

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2 TRADEMARK TRIAL AND APPEAL BOARD

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4
5 CERTIFIED PRINTERS, INC.,)
6)
7 Opposer,)
8)
9 vs.)
10)
11 CROUSER & ASSOCIATES,)
12)
13)
14 Applicant.)
15)
16)
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18)
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23)
24)
25)

) Case No. 91167709

) VOLUME 3

Certified Copy

11 - NON-CONFIDENTIAL PORTION -

12 Deposition of MICHAEL DRUYEN, taken at 1525
13 North Cahuenga Boulevard, Los Angeles, California
14 90028, commencing at 1:04 P.M., Thursday, November
15 15, 2007, before Judith Schlussel, CSR No. 4307.
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NDS Job No.: 127095

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Thursday, November 15, 2007

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62	Creative Characters newsletter	200

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DEPOSITION EXHIBITS

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* Non-confidential portions of the transcript. The confidential portions, pages 239-243, 247-248 and 265-282 are bound and indexed separately.

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MICHAEL DRUYEN,

the witness, having been previously administered an oath in accordance with CCP Section 2094, testified as follows:

MR. HALL: Harvey, I want to do some housekeeping here. I understand from the reporter that Exhibit 53 was not offered into evidence, which is the Certified Printers, Inc., application to register their service mark. That's Serial No. 76581663. So I'll offer it now into evidence for the record.

MR. FREEDENBERG: I have no objection.

MR. HALL: Then some more housekeeping here -- well, actually, I'll have the reporter show exhibits 43 and 44 to the witness.

MR. FREEDENBERG: Okay.

DIRECT EXAMINATION (CONTINUING)

BY MR. HALL:

Q. Now, looking at the first page of Exhibit 43, lines 26 to 28, do you see what is typed there?

A. Yes.

Q. What is that material?

A. Should I read the lines?

Q. Yeah. Well, let me put it this way. Does

1 Exhibit 43 on its first page indicate the services that
2 your company provides?

3 A. Yes.

4 Q. All right. And where does it --

5 A. It starts on line 23.

6 Q. That was a deletion though. Now, on line 26,
7 what does that say about your service?

8 A. It says copying of documents for others and
9 packaging articles to the order and specification of
10 others in international class 35 and print shop
11 services, namely printing --

12 Q. Over on Page 2 now.

13 MR. FREEDENBERG: I'm sorry. What page are you
14 referring to?

15 MR. HALL: Page 1 of 43.

16 MR. FREEDENBERG: 33, did you say, or 43?

17 MR. HALL: 43.

18 THE WITNESS: The Applicant's response.

19 MR. FREEDENBERG: I'm looking at the wrong
20 document then. I thought Exhibit 43 --

21 MR. HALL: It's the response.

22 MR. FREEDENBERG: -- was Mr. Druyen's
23 declaration.

24 MR. HALL: No. That was part of it. But the
25 whole document has been marked and offered into evidence

1 so that there will be continuity there.

2 MR. FREEDENBERG: I'm going to have to find it
3 because I have that marked incorrectly. What is Exhibit
4 43? The application?

5 MR. HALL: No, no. It's the Applicant's
6 response to the office action of September 27, 2004
7 which contains the declaration of Mr. Druyen, but has a
8 beginning portion that refers to the listing and
9 substitution of the services that Certified Printers,
10 Inc. provides.

11 MR. FREEDENBERG: I have it.

12 Q. BY MR. HALL: Will you continue, Mr. Druyen,
13 with your answer which goes over to Page 2 of Exhibit 44
14 on the first two lines?

15 A. Line 1, binding, embossing, foil stamping and
16 design printing for others in international class 40.

17 Q. Now I show you Exhibit 44 which is the response
18 to the office action and application of Crouser &
19 Associates with the serial number of 78365504 and ask
20 you to locate the same class numbers that you mentioned
21 in Exhibit 43.

22 A. I see international class 035.

23 Q. What else?

24 A. And then it has a description.

25 Q. Then what else? What other classes are there?

1 A. What other classes?

2 Q. That are the same as yours?

3 A. I apologize. I'm not sure what you're asking.

4 Oh, okay. There is a class 35, there is international

5 class 40. Those are the two that I see that match

6 Exhibit 43.

7 Q. That you just read?

8 A. Yes.

9 Q. Now I'd like to refer to another bunch of
10 housekeeping here, to Exhibit 46 and also Exhibit 52.

11 Now, you recall, Mr. Druyen, that in Exhibit
12 46, the Opposer's Supplemental Responses to Selected
13 Interrogatories, on Page 4, there are listed Bates
14 numbers for various states of the United States. Do you
15 see that?

16 A. Yes, I do.

17 Q. And have you corrected the Bates numbers that
18 were to be provided on Exhibit 4 separately in a
19 separate document copied from pages 4 and 5 of Exhibit
20 46?

21 A. Yes, I have.

22 Q. Okay. I'll ask the reporter to mark those two
23 corrected pages as Exhibit 60.

24 (Deposition Exhibit No. 60 was marked for
25 identification.)

1 (Discussion off the record.)

2 Q. BY MR. HALL: So I show you Exhibit 60,
3 Mr. Druyen.

4 A. Yes.

5 Q. Can you identify that exhibit?

6 A. Yes, I can.

7 Q. What is it?

8 A. It's a copy of pages 4 and 5 from Exhibit 46.

9 And the Bates numbers that were incorrect were corrected
10 to show that there was an A after each one of the
11 numbers that were incorrect.

12 Q. To be provided, weren't they? The ones to be
13 provided?

14 A. And including one that didn't say to be
15 provided which was New Jersey, and those are the actual
16 pages were also corrected originally, so this is more of
17 a Table of Contents to indicate where they are.

18 MR. HALL: So I'll offer this into evidence,
19 Harvey. You can reserve your objection, but we'll fax
20 it at the first break that we have to you.

21 MR. FREEDENBERG: Or we can wait until the end.
22 That's fine.

23 MR. HALL: Now, back to Exhibit 59, the
24 GoodCopy Printing Center web page, we last talked about
25 the toggle situation on the website, and I think you

1 were going to see if you could get the toggle to work
2 for you.

3 MR. FREEDENBERG: I haven't been able to do
4 that. At this point, I don't believe that's relevant.
5 If you want to ask him something about this web page, go
6 ahead. We'll see where you go with it.

7 MR. HALL: All right. I will say that there is
8 a second page to this which appears when -- I'll let the
9 witness talk about that.

10 Q. BY MR. HALL: Mr. Druyen, I show you Exhibit
11 59, and ask you if that's the web page that you
12 downloaded yourself?

13 A. Yes, it is.

14 Q. Now, did you also download a second page of
15 that website of GoodCopy?

16 A. No. I have not. No, I didn't.

17 Q. Okay. Well, I show you a second page --

18 A. I clicked on it, but I didn't download it.

19 Q. I'll ask the reporter to mark this document as
20 59-1.

21 (Deposition Exhibit No. 59-1 was marked for
22 identification.)

23 Q. BY MR. HALL: Now, I show you Exhibit 59-1. Do
24 you recognize it?

25 A. Yes.

1 Q. What is it?

2 A. It's one of the pages from GoodCopy's website.

3 Q. You said that you saw that on your computer?

4 A. Yes, I did.

5 Q. And how did you obtain that page?

6 A. By clicking on the logo.

7 Q. Of GoodCopy?

8 A. Yes.

9 Q. This page, 59-1, shows the Crouser & Associates
10 mark, does it not?

11 A. Yes, it does.

12 Q. And did you also try to get the toggle
13 situation that Mr. Freedenberg was talking about
14 yesterday?

15 A. Yes, I did. I wasn't able to get it to print.
16 This particular page, once you click the GoodCopy link,
17 takes you to Tom Crouser's website.

18 Q. Which is shown on Exhibit 59-1?

19 A. Yes. It's not a specific page of GoodCopy's.
20 It's a link to Crouser's website.

21 Q. Now, was this Exhibit 59-1 faxed to
22 Mr. Freedenberg?

23 A. No.

24 Q. We'll fax that one, too. I'll offer it in
25 evidence and I'm sure Mr. Freedenberg will want to

1 reserve his position on that?

2 MR. FREEDENBERG: I do.

3 MR. HALL: At the first break, we'll do that,
4 too.

5 MR. FREEDENBERG: Thank you.

6 Q. BY MR. HALL: But the Exhibit 59-1 does show
7 what you saw when you went there?

8 A. Yes. It's a generic page not talking
9 specifically about a print shop, but a program that's
10 available through Microsoft Publisher and it is, as a
11 Cprint Certified Printers International printer, you
12 have access to it.

13 Q. Now, do you know the services that are provided
14 by GoodCopy Printing which is stated on 59, Exhibit 59,
15 to be a Cprint Certified Printers International printer?

16 A. Yes, I do.

17 Q. And how do you know that?

18 A. I have been to his physical facility and taken
19 a tour of his shop.

20 Q. What services does GoodCopy provide?

21 A. Printing, copying, bindery, graphics.

22 Q. Now, are any of these services provided by
23 GoodCopy Printing provided by Certified Printers, Inc.?

24 A. All of the same.

25 Q. I'll ask the reporter to mark another document

1 as Exhibit 61.

2 (Deposition Exhibit No. 61 was marked for
3 identification.)

4 Q. BY MR. HALL: For the record, I believe that
5 Exhibit 61 was faxed to Mr. Freedenberg earlier today.

6 MR. FREEDENBERG: If you tell me what it is, I
7 can tell you.

8 THE WITNESS: It's the one that says Crouser &
9 Associates. In the middle it says Quick Printing.

10 MR. FREEDENBERG: I have it, thank you.

11 Q. BY MR. HALL: Can you tell us what Exhibit 61
12 is, Mr. Druyen.

13 A. It's on Crouser & Associates website indicating
14 that in their view, they should have been listed as a
15 franchise in the Quick Printing magazines issue
16 describing franchises, printing franchises, April of
17 2006.

18 Q. Is this, 61, consisting of two pages, 61-1 and
19 61-2, what you downloaded yourself today?

20 A. Yes.

21 Q. From that website?

22 A. Yes, it is.

23 Q. Now, I direct your attention down to the lower
24 portion of Exhibit 61-1 where there is a paragraph
25 beginning "we think that the Quick Printing study was

1 flawed because only traditional incubator franchises
2 were included." Do you see that paragraph?

3 A. Yes, I do.

4 Q. Do you have any objection to what is stated
5 there?

6 MR. FREEDENBERG: Objection; irrelevant.

7 Q. BY MR. HALL: You may answer.

8 A. Yes. I object to the use of my service mark
9 Certified Printers being considered a franchise.

10 Q. Where do you see that --

11 A. The second sentence.

12 Q. Read that.

13 A. "The study ignored the most significant
14 development in printing franchising since the 1970's and
15 that is the introduction of the innovative Certified
16 Printers International franchise network known as
17 Cprint."

18 Q. So specifically, what is your objection to
19 that?

20 A. He's using my service mark as the name of a
21 franchise.

22 MR. FREEDENBERG: Objection; mischaracterizes
23 the document.

24 Q. BY MR. HALL: Do you have a specific objection
25 to the use by Crouser & Associates of the term Certified

1 Printers International franchise network?

2 A. Yes.

3 MR. FREEDENBERG: Objection; irrelevant. Asked
4 and answered.

5 Q. BY MR. HALL: What's the basis of your
6 objection, Mr. Druyen?

7 A. I'm not a franchise. I wouldn't want people
8 thinking that I was. I'm an independent printer, which
9 is part of what he indicates his franchises are also.
10 And he also uses the term "the Certified Printers
11 International franchise" in the lead paragraph of this
12 article. It's the last line in the bolder type.

13 Q. Are those the same words that appear in the
14 last full paragraph on Page 61?

15 A. No. There is no consistency in how it appears.
16 This one says the Certified Print -- the top paragraph
17 says "the Certified Printers International franchise
18 network." The bottom paragraph that we were talking
19 about just says "Certified Printers International
20 franchise network known as Cprint."

21 Q. Yes. But the same term is used though?

22 A. The Certified Printers is.

23 Q. Yes.

24 MR. FREEDENBERG: Objection; mischaracterizes
25 the document. I don't know what you're referring to

1 when you say the same term.

2 Q. BY MR. HALL: Would you say what the same terms
3 are in that last full paragraph and the one that's in
4 black ink?

5 A. The words Certified Printers International in
6 the top paragraph.

7 Q. Franchise network, you mean?

8 MR. FREEDENBERG: Objection.

9 Q. BY MR. HALL: They're the same words as in the
10 last full paragraph, aren't they?

11 MR. FREEDENBERG: Objection; irrelevant.

12 THE WITNESS: Yes. The Certified Printers
13 International franchise network is used.

14 Q. BY MR. HALL: In both places?

15 A. In both places.

16 MR. HALL: For the record, I'll offer Exhibit
17 61-1 and 61-2 into evidence, noting your objections.

18 MR. FREEDENBERG: Subject to my objections, I
19 have no objection to the document itself being admitted
20 into evidence. The document speaks for itself.

21 Q. BY MR. HALL: I show you another document which
22 I will ask the reporter to mark as Exhibit 62.

23 (Deposition Exhibit No. 62 was marked for
24 identification.)

25 Q. BY MR. HALL: I believe this was also faxed to

1 you, wasn't it, Harvey?

2 A. This is the one that's "Creative Characters
3 local printer trains staff with elite printing
4 organization." That was yesterday. What I sent you
5 today is the additional two pages.

6 MR. HALL: This has two pages, too.

7 THE WITNESS: Right. There is two more pages.

8 MR. HALL: We'll get to that.

9 Q. BY MR. HALL: Now, I show you Exhibit 62-1 and
10 62-2 and ask you to identify them.

11 A. This is a copy of a website that I downloaded.

12 Q. Of?

13 A. Of Creative Characters, one of the franchisees
14 of Cprint Certified Printers International.

15 Q. Is it a true and correct copy of what you saw
16 on the website?

17 A. Yes, it is.

18 MR. FREEDENBERG: Before you ask any more
19 questions, I'm going to object to this document. It
20 indicates that it came from Archive.org and I don't
21 believe there's, this witness is capable of laying a
22 proper foundation for this document.

23 MR. HALL: What does that mean, by Archive?

24 MR. FREEDENBERG: Well, if you look at the URL
25 at the bottom of the page, it says HTTP:forward slash

1 web.archive.org. I don't know this is an active
2 website. In addition, there are characters in the form
3 of question marks that appear in various portions on the
4 page. So I don't know what, if this was ever a website,
5 what those characters were intended to be.

6 MR. HALL: Yes. But if you go ahead though and
7 look at the rest of what you read before, it goes on to
8 say HTTP.forward/forward/www.rateofcharacters.com which
9 is a current website.

10 MR. FREEDENBERG: Unless Mr. Druyen is
11 qualified as an expert to testify regarding Archive.org
12 and if he is being offered as an expert at this point,
13 I'm going to object. I don't believe he can testify as
14 to the significance of this particular page at this
15 time. That's my objection.

16 MR. HALL: All right.

17 Q. BY MR. HALL: Well, now, Mr. Druyen --

18 A. Mr. Hall, do you have the other two pages?

19 Q. I'll ask the reporter to mark as Exhibit 63 a
20 two-page document with the Creative Characters' name on
21 it.

22 MR. FREEDENBERG: What is 62? We had 61 and
23 now we have 63?

24 MR. HALL: Yeah. 61 was the Quick Printing
25 one. 62 is the Creative Characters that you're

1 objecting to. And 63 is the customer service center of
2 Creative Characters.

3 (Deposition Exhibit No. 63 was marked for
4 identification.)

5 Q. BY MR. HALL: I show you Exhibit 63-1 and-2 and
6 ask you to identify those exhibits.

7 A. Yes. I downloaded these today.

8 Q. What are they?

9 A. They are part of the website for Creative
10 Characters.

11 Q. Can you tell whether it's a current website?

12 A. Yes, I can because I did it myself this
13 afternoon. The previous one --

14 Q. 62?

15 A. I can't testify as an expert, but I can testify
16 what I did to get this page.

17 Q. All right. Do so.

18 A. I clicked on Tom Crouser's website. He had
19 this link to this website from Cprint's website.

20 So again, I can't testify as an expert. But
21 maybe his website kept it as historical document and
22 didn't give us a true time. I can reprint this out.
23 When I went to print out the customer service center
24 part of Creative Characters website, I did see the same
25 one that I have printed here, so if you want at the next

1 break, I can print the most current one. I do not know
2 about the question marks. Sometimes that is a default
3 built into the website where a comma, an apostrophe
4 changes to a question mark. So if you want to hold off
5 on this document until I reprint it out, then we can --

6 MR. HALL: Harvey, are you satisfied with that
7 explanation or not?

8 MR. FREEDENBERG: No. I'm still going to
9 object to the document.

10 Q. BY MR. HALL: He'll go ahead and get that at
11 the next break directly. Now, looking at Exhibit 63-1
12 and 2, tell us what appears in those exhibits.

13 A. They just characterize the company as a Cprint
14 Certified Printers -- let me find the exact term.
15 They're part of an elite organization of printers of
16 independently owned family-based businesses.

17 Q. Now, what are the products and services of
18 Creative Characters Printers?

19 A. The download off his website shows digital
20 black and white copies, digital color copies, offset
21 printing, graphics, bindery, then lists several of the
22 bindery operations, laminating, pick up/delivery,
23 etcetera, and there is a list of other items that they
24 produce.

25 Q. What page is that on?

1 A. That's Page 2 of the document.

2 Q. Looking at --

3 A. They do business cards, forms, calendars,
4 envelopes. I'm not reading every one. Postcards,
5 menus, reply cards, rubber stamps.

6 Q. Those all appear on page Exhibit 63-2?

7 A. Yes.

8 Q. Now, with respect to these services and
9 products, are any of those services and products
10 provided by Certified Printers, Inc.?

11 A. As far as I can tell by reading all of it,
12 every single one of them, I produce also; both service
13 and product.

14 MR. HALL: So I offer Exhibit 63-1 and 63-2
15 into evidence.

16 MR. FREEDENBERG: Okay. Objection; document is
17 irrelevant. I object to Mr. Druyen's description or
18 characterization of the documents.

19 Q. BY MR. HALL: I will have the reporter mark as
20 next in order, Exhibit 64, again, with two pages, 64-1,
21 64-2.

22 (Deposition Exhibit No. 64 was marked for
23 identification.)

24 THE WITNESS: This document is of Printing
25 Resources website.

1 Q. BY MR. HALL: Did you print out the pages of
2 Exhibit 64-1 and 64-2?

3 A. Yes, I did.

4 Q. And is what is shown in the exhibit is what you
5 saw on the website?

6 A. Yes, it is.

7 Q. Now, do you see the mark of Crouser &
8 Associates anywhere on Exhibit 64-1?

9 A. I call it a logo with the words Cprint and
10 Certified Printers International above and below the
11 word Cprint and the design around it on Page 2. I see
12 the word Cprint with a trademark on the front page and
13 it's used in the document itself.

14 Q. How is it used in the document itself?

15 A. It's part of sentence. Sentence says --

16 Q. Identify the sentence.

17 A. It's the first sentence under the title
18 Printing Resources named print shop of the year, for the
19 second year in a row, Printing Resources, Southern
20 California was selected to receive a major award during
21 the annual production manager conference of Cprint
22 [Certified Printers International].

23 Q. Where else?

24 A. It's also used next paragraph or sentence, here
25 is an excerpt from the press release issued by Cprint.

1 And it's used several other times in the next three
2 paragraphs.

3 Q. So now, do you have any objection to that use
4 of Cprint Certified Printers International?

5 MR. FREEDENBERG: Did you say Cprint Certified
6 Printers International or just Certified Printers
7 International?

8 MR. HALL: No. Cprint Certified Printers
9 International first.

10 MR. FREEDENBERG: I object. Irrelevant.

11 Q. BY MR. HALL: What's your objection?

12 A. My objection is the use of the name Certified
13 Printers International. Cprint, I do not have an
14 objection to.

15 Q. Do you have any knowledge of the printing
16 services of Printing Resources?

17 A. Yes, I do.

18 Q. And how did you acquire that knowledge?

19 A. I've been -- excuse me. I've been invited to
20 the print shop and I've taken a tour of it. I know the
21 owner for the last 20 years.

22 Q. All right. What services do they provide?

23 A. Printing, copying, mailing, bindery, and these
24 are the same services that I produce.

25 MR. HALL: I'll offer Exhibit 64-1 and 64-2

1 into evidence and I note your objections.

2 MR. FREEDENBERG: Okay. I do object for
3 reasons previously stated with respect to other web page
4 excerpts.

5 MR. HALL: I'll have the reporter mark as
6 Exhibit 65 a document consisting of several pages which
7 I will ask the reporter to mark as 65-1, etcetera.

8 (Deposition Exhibit No. 65 was marked for
9 identification.)

10 Q. BY MR. HALL: I show you Exhibit 65-1,
11 etcetera, and ask you to identify this exhibit.

12 MR. FREEDENBERG: Could I have a description of
13 the document, please.

14 THE WITNESS: It's the, I call it the logo
15 Cprint and then next to that it's Certified Printers
16 International, a program of Crouser & Associates.

17 MR. FREEDENBERG: I've never seen this
18 document.

19 THE WITNESS: It's about 10 to 12-page
20 document.

21 MR. HALL: I think we can take a break now and
22 have some of these faxes sent to you so that you'll have
23 everything before we --

24 MR. FREEDENBERG: To expedite this, I don't
25 know how many more exhibits you have, but might as well

1 get them to me all at once.

2 MR. HALL: This may be the last bunch. We'll
3 check on that. But in the meantime, let's go ahead and
4 get these faxed to you and I understand that the next
5 witness, Mr. Gubler, will be here at two o'clock.

6 MR. FREEDENBERG: Okay. Why don't we resume
7 with him.

8 MR. HALL: We will.

9 MR. FREEDENBERG: In about --

10 MR. HALL: Two o'clock we resume with him, if
11 he's here on time. He should be.

12 MR. FREEDENBERG: Okay. Thanks.

13 (Recess taken for taking the deposition of witness,
14 Leron Gubler)

15 MR. HALL: Back on the record. Mr. Freedenberg
16 has indicated that he has received the fax of Exhibit 60
17 offered for evidence.

18 MR. FREEDENBERG: Right.

19 MR. HALL: And will now state his position on
20 the offer to receive Exhibit 60 into evidence.

21 MR. FREEDENBERG: Right. No objection.

22 MR. HALL: You also received that page that has
23 the Certified Printers Cprint logo on it at the top from
24 Creative Characters. It says "Bring us your Microsoft
25 Publisher files." That's Exhibit 59-1. That was also

1 faxed to you.

2 MR. FREEDENBERG: Yeah. I don't know what's
3 part of what. Let's go off the record.

4 THE WITNESS: Off the record.

5 (Discussion off the record.)

6 MR. HALL: Now I have Exhibit 59 which is the
7 web page of GoodCopy and then 59-1 is the second page
8 that has --

9 MR. FREEDENBERG: Right.

10 MR. HALL: -- which you received.

11 MR. FREEDENBERG: Second page is 59-2.

12 MR. HALL: Let's make it that way, yeah. 59-1,
13 59-2.

14 MR. FREEDENBERG: Okay.

15 MR. HALL: Now I'll offer these two into
16 evidence right now, 59-1, 59-2.

17 MR. FREEDENBERG: I have no objection.

18 MR. HALL: Now, for 61, you still have an
19 objection on that one. Is there any change in your
20 position about that one?

21 MR. FREEDENBERG: No.

22 MR. HALL: We already marked 62-1 and 62-2, but
23 I want to add to that documents that Mr. Druyen has
24 already downloaded and faxed to you, so I will add to
25 that -- I'll make it separate then. This will be 63-1

1 and 63-2.

2 MR. FREEDENBERG: I thought you already had
3 those numbers.

4 THE REPORTER: You've marked through Exhibit
5 No. 65.

6 MR. HALL: These will be 62-3 and 62-4 which
7 you've seen.

8 Q. BY MR. HALL: Now, Mr. Druyen, will you
9 identify what 63 -- I'll let the reporter mark these
10 first.

11 (Deposition Exhibit Nos. 62-3 and 62-4 were
12 marked for identification.)

13 THE WITNESS: I don't know if I copied the
14 second page.

15 Q. BY MR. HALL: I show you Exhibit 63-1 and
16 Exhibit 63-2 and ask you to identify them.

17 A. This is 63-3 and 4 -- 62-3 and 4.

18 MR. FREEDENBERG: They were 62-3 and 4.

19 MR. HALL: That's right.

20 THE WITNESS: 62-3 is saying in the middle of
21 the page "Local company featured in American Printer
22 magazine," and it's a two-page document. Do you have
23 the second page?

24 MR. FREEDENBERG: Yes. Page says Introduction.

25 THE WITNESS: No. You may not have the second

1 page because I didn't copy that. It's a generic blank
2 page. So if you want to -- there is nothing on it
3 except it's the bottom of what would be that first page.
4 There is no text on it.

5 MR. FREEDENBERG: All right.

6 THE WITNESS: He may not have it. Do you want
7 to pull that page out of evidence?

8 MR. FREEDENBERG: If it's blank, I don't know
9 that we need it.

10 MR. HALL: Okay. Take it out.

11 THE WITNESS: So I have the one that says local
12 printer, "Local company featured in American Printer
13 magazine."

14 Q. BY MR. HALL: That is 62-3.

15 A. Yes.

16 Q. This is the one that you printed out today?

17 A. Yes.

18 Q. Now, do you see anything on this exhibit, 62-3,
19 that you object to?

20 A. Yes, I do.

21 Q. What is that?

22 A. The use of my mark Certified Printers in a
23 couple of places.

24 Q. Can you indicate where they are?

25 MR. FREEDENBERG: Objection; irrelevant.

1 THE WITNESS: The first one was the buy
2 article information, Sonia Rothwell-Mike, Director of
3 Communications, Certified Printers International.

4 Q. What is the problem with that?

5 A. I don't have a Director of Communications, and
6 in this case, I do not know if it's the Director of
7 Communications of Creative Characters or of Cprint
8 Certified Printers International.

9 MR. FREEDENBERG: Rather than object,
10 continuing to object to questions relating to this
11 document, note a continuing objection to this entire
12 line of testimony. It is irrelevant.

13 Q. BY MR. HALL: What else?

14 A. It also uses the words Certified Printers in
15 the second paragraph, "The company has some initial
16 success but things really took off after joining Cprint
17 Certified Printers International."

18 Q. What is your objection to that language?

19 A. Again, they didn't join my company, and I don't
20 know why they would be using it, unless it's just the
21 name of their company now. Because throughout this
22 document, it uses Cprint as a registered mark and Cprint
23 with the word Certified next to it. So I'm not sure how
24 they're using it.

25 Q. Do you have a problem with the statement of

1 "The company had some initial success but things really
2 took off after joining Cprint Certified Printers
3 International"?

4 A. Yes.

5 Q. What is that again?

6 A. That it's my company's mark, and they're not
7 part of my -- I don't have a group.

8 MR. HALL: I'll offer it for the record into
9 evidence and I'm sure there will be an objection to that
10 from Mr. Freedenberg.

11 MR. FREEDENBERG: I do object for reasons
12 previously stated. It's irrelevant to this proceeding.

13 Q. BY MR. HALL: Now I'll ask the reporter to mark
14 an Exhibit 63-4, and I'll ask Mr. Druyen to identify
15 that exhibit.

16 (Deposition Exhibit No. 63-4 was marked for
17 identification.)

18 Q. BY MR. HALL: If you can tell us what that is,
19 Mr. Druyen.

20 A. That's another page off the website, the
21 introduction, first page.

22 Q. And did you download that today?

23 A. Yes, I did.

24 Q. And have you faxed a copy of Exhibit 63-4 to
25 Mr. Freedenberg?

1 A. Yes, I did.

2 Q. Now, is there anything on Exhibit 63-4 that you
3 object to?

4 A. Yes. The use of the service mark Certified
5 Printers International.

6 Q. Is that where it appears on Exhibit 63-4, the
7 last full paragraph?

8 A. Second to the last paragraph, starting off
9 "Creative Characters is the only printer in Philadelphia
10 that qualify for the prestigious Certified Printers
11 International designation."

12 Q. What is the problem with that for you?

13 A. That's my company's service mark and other
14 companies are using it, and I don't want to take a
15 chance on people looking for my name, typing in
16 Certified Printers and ending up with somebody else.

17 MR. HALL: I'll offer Exhibit 63-4 into
18 evidence, with your objection noted.

19 MR. FREEDENBERG: I object for the reasons
20 previously stated with respect to exhibit, I thought it
21 was 62-3, but now I'm seeing that it's 63-3?

22 MR. HALL: No. You're right. It should be
23 62-3 and 62-4.

24 MR. FREEDENBERG: Well, for the reasons stated
25 previously with respect to 62-3, I object.

1 MR. HALL: There are four items of 62.

2 I think we already marked 63 as the printing
3 services of Creative Characters. You have that, don't
4 you?

5 MR. FREEDENBERG: Yes.

6 MR. HALL: Will the reporter check to see
7 whether I've offered that into evidence.

8 MR. FREEDENBERG: Okay.

9 MR. HALL: Have I given you 64?

10 THE REPORTER: Yes, I believe so.

11 Q. BY MR. HALL: I show you Exhibit 64-1 and 64-2
12 and ask you to identify those documents.

13 (Discussion off the record.)

14 MR. HALL: Also, I've given you 65-1, etcetera,
15 haven't I, Ms. Reporter?

16 THE REPORTER: I'm going to look, but I believe
17 you have.

18 (Discussion off the record.)

19 Q. BY MR. HALL: I show you Exhibit 65-1,
20 etcetera, and ask you to identify it.

21 A. It's a course of study offered by Cprint
22 Certified Printers International.

23 Q. Did you download this exhibit, 65-1, etcetera?

24 A. Yes, I did. I downloaded it off Crouser &
25 Associates website.

1 Q. Now, at the top of Exhibit 65-1, do you see a
2 collection of words there and a logo?

3 A. Yes, I do.

4 Q. And what are they on Exhibit 65-1?

5 A. The logo is the Cprint with the words Certified
6 Printers International around it with a TM, and then the
7 title of the program that Crouser & Associates offered
8 is called Certified Printers International.

9 Q. Do you have any objection to those particular
10 terms appearing on Exhibit 65-1 at the top?

11 A. Yes, I do.

12 MR. FREEDENBERG: Irrelevant.

13 Q. BY MR. HALL: What is it?

14 A. It's my company's service mark and I don't
15 offer this kind of a course.

16 Q. What is the effect in your business, so far as
17 you know, of the use of these terms on the top of
18 Exhibit 65-1?

19 MR. FREEDENBERG: Objection; calls for
20 speculation.

21 MR. HALL: I think he can talk about what would
22 happen to his business because of it.

23 MR. FREEDENBERG: What has happened to his
24 business or what --

25 MR. HALL: Either way.

1 MR. FREEDENBERG: They're two different
2 questions. I object.

3 Q. BY MR. HALL: All right. What would be the
4 problem so far as your business is concerned with these
5 terms up on 65-1 top?

6 MR. FREEDENBERG: Again, I object on the basis
7 that calls for speculation. Unless he has testified
8 that in fact there has been an effect on his business, I
9 think it's speculation to say, to ask him what would the
10 effect be.

11 Q. BY MR. HALL: Go ahead and answer.

12 A. The effect would be, as I have read in
13 documents offered by Crouser & Associates and what
14 Mr. Crouser told to me, is that he was going to certify
15 printers and then they could use the designation they
16 are a certified printer; that would then allow them to
17 use that in their marketing, website, mailings, which
18 could cause the possibility of confusion with my clients
19 looking for my name on the web like when I looked up my
20 name and found GoodCopy.

21 MR. FREEDENBERG: Objection. Move to strike.
22 Witness has stated a legal conclusion and the fact is
23 misstating the standard for, that the Opposer must
24 establish in order to prevail in this proceeding.

25 THE WITNESS: It happened, so I am stating a

1 fact.

2 MR. FREEDENBERG: I object to the previous
3 answer. I've stated my objection.

4 MR. HALL: This is the end of the questioning
5 on our part of this witness. Cross-examine.

6

7

CROSS-EXAMINATION

8

BY MR. FREEDENBERG:

9 Q. Before I begin questioning Mr. Druyen, I want
10 to state for the record that of course at this point I
11 have no idea how the board will rule on the various
12 objections I've raised to his testimony; therefore, I
13 have to proceed with cross-examination at this time. So
14 by doing so, I don't intend to waive any of my previous
15 objections. I simply wanted to make that statement for
16 the record.

17

18

19

20

Mr. Druyen, does your business Certified
Printers, Inc., have any business locations other than
the one at 1525 North Cahuenga Boulevard, Hollywood,
California?

21

A. As I've answered that before, no.

22

23

Q. Is it correct that Certified Printers has no
customers outside the United States?

24

25

A. I couldn't honestly say that, because I have
sold printing to people that have left the country with

1 it and it's had foreign addresses on it.

2 Q. Let me direct your attention now -- I'm going
3 to ask the reporter to mark as Applicant's Exhibit No. 1
4 the, a document entitled -- I believe the reporter
5 should have a set of potential exhibits; is that
6 correct?

7 THE REPORTER: I do.

8 MR. FREEDENBERG: This document is entitled
9 Opposer's Response to Applicant's First Set of Request
10 for Admissions.

11 THE REPORTER: Give me a minute, please.

12 MR. FREEDENBERG: Sure. We'll go off the
13 record.

14 (Discussion off the record.)

15 MR. FREEDENBERG: Back on the record.

16 (Deposition Applicant's Exhibit No. 1 was
17 marked for identification.)

18 MR. HALL: You're not going to use A and B
19 then? Usually the other side will use A and B where the
20 plaintiff's side will use numbers.

21 MR. FREEDENBERG: I think if I put Applicant,
22 it's going to be clear what it is.

23 MR. HALL: Of course if you're going to use the
24 ones I've already marked, you can always say Applicant
25 in front of those.

1 MR. FREEDENBERG: I'm going to refer to them by
2 your exhibit numbers. You've offered all of them in
3 evidence. They're, to the extent they're not objected
4 to, they're part of the record and I can refer to them
5 by your number. I don't want to confuse things by
6 starting a second set of numbering of the same
7 documents. That would be, I think that would be a
8 problem.

9 MR. HALL: Okay.

10 Q. BY MR. FREEDENBERG: Mr. Druyen, if you would,
11 please turn to Page 2 of Applicant's Exhibit No. 1. And
12 specifically, item No. 4 which appears at line 8, do you
13 see that?

14 A. Yes.

15 Q. Now, I don't know if you had a chance to look
16 at the entire document. Are you familiar with this
17 document that was filed on behalf of Certified Printers,
18 Inc., in this proceeding?

19 A. Overall, yes. I apologize, I'm not
20 sophisticated enough to know all the differences, but
21 I'm learning.

22 Q. Do you recall reviewing this document before
23 Mr. Hall filed it on behalf of your company in this
24 proceeding?

25 A. Yes.

1 Q. Now, do you agree with me that item 4,
2 Paragraph 4 of Applicant's Exhibit No. 1 states as
3 follows: "Admit that Opposer has no customers outside
4 the United States, period," and the response to that
5 was?

6 A. Admitted.

7 Q. All right. Would you take a look, please, at
8 Exhibit 53. You have that in front of you?

9 A. Yes, I do.

10 Q. Would you agree with me that Exhibit 53 is an
11 application to register the mark Certified Printers as a
12 trademark?

13 A. Yes.

14 Q. And that application was filed on behalf of
15 your company, Certified Printers, Inc.; is that correct?

16 A. Yes.

17 Q. Are you aware, Mr. Druyen, that the application
18 to register the mark was to register the words Certified
19 Printers as a trademark. Is that your understanding?

20 A. I've been told it was a service mark and I
21 don't know the difference between a trademark and a
22 service mark.

23 Q. A service mark. We'll use that term.

24 A. Okay.

25 Q. Is it your understanding that the application

1 was filed to register the words Certified Printers as a
2 service mark?

3 A. Yes.

4 Q. And that in fact there is no design or logo
5 attached to those words in connection with the trademark
6 application; is that correct?

7 A. Correct.

8 Q. Now, you did testify that there is a specimen
9 attached to that application; is that right?

10 A. Yes.

11 Q. In response to Mr. Hall's questions?

12 A. Yes.

13 Q. Now, in a number of instances, you've referred
14 to a logo of Certified Printers or company; is that
15 correct?

16 A. Yes.

17 Q. Is that logo reflected on Exhibit 53? That is
18 the specimen attached to Exhibit 53?

19 A. Yes. There is a logo.

20 Q. And that's the logo you're referring to when
21 you, in your testimony, over the last couple of days,
22 have referred to the Certified Printers logo; is that
23 right?

24 A. Well, there is two logos. We've changed them
25 over the years.

1 Q. Well, this is the specimen that you submitted
2 to the trademark office regarding this trademark
3 application; is that correct?

4 A. The service mark? I was under the impression
5 the design would be considered a trademark, but the
6 words are a service mark. I may be giving wrong
7 information, but that's my understanding.

8 Q. We're not going to get into a debate about that
9 point. But the specimen that was attached to the
10 application to register the mark Certified Printers does
11 feature the orange and black logo; is that correct?

12 A. Yes.

13 Q. But in fact, the application itself is only to
14 register the words Certified Printers as a service mark;
15 is that right?

16 A. That's correct.

17 Q. Now, are you familiar with the mark that
18 Crouser & Associates is seeking to register, that is the
19 mark Cprint Certified Printers International?

20 A. Yes.

21 Q. That's been referred to in the course of your
22 testimony and in fact the application to register that
23 mark has been identified as an exhibit; is that right?

24 A. Yes.

25 MR. HALL: It has been, that's right. It's an

1 exhibit number.

2 THE WITNESS: I'm trying to remember when, but
3 yes.

4 Q. BY MR. FREEDENBERG: That particular mark,
5 which is the mark that is in dispute in this proceeding,
6 features the words Cprint or the word Cprint in an oval,
7 it has the word Certified Printers on top of it and the
8 word International below it. Isn't that correct?

9 A. Yes.

10 Q. Now, are you familiar with the term disclaimer
11 or a disclaimer in connection with a trademark
12 application?

13 A. No. I know what the word disclaimer means, but
14 not in terms of what you just said.

15 Q. Are you aware that in its application to
16 register the mark Certified Printers, that your company
17 has disclaimed the word printers, disclaimed the
18 exclusive right to use the word printers apart from the
19 mark Certified Printers? Are you aware of that?

20 A. I've been told that by Mr. Hall.

21 Q. Now, you have applied to register the mark
22 Certified Printers for the following services. I'm
23 quoting now from the application as amended.

24 Quote, "services, namely copying of documents
25 for others and print shop services, namely printing,

1 binding, embossing, foil stamping and design printing
2 for others." Is that right?

3 A. Yes.

4 Q. It's your understanding that those are the
5 services for which Certified Printers seeks to register
6 the service mark Certified Printers?

7 A. That's a partial list.

8 Q. Well, is it your understanding that that is the
9 current list of services that is part of the pending
10 application before the trademark office?

11 A. As far as what's on the document, yes.

12 Q. Now, if you would, take a look at Exhibit 43.

13 A. The one before that, you had asked me to read,
14 we've left them open; I apologize, I don't know the
15 procedures. I didn't know if you were tying them
16 together. The Opposer's Exhibit No. 1, you --

17 Q. That was the Applicant's Exhibit No. 1.

18 A. I'm sorry. Applicant's, yes. You had asked me
19 to read a line and my response. At that time, to the
20 best of my knowledge, that was true. As of today, it's
21 not.

22 Q. So as of two months ago, it was true and as of
23 today it's not true?

24 A. No. As of two months ago, it was, the
25 statement I was not doing work with anybody else out of

1 the United States and since then it has happened where
2 I'm doing printing for people outside the United States.

3 Q. How many?

4 A. One customer as of yesterday for sure. I'd
5 have to go looking. I've just bought a new business in
6 the last few months, and I'm just finding out who the
7 customers are.

8 Q. What's the nature of that business?

9 A. It's called Gourmet Trading and they buy and
10 sell products throughout the world.

11 Q. What types of products?

12 A. Gourmet Foods.

13 Q. When you say you've bought it, Certified
14 Printers, Inc., has bought that business?

15 A. No. That is one of the customers of one of the
16 companies that I have purchased.

17 Q. What was the name of the company that you
18 purchased?

19 A. The name of the company I purchased recently
20 was Pacific Printing.

21 Q. When did you purchase that company?

22 A. April 1st of this year, 2002.

23 Q. You mean 2007?

24 A. 2007. Yes. I don't know, I've not done
25 business with all of their customers, so as a customer

1 comes up with an order, it's new. Like I said, it was
2 as of yesterday or this morning that I saw that they
3 were ordering business cards for their -- their
4 employees that are working outside the United States.
5 In this particular case, I think it was U.K.

6 Q. Where is this Gourmet Trading Company located?

7 A. The facility that I -- they requested the
8 printing from me is in, I think, Torrance, California.

9 Q. So that company itself is located in
10 California?

11 A. That division of the company, yes.

12 Q. But they've ordered business cards that their
13 employees are planning to use outside the United States?

14 A. Yes.

15 Q. Do you have Exhibit 43?

16 A. When I described the Exhibit No. 53, you were
17 only talking about the logo.

18 Q. I asked you --

19 A. Specifically about the logo and the service
20 mark.

21 Q. Right.

22 A. Because when I originally talked about this, I
23 indicated that the service mark was not only used in the
24 logo but it's used in the document without the logo.

25 Q. I understand that. But my question was, does

1 the specimen that was submitted to the trademark office,
2 which is an exhibit -- which is part of Exhibit 53
3 feature a logo in the lower right-hand corner of the
4 first page of that two-page document?

5 A. It features, yes, but it's not the only use of.

6 Q. Thank you for that clarification.

7 (Discussion off the record.)

8 THE WITNESS: I have it in front of me.

9 Q. BY MR. FREEDENBERG: I'd like you to turn to
10 Exhibit 4 of that exhibit.

11 MR. HALL: Now are you referring to Exhibit 4
12 of his declaration in that exhibit?

13 MR. FREEDENBERG: Yes.

14 Q. BY MR. FREEDENBERG: Exhibit 43 is Applicant's
15 response to the office action.

16 MR. HALL: He's got the exhibit.

17 THE WITNESS: I don't see Exhibit 4 in this
18 particular document yet. Let me look. It may have been
19 taken apart.

20 Q. BY MR. FREEDENBERG: I thought the declaration
21 was made part of Exhibit 43.

22 MR. HALL: It was.

23 MR. FREEDENBERG: Whatever that exhibit number
24 is.

25 MR. HALL: It is. It's there, Exhibit 4 to his

1 declaration.

2 THE WITNESS: There is two sets of exhibits.
3 Okay. I have the one that's marked Exhibit 4 which says
4 Vacation Schedule 2005.

5 Q. BY MR. FREEDENBERG: That's in, this particular
6 copy is in black and white, correct?

7 A. Correct.

8 Q. It has the logo Certified Printers on it
9 beneath the box. It says Vacation Schedule 2005; is
10 that correct?

11 A. Correct.

12 Q. And then the words Certified Printers
13 immediately below that?

14 A. Correct.

15 Q. Then the words printing, copying, graphics
16 below that; is that correct?

17 A. Correct.

18 Q. Is that a description of the services that are
19 provided by Certified Printers?

20 A. That is a partial list of the services offered
21 by Certified Printers.

22 Q. Are there any other services described on this
23 document?

24 A. No.

25 Q. Now we had talked about the services for which

1 Certified Printers, Inc., seeks to register the service
2 mark Certified Printers and I want to review with you
3 some areas that I do not believe are included in the
4 application, but you can correct me if I'm wrong about
5 this.

6 First of all, management control and accounting
7 systems services, are they included in the application?

8 A. I don't have it in front of me. Is it in front
9 of me that I can look? I don't know.

10 Q. All right.

11 MR. HALL: Harvey, are you asking for the --

12 MR. FREEDENBERG: I'll find the exhibit number.

13 MR. HALL: You want the application?

14 MR. FREEDENBERG: Yes.

15 MR. HALL: I think the reporter has it now.

16 53.

17 THE REPORTER: The witness has it.

18 Q. BY MR. FREEDENBERG: Does Exhibit 53 contain a
19 description of the services for which your company seeks
20 to register the mark Certified Printers?

21 A. Yes.

22 Q. I'm going to go through quickly with you a list
23 of services and ask you if they are included among the
24 services for which Certified Printers seeks to register
25 the mark Certified Printers. First of all, management

1 control and accounting system services?

2 A. As a specific item, no.

3 Q. Organization and operating system services?

4 A. As doing that specifically, no. But it's done
5 through the production of printing.

6 Q. Well, I'm asking you what the application says.

7 MR. HALL: Wait a minute. He can explain what
8 the words mean to him that are in the application.

9 MR. FREEDENBERG: The words are what they are,
10 and they are services, namely copying of documents for
11 others and print shop services, namely printing,
12 binding, embossing, foil stamping and design printing
13 for others.

14 MR. HALL: Well, he can explain the procedures
15 that are contained in those particular services --

16 MR. FREEDENBERG: Well --

17 MR. HALL: -- without having to have them
18 listed specifically.

19 MR. FREEDENBERG: I don't agree with that, and
20 to the extent he wants to do that, I'll object to it as
21 nonresponsive, but I can't stop him from saying what he
22 wants to say.

23 MR. HALL: We have a different opinion on that.

24 Q. BY MR. FREEDENBERG: How about personnel
25 assistance services, is that included in your

1 application?

2 A. Could you describe what a personnel assistant
3 service is?

4 Q. Was any model employee guidelines and help
5 wanted ads, training on personnel documents, wage
6 analysis, personnel recruitment campaign -- do you want
7 me to go on?

8 A. Do I do those things, yes.

9 Q. No. The question, Mr. Druyen, is are those
10 things included in your application to register the mark
11 Certified Printers for services, namely, copying of
12 documents for others and print shop services, namely,
13 printing, binding, embossing, foil stamping and design
14 printing for others? Does that include under the model
15 employee guidelines and help wanted ads?

16 A. Under the term printing, yes.

17 Q. In other words, what you're saying is you
18 produce documents that may include some of those things.
19 Is that what you're saying?

20 A. No. Under printing, I do those things. When
21 I'm looking here, what's not listed is key stroking for
22 typesetting.

23 Q. You do that for your company. You provide
24 those services to third parties?

25 A. No. That specific answer, no.

1 Q. Do you provide third parties with sales and
2 marketing services including --

3 A. Yes.

4 Q. -- discussing cooperative marketing studies,
5 business-to-business sales schools, reviewing supporting
6 documents and systems, are those part of your trademark
7 application? Is that your testimony?

8 A. That's not what you just said a second ago. So
9 if you want to rephrase your question I'll try to answer
10 it.

11 Q. I will rephrase my question because you seem to
12 be slipping back and forth from one to the other.

13 A. No. Your original question is do I do, and the
14 answer to that question was yes.

15 Q. Strike that question. Does your application
16 include discussing cooperative marketing studies,
17 business-to-business sales school, reviewing supporting
18 documents and systems, providing sample appointment
19 letters, sample major account programs? Do you want me
20 to go on with that? Is that included with the services,
21 copying of documents for others and print shop services,
22 namely printing, binding, embossing, foil stamping and
23 design printing for others?

24 A. Well, I do that for others, so yes.

25 Q. That's included under this application?

1 A. Under the term printing, yes.

2 Q. What do you do for others that consists of
3 discussing cooperative marketing studies under printing
4 services?

5 A. Under printing services, when my clients get
6 together with me, one of the brochures that I did was a
7 cooperative marketing piece. On one side was another
8 company that had nothing to do with my company; we
9 co-op'd the mailing together.

10 Q. The service you provide is to print the
11 document. Isn't that right, Mr. Druyen?

12 A. No, it's not.

13 Q. It is not correct?

14 A. It is not the only thing I provide.

15 Q. Your application states that you copy documents
16 for others. Do you do that?

17 MR. HALL: Harvey, I think you're arguing with
18 him. I think he's saying that the words --

19 MR. FREEDENBERG: He's not answering my
20 questions, Mr. Hall. He wants to answer it in a way
21 that is convenient for his case. I've asked a simple
22 question, if the application as filed covers these
23 services.

24 MR. HALL: He's answering --

25 MR. FREEDENBERG: He refuses to answer that

1 question.

2 THE WITNESS: I have answered it. I'll say it
3 again. Under the term printing, in my understanding of
4 the term, it is getting the job produced. Printing
5 isn't putting ink on a piece of type and putting it in a
6 printing press and printing it. It is a generic term to
7 get a product produced.

8 Q. BY MR. FREEDENBERG: Do you provide board
9 meeting services?

10 A. Board meeting services? I do board meeting
11 services with other printers. Do I provide --

12 Q. To a third party, to consumers, Mr. Druyen? Is
13 that included within your application to register this
14 mark, that you are seeking to register the mark to
15 provide board meeting services?

16 A. That term, no. I do not see that in the mark.

17 Q. How about conference services, is that within
18 your application to register this mark?

19 A. I'm thinking. I don't want to say the wrong
20 thing. I'm not trying to be argumentative.
21 Unfortunately, the words here are very narrow.

22 Q. Words where? In the application?

23 A. Yes. The terms are very narrow, but they
24 encompass many things, such as the word copying.

25 Q. Mr. Druyen, do you know why more words were not

1 used to describe your mark Certified Printers?

2 A. As far as I understood, these were the terms
3 that the trademark board recognizes. If I was given the
4 list to make, it would have been much broader, but I was
5 under the -- when this form was made out, I was told
6 these are the words that have to be there.

7 Q. And these are the words which in fact describe
8 the services according to the trademark office for which
9 you're applying to register the mark Certified Printers.
10 Isn't that right?

11 A. No. These are not services. These are
12 products in some cases.

13 Q. Mr. Druyen --

14 A. There is a difference between a product and a
15 service.

16 Q. Mr. Druyen, in your trademark application,
17 you've applied to register the mark for services, namely
18 copying of documents for others. Is that not a service?

19 A. Doing the copying is a service. The actual
20 copying that I'm handing them is a product.

21 Q. Well, you didn't apply to register a product,
22 did you? Look at the application again, please.

23 A. Again, I was under the impression that a
24 service mark was either/or, but I may be wrong. I'm not
25 a lawyer.

1 Q. With respect to the second category, you've
2 applied to register for print shop services, namely,
3 printing, binding, embossing, foil stamping and design
4 printing for others. Isn't that right?

5 A. Yes.

6 Q. And isn't it true that throughout your
7 testimony on direct examination, you continuously
8 referred to your mark Certified Printers as a service
9 mark. Isn't that right?

10 A. Yes.

11 (The following pages 239-243 are confidential
12 and are bound under separate cover)

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1 Q. BY MR. FREEDENBERG: As I understood your
2 testimony, I believe it was yesterday, Mr. Druyen, that
3 you purchased a business in 1981 that was known as
4 Certified Printers & Stationers or perhaps it was
5 Stationers & Printers? Is that right?

6 A. Correct.

7 Q. That was the business Mr. Rodriguez owned?

8 A. Yes.

9 Q. Am I correct in understanding that that
10 business principally involved printing mortgage and
11 appraisal forms for agencies like Fannie Mae and Freddie
12 Mac?

13 A. No.

14 Q. What else did it involve?

15 A. It printed the forms that were produced, the
16 originals by Fannie Mae and Freddie Mac. They were sent
17 out to appraisers and mortgage companies throughout the
18 United States to use the forms when they submit mortgage
19 packages back to Fannie Mae and Freddie Mac. Fannie Mae
20 and Freddie Mac authorize a specific form. They don't
21 supply it to the mortgage companies or to the
22 appraisers. Independent printers produce these forms
23 and then send them out.

24 Q. But that would be the -- that was the essence
25 of their business. Would that be a fair statement, that

1 involved these forms?

2 A. Yes.

3 Q. Now, to return to the advertising question for
4 a moment, I don't think this has to be confidential,
5 but --

6 MR. HALL: If it involves any dollars, it will.

7 MR. FREEDENBERG: At the moment, it doesn't
8 involve any dollars. If it does, you can stop him
9 before he answers. I don't think any of my questions
10 require him to testify about dollars.

11 Q. BY MR. FREEDENBERG: Now, do you have any
12 information regarding the extent of the advertising
13 expenditures that your business makes outside a 50-mile
14 radius of Hollywood, California? Or to put it another
15 way, if I were to ask you to break down the portion of
16 the advertising expense that is directed to customers
17 outside the Hollywood area at a 50-mile radius of that
18 area and inside, would you be able to do that?

19 A. I could only guess. I have honestly no way of
20 knowing without sitting down and spending hours looking
21 up.

22 Q. With respect to the, your revenues, and again,
23 I don't need to get into specific dollar numbers here,
24 would your answer be the same as to the amount or
25 percentage of your revenues that are derived from

1 customers outside a 50-mile radius of Hollywood versus
2 those within that radius?

3 A. I'm sorry. Could you ask that again.

4 Q. Sure. Do you have any information regarding
5 the amount or percentage of your revenues that are
6 generated by customers outside a 50-mile radius of
7 Hollywood versus inside that radius?

8 A. No, I don't.

9 (The following pages 247-248 are confidential and
10 are bound under separate cover.)

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1 Q. BY MR. FREEDENBERG: If you would look at
2 Exhibit No., I believe it's Exhibit No. 1. It's
3 Opposer's -- it's Applicant's Responses to Opposer's
4 Requests for Admissions. It has about 20 exhibits
5 attached to it. Let's go off the record.

6 (Discussion off the record.)

7 Q. BY MR. FREEDENBERG: Let's go to Exhibit 17
8 which is a calendar.

9 A. Yes.

10 Q. Now, on that particular document, this is a
11 calendar for the year 2005; is that correct?

12 A. Yes.

13 Q. That has the, what we've been referring to,
14 what you have referred to as the logo. In this case, it
15 looks to be orange and brown; is that right?

16 A. Yes. It's orange and black, officially.

17 Q. Is that the only place on this document where
18 the words Certified Printers appears?

19 A. Yes.

20 Q. Now, at the bottom of this document, there are,
21 adjacent to and on either side of the telephone number
22 area code 323 465-5411, you see the words free parking,
23 correct?

24 A. Yes. Yes.

25 Q. And then on the other side, it says pickup/

1 delivery?

2 A. Yes.

3 Q. Would you agree, Mr. Druyen, that this
4 particular document at least, this calendar, is directed
5 at your local customers within the Hollywood or Los
6 Angeles area? Is that right?

7 A. Those phrases are, but the calendar was given
8 out throughout the United States.

9 Q. You would expect that only people within a
10 driving distance of your place of business would be able
11 to avail themselves of free parking and pickup and
12 delivery, right?

13 MR. HALL: Objection on the grounds that it's
14 calling for speculation of the witness and assumes facts
15 not in evidence.

16 Q. BY MR. FREEDENBERG: Mr. Druyen --

17 A. The free parking would be for customers who
18 came in to the community. We ship at no charge one
19 package anywhere throughout the United States UPS,
20 ground delivery, no charge.

21 Q. One package?

22 A. Yes, the one order. If you have multiple
23 locations, which we do -- example, we print for
24 Frederick's. Frederick's has facilities throughout the
25 United States of America. We just did their human

1 resource notebook, and all the documents, so that every
2 new employee in any Frederick's in any city, any state
3 of the United States can fill out the packet. We
4 shipped the one free shipment to their facilities
5 locally here and charged over \$8,000 in UPS charges to
6 ship the rest of the documents throughout the United
7 States.

8 Q. Right. That's, what, you said an employee
9 manual?

10 A. Yes. It's their employee manual.

11 Q. When that manual is distributed to the
12 employee, the words Certified Printers don't appear
13 anywhere on the manual, do they?

14 A. No. That's their employee manual.

15 Q. Right. It's their employee manual, correct.

16 A. Correct.

17 Q. Now, for how great a distance do you offer to
18 pick up jobs from your customers?

19 A. We've paid for shipping from New York, Fed
20 Express using our account number. So that's 3,000 miles
21 away.

22 Q. So when you do that, you consider that to be
23 pickup?

24 A. Correct. We've been lucky in the last couple
25 years because we now have what is called an FTP site

1 where clients can ship us stuff, large volume. Prior to
2 that, we had to pay for those documents to be shipped.
3 If it's local enough, they can pick it up with a driver.
4 I have a full-time driver and a van.

5 Q. How far does that driver go? You don't send
6 that driver across the United States?

7 A. No. He realistically stays within a 75-mile
8 radius. The ocean is on the west side, but there is no
9 reason why -- he will drive out 50, 75 miles to the
10 east. Short of that, it's called San Bernardino and
11 it's the desert afterward, and I don't have anybody on
12 the other side that I would drive him there.

13 Q. How far is San Diego from where you are?

14 A. Approximately three hours of driving time.

15 Q. Do you send the driver to San Diego?

16 A. I've sent him three quarters of the way there,
17 but no, I try not to. I'll use UPS for making those
18 deliveries.

19 Q. Now, when I was waiting on the phone in one of
20 our earlier connections, I heard a recording that plays
21 when people are on hold waiting for services from your
22 company. Are you aware that there is such a recording?

23 A. Yes.

24 Q. Were you involved in the production of that
25 recording?

1 A. No.

2 Q. Who produced that?

3 A. A company called -- oh, just blanked. I
4 apologize. I could look it up. I've got it in my
5 rolodex.

6 Q. It's not important.

7 A. It's a purchase service.

8 Q. My question to you is, did you approve the
9 content of the message that that company, whoever it
10 was, prepared for you?

11 A. Yes.

12 Q. I may not have the words exactly but I think I
13 have the gist of it. I won't say that I'm quoting this;
14 if you want to correct me, please do. But I recall, and
15 I wrote down the words that the printing service -- the
16 services that your company offers are not one of those
17 over-the-counter purchases and that the services that
18 your customers purchase from you reflect on their
19 businesses. Is that sort of an accurate summary of what
20 appears on that recording?

21 A. To the best of my recollection, yes.

22 Q. Would you agree that the reason is that
23 businesses are looking for high quality, attractive,
24 professional looking pieces, brochures, letterhead,
25 etcetera, to put their businesses in a favorable light

1 when they're dealing with their customers or their
2 clients?

3 A. That's a correct sentence.

4 Q. So that as a result of that, you would expect
5 your customers to exercise a great degree of care and
6 judgment in deciding who they were going to use to
7 produce those materials. Wouldn't that be true?

8 A. I would hope so.

9 Q. Let's go back to Exhibit No. 1, the series of
10 exhibits that start with Exhibit No. 1 and go through
11 Exhibit No. 20.

12 Mr. Hall reviewed these in some length with you
13 and I certainly don't intend do that. But do you agree
14 with me, Mr. Druyen, that these various documents
15 contain examples of the use of Certified Printers'
16 service mark in a variety of contexts; is that right?

17 A. Yes.

18 Q. On any of these documents -- and you're welcome
19 to go through them and take as much time as you want --
20 do you find any instances in which Certified Printers
21 has used the designation SM for service mark or TM for
22 trademark next to the words that you consider to be the
23 service mark or trademark of Certified Printers?

24 A. No. I have not used it on these.

25 Q. Take a look at Exhibit 3, please.

1 A. Okay.

2 Q. I wasn't clear as to exactly what this document
3 is.

4 A. It's the renewal of the name, domain name
5 certifiedprinters.com.

6 MR. HALL: He's asking about Exhibit 3.

7 THE WITNESS: I'm sorry. There it is.

8 Q. BY MR. FREEDENBERG: I'm looking at 3.

9 A. I apologize. I went from two to blank page.
10 Okay. Ask the question.

11 Q. This document has the logo and the name of your
12 company and its address, phone number, etcetera. This
13 is a folding brochure; is that right?

14 A. Correct.

15 Q. There is a name on here, and I didn't catch who
16 this was. It says Joe Garcia, Give-to-Get Marketing.
17 What is the relationship between Mr. Garcia and your
18 business?

19 A. He produces a website which teaches marketing
20 techniques, and I purchased a book from him on
21 marketing. Part of what he allows you to do is take the
22 ideas that he's produced and then send them to your
23 clients to help educate them.

24 Q. In doing that, you, I assume, are required to
25 credit Mr. Garcia with the, as you did here, with the

1 reference to him and his name and also a reference to
2 his website; is that correct?

3 A. That's correct.

4 Q. And the article itself, it indicates -- it was
5 sort of cut off but I think I can read it -- it says
6 copyright 2002, article by Maria --

7 A. His wife wrote it.

8 Q. Actually, it says Maria Gracie, it looks like.
9 I don't know whether it's Garcia or Gracie?

10 A. It's one of the two. They're transposed.

11 Q. So this is something that you were permitted to
12 use by Mr. Garcia's business, but he's not otherwise
13 involved with your business. Is that true?

14 A. No. Other than the fact that I purchased his
15 book and read his articles and pass them on to other
16 people regularly, no. I have not met the gentleman.

17 Q. Have you done any other brochures in which you
18 have promoted Mr. Garcia's marketing ideas in this
19 fashion or in some other similar fashion?

20 A. There was one other one and I do not have it.
21 I couldn't find it.

22 Q. You testified yesterday about some Googling
23 that you did of the words Certified Printers. Do you
24 recall that testimony?

25 A. Yes.

1 Q. When exactly was it that you first Googled
2 Certified Printers?

3 A. Five, eight years -- I don't remember, I
4 apologize. I have no idea. I mean I do it on a regular
5 basis.

6 Q. You testified that you at some point -- and
7 this is what I want to try to be precise on if we can --
8 that you Googled those words and you found a link on the
9 page to GoodCopy Printing Center in New Haven,
10 Connecticut?

11 A. That, I did and I remember that.

12 Q. When was that?

13 A. That was, I'm going to say, less than a year
14 ago, but I don't remember the exact date.

15 Q. When you Googled Certified Printers, where did
16 the name -- where did your web page come up on the page?
17 I'm talking now about that specific instance.

18 A. That time, I was the top one.

19 Q. Where was GoodCopy Printing Center?

20 A. Second one.

21 Q. Did Crouser & Associates come up on that page?

22 A. No.

23 Q. And did you go to subsequent pages on Google
24 looking to see if there were examples of any other
25 printers who appeared?

1 A. That particular date, I don't honestly know. I
2 was shocked enough to see the other one. That I called
3 him right away, so I probably did not continue, but
4 other days, I've gone no more than three or four pages
5 deep. After the first page, it is almost always a
6 certified statement, not a certified printer, but a
7 printer that is certified by a xerox machine or an HP or
8 some other copying device, and the printer would also be
9 used.

10 That particular day, I do know that I called
11 him right away.

12 Q. So it's your testimony that from the date that
13 you Googled the word Certified Printers and discovered
14 GoodCopy Printing Center in New Haven, Connecticut, on
15 all of the later occasions when you have done the same
16 thing, no other printing company or printing business
17 has appeared in that search. Is that your testimony?

18 A. Correct. I had asked Lou to take it off and he
19 did. I'm sorry. Mr. Goldberg is the owner of the --

20 THE REPORTER: I'm sorry. You guys were
21 speaking over each other.

22 THE WITNESS: I had stated that, I said Lou,
23 Lou Goldberg is the owner of the company, and I had
24 asked him to take Certified Printers out of the equation
25 so that it wouldn't come up. And shortly after that, it

1 went away.

2 Q. BY MR. FREEDENBERG: Do you know what a URL is?

3 A. That's the --

4 Q. Let me ask it another way. I'm not trying to
5 prolong this. You know what a domain name is?

6 A. Yes.

7 Q. Your domain name is certifiedprinters.com or
8 certprint.com?

9 A. Correct.

10 Q. We looked at an Exhibit 59 yesterday and today,
11 and it appears that Mr. Goldberg's or Good Copy's domain
12 name on Exhibit 59 is GoodCopy.com. Do you agree with
13 that?

14 A. Yes.

15 Q. At the time you googled Certified Printers and
16 Mr. Goldberg's business, GoodCopy Printing Center
17 appeared, what was the domain name of that business?

18 A. I don't know at the time. Because I did not
19 type in the domain name.

20 Q. I understand that. But when you went to the
21 web page, did you check to see what the domain name was?

22 A. No. I didn't. I just clicked on the Certified
23 Printers and his website came up.

24 Q. When was the last time that you Googled
25 Certified Printers before today?

1 A. Probably a week ago.

2 Q. When you did that, did any printing businesses
3 other than yours appear in that Google search?

4 A. At that time, no.

5 Q. Did Crouser & Associates appear in that search?

6 A. Not that I remember. Not at least in the first
7 few pages.

8 Q. What I'd like to do is suggest that we take a
9 break for 5 or 10 minutes, let me look over my notes. I
10 think I may be finished or very close to being finished,
11 but I'd like a chance to do that. Is that satisfactory?

12 MR. HALL: Okay. Shall we go off the record?

13 MR. FREEDENBERG: We're off the record.

14 (Recess taken.)

15 (The following pages 265-282 are confidential
16 and are bound under separate cover.)

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PENALTY OF PERJURY CERTIFICATE

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I hereby declare I am the witness in the within matter, that I have read the foregoing transcript and know the contents thereof; that I declare that the same is true to my knowledge, except as to the matters which are therein stated upon my information or belief, and as to those matters, I believe them to be true.

I declare being aware of the penalties of perjury, that the foregoing answers are true and correct.

Executed on the ____ day of _____, _____,
at _____, _____.
(CITY) (STATE)

MICHAEL DRUYEN

1 STATE OF CALIFORNIA)
) ss:
2 COUNTY OF LOS ANGELES)
3

4 I, JUDITH SCHLUSSEL, do hereby certify:

5 That I am a duly qualified Certified Shorthand
6 Reporter, in and for the State of California, holder of
7 certificate number 4307, which is in full force and
8 effect and that I am authorized to administer oaths and
9 affirmations;

10 That the foregoing deposition testimony of the
11 herein named witness was taken before me at the time and
12 place herein set forth;

13 That prior to being examined, the witness named
14 in the foregoing deposition, was duly sworn or affirmed
15 by me, to testify the truth, the whole truth, and
16 nothing but the truth;

17 That the testimony of the witness and all
18 objections made at the time of the examination were
19 recorded stenographically by me, and were thereafter
20 transcribed under my direction and supervision;

21 That the foregoing pages contain a full, true
22 and accurate record of the proceedings and testimony to
23 the best of my skill and ability;

24 That prior to the completion of the foregoing
25 deposition, review of the transcript was requested.

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I further certify that I am not a relative or
employee or attorney or counsel of any of the parties,
nor am I a relative or employee of such attorney or
counsel, nor am I financially interested in the outcome
of this action.

IN WITNESS WHEREOF, I have subscribed my name
this 14th day of December, 2007.

Judith Schlusssel
JUDITH SCHLUSSEL, CSR No. 4307

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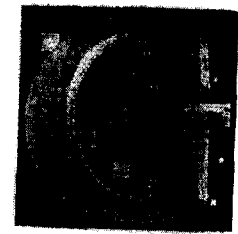
CUSTOMER UTILITIES

REQUEST AN ESTIMATE

PLACE A NEW ORDER

SEND A FILE

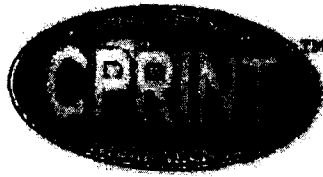
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EXHIBIT
59



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We have compiled a unique resource page for Publisher users to make it easier for you to prepare your Publisher file properly. If you use the features of Microsoft Publisher correctly, it will allow us to print your job faster and without additional costs.

This special site will provide the answers to almost every Publisher issue. If you do need any help with your publication or document, feel free to contact our customer service representatives or your sales person.

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A CPRINT™ printer is a partner in your printing workflow. This article outlines the important topics printers need to explain to you to make sure that your printing needs fit in your budget and delivery schedule. This advice will save you time and money. [Click here](#) to read the article.

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Microsoft Online Seminars are streaming media seminars presented by the experts. Presentations are designed to show you how to maximize your business potential with Microsoft solutions, and get best practices for deploying and managing Microsoft technologies. The following link takes you to a series of seminars for Commercial Printers that demonstrate to how to properly and successfully process Publisher 2003 files for professional output. The topics include how to install the proper print drive, templates and wizards, preflighting, and working with color. [Click here](#) to visit Microsoft for their free online training.

Free Online Course on how to prepare a Microsoft Publisher publication for commercial printing. If you don't prepare your file properly for your printer, it may cost you more than you expect. This free online course will help you keep your Publisher file from becoming a "budget buster." [Click here](#) to view this free online course.

Optimize your publications

Tips for optimizing your publications for commercial printers. Getting your Publisher files ready for the printer doesn't have to be hard. This web site will offer you a list of tips for making it easy to design a document in Publisher. [Click here](#) to visit the site or you can also download these tips by [clicking here](#).

Preparing a Postscript file from Microsoft Publisher 2003

As you prepare a publication for commercial printing, you may be asked to save the Publisher file as a Postscript file. This web site provides you with the instructions you need to prepare a Postscript file properly. [Click here](#) to visit the site.

1	State	Commercial Transaction and Parties
2		See produced document Bates Number sales invoices
3	Massachusetts	CPI-00041
4	Michigan	CPI-00208A (TO BE PROVIDED)
5	Minnesota	CPI-00155
6	Missouri	CPI-00008
7	Montana	CPI-00051
8	Nevada	CPI-00007
9	New Jersey	CPI-00209A
10	New Mexico	CPI-00210A (TO BE PROVIDED)
11	New York	CPI-00003
12	Ohio	CPI-00032
13	Oklahoma	CPI-00042
14	Oregon	CPI-00006
15	Pennsylvania	CPI-00082
16	Rhode Island	CPI-00084
17	South Carolina	CPI-00211A (TO BE PROVIDED)
18	Tennessee	CPI000212A (TO BE PROVIDED)
19	Texas	CPI-00005
20	Utah	CPI-00027
21	Virginia	CPI-00028
22	Washington	CPI-00012
23	Wisconsin	CPI-00068

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- Sunday, June 03**
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- Wednesday, May 30**
 - Company Has Cash
- Monday, May 28**
 - RiverCity Print & Imaging Repeat Success
- Friday, May 25**
 - A Record Breaking Year for Performance
- Tuesday, May 08**

Error by Omission: QP Magazine Article Ignores Baby Elephant
Posted on Wednesday, April 26 @ 07:30:17 EDT by webmaster

It's easy to form the wrong conclusion if you are not dealing with complete information. In our view, Quick Printing magazine's study on franchises (April 2006) did just that, because it looked only at longer-standing incubator franchises in the industry, and ignored the biggest story in printing franchising since the 70s by not including CPrint™, the Certified Printers International franchise network.



The explanation offered to us by Quick Printing magazine for our omission was that we are a new franchise, and there could be no two-year comparable figures as a result. We accept that it may not have been possible to include us in every aspect of the study, but it would have been possible to include us in many of them. This would have made the study's conclusions both substantially different and more accurate.

For a copy of CPrint's response advertisement, click here.

Our presence on the franchise scene should have been acknowledged both for the sake of the readers of Quick Printing magazine and our franchisees. **Should CPrint™ have been included as appropriate in 2005, there would have been a material difference in the study's conclusions.**

An example of this is the survey's conclusion that there was a loss to the industry of 107 locations in 2005, for an overall four percent decline in the number of franchise shops. If the 110 franchised locations of CPrint™ had been included there would not have been a loss, but rather a slight gain. This significantly changes one of the conclusions of the study and is valuable information for anyone with an interest in franchising in the printing industry.

For the full article, click on Read More below

Our exclusion also hurts our franchisees because we have been denied the profile that appearing in the study provides. We have a cooperative buying network which allows us to negotiate deals with outside vendors on products for our franchisees. They are now missing the opportunity of having vendors find out about our strength via the study and approach us with deals and ideas. Their competitors, on the other hand, got this opportunity.

We think that the Quick Printing study was flawed because only traditional incubator franchises were included. The study ignored the most significant development in printing franchising since the 1970s and that is the introduction of the innovative Certified Printers International franchise network known as CPrint™.

CPrint™ is a franchise, although not a traditional one. CPrint™ is a fractional

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Article Rating

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- ★★☆☆☆
- ★☆☆☆☆

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Options

- Printer Friendly
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• Jackson Printing Wins Top Award

Older Articles

franchise meaning that it is sold only to people who are already in the printing business. While innovative for our industry, it is the same process that brought us Kentucky Fried Chicken, Tru Value Hardware, Century 21 and many other well-known brands. CPrint™ last year complied with franchise registration requirements in 47 states and 11 provinces in Canada. Two state approvals are currently pending.

One question the study raised was where did franchise growth go? Growth in the Certified Printers International network may have been part of the answer, had it not been omitted.

To try to redress the balance in some way, here are some facts about CPrint™ and how they compare to the franchises studied in the article:

+ The report concluded total system wide sales in 2005 were \$1.63 million, down 7.8 percent from \$1.77 million. Had CPrint™™ revenue been considered, the overall system wide sales would have been \$1.73 million, cutting the drop by nearly three-fourths of what was reported, or 2% instead of nearly 8%.

+ The study also drew misleading conclusions about system growth. CPrint™ was not only the fourth system to add shops but had the most significant growth in that our increase from 96 to 110 affiliates was 15%. Only Minuteman International reported a higher number of new units with 31, but that represented only a 3% increase over their base of 915. The report cited Kwik Kopy Business Center's growth of 41%, however that was a result of their increase from 9 to 15 centers. The only other system to see growth was Signal Graphics which added two locations.

Of course, technically, all CPrint™ affiliates were new in 2005 as our system converted to a franchise, but that would be an inaccurate comparison to include all as new additions. Therefore, my statistics compare only the net gain between our franchise and our predecessor organization.

+ Also unreported is that total system sales for CPrint™ were \$101 million, which ranks us in the middle of the pack after only one year. CPrint™'s sales, in fact, were more than the combined totals of LAZERQUICK (\$18 million), Signal Graphics (\$15 million), Franklin's (\$14.9 million), Ink Well (\$14.9 million), Triangle (\$12 million), Kwik Kopy Business Centers (\$4 million) and Copy Club (\$4 million).

+ Significantly sales per shop at CPrint™ locations were \$924,000 for 2005, placing second on the 2004 list behind Alphagraphics' \$1,001,807. The 2005 list was not available for my comparison at the time of this writing.

+ Also of interest is that a full 32% of CPrint™ affiliates had 2005 sales of over \$1 million and that five of those shops apparently qualify for listing on Quick Printing magazine's Top 100 with sales each in the \$2.6 million to \$5.9 million range. Further, those five Top 100 companies are geographically diverse, being found in California, Michigan, Kentucky, Connecticut and Texas.

Oh, well. There's always next year.

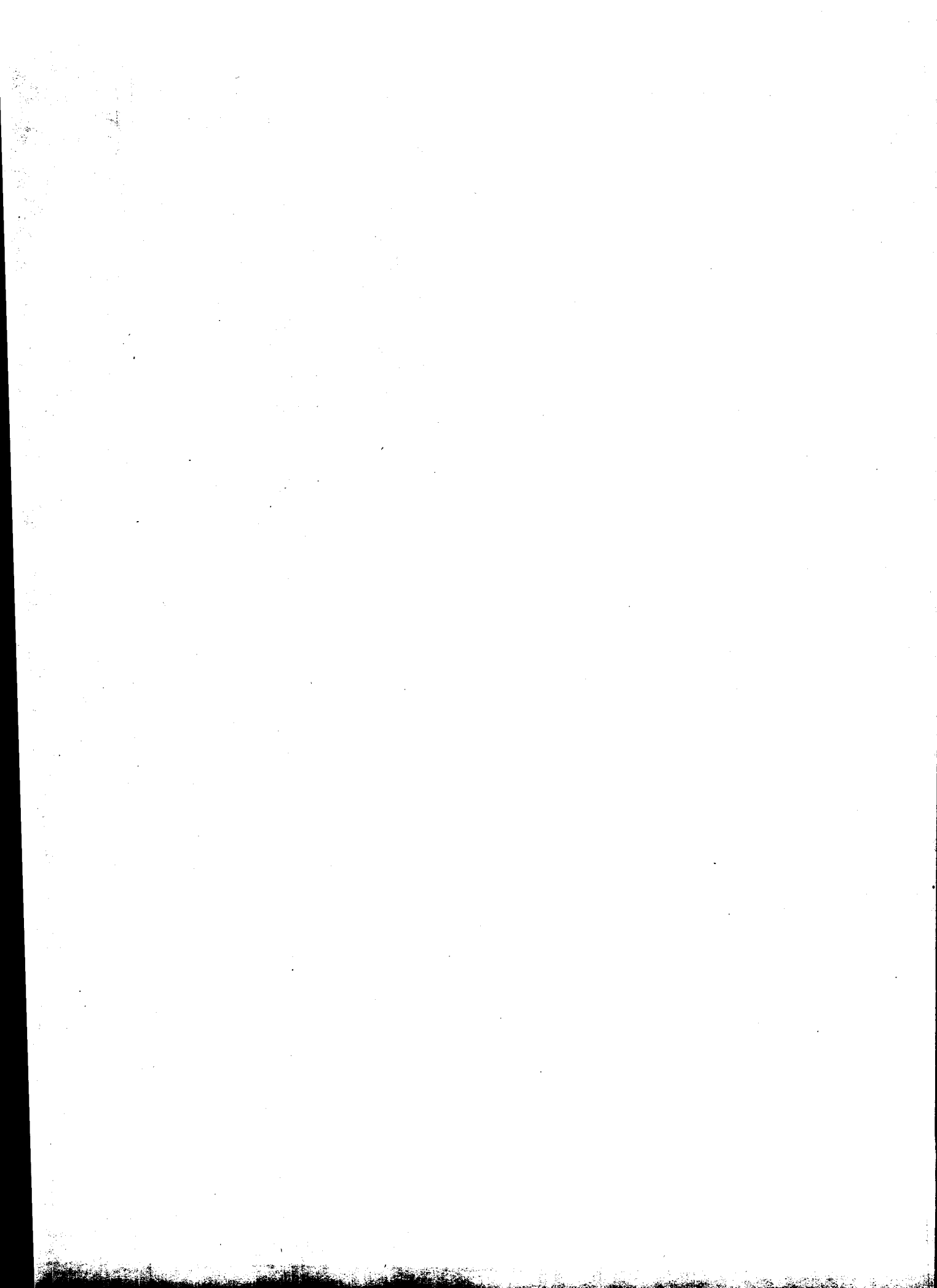
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The comments are owned by the poster. We aren't responsible for their content.

No Comments Allowed for Anonymous, please register

Re: Error by Omission: QP Magazine Article Ignores Baby Elephant (Score: 1)
by naturalcool on Sunday, May 27 @ 02:48:52 EDT
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Local Printer Trains Staff with Elite Printing Organization

Creative Characters Inc, one of Philadelphia's premier printing companies, is investing in staff with exclusive training from CPrint?, Certified Printers International. Customer Sales Representative (CSR) Jared O'Donnell took part in a training course at CPrint?'s World Headquarters in Charleston, West Virginia. The course is the only one in North America that trains CSR's specifically for the printing industry.



The CSR training is part of our continuing education program for staff, said Marya Kaye, co-owner and general manager of Creative Characters, Training our staff with CPrint? ensures that they have a level of knowledge about printing and customer needs that far surpasses the industry average. It means that we can meet our customers' expectations with professionalism and confidence.

CPrint?, Certified Printers International, is an elite organization of printers of independently owned family-based businesses that strive for professionalism and performance among small businesses. Companies from throughout North America participate in the program.

The CPrint? designation is available only to printers who demonstrate exceptional quality and service by maintaining standards in operations, training, equipment and software as well as worker benefits and working conditions. This program requires annual onsite recertification as well as participation in continuing educational programs.

Creative Characters has shown through its performance that it is among the top printers in North America, said CPrint? president Tom Crouser, By investing in this level of training the company is showing an ongoing commitment to both its customers and its staff. Being a CPrint? participant is a significant investment of time, energy and resources to assure that high standards are maintained for the local business community and training is part of that.

Creative Characters Inc is located at 237 South 10th Street in

In the Spotlight

FOLD!



Philadelphia, PA. For more information about the company, give Jared a call at (215) 923-2679 or visit www.creativecharacters.com.

Not Off the Press

- [How Do You Ensure Your Advertising Is Effective?](#) (03/19/2007)
- [Adobe CS3 to Debut March 27](#) (03/12/2007)
- [Is There Too Little "Know Why" In Business?](#) (03/05/2007)
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Creative Characters
Creative Characters Inc
237 South 10th Street
Philadelphia, PA 19107
Phone: 215-923-2679
Fax: 215-923-2329
E-mail: <http://web.archive.org/web/20070319230745/http://www.creativecharacters.com/contact.html>

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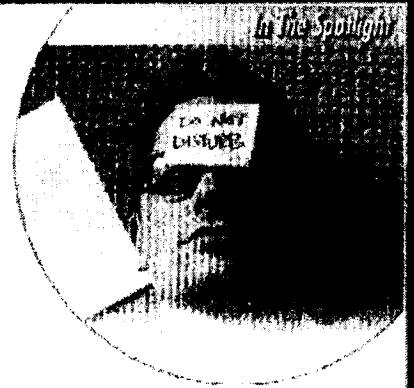
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Local Company Featured in *American Printer Magazine*

by Sonya Rothwell Smyk, Director of Communications Certified Printers International



Creative Characters of

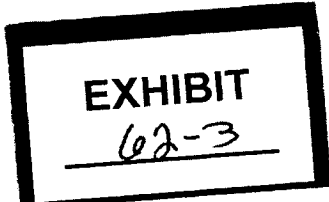
Philadelphia Pennsylvania has been featured in the prestigious *American Printer Magazine*. The company is the subject of an article entitled "By Their Bootstraps". It tells of how Marya and Brigid Kaye, founders and owners of Creative Characters, broke through the glass ceiling of their careers to start their own communications company in Philadelphia and the success that has ensued.

Marya and Brigid Kaye felt unable to develop their careers in the printed communications industry in their native Texas. They were initially tempted up north by a friend with a company in Manhattan. After six months working there they chose to take out a bank loan and to start their own business in Philadelphia. The company had some initial success, but things really took off after joining CPrint®, Certified Printers International.

Brigid and Marya Kaye have described CPrint® as a "catalyst for success" and this is reflected in their achievements in business since becoming CPrint® Certified. They are now consecutive three times winners of CPrint®'s Superior Performance in Print Shop Management Award, which is only given to members who achieve the highest standards. Marya Kaye is currently CPrint®'s National Production Manager of the Year.

Creative Characters is Philadelphia's only CPrint® certified printer. CPrint® is composed of more than 100 family-owned printing companies who have made a commitment to excellence. The companies maintain a rigid set of high standards.

Creative Characters is located at 913 Walnut Street in Philadelphia. For more information about the company, call 215-923-2679 or visit the company's website at www.creativecharacters.com.



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Introduction

Creative Characters Triumphs Again: Third Consecutive National Superior Performance Award

Creative Characters was honored with a third award for Superior Performance in Print Shop Management by CPrint™. CPrint™ awards printers who have demonstrated superior performance over the past year.

"Creative Characters is among an elite group of companies who are seeing sales increases in the slow economy. They are focusing on principles and practices geared to exceptional customer service," said Tom Crouser, CPrint™ president. "This effort is resulting in increased sales even in a time of an economic slowdown. A company who can achieve growth in these times can only achieve it by being the best print provider for its business customers."

CPrint™ is an organization of independently owned family-based businesses that strive for professionalism and performance among small business. Companies from throughout North America qualify to participate in the program.

Creative Characters is the only printer in Philadelphia that qualified for the prestigious Certified Printers International designation. CPrint™ is available only to printers who demonstrate exceptional quality and service by maintaining standards in operations, training, equipment and software as well as worker benefits and working conditions. This program requires annual onsite recertification as well as participation in continuing educational programs.

Creative Characters, is located at 913 Walnut Street, Philadelphia, PA 19107. For more information about the company give Marya a call at (215) 923-2679.

Left to right. Front row: Brigid Kaye, Darlene Hunt, Pat Hunt, Brent Hespers. Second row: John Butcher, Marya Kaye, Michael Slawin, Carrie Smith. Third row: Dan Wurm, Jackie Wurm, Mark Troy, Colleen Troy, David Hornung, Mark Smith.

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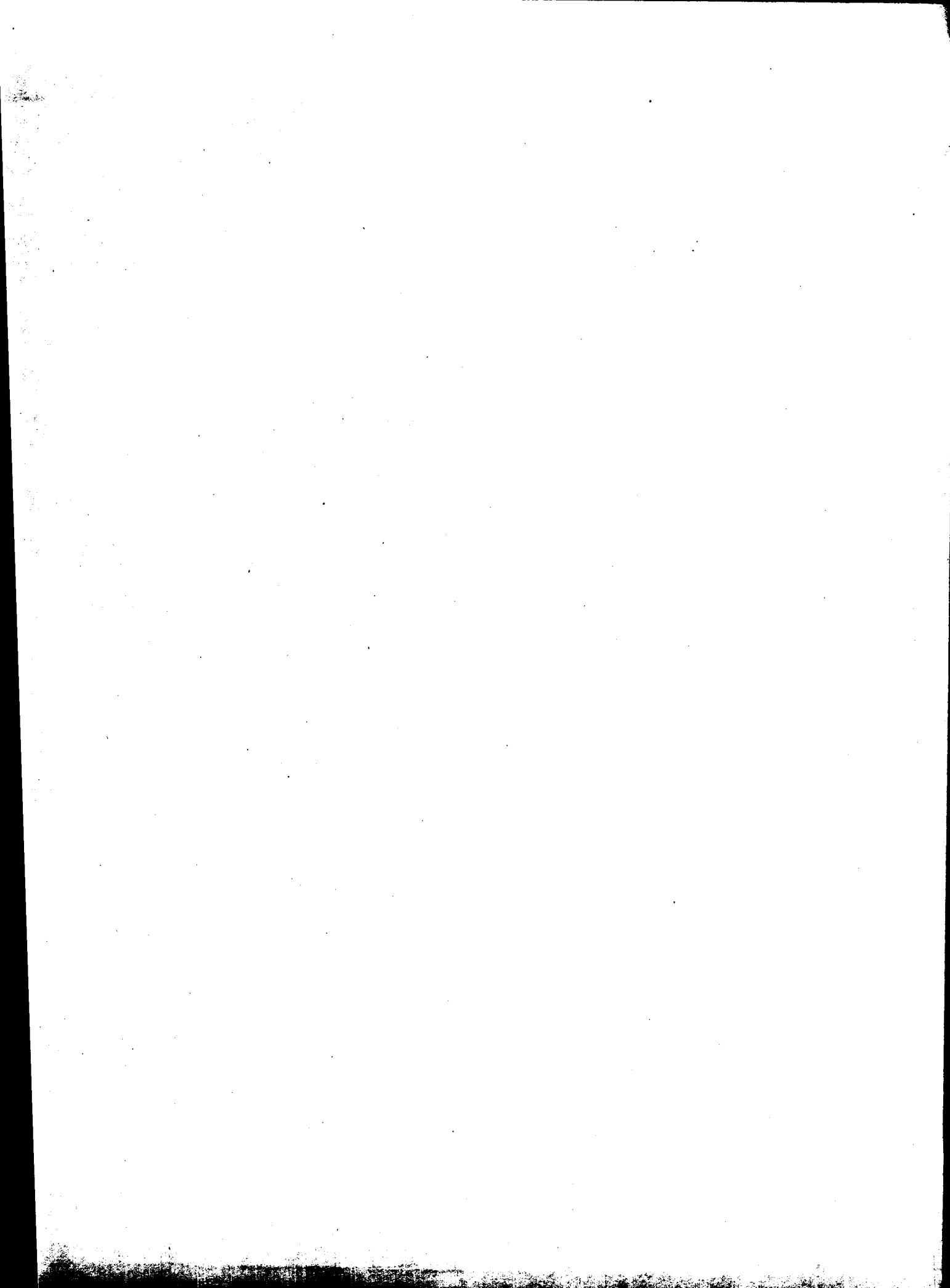


Creative Characters
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Products & Services

When it comes to business communications services, we've got it covered. We can provide virtually any product or service imaginable to communicate with your clients, employees, stockholders, or vendors.

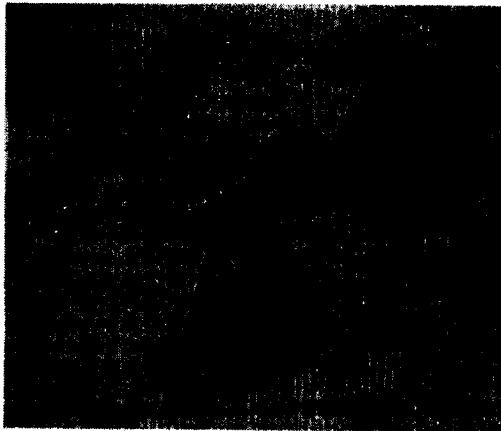
We're experts at corporate identity pieces. But that's only the beginning. Our experts work toward your success every step of the way whether you're just starting out or you've been in business for decades. We offer graphic design, high speed copying and printing from 1 color to full color. We provide marketing planning, direction and consultation, award-winning technical writers and skilled illustrators for customized drawings. Our one-to-one marketing services including promotional items, variable data printing, landing pages and PURLs. To help you communicate with your customers in thier native language, we offer translation services in French, German, Spanish and all the Pacific Rim Languages.

To learn more about the many products and services we offer, please contact Brigid Kaye at (215) 923-2679.

Services

- [Digital Black & White Printing and Copying](#)
- [Digital Color Printing and Copying](#)
- [Offset Printing](#)
- [Graphic Design](#)
- [Binding](#)
- [Saddle Stitching](#)
- [Cutting, Folding and Punching](#)
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- [Pick-up and Delivery](#)

Products



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- Announcements and Invitations
- Brochures
- Business Cards
- Business Forms
- Business Report Covers
- Calendars
- Carbonless Forms
- Collateral Material
- Direct Mail Marketing
- Envelopes
- Flyers
- Index Tabs
- Labels
- Letterhead
- Logo Design
- Manuals
- Medical Forms
- Membership Booklet
- Memo Pads and Note Pads
- Menus
- Newsletters
- Post Cards
- Post-It Notes
- Posters
- Presentation Folders
- Price Lists
- Procedure Manuals
- Product Sheets
- Programs
- Reply Cards
- Rubber and Self-Inking Stamps
- Stationery
- Thesis Reproduction
- Ticket
- Training Materials
- Transparencies

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Welcome to Printing Resources



PRINTING RESOURCES NAMED PRINT SHOP OF THE YEAR

For the second year in a row, Printing Resources of Southern California was selected to receive a major award during the annual Production Manager conference of CPrint? (Certified Printers International). In 2005 our production manager, Scott Kenning, was named Production Manager of the Year and this year, we were named Print Shop of the Year.

Here is an excerpt from the press release issued by CPrint?:

Printing Resources of Southern California has been selected as the Print Shop of the Year for CPrint?, Certified Printers International, at its annual Production Manager conference in Schaumburg, Illinois. Printing Resources of Southern California was selected from among the 111 printing companies in CPrint? in North America.

According to Tom Crouser, president of CPrint?, Printing Resources continues to set high standards for quality and service that most printing companies never achieve. ?Printing Resources of Southern California and its owners Nancy DeDiemar and Patrick Jones represent the best a printer can offer its customers.? said Crouser. ?An excellent, well-trained staff tied with outstanding facilities and equipment makes Printing Resources one of the top printers in the country among shops of its size.?

CPrint? is a division of the Crouser Professional Performance Alliance?, an international organization of independently owned family-based businesses that strive for professionalism and performance among small businesses. Printing Resources of Southern California is a participant in CPrint?. This CPrint? designation is available only to printers who demonstrate exceptional quality and service by maintaining standards in operations, training, equipment and software as well as worker benefits and working conditions. This program requires annual onsite recertification as well as participation in continuing educational programs.

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We are proud of this industry recognition of what our customers have known for a long time ? that we strive every day, on every job, to provide a high level of quality printing and customer service that places us among the top printing companies in the Inland Empire.

To place an order or get help with a new project, enter our online Customer Service Center. To download our exclusive SeePrint? document submission tool as well as other software, search our Resources & Support area. To learn more about us, browse through our Company Information section.

If you are a Drucker Graduate School of Management student, please click on the "Customer Login" button to the left.



Go To...



Printing Resources
893 W 9th Street • Uplar
Phone: 909-981-5715 • I

E-mail: <http://web.archive.org/web/20070605041316/http://www.printingresource>

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11/5/2007



Certified Printers International

A Program of Crouser & Associates, Inc.

CPrint® General Manager's Initial Training Course Curriculum

Charleston, West Virginia
February 21-24, 2007

Please note that the following course outline may be modified depending upon the experience level and previous training of the class.

WEDNESDAY

6:30 – 8:30 pm: *Opening Reception* – check the hotel directory for the exact location.

THURSDAY

7:30 am *Coffee will be in the meeting room.*

Program begins each morning at 8 a.m. Please be prompt. We cannot start without you. Times indicated are approximate to allow us to maintain our schedule. More or less time on each topic will be used at the discretion of the instructor.

8:00 – 10:30 am

The CPrint® Program

Who we are and basics of the program. Five parts to CPrint®, where we are located, overview of our meetings and our yearly calendar.

The 10 Alliance Precepts, Minimum Performance Requirements to maintain participation in the Crouser Professional Performance Alliance® and the Minimum Competitive Requirements to be CPrint® qualified.

Non-solicitation agreement, code of conduct, C-ratings, competitive buffer zones, plus other background information.

10:30 – 12:00 am

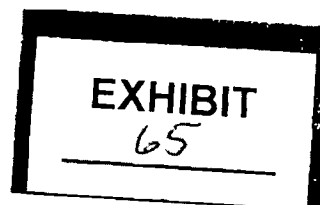
Principles of Family-Based Businesses

Introduction to family-based businesses. Where we came from and what we really want. *Text: Prospering: Putting Your Business to Work for You and Your Family, Chapters 1-5*

Creating Real Wealth – We focus on creating real wealth. Discover who really does it and how. Also bears on issues of “raising rich kids.”

12 Noon: *A delightful lunch*

1:00 – 2:00 p.m.



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Principles of Finance: Using Facts, Not Feelings

Understanding the four parts to the financial statements, what each means and how to read them. After all, business is a game of finance and your profound understanding of the rules increases your odds of winning. Depending on the training level of the class, we will deal with advanced subjects.

Specific activities: measure current ratio, days' cash on hand; understand the effect of debt management on working capital as well as the impact of leases, and interpreting statement of cash flows.

2:00 – 3:00 p.m.

Understanding Statement of Cash Flows

Put your knowledge to the test by determining what these sample statements of cash flow mean.

Review of Standard Forms: Financial Statements, Analysis form, Sales Projection Form – from Gene Pool *Text: Prospering. Software Required:* Microsoft Excel.

Inventory Change

Importance of and issues regarding inventory and Work in Process Inventory

3:00 – 4:00 p.m.

Creating an Operating Budget

- Familiarization with the Alliance operating budget format
- Elements – sales, direct materials, wages, notes, and overhead
- How to account for wage benefits and taxes – unusual situations
- Accounting for structural overtime.
- Calculating a “get well” date.

Creating a Capital Budget

- Elements of the capital budget and how to calculate

4:00 – 5:00 p.m.

Chart of Accounts – names and how they affect your budget follow up procedures. Review of information to give to your accountant.

Thursday Evening: Mandatory tour of World Headquarters at Big Chimney, West Virginia. Join us for a moonshine and road kill reception.



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Dinner follows the tour on your own. There are numerous restaurants within walking distance of our hotel.

FRIDAY

7:30 am Coffee will be in the meeting room.

8:00 – 8:30 am

Review Test

Yes this is a test of what you learned yesterday along with time to review specific issues

8:30 – 9:30 am

Justifying Equipment Purchases

Using Payback – Here is the basic formula for justifying equipment purchase decisions. Learn the tricks here and you will improve your financial performance for life. Learn to separate real revenue and cost reductions from phantom benefits. Also learn how to use your board group to give you a real advantage in these decisions.

9:30 – 11:00 am

Organization and Production Management – 2.170

The functions required of us every day – stakeholder, general manager, production, sales and finance with the duties and responsibilities of each. We cover the 5 Tools of the production manager and the 4 parts to Order Entry Discipline.

Reference: Prospering for duties of stakeholders, general manager, production manager, sales manager and finance manager. DVD: 5 Tools of Production Management

11:00 – 12 noon

What We Are Required to Know About Workers

Employment-at-Will – what is it and see how easy it is to lose it. Emphasis here is on how to maintain employment-at-will so it doesn't cost you your house.

Pay and Pay Issues. Fair Labor Standards Act of 1938 - Salary vs. Hourly. Independent contractor or employee. Other pay issues. Contract Labor. When Does Work Begin? Uninterrupted Lunch Periods. Counseling Report.

Working Through Your Employee Guidelines and how they create policies to solve problems before they are problems. Confidentiality agreements. Importance of reviewing employee guidelines with all workers. Importance of sign off sheets.

12:00 Noon - A Lovely Lunch



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OFFICIAL PHOTOS: Before lunch, your official photo will be taken which may be used by your company for publicity purposes as well as your official photo to be posted on the web site. Also a class photo will be taken. Photos will be available to you prior to leaving on Saturday. Please look pretty and smile.

1 pm – 2 pm

What We Are Required to Know About Workers Continued

2:00 – 3:00

Keeping Good Workers - 2.140

Depressed and betrayed because workers were “quitting on him,” Marvin finds three things he can offer to keep the good ones. Filled with heart and humor, we learn how to avoid mistakes and be able to make a positive impact on our workforce. You’ll see why we have to treat our team members as people first and employees second. The great news is that this doesn't cost us a dime.

Learning Outcomes: Day Starters: Take 10 Check-In

3:00 – 4:00 pm

Profiles and Their Importance to People Management - 2.120

Use profiles to help understand our team as well as ourselves. Additionally, a discussion of the Wonderlic instrument will be conducted.

Session teaches you how to administer and score each instrument.

4:00 – 5:00 pm

Recruiting Workers – 2.090

We will always be hostage to workers until we have developed our recruiting muscles. Here’s what to do when (and before) you need workers – a recruitment campaign.

Interviewing Techniques that Really Work - 2.100

Learn the only techniques you can use to obtain reliable information about prospects during an interview so that you are using **More Than a Gut Feeling**.

Friday Evening: Dinner on your own.

SATURDAY

7:30 am Coffee will be waiting for you in the meeting room.

8:00 – 9:30 am

No test review this a.m.

Dealing With Wages



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Wage Reviews and how they fit into the overall Performance Review picture –
Wage Studies – 2.145 Paying Workers How the CPrint® Annual Wage Study may be used in budgeting as well as in completing your personnel performance cycle.

Dealing with Immediate Personnel Issues

A performance review is not an ambush. We don't save up all of the bad things for one review a year. So, before we deal with a performance review, we must learn how to deal with immediate problems – through the **TALK MODEL**.

Now Discuss Performance with Workers

In this session, we learn what *Discussing Performance* really means and gain insight into a number of issues. Specifically we cover the value of focusing on outcomes; tackling contentious issues; understanding that these discussions are not about wages; avoiding the dropping of bombshells; and not concentrating on trivia. In short, appraising, not blaming. This forms a good foundation for all **normal appraisals** – which are different than the abnormal ones we studied previously in the TALK model.

9:30 – 10:30 am

Our Battleground and Competing for Business

What our battlefield really looks like. Monopolistic Competition and the five factors you have to choose from to develop your competitive business strategy. Differentiating your offering.

CPrint® Advantage – review of competitive features and marketing material

10:30 – 12:00 am

Using a Well Defined Selling Process – Top 25 Ways to Sell Printing, types of calls. Talking to strangers. How to find them. Using the CPrint® Cold Calling Sales Tool. Requirements of salespeople. MONEY model when in front of customers.

Review of CPrint® Features– RightType™ how to do it and how to order; SeePrint™ Driver and Gateways.

Review Advertising promotions available to you as a CPrint® affiliate.

About Price – a discussion of price and how that contributes to keeping printers poor.

12:00 – 1:00 pm Check Out Break and Test

Reinforcing What We Know: Yes, A TEST!

This is a test of what you have learned during this first weekend. It is a real test. It is given because folks study harder when there is a test versus when there is not a test. So, we would be doing a disservice to you by not giving you a test.



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Test Review

Here are the answers to the earlier test. This is also an extremely important part of our learning process. Those who pass the test will be certified for continuation in the Alliance program. Those who do not will be asked to repeat the course at a later date.

While we will probably finish earlier, **please do not plan for the course to conclude before 2 pm on Saturday.** Please do not leave early. One of our Performance Group precepts is to fully participate in the process and that includes being at all meetings through the conclusion of all meetings.

End of Agenda



Certified Printers International

A Program of Crouser & Associates, Inc.

4710 Chimney Drive, Charleston, WV 25302 · Phone 304-965-7100 Fax 304-965-3777 ·
www.cprint.org

Dear General Managers:

Here is our curriculum for the General Manager's Initial Training Course February 21-24, 2007 in Charleston, West Virginia. Please remember that we may make changes in time or content as warranted.

PHOTO REMINDER: We WILL be taking official photos Friday before lunch, so dress for pictures.

General Manager's Initial Training Course February 21-24, 2007 Charleston, West Virginia

Hotel Information and Directions

Marriott Charleston
200 Lee St E.
Charleston, WV 25301
Tel: (304) 345-6500
Fax: (304) 353-3722

The Charleston West Virginia Marriott is conveniently located in the heart of beautiful downtown Charleston opposite the civic center and Charleston Town Center: a premier shopping and dining destination. Our location is easily accessible from Interstates 64/77/79 with complimentary transportation available for guests arriving by air at Charleston's only airport, Yeager (CRW). Use the courtesy telephone located in the baggage claim area to contact the Marriott for shuttle service. Taxis will be waiting just outside the baggage claim area.

Driving Directions

From the Airport:

Start out going SOUTH on AIRPORT RD toward HERTZ AVIS RD for 1.1 miles. AIRPORT RD becomes GREENBRIER ST/WV-114. Travel WV-114 for 1.4 miles. Merge onto I-64 W toward PARKERSBURG/HUNTINGTON for 1.9 miles. Take EXIT 58C toward US-60/WASHINGTON ST/CIVIC CENTER for less than 0.1 miles.

Stay straight to go onto BIGLEY AVE/US-119 S. Continue to follow US-119 S for 0.4 miles.



Certified Printers International

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Turn LEFT onto US-60 E/LEE ST W for 0.2 miles.
End at 200 LEE ST E CHARLESTON WV. Hotel is on your right.

From the West:

Take I-64 E toward CHARLESTON.
In Charleston, take the US-60/LEE ST exit- EXIT 58C.
Turn RIGHT onto US-60 E/LEE ST W. for 0.1 miles
End at 200 LEE ST E CHARLESTON WV. Hotel is on your right.

From the North:

Take I-77 or I-79 S toward Charleston.
In Charleston, take the I-64 W/US-119 S exit toward HUNTINGTON for 0.2 miles.
Take EXIT 58C toward US-60/WASHINGTON ST/CIVIC CENTER for less than 0.1 miles.
Stay straight to go onto BIGLEY AVE/US-119 S. Continue to follow US-119 S for 0.4 miles.
Turn LEFT onto US-60 E/LEE ST W for 0.2 miles.
End at 200 LEE ST E CHARLESTON WV. Hotel is on your right.

From the South:

Take I-64 W toward Charleston.
In Charleston, take the I-64 W/US-119 S exit toward HUNTINGTON for 0.2 miles.
Take EXIT 58C toward US-60/WASHINGTON ST/CIVIC CENTER for less than 0.1 miles.
Stay straight to go onto BIGLEY AVE/US-119 S. Continue to follow US-119 S for 0.4 miles.
Turn LEFT onto US-60 E/LEE ST W for 0.2 miles.
End at 200 LEE ST E CHARLESTON WV. Hotel is on your right.

End of Directions



Certified Printers International

A Program of Crouser & Associates, Inc.

CPrint® General Manager's Initial Training Course Curriculum

Charleston, West Virginia
February 21-24, 2007

Please note that the following course outline may be modified depending upon the experience level and previous training of the class.

WEDNESDAY

6:30 – 8:30 pm: *Opening Reception* – check the hotel directory for the exact location.

THURSDAY

7:30 am *Coffee will be in the meeting room.*

Program begins each morning at 8 a.m. Please be prompt. We cannot start without you. Times indicated are approximate to allow us to maintain our schedule. More or less time on each topic will be used at the discretion of the instructor.

8:00 – 10:30 am

The CPrint® Program

Who we are and basics of the program. Five parts to CPrint®, where we are located, overview of our meetings and our yearly calendar.

The 10 Alliance Precepts, Minimum Performance Requirements to maintain participation in the Crouser Professional Performance Alliance® and the Minimum Competitive Requirements to be CPrint® qualified.

Non-solicitation agreement, code of conduct, C-ratings, competitive buffer zones, plus other background information.

10:30 – 12:00 am

Principles of Family-Based Businesses

Introduction to family-based businesses. Where we came from and what we really want. *Text: Prospering: Putting Your Business to Work for You and Your Family, Chapters 1-5*

Creating Real Wealth – We focus on creating real wealth. Discover who really does it and how. Also bears on issues of “raising rich kids.”

12 Noon: *A delightful lunch*

1:00 – 2:00 p.m.



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Principles of Finance: Using Facts, Not Feelings

Understanding the four parts to the financial statements, what each means and how to read them. After all, business is a game of finance and your profound understanding of the rules increases your odds of winning. Depending on the training level of the class, we will deal with advanced subjects.

Specific activities: measure current ratio, days' cash on hand; understand the effect of debt management on working capital as well as the impact of leases, and interpreting statement of cash flows.

2:00 – 3:00 p.m.

Understanding Statement of Cash Flows

Put your knowledge to the test by determining what these sample statements of cash flow mean.

Review of Standard Forms: Financial Statements, Analysis form, Sales Projection Form – from Gene Pool *Text: Prospering. Software Required:* Microsoft Excel.

Inventory Change

Importance of and issues regarding inventory and Work in Process Inventory

3:00 – 4:00 p.m.

Creating an Operating Budget

- Familiarization with the Alliance operating budget format
- Elements – sales, direct materials, wages, notes, and overhead
- How to account for wage benefits and taxes – unusual situations
- Accounting for structural overtime.
- Calculating a “get well” date.

Creating a Capital Budget

- Elements of the capital budget and how to calculate

4:00 – 5:00 p.m.

Chart of Accounts – names and how they affect your budget follow up procedures. Review of information to give to your accountant.

Thursday Evening: Mandatory tour of World Headquarters at Big Chimney, West Virginia. Join us for a moonshine and road kill reception.



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Dinner follows the tour on your own. There are numerous restaurants within walking distance of our hotel.

FRIDAY

7:30 am Coffee will be in the meeting room.

8:00 – 8:30 am

Review Test

Yes this is a test of what you learned yesterday along with time to review specific issues

8:30 – 9:30 am

Justifying Equipment Purchases

Using Payback – Here is the basic formula for justifying equipment purchase decisions. Learn the tricks here and you will improve your financial performance for life. Learn to separate real revenue and cost reductions from phantom benefits. Also learn how to use your board group to give you a real advantage in these decisions.

9:30 – 11:00 am

Organization and Production Management – 2.170

The functions required of us every day – stakeholder, general manager, production, sales and finance with the duties and responsibilities of each. We cover the 5 Tools of the production manager and the 4 parts to Order Entry Discipline.

Reference: Prospering for duties of stakeholders, general manager, production manager, sales manager and finance manager. DVD: 5 Tools of Production Management

11:00 – 12 noon

What We Are Required to Know About Workers

Employment-at-Will – what is it and see how easy it is to lose it. Emphasis here is on how to maintain employment-at-will so it doesn't cost you your house.

Pay and Pay Issues. Fair Labor Standards Act of 1938 - Salary vs. Hourly. Independent contractor or employee. Other pay issues. Contract Labor. When Does Work Begin? Uninterrupted Lunch Periods. Counseling Report.

Working Through Your Employee Guidelines and how they create policies to solve problems before they are problems. Confidentiality agreements. Importance of reviewing employee guidelines with all workers. Importance of sign off sheets.

12:00 Noon - A Lovely Lunch



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OFFICIAL PHOTOS: Before lunch, your official photo will be taken which may be used by your company for publicity purposes as well as your official photo to be posted on the web site. Also a class photo will be taken. Photos will be available to you prior to leaving on Saturday. Please look pretty and smile.

1 pm – 2 pm

What We Are Required to Know About Workers Continued

2:00 – 3:00

Keeping Good Workers - 2.140

Depressed and betrayed because workers were “quitting on him,” Marvin finds three things he can offer to keep the good ones. Filled with heart and humor, we learn how to avoid mistakes and be able to make a positive impact on our workforce. You’ll see why we have to treat our team members as people first and employees second. The great news is that this doesn’t cost us a dime.

Learning Outcomes: Day Starters: Take 10 Check-In

3:00 – 4:00 pm

Profiles and Their Importance to People Management - 2.120

Use profiles to help understand our team as well as ourselves. Additionally, a discussion of the Wonderlic instrument will be conducted.

Session teaches you how to administer and score each instrument.

4:00 – 5:00 pm

Recruiting Workers – 2.090

We will always be hostage to workers until we have developed our recruiting muscles. Here’s what to do when (and before) you need workers – a recruitment campaign.

Interviewing Techniques that Really Work - 2.100

Learn the only techniques you can use to obtain reliable information about prospects during an interview so that you are using **More Than a Gut Feeling**.

Friday Evening: Dinner on your own.

SATURDAY

7:30 am Coffee will be waiting for you in the meeting room.

8:00 – 9:30 am

No test review this a.m.

Dealing With Wages

65-12



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Wage Reviews and how they fit into the overall Performance Review picture –
Wage Studies – 2.145 Paying Workers How the CPrint® Annual Wage Study may be used in budgeting as well as in completing your personnel performance cycle.

Dealing with Immediate Personnel Issues

A performance review is not an ambush. We don't save up all of the bad things for one review a year. So, before we deal with a performance review, we must learn how to deal with immediate problems – through the **TALK MODEL**.

Now Discuss Performance with Workers

In this session, we learn what *Discussing Performance* really means and gain insight into a number of issues. Specifically we cover the value of focusing on outcomes; tackling contentious issues; understanding that these discussions are not about wages; avoiding the dropping of bombshells; and not concentrating on trivia. In short, appraising, not blaming. This forms a good foundation for all **normal appraisals** – which are different than the abnormal ones we studied previously in the TALK model.

9:30 – 10:30 am

Our Battleground and Competing for Business

What our battlefield really looks like. Monopolistic Competition and the five factors you have to choose from to develop your competitive business strategy. Differentiating your offering.

CPrint® Advantage – review of competitive features and marketing material

10:30 – 12:00 am

Using a Well Defined Selling Process – Top 25 Ways to Sell Printing, types of calls. Talking to strangers. How to find them. Using the CPrint® Cold Calling Sales Tool. Requirements of salespeople. MONEY model when in front of customers.

Review of CPrint® Features– RightType™ how to do it and how to order; SeePrint™ Driver and Gateways.

Review Advertising promotions available to you as a CPrint® affiliate.

About Price – a discussion of price and how that contributes to keeping printers poor.

12:00 – 1:00 pm Check Out Break and Test

Reinforcing What We Know: Yes, A TEST!

This is a test of what you have learned during this first weekend. It is a real test. It is given because folks study harder when there is a test versus when there is not a test. So, we would be doing a disservice to you by not giving you a test.

65-13



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Test Review

Here are the answers to the earlier test. This is also an extremely important part of our learning process. Those who pass the test will be certified for continuation in the Alliance program. Those who do not will be asked to repeat the course at a later date.

While we will probably finish earlier, **please do not plan for the course to conclude before 2 pm on Saturday.** Please do not leave early. One of our Performance Group precepts is to fully participate in the process and that includes being at all meetings through the conclusion of all meetings.

End of Agenda

1 JOHN JOSEPH HALL
2 1631 BEVERLY BOULEVARD
3 LOS ANGELES, CA 90026-5746
4 (213)250-1145
5 ATTORNEY FOR OPPOSER

6
7
8 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
9 BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD
10

11
12 CERTIFIED PRINTERS, INC.,)
13 a California corporation,) OPPOSITION NO. 91167709
14) SERIAL NO. 78/365,504
15 Opposer,)
16 v.) OPPOSER'S RESPONSE TO
17) APPLICANT'S FIRST SET OF
18 CROUSER AND ASSOCIATES, INCORPORATED,) REQUESTS FOR ADMISSIONS
19 a West Virginia corporation)
20 Applicant.)

21 1. Admit that the only documented instances of actual confusion
22 between Opposer's Certified Printers mark and Crouser's Mark are
23 reflected in the documents attached hereto and marked collectively
24 Exhibit "A".

25 RESPONSE: Opposer is unable to admit or deny this request because
26 the results of Opposer's pending discovery have not yet been received
27 and Opposer's ongoing investigation of actual confusion is not yet
28 over and the foregoing may present documented instances of actual
confusion which may occur even after close of discovery and its
results.

EXHIBIT
APPLICANT'S 1

APP # 1

RECEIVED
9/24/07

1 2. Admit that the application to register Crouser's Mark
2 disclaims the words "Certified Printers International" apart from the
3 mark as shown.

4 RESPONSE: Admitted

5 3. Admit that Opposer has no evidence of any use by Crouser or
6 any of its franchisees of the words "Certified Printers" apart from
7 Crouser's Mark.

8 RESPONSE: Denied

9 4. Admit that Opposer has no customers outside the United States.

10 RESPONSE: Admitted

11 5. Admit that Opposer's sole place of business is located at
12 1525 N. Cahuenga Blvd., Hollywood, CA 90028.

13 RESPONSE: Denied

14 6. Admit that Opposer has never licensed Opposer's Mark to any
15 third party.

16 RESPONSE: Admitted

17 7. Admit that Opposer has never entered into any franchise
18 agreement with any third party under the terms of which that third
19 party was permitted to use Opposer's Mark.

20 RESPONSE: Admitted

21 8. Admit that Opposer does not conduct seminars or training
22 programs for other companies in the printing business.

23 RESPONSE: Denied

24 9. Admit that Opposer's principal business involves the provision
25 of print shop services.

26 RESPONSE: Denied

27 10. Admit that Crouser's Mark contains a design element.

28 RESPONSE: Opposer is unable to admit or deny this request as
written because it calls for a legal conclusion. Opposer objects on
the ground that this request calls for a legal conclusion. Further,
Opposer objects on the ground that the word "design" and the term

1 "design element" in the request have no clear meaning indicated in
2 the request. The American Heritage Dictionary, 4th Ed., p.492,
3 Houghton Mifflin Company, 2000, defines the noun "design" as "1a. A
4 drawing or a sketch. 1b. A graphic representation, especially a
5 detailed plan for construction or manufacture." If the foregoing
6 definitions are applied to the request, in that circumstance, the
7 request is Denied.

8 11. Admit that Opposer's mark contains no design element.

9 RESPONSE: Opposer is unable to admit or deny this request as
10 written because it calls for a legal conclusion. Opposer objects on
11 the ground that this request calls for a legal conclusion. Further,
12 Opposer objects on the ground that the word "design" and the term
13 "design element" in the request have no clear meaning indicated in
14 the request. The American Heritage Dictionary, 4th Ed., p.492,
15 Houghton Mifflin Company, 2000, defines the noun "design" as "1a. A
16 drawing or a sketch. 1b. A graphic representation, especially a
17 detailed plan for construction or manufacture." If the foregoing
18 definitions are applied to the request, in that circumstance, Opposer
19 admits that its mark does not have a drawing or a sketch and does not
20 have a graphic representation.

21 12. Admit that no customers or prospective customers of Opposer
22 have ever contacted Opposer inquiring about whether there is any
23 connection or affiliation between Opposer's business and Applicant's
24 business.

25 RESPONSE: Denied

26 13. Admit that Exhibit "B" hereto constitutes a true and correct
27 copy of Opposer's application to register the mark Certified Printers
28 (omitting the specimens) attached to the application filed with the
United States Patent and Trademark Office.

RESPONSE: Admitted to the extent that Exhibit B is a copy of
Opposer's original application which was later amended.

John Joseph Hall

John Joseph Hall
Attorney for Opposer

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CERTIFICATE OF MAILING


I, the undersigned, John Joseph Hall, certify that I am a member of the State Bar of California and attorney of record for Certified Printers, Inc., Opposer., in OPPOSITION NO. 91167709 filed before the Trademark Trial and Appeal Board and I served the foregoing document:

OPPOSER'S RESPONSE TO APPLICANT'S FIRST SET OF REQUESTS FOR ADMISSIONS

on CROUSER AND ASSOCIATES, INCORPORATED, Applicant, on September 18, 2007, by mailing the signed original thereof enclosed in a sealed envelope with first class postage fully prepaid in the U.S. Mail at Los Angeles, California, addressed to the attorneys for applicant:

Harvey Freedenberg, Esq.
MCNEES WALLACE & NURICK LLC
100 Pine Street
Harrisburg, PA 1108-1166

DATED: September 18, 2007


John Joseph Hall
Attorney for Opposer