web development and blog writing. Have had a number of people lately tell me they've been going to Del Taco and that they took advantage of the gift card promotion over Christmas.

On 1/12/2011 11:50 AM, Barbara Caruso wrote:

Thanks, Christian!  
We've already hired some experienced trade show models, but thanks!  
What's new your way?

Barbara Caruso, APR  
Caruso Communications

[REDACTED]  
[REDACTED]

Re: Models?

<http://mail.aol.com/35775-111/aol-6/en-us/mail/PrintMessage.aspx>

—Original Message—

From: Christian Ziebarth [REDACTED]  
To: Barbara Caruso [REDACTED]  
Sent: Wed, Jan 12, 2011 11:28 am  
Subject: Models?

Hi Barbara,

I accepted your friend request on Facebook but when I did I think it erased a message you had sent along with it about needing models for some trade show. I might be able to put out a tweet about it if I got more details.

Christian

# **EXHIBIT E**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**

Search Inbox 

Compose Message 

Inbox

Sent

+ Message detail

Archived

Trash

Sent Messages

Sent Invitations

Reply All

Forward

Archive

Delete

### Congratulations on your new position at Del Taco!



**Christian Ziebarth** · Web Developer at Page One Priority

To: **Noah Chillingworth**

Date: December 22, 2009

Hi Noah,

Barbara Caruso one time said I was supposed to meet with you over lunch. If that has changed that is fine but if it's still open then I'm still willing to come in. I have some ideas that I think would be great for Del Taco's marketing. I am contacting you directly because neither me nor Nancy Luna at The Orange County Register has heard from Barbara in a while.

Sincerely,

Christian Ziebarth

Reply All

# **EXHIBIT F**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**

Life is raw material. We are artisans. We can sculpt our existence into something beautiful, or debase it into ugliness. It's in our hands.

—Cathy Better

13

Saturday  
February 2010

Daily Notes

44th Day 321 Left Week 6

drove w/ Bill up to  
Visalia to meet w/  
Jeff Nagle to talk  
about reviving the old  
Nagles fast food chain

Mar

# **EXHIBIT G**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**

**From:** Jeff Naugle <[REDACTED]>  
**To:** christianz <[REDACTED]>  
**Subject:** Re: NAUGLES.COM - Domain Not Available for Sale  
**Date:** Mon, Mar 8, 2010 9:37 am

Great...keep me posted

**From:** "[REDACTED]" <christianz@[REDACTED]>  
**To:** jeff.naugle@[REDACTED]  
**Sent:** Mon, March 8, 2010 8:57:07 AM  
**Subject:** Re: NAUGLES.COM - Domain Not Available for Sale

It is funny because a while after I forwarded this to you I got a new e-mail from GoDaddy basically saying, "Oh, wait, we still might be able to get you this domain" So, we'll see. But I actually already have [nauglestacos.com](http://nauglestacos.com) registered so we are covered there

Also, getting closer to getting the "Naugies" trademark. Have a trademark lawyer friend who is about to take it on. I have talked briefly with three trademark lawyers now and every one of them thinks it's fairly clear cut that Del Taco should not be owning the mark anymore. One even thinks Del Taco committed fraud by sending a 1970's image of a Naugles storefront to the trademark office in 2006 to "prove" their continuing usage

—Original Message—

**From:** Jeff Naugle <[REDACTED]>  
**To:** christianz <[REDACTED]>  
**Sent:** Mon, Mar 8, 2010 8:46 am  
**Subject:** Re: Fwd: NAUGLES.COM - Domain Not Available for Sale

Sorry for the delay getting back to you. Bill probably is waiting for a bigger payday. Do I need to reg [nauglestacos.com](http://nauglestacos.com)? Let me know.

**From:** "christianz" <[REDACTED]>  
**To:** jeff.naugle@[REDACTED]  
**Sent:** Thu, March 4, 2010 11:33:27 AM  
**Subject:** Fwd: NAUGLES.COM - Domain Not Available for Sale

Still don't know what Bill wants to do with the domain but if he does nothing with it and our [nauglestacos.com](http://nauglestacos.com) actually gets used, as it likely will, then [nauglestacos.com](http://nauglestacos.com) is what will come up when people search on "Naugles"

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** Jeff Naugle <[REDACTED]>  
**To:** Christian Ziebarth <[REDACTED]>  
**Subject:** Re: Naugles Trademark Update  
**Date:** Thu, May 27, 2010 7:48 am

---

Good luck! Sounds like you are making progress. Any potential operators?

Keep me posted.

Jeff

**From:** Christian Ziebarth <[REDACTED]>  
**To:** Jeff Naugle <[REDACTED]>  
**Sent:** Wed, May 26, 2010 1:33:03 PM  
**Subject:** Naugles Trademark Update

Just letting you know I have recently filled out an Intent to Use application for the Naugles trademark and am getting ready to take the next legal step.

Christian

# **EXHIBIT H**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**

Christian Ziebarth <[REDACTED]>

naugles

2 messages

Rob Hallstrom <[REDACTED]>  
To: Christian Ziebarth <reviews@ccnexus.com>

Tue, Jan 12, 2010 at 9:22 AM

Best to hire a trademark or patent attorney or consult with one. They will tell you everything you need to know and where to look to find expiration status, etc. I believe the way it works is if they are not actively using the trademark or patent it is up for grabs after a certain length of time.

On 1/12/10 9:16 AM, "Christian Ziebarth" <[REDACTED]> wrote:

"Or better yet see when they are set to expire..."

Hmm, that's an angle I never thought of. I always just assumed they owned it from here on out. But maybe they don't. I'll ask Jeff Naugle about that.

On Tue, Jan 12, 2010 at 8:32 AM, Rob Hallstrom <[REDACTED]> wrote:

Your last email to naugles nephew? Still think it's good idea, but I would see about buying rights to the name from del taco. Or better yet see when they are set to expire...

On 1/11/10 10:07 PM, "Christian Ziebarth" <[REDACTED]> wrote:

Either my last e-mail didn't go through or the whole Naugles thing was a bad idea. I think I will work with some people who have some taco trucks then because it might be best to try the concept out with a food truck first.

On Mon, Jan 4, 2010 at 2:54 PM, Rob Hallstrom <[REDACTED]> wrote:

Yes, I practically grew up there having lived a mile or so from the one in Riverside at Brockton and 14th. Loved the green burritos and fries. We were always broke so we often ordered the all-cheese burritos. Otherwise, you got the double wrap macho burrito or the naugleburger. Oh, and the chocolate shakes rocked! The receipts had a little cartoon character brief message at the bottom that read "Dick Naugles says" and then there would be a little note about the food or something related. It was open late night - as was the one on the other end of town so it became the popular cruise night hang and "turnaround" spot. It would be great timing to resurrect the brand. In this economy people are all about eating cheap, especially if it's good. Also, there's the historical factor that would resonate with many generations of past customers. Great idea!

On 1/4/10 2:24 PM, "Christian Ziebarth" <[REDACTED]> wrote:

I don't want to act all "top secret" about it except that I

think it would be wise if we shared information with others when it's necessary to bring it up to others. Do you remember the old Naugles chain?

On Mon, Jan 4, 2010 at 1:02 PM, Rob Hallstrom

<[redacted]> <[redacted]>  
<[redacted]> >> wrote:

Hello Christian,  
There is always interest. Please let me know when you can share more info and we can discuss further. Thank you.  
Rob.

**Rob Hallstrom**

111 N. Harbor  
[redacted]  
[redacted]  
[redacted]  
[redacted]

111 n. harbor, 2nd fl.  
fullerton, ca 92832

<[redacted]> <[redacted]>  
<[redacted]> <[redacted]>  
<[redacted]> <[redacted]>

facebook? [redacted]  
<[redacted]> <[redacted]>  
<[redacted]> <[redacted]>  
<[redacted]> <[redacted]>  
Twitter @ [redacted]  
<[redacted]> <[redacted]>  
<[redacted]> <[redacted]>  
<[redacted]> <[redacted]>

On 1/4/10 12:57 PM, "Christian Ziebarth"

<[redacted]> <[redacted]>  
<[redacted]> <[redacted]>  
<[redacted]> <[redacted]>  
<[redacted]> <[redacted]>  
>> wrote:

Rob, does your group have any interest in helping a new restaurant open? I stumbled into something like an opportunity that I am quite sure would be very profitable and am trying to find the right people to help pull it off. I'll give more details if any interest is shown. for now i will say that it's actually kind of a fast food concept, or maybe more of a blend

between fast food and fast casual.

On Wed, Dec 30, 2009 at 10:04 AM, Rob Hallstrom

<[redacted]>  
<[redacted]>  
<[redacted]>  
<[redacted]>  
> wrote

Thx! Happy new year!

On 12/29/09 11:20 PM, "Christian Ziebarth" <[redacted]>  
<[redacted]> wrote

Getting an entry put together here:

On Wed, Dec 9, 2009 at 7:13 PM, Rob Hallstrom <[redacted]>  
<[redacted]> wrote

Christian,  
Can you pls post this on your site? Txx,  
Rob.

**Rob Hallstrom**

[redacted]  
[redacted]  
[redacted]

111 n. harbor 2nd fl  
tullerton, ca 92832

[redacted]  
[redacted]

facebook/ [redacted] <[redacted]> <[redacted]> <[redacted]>  
<[redacted]> <[redacted]> <[redacted]>  
Twitter @ [redacted] <[redacted]> <[redacted]> <[redacted]>  
<[redacted]> <[redacted]> <[redacted]>



Christian Ziebarth <reviews@ccmexfood.com>  
To: Rob Hallstrom <[REDACTED]>

Tue, Jan 12, 2010 at 9:28 AM

Thanks. That's an excellent point. Should've realized that on my own but it's good that you brought it up.  
(Quoted text hidden)

Christian Ziebarth <[redacted]>

Naugles

Rob Hallstrom <[redacted]>  
To: Christian Ziebarth <reviews@ocmaxfood.com>

Thu, May 27, 2010 at 12:52 PM

Great! Let's meet up to discuss my official involvement.  
Rob.

On 5/27/10 11:30 AM, "Christian Ziebarth" <[redacted]> wrote:

Just letting you know I have recently filled out an intent-to-use application for the Naugles trademark and am getting ready to take the next legal step.

On Thu, Apr 22, 2010 at 10:27 AM, Rob Hallstrom <[redacted]> wrote:

Great, what are the terms?

On 4/21/10 9:29 PM, "Christian Ziebarth" <[redacted]>  
<[redacted]> >> wrote:

Finally got a lawyer on the line...

On Wed, Apr 21, 2010 at 7:20 PM, Rob Hallstrom <[redacted]>  
<[redacted]> > wrote:

Yea, great location. Too bad it was made into a deli taco. They'll be there forever...

On 4/21/10 7:16 PM, "Christian Ziebarth" <[redacted]>  
<[redacted]> >> wrote:

Here's a picture of the Brookhurst and Hamilton location with flags in place of lanterns:



Somewhat I lost a much better quality version of this. This is one of the most mentioned former Naugles locations there is.

On Tue, Apr 13, 2010 at 10:03 PM, Rob Hallstrom <[redacted]>  
<[redacted]> > wrote:

Can u post something on the marador anniversary next thurs? And naturally onlu?

On 4/5/10 11:38 AM, "Christian Ziebart" <[redacted]>

<[redacted]>  
<[redacted]>  
<[redacted]>  
<[redacted]>

wrote:

Ended up making a very unexpected trip out to Riverside on Friday night for reasons unrelated to Del Taco/Naugles and ended up stopping by the 14th and Brockton spot. They had very clearly done everything they could to thoroughly and deliberately sweep away any possible remembrance of Naugles there. But interestingly enough the friend I rode out there with asked one of the employees if she knew what it used to be before it was a Del Taco and she said, "Yeah, I get a bunch of people coming through the drive thru every single day telling me it used to be a place called 'Naugles.' I'm getting kind of tired of them talking about it." They also didn't know what the combo cup was there and didn't know that the bun taco was originally a Naugles item.

I know you wanted to go but it was kind of a bummer to see that they had stripped away every single hint that it had ever been anything other than a Del Taco. Not even a plaque on the wall or a photo of what it used to look like, which in a way is good for our case and further proof of the abandonment of the trademark, but still disappointing.

On Mon, Mar 29, 2010 at 4:41 PM, Rob Hallstrom

<[redacted]>  
<[redacted]>  
<[redacted]>  
<[redacted]>



Received: from [redacted] ([redacted])  
[redacted]

On Sat, Mar 27, 2010 at 7:26 PM, Rubi Hallstrom <[redacted]>

[redacted]  
[redacted]  
[redacted]

> wrote:

Yup. That's the one on 14th and Brockton. I  
went to the elementary school across the  
street. The 1st vans shoe store was up the  
street too.

Sent from my iPhone

On Mar 27, 2010, at 10:52 AM, Christian  
Ziebarth <[redacted]>

<[redacted]>  
<[redacted]>  
<[redacted]>  
<[redacted]>  
<[redacted]>  
<[redacted]>

wrote:

Is this the Naugles you used to go to in  
Riverside?

<[redacted]>  
<[redacted]>  
<[redacted]>  
<[redacted]>  
<[redacted]>

The trademark lawyers have advised me to  
go there and see if they possibly have  
anything on display that could be related to  
Naugles.

On Wed, Mar 17, 2010 at 6:20 PM, Rob  
Hallstrom <[redacted]>

[redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]

>> wrote:

Really? That's surprising. I thought it would have sat empty or much longer in this economy. Expensive rent too! See how  
long they last... How are things going with Naugles?

On 3/17/10 1:03 PM, "Christian Ziebarth" <[redacted]>  
<[redacted]> <[redacted]> <[redacted]> <[redacted]>





Wow! That's very cool, I figured it was. Looked exactly the way I remembered it. A bit surprised it was one of the top performers though.

I like the idea of Jeff being named as plaintiff. Have you looked into drawing up corp paperwork yet? Maybe Naugles, Inc., ask the attorney if proceeding with a corp name like this is smart idea when representing Jeff as plaintiff or if it really matters. The new corp can have a board of directors, maybe listing Jeff as president, you as vp, etc. for the record, I'm obviously interested in being on board as well.

On 3/4/10 12:03 PM, "Christian Ziebarth" <[redacted]> wrote:  
<[redacted]> <[redacted]> <[redacted]> <[redacted]>  
<[redacted]> <[redacted]> <[redacted]> <[redacted]>

Now I have to see if Jeff could front the \$10,000 attorney fee. This trademark attorney has suggested that Jeff be listed as the plaintiff. It'll make the case stronger if a "Naugle" is on it.

Last night I saw the friend that rode with me out to Visalia. I said, "Rob was wondering if the Bob's Burgers on Brookhurst and Commonwealth used to be a Naugles ...", and before I could say much more my friend goes, "Yes, it was. Jeff told us it was and that it was one of their best locations."

On Thu, Mar 4, 2010 at 11:53 AM, Rob Hallstrom <[redacted]> wrote:  
<[redacted]> <[redacted]> <[redacted]> <[redacted]>  
<[redacted]> <[redacted]> <[redacted]> <[redacted]>  
<[redacted]> <[redacted]> <[redacted]> <[redacted]>  
<[redacted]> <[redacted]> <[redacted]> <[redacted]>

Interesting. So it seems the green light is becoming even brighter.

On 3/4/10 11:20 AM, "Christian Ziebarth" <[redacted]> wrote:  
<[redacted]> <[redacted]> <[redacted]> <[redacted]>  
<[redacted]> <[redacted]> <[redacted]> <[redacted]>

Here's a little extra insight. This comes from a patent attorney who I think works in South County. He specializes in patents and I have been talking with him about trademarks (which clearly are two different things). We had been sort of butting heads in our discussion with him coming at it from the angle of somebody who knows a lot about patents and thinks he knows some about trademarks and me coming at it from the angle of somebody who is not a legally oriented person at all but has done some relatively in-depth research on trademark issues. He told me a while back that about once every two weeks an actual trademark lawyer comes into his office so here is what he has to say now (I italicized the interesting part):

Our Trademark attorney just walked in and I talked with her about this ... finally.

We looked up a few things and you very well might have a good case for cancellation of the Naugles mark owned by Del Taco.

Del Taco appears to have filed Old pictures of the Naugles restaurant front for their

11

"continued use" statements which are due every few years to keep a mark alive  
WRONG WRONG WRONG This appears to be fraud on the Trademark office. I stand corrected in light of that evidence

On Mon, Mar 1, 2010 at 6:27 PM, Rob Hallstrom <[redacted]>  
<[redacted]> <[redacted]> <[redacted]>  
<[redacted]> <[redacted]> <[redacted]> <[redacted]>  
<[redacted]> <[redacted]> <[redacted]> <[redacted]>  
<[redacted]> <[redacted]> <[redacted]> <[redacted]>  
<[redacted]> <[redacted]> <[redacted]> <[redacted]>  
<[redacted]> <[redacted]> <[redacted]> <[redacted]> >> wrote:

Good news! Continue compiling as much legal collateral as possible to build the case. I would not contact del taco any more at this point. Best to get everything in your court by registering as much as possible under a new corporate name such as Naugles, Inc. once all the legal bases are covered, we simply supply business plan using original Naugles model to investor and put plans forward to opening first store. Eventually, Del Taco legal department will likely issue a cease and desist order, but they will have to prove they have legal ground to take further action. Let me know when you would like to meet again to further discuss taking the next step.

On 3/1/10 5:37 PM, "Christian Ziebarth" <[redacted]>  
<[redacted]> <[redacted]> <[redacted]> <[redacted]> >> wrote:

Found this image recently after doing a deep, deep search on the US Trademark Office website. This is the image Del Taco had on their website a while back to "prove" that they were still doing business with the Naugles name. Confirmed my suspicion that that was the only thing they were going off of, even though I thought my suspicion was almost too silly to really consider. But I have been talking with a trademark attorney, and though he is reluctant to guarantee anything, he seems very confident that that instance of Del Taco's usage of "Naugles" is far from enough to prove that they are still conducting a restaurant business with the Naugles name. He says, "The bottom line is if a trademark applicant has 'restaurant' on their goods and services, and they are no longer using any restaurants using that name, that would be a good basis to move forward with a cancellation."

On Thu, Feb 25, 2010 at 9:09 PM, Rob Hallstrom <[redacted]>













# **EXHIBIT I**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**

Christian Ziebarth &lt;[REDACTED]&gt;

**Naugles coming back?**

6 messages

Christian Ziebarth &lt;[REDACTED]&gt; Wed, Oct 13, 2010 at 12:18 AM

To: [REDACTED]

Are you bringing Naugles back?

JJ &lt;[REDACTED]&gt; Wed, Oct 13, 2010 at 1:12 AM

To: Christian Ziebarth &lt;[REDACTED]&gt;

Well it has been in my plans since birth. I have been working on other goals but NAUGLES is something I hope to pass on! I'm going to start on a website... The idea came from I believe your blog Bring back Naugles donation campaign.

[Quoted text hidden]

Christian Ziebarth &lt;[REDACTED]&gt; Wed, Oct 13, 2010 at 7:50 AM

To: JJ &lt;[REDACTED]&gt;

Do you ever go to Buns and Torts? I don't know how old you are; did you used to eat at Naugles before it shut down? I can't mention this on my blog but I am already working on bringing Naugles back, including getting the trademark and having a website: <http://www.nauglestanco.com>. Your uncle Jeff knows about this. You can see some pictures here:

<http://www.flickr.com/photos/ziebarth/7211078233095162805/w/with/355347350>

I will need all the help I can get. Especially from people in the family. So... keep in touch.

Christian

[Quoted text hidden]

Christian Ziebarth &lt;[REDACTED]&gt; Thu, Oct 14, 2010 at 12:37 PM

To: JJ &lt;[REDACTED]&gt;

Trying to find out more about you and you haven't responded and Jeff doesn't know who you are; not that you aren't real but just that I need to confirm things first. Anyways, I am working on getting the "Naugles" trademark, not because of any hostile intent towards Del Taco (heck, I eat there all the time) but simply because they aren't using something that so many people want to see return.

Christian

On Wed, Oct 13, 2010 at 1:12 AM, JJ <[REDACTED]> wrote:

[Quoted text hidden]

JJ &lt;[REDACTED]&gt; Thu, Oct 14, 2010 at 2:26 PM

To: Christian Ziebarth &lt;[REDACTED]&gt;

Well I am 24 and Jeff I have never met. My father Bill Naugle has always talked about getting the business up in running so since it's a family trademark I was looking into it. I use to live in Riverside and now reside in Arizona. My dad was raised by g-pa Dick after my grandpa which I never met had passed before I was born. He was married to Mary Naugle who now lives in AZ also after nevada! I have been doing research on my family because I was never introduced to what looks like a large family I do have! I ate at Naugles many times

and Great grandpa Dick and my father have taught me and gave me a book with most of the original menu items and extras not included! In Dick Naugles irrevocable trust Im listed as a beneficiary to it I you would like to verify me that way! I also receive monthly income statements from merrill also! Joseph John Naugle or JJ Naugle is how it's listed! I have never been to Jeffs restaurant due to the fact I never knew about it until just a few says ago when I was doing research that is why I contacted him so I could get a firm grasp on my family history, it saddens me that I don't know much of my family and I know it's a hard thing to establish after being in the dark for so long! I have pictures of myself and Grandpa Dick at his place before he past with Vera also have pictures of when he came to Arizona when we moved. If you need more info let me know! It's a pleasure to have the chance to speak with you and I hope and look forward to meeting the rest of my family in the near future! JJ Naugle [REDACTED]

[Quoted text hidden]

Christian Ziebarth [REDACTED]

Thu, Oct 14, 2010 at 2:32 PM

To: JJ [REDACTED]

Excellent. Do you have those pictures scanned in of you and Dick? Or of your recipe book? Me and Jeff are in the middle of getting the trademark back. We realize there's enough interest in a Naugles revival. I think you contacted him too but from a different e-mail address. You must've only ate there when you were very young since it closed in 1988. although I think a very small handful continued until 1995, then it was completely gone. Any pictures would be very awesome.

[Quoted text hidden]

Christian Ziebarth <[redacted]>

(no subject)

7 messages

JJ Naugle <[redacted]>

Thu, Oct 14, 2010 at 3:05 PM

To: Christian <[redacted]>

Most of the stuff is locked in my safebox but what I have here.



photo.JPG  
1207K

Christian Ziebarth <[redacted]>

Thu, Oct 14, 2010 at 3:14 PM

To: JJ Naugle <[redacted]>

Thanks. Very cool. Are there times that are good or bad to call?

(Quoted text hidden)

Christian Ziebarth <[redacted]>

Fri, Oct 15, 2010 at 10:00 AM

To: JJ Naugle <[redacted]>

I'm seeing that a Bill Naugle owns [naugle.com](http://naugle.com). Is that a Bill Naugle you know? Also, have you heard anything from Jeff yet?

On Thu, Oct 14, 2010 at 3:05 PM, JJ Naugle <[redacted]> wrote:

Most of the stuff is locked in my safebox but what I have here.

JJ Naugle <[REDACTED]>  
To: Christian Ziebarth <[REDACTED]>

Fri, Oct 15, 2010 at 4:56 PM

I haven't heard from jeff

[Quoted text hidden]

Christian Ziebarth <[REDACTED]>  
To: JJ Naugle <[REDACTED]>

Fri, Oct 15, 2010 at 5:20 PM

hopefully i'll be able to get the trademark soon, then we can start putting stuff together; do you know how you might want to help out? is it okay if i call sometime?

[Quoted text hidden]

JJ Naugle <[REDACTED]>  
To: Christian Ziebarth <[REDACTED]>

Sat, Oct 16, 2010 at 6:49 AM

Let me ask you how you are related to the naugles family

[Quoted text hidden]

Christian Ziebarth <[REDACTED]>  
To: JJ Naugle <[REDACTED]>

Sat, Oct 16, 2010 at 8:58 AM

I'm not, at least not by blood. It's a long story but the short version is that in 2008 I approached Del Taco about bringing Naugles items back to their menu. The one person I talked to thought it was a great idea and i believe took it back to the Del Taco marketing people but it seems nothing ever came from it. Later on one of Jeff's daughters saw my blog and the entries i have about hoping Naugles would come back and told her dad (Jeff) about it then me and Jeff eventually got in contact. After some e-mail exchange with him I finally took a 222 mile trip to meet him at his Buns and Torts restaurant in Visalia in February and had a long conversation with him. He told me that some other people had talked with him about bringing Naugles back but that he felt like i would be the right person to do it. After some legal proceedings i am now close to getting the trademark back.

Christian  
[Quoted text hidden]

# **EXHIBIT J**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**

From: Christian Ziebarth <[REDACTED]>  
To: nauglebill <[REDACTED]>  
Subject: Re: Naugles Revival  
Date: Tue, Dec 27, 2011 3:56 pm

Thanks, Bill. We will be getting back to you at the right time. We are interested in making sure everything we do connects properly with the Naugle family legacy.

Christian

On 12/27/2011 12:56 PM, [REDACTED] wrote

If you want to give me a call-- please feel free  
Bill Naugle <[REDACTED]>

-----Original Message-----

From: Christian Ziebarth <[REDACTED]>  
To: nauglebill <[REDACTED]>  
Sent: Tue, Dec 27, 2011 2:53 pm  
Subject: Re: Naugles Revival

I'm wondering why nobody tried to bring Naugles back years ago. Tons of people want to see it come back.

On 12/27/2011 12:34 PM, [REDACTED] wrote:

you are right-- if you are not a Naugle or Family Member-- it would be a major issue--

-----Original Message-----

From: Christian Ziebarth <[REDACTED]>  
To: nauglebill <[REDACTED]>  
Sent: Tue, Dec 27, 2011 2:31 pm  
Subject: Re: Naugles Revival

Yes, that could be. I have considered that it would actually help but it is still a gamble, especially when starting up. It's like a raindrop hitting a roof: it could go down one side or ... it could go down the other, and you don't really know which until it happens.

On 12/27/2011 12:28 PM, [REDACTED] wrote:

That is not even an issue--it would be a blessing!

-----Original Message-----

From: Christian Ziebarth <[REDACTED]>  
To: nauglebill <[REDACTED]>  
Sent: Tue, Dec 27, 2011 2:27 pm  
Subject: Re: Naugles Revival

Might give you a call soon. It is true that you don't need the trademark to open the restaurant but if you open the restaurant without the trademark then you can get sued by the people who own the trademark.

On 12/27/2011 12:24 PM, [REDACTED] wrote

[REDACTED]

[REDACTED]

You do not need the trademark to open a restaurant-- what you need is a complete understanding of the concept.

I have always said that if I could not do it EXACTLY the way my grandfather did--I would not jump back into it. Like with IN-N-OUT there are certain things needed to make it work.

If you wanted to talk by phone, I would be happy to chat with you!

-----Original Message-----

From: Christian Ziebarth [REDACTED]  
To: nauglebill [REDACTED]  
Sent: Tue, Dec 27, 2011 2:10 pm  
Subject: Re: Naugles Revival

I am in legal proceedings to get the trademark back from Del Taco. They keep renewing the trademark even though they are not using the trademark. Each time they renew it they send in outdated info as proof of current usage. My legal action is showing that they abandoned the trademark years ago and therefore forfeited their right to it. I have put an *enormous* amount of blood, sweat, tears and money into this. I tried getting your naugles.com domain before because I could tell that there was nothing up that was actually about the chain. I then started a site at <http://www.nauglesdtacos.com>. I have also been in touch with Jeff Naugle who might be your cousin and he is willing to help. I understand there might be some rift in the extended family (or maybe not?) so I don't know whose toes I might be stepping on but I am doing the best I can to bring this much loved concept back. And we do have potential investors lined up. My intent-to-use application for the trademark is in ahead of everyone else including Del Taco.

Christian

On 12/27/2011 12:03 PM, [REDACTED] wrote

Yes, I have everything-- recipes, manuals, restaurant plans and over 20 years of restaurant experience running this concept--  
I have the naugles.com web address already and I have worked a way around the trademark issue-- they keep renewing it--does not even matter!

Tell me more about you?

Bill Naugle

-----Original Message-----

From: Christian Ziebarth <[REDACTED]>  
To: nauglebill <[REDACTED]>  
Sent: Tue, Dec 27, 2011 1:59 pm  
Subject: Re: Naugles Revival

Oh, son. Got it. I am working on a Naugles revival. I am trying to get the trademark back from Del Taco. Do you have the recipes?

On 12/27/2011 11:57 AM, [REDACTED] wrote:

He is my son--yes

[REDACTED]

Call anytime!

There is alot of miss information concerning Naugles! I would love to start another restaurant using the old recipes--but need to find one solid investor without losing my shorts

Happy Holidays!  
Bill

-----Original Message-----

From: Christian Ziebarth <[REDACTED]>  
To: nauglebill <[REDACTED]>  
Sent: Tue, Dec 27, 2011 1:53 pm  
Subject: Naugles Revival

Hi Billy,

Just got the comment you left on my blog. Am very interested in talking with you more. I had some contact a while back with a JJ Naugles. He might be a nephew of yours?

Christian

# **EXHIBIT K**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**

**From:** sales <sales@godaddy.com>  
**To:** christianz <[REDACTED]>  
**Subject:** GoDaddy.com Order Confirmation  
**Date:** Wed, Jan 13, 2010 11:07 am

**ORDER CONFIRMATION from GODADDY.COM**



Wednesday, January 13, 2010 12:06:25 PM

Dear Christian Ziebarth,

Thank you for ordering from GoDaddy.com! This email contains important information regarding your recent purchase – please save it for reference.

After reviewing your information, please take a moment to tell us a bit about yourself and your thoughts on GoDaddy. Your comments will help us determine what we can do to better meet your needs.

**CUSTOMER NUMBER:** [REDACTED]  
**LOGIN NAME:** [REDACTED]  
**RECEIPT NUMBER:** [REDACTED]  
**ORDER TOTAL:** \$15.32  
**CUSTOMER SERVICE:** (800) 543-8897

QTY	ITEM	PRICE
1	.COM Domain Name Registration - 2 Years NAUGLESTACOS.COM	\$15.32

Subtotal: \$15.32  
 Shipping & Handling: \$0.00  
 Tax: \$0.00  
**Total: \$15.32**

**Special Offers & Helpful Hints**

**\$1.99**  
**DOMAINS**

Domains are only \$1.99 with any new, non-domain purchase. No quantity limit!

**FREE** with every domain:

- Hosting
- Web Builder
- Quick Blogcast™
- Personalized Email
- AND MORE!

[Learn more here](#)

Express yourself. The domain that's all about YOU!



Available NOW!



Deluxe Hosting - Just \$6.99/mo for 24 months! Super Speed Host with 50,000MB space, 500GB transfer. FREE software & more!

### Important Information concerning your purchase:

Domain Registration	Product Info	Legal Agreement
Quick Blogcast	Product Info	Legal Agreement
Free Hosting w/Web Site Builder	Product Info	
Starter Web Page or For Sale Page	Product Info	
Free Personal Email	Product Info	Legal Agreement

To set up or manage your free or purchased products:

1. Go to the GoDaddy.com home page and log in with your username or customer number and password.
2. From the My Products list in your account manager, you can manage, renew, and upgrade your products and services.

To retrieve your customer number or password hint or to reset your password, click the "Forgot Your Password?" hyperlink in the login area on the home page.

If you have any questions about this order or the products/services you've purchased, please feel free to:

- Contact Customer Support at (480) 505-8877
- Email us at [support@godaddy.com](mailto:support@godaddy.com)

Sincerely,  
GoDaddy.com, Inc.

Prices are current as of 1/13/2010, and may be changed without notice.

\*Plus ICANN fee of 16 cents per domain name year, visit our [web site](#) for details.

\*\*Free Hosting, Website Tonight, Personalized Email, Photo Album and Quick Blogcast valued at over \$100/yr if purchased separately. Free Website Tonight, Photo Album and Quick Blogcast services are ad-sponsored. All comparison prices are accurate as of 1/13/2010 and are subject to change without notice.

The likeness of Dale Earnhardt, Jr., the #5 GoDaddy.com Chevrolet, and other related trademarks and copyrights are used with the permission of Hendrick Motorsports and JR Motorsports.

Third party marks and logos are registered trademarks of their respective owners. All rights reserved.

Copyright © 2010 GoDaddy.com, Inc. All rights reserved.

Website Tonight® Deluxe - Just \$9.99/yr for 12 months! Build your site online in minutes! [View Details](#)

#### How Do I...?

- Create my [email account](#)?
- Set up my [hosting account](#)?
- Set up my [SmartSpace®](#) site?
- Getting started with [Website Tonight®](#)?
- Redeem my MySpace®, myAds®, Facebook®, or Google® AdWords® credit?
- Get answers to product setup questions?
- Register more domain names?
- Make a domain name private?
- Manage a registered domain name?
- [Erase](#) a domain name?
- Renew domain names?
- Transfer domain names to Go Daddy?
- Set up my [dedicated](#) or [virtual dedicated server](#)?
- Drive web traffic using Search Engine Visibility?
- Find out about [what's new](#) with products and services?
- View [Legal Agreements](#)?

# **EXHIBIT L**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**

# Naugles Tacos & Burgers

The Naugles fast food restaurant chain was founded by Dick Naugle in 1970 and lasted until 1988. It had an American and a Mexican kitchen. Popular items included the cheese burrito, the bun taco, the combo cup w/ chips, the Naugleburger, the Ortega burger and more. Plans are being made for bringing the chain back.

## Comeback Progress

23rd August 2012

From the [@naugles Twitter feed](#)

To the many devoted fans of Naugles: We are working hard on bringing the beloved chain and its food back to you. We are currently involved in a legal case to procure the Naugles trademark. However, a prior owner of the trademark is asserting current ownership while failing to substantiate claims of their continued, current and publicly recognized usage. Their last usage of the trademark was circa 1994-95. Their final usage at this time fulfilled their pledge made in 1989 to phase out the Naugles chain. United States trademark law clarifies that three consecutive years of non-use of a trademark constitutes abandonment of that trademark, so in this case there has been approximately 17 years of abandonment. Since we respect their prior affiliation with the Naugles trademark and since we believe in creating win-win solutions that benefit all we have made them an offer that they would financially profit from and that would also allow Naugles to return but they have turned down our offer and proposed one that would allow Naugles to return but only in an extremely limited fashion that would severely curtail our ability to provide Naugles food to its devoted fans as well as to a new generation. Their counteroffer would not even financially profit them as our initial offer would. Since little benefit would be created for any party by their counteroffer it was an offer which we could not in good faith accept, so the legal case continues.

<https://www.twitter.com/show/08.dli4>

## Commercials:





---

---

## Buns & Torts

If you're looking for Naugles (and right now it can be found at [Buns & Torts](#) in Visalia, CA, which serves the same menu Naugles used to serve using the same recipes from the Naugles family)

### Motto:

Dick Naugle Says

- Prepare Food Fresh
- Serve Customer Fast
- Keep Place Clean

### Links:

- [Naugles Facebook Fan Page - Fan Page #2](#)
- [Naugles on Twitter](#)
- [Wikipedia Entry](#)

### Contact Us:

Please fill out the following contact form with your questions or comments for us

Name

E-mail

Phone #

Questions/Comments

# **EXHIBIT M**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**

Christian Ziebarth &lt;[REDACTED]&gt;

**taco bell comment**Nancy Luna <[REDACTED]>  
To: Christian Ziebarth <[REDACTED]>

Mon, Jan 18, 2010 at 5:12 PM

Please make sure you quote DC Register if you use: What a sad day. I remember this.

**Adios to Naugles Fast-food chain to switch to Del Taco**

Jeff Rowe

Published: 5/17/1989

Hola Del Taco, adios Naugles.

Restaurant magnate Anwar Soliman, who owns both chains, said Tuesday he will convert most of the 171 Naugles restaurants into Del Tacos by the end of the summer.

Soliman said the Del Taco name has a stronger Mexican food connotation than Naugles, which was named for its founder, Richard Naugle.

Soliman's company, AWR II Acquisition Corp., converted two Naugles, at 2300 N. Tustin Avenue in Santa Ana and in Long Beach, about two months ago as a test.

Conversion of the other Naugles restaurants is under way, said Soliman. He is chairman and chief executive of both AWR II and American Restaurant Group, which operates about 360 other restaurants, including the Velvet Turtle, Black Angus, Spoons and Grandy's chains.

AWR II has not quite figured out what to do with the approximately 20 Naugles that are near Del Taco outlets. For the immediate future, those will remain Naugles, Soliman said.

Menus from the two restaurants already have been combined, and thus the egg burrito, Naugles' breakfast staple, will continue at Del Taco.

Many other items from Naugles' menu will either survive or be reformulated for the Del Taco menu.

Soliman said an ad campaign focusing on the quality of Del Taco and Naugles food will continue. A strategy for announcing the change has not been decided.

AWR II purchased Naugles and the 202 Del Taco outlets in February 1988.

"The first thing we worked on was the combination of the menu, and that is done," Soliman said.

Next, the company formed its management team, naming Wayne Armstrong, president of Del Taco, as president of the combined company, which operates out of Del Taco headquarters in Costa Mesa.

Soliman declined to discuss how much it will cost to renovate the Naugles restaurants, which will include new signs and seating.

In the fast-food world of burgers, tacos and chicken nuggets, Del Taco will have one of the largest menus.

The new Del Taco menu has several varieties of tacos, burritos, fajitas, quesadillas, nachos, salads and burgers. In addition, there are complete meal platters, designed to lure customers for supper, and a self-service drink bar, popularized in recent years at Carl's Jr. restaurants.

Coming up with all these menu concoctions was a difficult task, Soliman insisted

"It took almost eight months to make the menu adjustments," he said. "For example, with the fajitas, you keep tasting and testing. You put in a little more of this, a little more of that, then another item. By the time you are finished, you have tried nine of them. I gained 30 pounds in the test kitchen.

"But I lost it all," he added

Soliman was president of the W.R. Grace Restaurant Group in 1977 when it bought the rights to expand Del Taco outside of California. Del Taco was founded in the early 1960s and, like Naugles, its outlets are concentrated in California

Grace also owned Naugles -- which was founded in the early 1970s -- but sold it in 1980. Naugles then went public but foundered when it expanded too rapidly. Collins Foods International purchased a majority stake in the company in 1985 and bought the remaining shares in 1987.

Del Taco will still be a distant second in the Mexican fast-food business behind Taco Bell, which has about 2,700 restaurants and an estimated 57 percent of the nation's \$2.3 billion Mexican fast-food market.

As both Naugles and Del Taco did, the reborn Del Taco will focus on its larger menu and what it describes as better-quality food.

In discussing his prime competition, Soliman did not mention Taco Bell by name but rather referred to the taco giant as "the elephant."

"We're not in the business of price discounting," Soliman said. "Have you ever had their 59-cent taco?" he asked, referring to Taco Bell's recent campaign for the low-priced taco. "It's worth 59 cents, believe me."

Taco Bell did not return phone calls.

---

Nancy Luna

Staff writer/Orange County Register

Restaurants, Food, Supermarkets

Life, Food, Business sections

Follow me on Twitter and Facebook

<http://www.facebook.com/nancy.luna>

[http://twitter.com/nancy\\_luna](http://twitter.com/nancy_luna)

Send mail to [nancy@oreg.com](mailto:nancy@oreg.com) (Grand Ave., Santa Ana, CA 92701)

---

**From:** [cmorbarth@del-taco.com](mailto:cmorbarth@del-taco.com) [mailto:cmorbarth@del-taco.com] **On Behalf Of** Christian Ziebarth

**Sent:** Monday, January 18, 2010 4:54 PM

To: Nancy Luna  
Subject: Re: taco bell comment

If you can ... at your convenience only ... sue if you can find one from May 17, 1989, called "Adios to Naugles." I always get a lot of Naugles-related traffic but I'm getting an unusually high amount today and there's something I want to check.

Let me know when you want to do lunch. Might have Eric join us.

On Mon, Jan 18, 2010 at 1:25 PM, Nancy Luna <[REDACTED]> wrote:

Yes, I think so. I looked in our archive today for Glen stuff, but we didn't have much. I think it goes back to 1984, but I could be wrong.

Why?

---

Nancy Luna  
Staff writer/Orange County Register  
Restaurants, Food, Supermarkets  
Life, Food, Business sections  
[REDACTED]

Follow me on Twitter and Facebook.

<http://www.facebook.com/jwhardner>

<http://twitter.com/LandFoodMovies>

Sent and mail to: 825 N. Grand Ave, Santa Ana, CA 92701

---

From: chriszbarth <[REDACTED]> (mailto:[REDACTED]) On Behalf Of Christian Ziebarth  
Sent: Monday, January 18, 2010 4:14 PM

To: Nancy Luna  
Subject: Re: taco bell comment

Are you able to locate Register stories from 1989?

On Mon, Jan 18, 2010 at 10:32 AM, Nancy Luna <[REDACTED]> wrote:

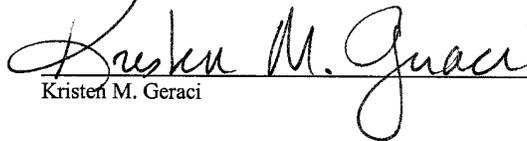
# **EXHIBIT N**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**

SERVICE MARK  
Docket No. 25457/D226

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
COMBINED RENEWAL APPLICATION  
AND DECLARATION OF USE TRANSMITTAL**

*I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on May 18, 2006.*

  
Kristen M. Geraci

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

May 18, 2006

Commissioner:

Enclosed for filing are:

1. A combined renewal application and declaration of use for the following registration:

**Mark** : NAUGLES  
**Reg. No.** : 1,043,729  
**Registered** : July 13, 1976  
**Class(es)** : 35  
**Registrant** : Del Taco LLC

2. One specimen of the mark as used.
3. A check for \$500 for the filing fee.

Any deficiency in or overpayment of fees for this transaction should be charged or credited to Deposit Account No. 03-1728. Please show our docket number with any Deposit Account transaction. **A copy of this letter is enclosed.**

Please address all correspondence to **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, California 91109-7068.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
William P. Christie  
626/795-9900

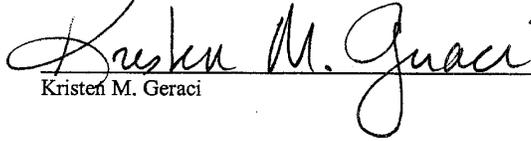
WPC/kmg  
KMG IRV1096287.1-\*05/18/06 11:14 AM



SERVICE MARK  
Docket No. 25457/D226

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
COMBINED RENEWAL APPLICATION  
AND DECLARATION OF USE TRANSMITTAL**

*I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on May 18, 2006.*

  
Kristen M. Geraci

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

May 18, 2006

Commissioner:

Enclosed for filing are:

1. A combined renewal application and declaration of use for the following registration:

**Mark** : NAUGLES  
**Reg. No.** : 1,043,729  
**Registered** : July 13, 1976  
**Class(es)** : 35  
**Registrant** : Del Taco LLC

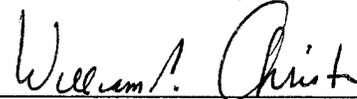
2. One specimen of the mark as used.
3. A check for \$500 for the filing fee.

Any deficiency in or overpayment of fees for this transaction should be charged or credited to Deposit Account No. 03-1728. Please show our docket number with any Deposit Account transaction. **A copy of this letter is enclosed.**

Please address all correspondence to **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, California 91109-7068.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
William P. Christie  
626/795-9900

WPC/kmg  
KMG IRV1096287.1-\*05/18/06 11:14 AM

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**COMBINED APPLICATION FOR RENEWAL OF REGISTRATION**  
**UNDER SECTION 9, AND**  
**DECLARATION OF USE UNDER SECTION 8**

Mark : NAUGLES  
Registration No. : 1,043,729  
Registered : July 13, 1976  
Class(es) : 35

COMMISSIONER FOR TRADEMARKS:

The applicant for renewal of the above-identified registration is Del Taco LLC, a California limited liability company, with offices at 25521 Commercentre Drive, Lake Forest, California 92630. The applicant requests that the above-identified registration, granted on July 13, 1976, and renewed for ten years as of July 13, 1996 which applicant now owns, as shown by records in the U.S. Patent and Trademark Office by means of an Assignment from Naugles, Inc. (California Corporation) to DTI Acquisition Corporation (California Corporation) recorded on May 6, 1988 (Reel 0604, Frame 0858), Change of Name from DTI Acquisition Corporation to AWR II, Inc. (California Corporation) recorded on December 21, 1993 (Reel 1081, Frame 0396), Change of Name from AWR II, Inc. to Del Taco, Inc. (California Corporation) recorded on December 22, 1993 (Reel 1084, Frame 0316), and Change of Name from Del Taco, Inc. (California Corporation) to Del Taco LLC (California Limited Liability Company) on April 25, 2006 (Reel 3296, Frame 0898), be renewed in accordance with the provisions of Section 9 of the Act of July 5, 1946.

I, Michael L. Annis, the undersigned, declare that I am Vice President and General Counsel of renewal applicant and am authorized to make this declaration for and on behalf of said applicant; and that the mark shown in the registration is still in use in commerce in connection with the following services identified in the registration: RESTAURANT SERVICES, the attached specimen (Attachment 1) is a web page showing the mark as currently used.

Registration No. 1,043,729

**POWER OF ATTORNEY**

Applicant hereby appoints the following members of the Bar and attorneys of the law firm Christie, Parker & Hale, LLP, with full power of substitution and revocation, to transact all business in the Patent and Trademark Office in connection with this Registration, including the electronic filing of this document, the facts stated in this document, or any other document, on registrant's behalf:

D. Bruce Prout Richard J. Ward, Jr. Walter G. Maxwell William P. Christie David A. Dillard Thomas J. Daly Edward R. Schwartz John D. Carpenter Wesley W. Monroe David A. Plumley Gregory S. Lampert Mark Garcia Syed A. Hasan	Robert A. Green Howard A. Kroll Richard A. Wallen Michael J. MacDermott Anne Wang Constantine Marantidis Daniel M. Cavanagh Gary J. Nelson Francis G. Rushford Daniel R. Kimbell Josephine E. Chang Joel A. Kauth Raymond R. Tabandeh	Gary S. Dukarich Jun-Young E. Jeon Stephen D. Burbach Brian K. Brookey Tom H. Dao David J. Steele David J. Bailey Rose A. Hickman Oliver S. Bajracharya Lauren E. Schneider Peter C. Hsueh Michael S. Guntersdorfer Richard T. Jackson	Fariba Sirjani John W. Peck Deidra D. Ritcherson Robert P. Auerbach Saeid Mirsafian Christopher C. Smith Andrew D. Sitzler R. William Johnston Hayden A. Carney Russell R. Palmer, Jr. LeRoy T. Rahn Richard D. Seibel Richard J. Paciulan
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

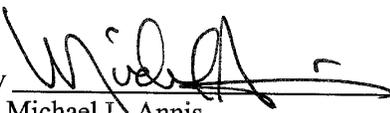
Please address all correspondence and the renewal certificate to **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, CA 91109-7068.**

**DECLARATION**

I, the undersigned, declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the aforesaid registration and this renewal application.

Del Taco LLC

Date 5/15/06

By   
Michael L. Annis  
Vice President and General Counsel

WPC/kmg  
KMG IRV1096035.1-\* -05/11/06 2:57 PM



The first Del Taco opened in 1964 in Barstow, California with a concept that caught on quickly – freshly prepared, made to order Mexican/American food, fast service and value. In more than 36 years, Del Taco has grown to become a major player in the Mexican-style quick-service category. With over 400 restaurants across the country, Del Taco is the second largest Mexican/American chain in the United States.

#### **Building the Concept**

The success of the first restaurant, in 1964, quickly led to expansion. Months after the first, a second restaurant opened in Corona, California with a significant addition – a drive-thru window which was to become an enduring feature of the Del Taco chain. Two years later, Red-E-Foods Systems, Inc. was formed and Del Taco became a hot Southern California franchise. In 1972, a modernized, 28-seat restaurant opened in Newport Beach, the largest Del Taco at that time. This updated Del Taco was the epitome of the modern, efficient fast-food outlet and became the design prototype for Del Taco restaurants to come.

In 1973 Red-E-Foods Systems, Inc. officially changed its name to Del Taco, Inc. and it also marked the first year that Del Taco opened units at an average rate of one per month.

Three years after changing the name to Del Taco, Inc. founders Ed Hackbarth and David Jameson sold their stock to an independently held firm. The new management team set their sights on further expansion throughout Southern California. The 50th Del Taco restaurant opened in February, 1977 with the 100th restaurant opening just 19 months later.

Naugles, another quality Mexican fast-food chain, was established in 1970 and quickly gained in popularity. In 1971, Harold Butler bought the three Naugles restaurants and began rapid expansion, growing the chain to 225 restaurants. In December 1985, Butler sold Naugles to Collins Food International.

In March 1988, Del Taco and Naugles, two of the most successful Mexican fast-food restaurant chains, combined to become one of the strongest competitors in

the then \$60 billion fast-food industry.



### **Strengthening the Concept**

In 1990, Kevin K. Moriarty joined the company as Chief Executive Officer and it proved to be a watershed year for Del Taco. In the ensuing years, the chain redoubled its efforts to ensure customer value and operator opportunity. CEO Kevin K. Moriarty and his management team became owners of the company and took the necessary measures to ensure their concept continued its growth momentum. They launched an aggressive program of brand marketing and promotions; improved operating efficiencies for better and faster customer service; re-acquired out-of-state trademark rights to the Del Taco name; reorganized and strengthened the company's balance sheet.

Particularly significant to the chain was the unveiling of Del Taco's new Concept 2000 restaurant design. The Concept 2000 design provided a unique, fun, festive, experience at a fast-food value that the whole family could enjoy.

### **The Road to Expansion**

In an industry pervasive with speed, Del Taco has successfully positioned itself for accelerated expansion nationwide. Spreading its advantageous concept and growth momentum across the nation, Del Taco recently has signed 50+ development agreements that will increase the Del Taco chain by an additional 300+ franchised restaurants over the next few years. These new agreements represent the largest franchise growth in the history of the company and will expand Del Taco's presence to over 14 states.

The Lake Forest, CA - based chain offers menu items that appeal to a broad range of tastes with a strong emphasis on quality and value. The menu includes tacos, burritos, quesadillas, nachos, world famous crinkle cut fries, Double Del Cheeseburgers, shakes and breakfast burritos with new tastes introduced regularly. Each item is made to order only when the customer orders it with many quality ingredients including lard-free beans made from scratch daily, real cheddar cheese grated on site, chicken grilled fresh every hour, and fresh produce. Del Taco, Inc. is a privately held company.

# **EXHIBIT O**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**







*Naugles*

**DRIVE-THRU**

**TREES BURGERS**



57402







*Naugles*  
DRIVE THRU

TREES BURGERS



# **EXHIBIT P**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**



1 of 1 DOCUMENT

Copyright 2012 Orange County Register  
All Rights Reserved  
Orange County Register (California)

June 2, 2012 Saturday

**SECTION:** BUSINESS; Pg. D

**LENGTH:** 162 words

**HEADLINE:** Twitter talk suggests comeback for Naugles fast-food brand

**BYLINE:** Nancy Luna Register writer, The Orange County Register

**BODY:**

Does anyone remember **Naugles**? The Mexican fast-food chain - famous for its bun taco and Naugleburger - disappeared years ago after it merged with Del Taco in 1988.

Well, it appears Naugles might be making a comeback. One of my Twitter followers alerted me late Wednesday to say she stumbled upon a Twitter account called Naugles. The active site describes itself as a "quasi-unofficial" social-media account for the popular food chain from the 1970s and '80s.

The Twitter site, and its companion Naugles website, declares that the brand is "getting ready" for a comeback.

I messaged the Naugles Twitter account, asking if the comeback was legitimate.

The response: "We are a group of Naugles fans working to bring the beloved chain back; this is a serious, bona fide business venture, nothing less."

No other disclosures were provided, including names of the parties involved.

A year after the merger, Del Taco announced plans to convert 171 Naugles restaurants into Del Tacos.

**LOAD-DATE:** June 3, 2012

# **EXHIBIT Q**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**



# Blogs

RESTAURANTS



Search



OC RESTAURANTS | FOOD BLOG | FIND A RESTAURANT | REVIEWS | DEALS | HAPPY HOURS | DINING NEWSLETTER | GET MOBILE | RESTAURANT ADS



## TOP BLOG STORIES



5 Ways To Identify a Bullshit Food Writer  
By Dave Lieberman



Slater's 50/50 Has a Kangaroo Burger  
By Gustavo Arellano



Who Was Stealing Whiskey from OC Weekly Desks?  
By Gustavo Arellano

### Mexi Meals

## Naugles, Legendary SoCal Mexican Fast-Food Chain, is Trying to Make a Comeback, and We Have the Proof

By Gustavo Arellano Tue., Jul. 9 2013 at 11:30 AM

54 Comments

Categories: Mexi Meals

Like

3k

Send

Tweet

33

4

1



The sauce in all its thick, spicy, sweet glory...

As I've gone around Southern California lecturing about *Taco USA: How Mexican Food Conquered America*, one name that always comes up is Naugles, a former fast-food chain that at its height numbered around 250 outposts but was bought out by Del Taco in the 1980s and disappeared. I never had a chance to eat there, but fans speak of it in mythical terms, rave about their taco sandwich (still available via Del Taco's secret menu as a "bun taco"), their taco sauce, their superior quality to the dreck that passes as fast-food Mexican nowadays, their everything.

May those fans start drooling anew now: a mysterious consortium is trying to bring Naugles back, and they gave me some of the chain's legendary taco sauce to prove it.

### Hottest Conversations



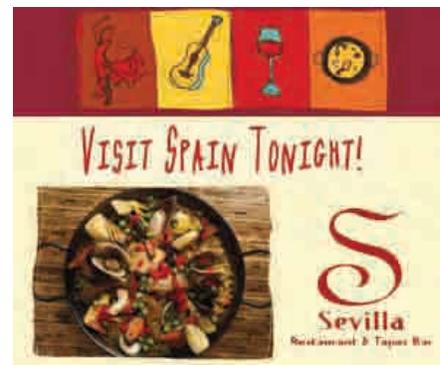
Transgender Homecoming Queen Candidate Dissed in Media  
183 Comments



Sanchez Girds Her Loins for Obamacare Meet  
12 Comments



Young Woman Suffering from Rare Disease Needs Your Help  
7 Comments



### From the Vault

A couple weeks back, some Naugles taco sauce was dropped off at the offices of this infernal rag. A paper slip referred me to this website, and I made contact with the people. Let's just say for right now that this effort isn't sponsored by Del Taco (which still owns the trademark to the Naugles name and hawks Naugles T-shirts and caps) but is a fascinating effort in nostalgia, consumer demand, and damn good cooking. I'll have more on the effort to bring back Naugles in September in a cover story, *insha'allah*, so other reporters: LAY OFF. This one's mine, and I've sworn the parties involved to secrecy under penalty of a lifetime of *chinga tu madres* directed at them.

As for the sauce, prepared according to the specifications of founder Dick Naugle? For what it is--not a salsa, but a taco sauce--it's spectacular. Thick, sweet, a bit like Del Taco's Del Scorcho but with an actual scorch-o. Objectively, it's also great: would be like a Cal-Mex Sriracha. You can't buy it anywhere right now, so if you want to try some, let's just say you should root for these Naugles fans to succeed in bringing the chain back. I have seen the light, and I want Naugles NOW!

Follow *Stick a Fork In It* on Twitter @ocweeklyfood or on Facebook!

### GET THE DINING NEWSLETTER

The week's top local food news and events, plus interviews with chefs and restaurant owners, dining tips, and a peek at our print review.

Email to Friend Write to Editor Print Article 31 points

### We Recommend



Paid Distribution  
Foodie Bucket List: 24 Must-Try Eateries (Zagat)



More Than 1,000 People Line Up For The Ramen Burger In Torrance (Stick a Fork In It)



A New Cronut Shop Opens in Fullerton (Stick a Fork In It)



Legs Or Hot Dogs? See If You Can Guess With This Ridiculous, Time-Sucking Tumblr (Stick a Fork In It)

Recommended by

54 comments



Sign in or Create Account

1 person listening

+ Follow Post comment as...

Newest | Oldest | Top Comments



acutaboveentertainme

Jul 13, 2013

I WANNA KNOW WHEN THIS HAPPENS!!!

1 Like Reply



bottoson

Jul 10, 2013

BTs Buns & Torts in Visalia gets 4.5 stars on both Yelp and Urban Spoon. Rumored to be run by Dick's nephew and has same menu as Naugles.

Facebook social plugin showing a post about 'MAP: The Best Noodles in Orange County' with 2,567 people liked it.

2012 Our 100 Favorite OC Dishes (click for one hundred reasons to drool)

### Slideshows



4th Annual OC Brew Ha Ha! @ Oak Canyon Ranch



2013 Orange International Street Fair



Hollingshead's 50th Anniversary Party!

More Slideshows >>

Advertisement for 1extra ounce Act Natural beer, 25 oz can, now with 25 ounces of realness.

**EXHIBIT R**  
**(CONFIDENTIAL)**

**to Petitioner's Testimony Affidavit of Christian Ziebarth**

**REDACTED PAGE**

**REDACTED PAGE**