

BULKY EXHIBITS

Proceeding No.	91273672
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Filing Date	03/03/2025
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91273672

EXHIBIT 9

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

_____)	
TITLE LOCK CORPORATION,)	
)	
Opposer,)	
)	Opposition Nos. 91273672, 91273673
v.)	and 91273674 (consolidated)
)	
DOMIDOCS, INC.,)	Serial Nos. 90/484,750, 90/456,625 and
)	90/080,203
Applicant.)	
_____)	

**SECOND DECLARATION OF JIMMY CLARK IN SUPPORT OF OPPOSER
TITLE LOCK CORPORATION'S MOTION FOR SUMMARY JUDGMENT**

I, Jimmy Clark, hereby declare as follows:

1. I have worked for Opposer Title Lock Corporation ("Opposer") since 2015. From 2015 until 2023, I held the position of Chief Marketing Officer. Since 2023, I have held the position of Vice President of Marketing. I declare that the following statements are true to the best of my knowledge, information, and belief and that if called upon to testify, I could and would competently testify thereto.
2. Opposer has offered fraud protection services for homeowners to detect improper filings or recordings under the marks HOME TITLE LOCK and TITLE LOCK since 2015.
3. Attached as **Exhibit C** (HTL_000001) is a true and accurate copy of a newspaper advertisement Opposer ran in 2016, which shows Opposer's use of the marks HOME TITLE LOCK and TITLE LOCK to refer to Opposer's provision of fraud protection services for homeowners to detect improper filings or recordings.



03/03/2025

4. Attached as **Exhibit D** (HTL_000002–12) and submitted on a flash drive¹ is a true and accurate sampling of television and radio advertisements Opposer ran in 2017, which show Opposer’s use of the marks HOME TITLE LOCK and TITLE LOCK to refer to Opposer’s provision of fraud protection services for homeowners to detect improper filings or recordings.

5. Attached as **Exhibit E** (HTL_000013) is a true and accurate copy of a newspaper advertisement Opposer ran in 2018, which shows Opposer’s use of the marks HOME TITLE LOCK and TITLE LOCK to refer to Opposer’s provision of fraud protection services for homeowners to detect improper filings or recordings.

6. Attached as **Exhibit F** (HTL_000014–22) and submitted on a flash drive is a true and accurate sampling of television and radio advertisements Opposer ran in 2018, which show Opposer’s use of the marks HOME TITLE LOCK and TITLE LOCK to refer to Opposer’s provision of fraud protection services for homeowners to detect improper filings or recording.

7. Attached as **Exhibit G** (HTL_000023–31) and submitted on a flash drive is a true and accurate sampling of television and radio advertisements Opposer ran in 2019, which show Opposer’s use of the marks HOME TITLE LOCK and TITLE LOCK to refer to Opposer’s provision of fraud protection services for homeowners to detect improper filings or recording.

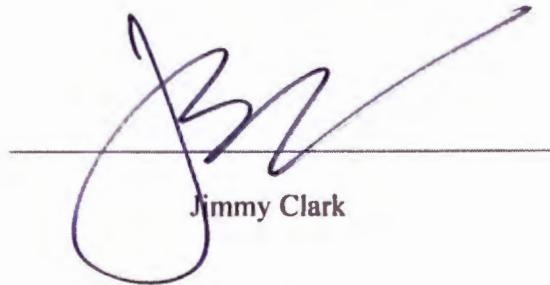
8. Attached as **Exhibit H** (HTL_000032–42) and submitted on a flash drive is a true and accurate sampling of television and radio advertisements Opposer ran in 2020, which show Opposer’s use of the marks HOME TITLE LOCK and TITLE LOCK to refer to Opposer’s provision of fraud protection services for homeowners to detect improper filings or recording.

¹ The flash drive, which includes Exhibit D and Exhibits F–I, will be mailed to United States Patent and Trademark Office, Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, VA 22313-1451.

9. Attached as **Exhibit I** (HTL_000043-50) and submitted on a flash drive is a true and accurate sampling of television and radio advertisements Opposer ran in 2021, which show Opposer's use of the marks HOME TITLE LOCK and TITLE LOCK to refer to Opposer's provision of fraud protection services for homeowners to detect improper filings or recording.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 29, 2025



Jimmy Clark

EXHIBIT C



LATEST CYBER THREAT

The FBI Calls Mortgage Fraud One of the Fastest Growing White Collar Crimes in America and is Putting Your Home Equity At Risk!

Cook County, IL

Mortgage fraud even happened to Chicago City Treasurer Stephanie Neely. In a recent interview, Neely detailed how someone waltzed into the office of the Cook County Recorder of Deeds, filed for a fraudulent affidavit for \$40 and changed the name on the title of her home. Just like that, the place where she had lived for nearly 13 years was no longer hers. "I didn't even know I was a victim until a reporter called me to tell me there was an entry in Cook County that has stolen the deed title to 30 different homes in the Chicagoland area," Neely said. If it can happen to her it can happen to anyone!

Hamilton Heights, NY

Jacqueline H., 85, has lived in the family home since her parents bought it in 1945. But a cold-hearted con man has forged the deed to the home and has been trying to force her out on the street, court papers say. The "house was fraudulently, indeed criminally, transferred to an individual who has no connection" to the family. They hired a lawyer, who did a title search and found the deed had been fraudulently transferred in October 2013.

Rancho Cucamonga, CA

According to the San Bernardino County District Attorney's Office, two defendants are facing 22 felony charges for selling a home they fraudulently acquired to an unsuspecting buyer. The defendants forged the name of the owner and a notary public on a vacant house, transferred the property into a trust, then sold the home to the victims.

New York, NY

The clues were there for months, but a New York property investor didn't put them together. The locks to a vacant Harlem brownstone she owns were changed. Belongings weren't in the same place she left them. Turns out house had been fraudulently sold without her knowledge about a year earlier for roughly \$750,000.

Padre Stadium, CA

Peito Park has become the subject of a bizarre ownership controversy sparked by a mentally ill man who filed a simple document. Dennis Devon McCuaig took legal title to the downtown ballpark away from the city and the Padres two years ago by walking into the San Diego County Recorder's Office and submitting a property filled-out deed transfer. County and city officials have been quietly trying to remedy the situation ever since. Further evidence that a simple deed filing can create a legal nightmare that could be perpetrated on any property owner if someone decides to target them.

Miami, FL

"I thought my God, this house is being taken from me," says Linda C. Investigators are trying to find whoever filed a false deed last year, forging her signature. They stole her home and sold it to a legitimate real estate investor. That investor has since evicted Cleland from her own home.

Have you already been a victim and don't even know it?

What do you get when you combine two popular rackets these days - identity theft and mortgage fraud? A totally new kind of crime: HOUSE STEALING!

All across America, unsuspecting homeowners just like you have already fallen victim to mortgage fraud, otherwise known as house stealing. And the scariest part is, most people have no IDEA that their home title has been transferred into the thief's name - until it's too late.

Con artists are specifically targeting older home owners, home owners with equity in their homes, and owners of vacation homes, cabins, and rental properties.

In fact the FBI warns that mortgage fraud is one of the fastest growing white-collar crimes in America. A con artist pretending to be you forges documents transferring your home title into their name and then either sells your home for cash or takes out a big mortgage. You have no idea it's even happened until you get a foreclosure notice or the new owners show up to move in.

Homeowners are strongly advised to go to the national fraud alert service Home Title Lock and find out whether you've already been targeted as a victim. HomeTitleLock.com is providing this information, including a free trial of their fraud alert service, free of charge.

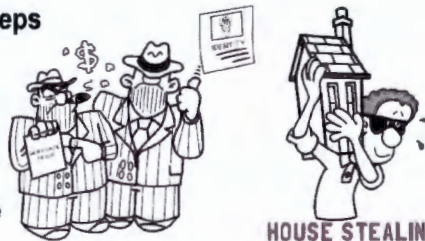


House Stealing in 3 Easy Steps

Step 1: Con artists pick a house. It can be a vacation home, rental property, or the home someone is living in right now.

Step 2: They assume the identity of the homeowner and then create fake IDs and documents.

Step 3: They transfer the Deed of the house into their name by recording the forged documents at the county recorder's office.



Now they own your home! And it's really that easy!

"Mortgage fraud is one of the fastest growing white collar crimes in the United States." - FBI

When was the last time you checked on your title?

Finally there is a solution to this fast growing problem!

Here's a fact...in many US counties just a little paperwork and a small fee is all it takes for somebody to get a fraudulent deed or file a lien against your property. For all you know, you might have been a victim already!

In the fight against mortgage fraud and house stealing, there's finally some GOOD news. A national fraud alert service has been established to alert homeowners when someone may be trying to scam you out of your home. It's called HOME TITLE LOCK, and right now we're letting the public try it for free.

The FBI warns that mortgage fraud is one of the fastest growing white-collar crimes in America. So far, Home Title Lock is the ONLY National Alert Service for mortgage fraud and house stealing. And you can check your title for free!



You certainly don't have to become the next Mortgage Fraud victim. You can have peace of mind by securing your property today with the Title Lock Fraud Alert System! Through close partnerships with the top title companies Title Lock scans filings from all across the USA. When we detect a filing on your property, an alert is sent to you immediately.

Here's a fact, mortgage fraud even happened to the actual Treasurer of the City of Chicago. She found a \$143,000 fraudulent mortgage had been recorded against her property. And she had to spend a lot of time and a lot of money working to fix it. If it can happen to her it can happen to anyone, including you!

Mortgage Fraud is a crime that's easy to recover from, but only if you know about it right away! So check us out and get protected! Go to HomeTitleLock.com and start your Free 60-day trial right away. Just click on the Free 60-Day Trial Button on the website when you get there!



TITLE LOCK

START YOUR FREE 60-DAY TRIAL

And find out if you've already become a victim.

www.HomeTitleLock.com

Or call us at (888)206-5934. Our staff is standing by to answer your questions.

HTL_000001

EXHIBIT E

FBI reports...

You May Not Own Your Home

Did you know the FBI calls house stealing one of the fastest growing cyberthreats in America? When was the last time you checked the title on your home? We held a Q&A session about title fraud with Art Pfizenmayer, a retired FBI agent and an expert on the subject. Following is a compilation of the conversation to alert you on what can happen to you when you are unaware of the risk and what you need to do to protect yourself in what could be your largest investment.

Q: What exactly is Title Fraud?

A: Title Fraud occurs when criminals, foreign and domestic, transfer your home's title from YOU to THEM for financial gain. The criminal doesn't want your home; they want money and they get it by using your home's equity to take out loans. It's easier than you think. And the more equity you have, the bigger a target you become. Chances are you won't even know until you start receiving past-due loan notices from banks and online lenders. You might not even know you're a victim until you receive an eviction notice.

Q: Is stealing your home equity the most common type of Title Fraud?

A: Mostly, but another version of title fraud targets older, more vulnerable homeowners. In these cases, a criminal or perhaps somebody the homeowner knows and trusts will file a joint tenancy deed, adding their name on the title. They wait until the primary person on the title passes away to become the sole owner of the home and any rightful heir loses their interest in the property.

Q: Why has Title Fraud become so prevalent?

A: Two words: The Internet. Having access to information is great when searching for a new home, but this flow of data also allows information about you to be available online. Thieves love this and you become an easy target. Your info, your home's address, one forged signature and its done. You no longer own your home. They file with the county using a counterfeit notary stamp and no one is the wiser.

Q: Why would the County Recorder accept the document if the original owner isn't there?

A: If the documents appear legit and the fees are paid, the County recorder's job is done. They are legally required to accept the document. It is not their job to authenticate the documents.

Q: Who do title thieves target?

A: While all homeowners are at risk, the most vulnerable are elderly homeowners who have acquired substantial home equity



Art Pfizenmayer: Retired FBI Special Agent

over the years. They may more easily forget details so things like an unreceived tax bill would go unnoticed. Thieves also know elderly make for bad witnesses. And if it takes two years to prosecute, would they even still be around?

The more equity, the more money in their pocket, and the more likely you'll be a target. Rental properties, second homes and vacation homes are also key targets. You're more likely to notice you didn't get a property tax bill on your primary home vs. a second property in Colorado. But not just thieves have been known to do this! Renters and even estranged family members can forge their way onto your title and steal your home.

Q: What about my Identity theft prevention service? Won't that protect me from title fraud?

A: The answer is NO. It is not a case of stolen identity. These thieves aren't trying to use your identity. They have an established false identity, so it won't raise any red flags for your identity theft protection service.

Q: What can a homeowner do to protect themselves?

A: Speaking personally, I slept a lot better the day I signed up for Home Title Lock protection. I signed my daughter's home up as well. They're the only company with access to over six billion title records. They set up a virtual perimeter around your home's title so the instant they detect anyone tampering with it — they're on it. And in the unlikely event that fraud occurs, Home Title Lock Resolution Department stays with you until the matter is fully resolved. I also appreciated that when I subscribed, I received a free proprietary Title Scan and Report. That would normally cost over \$100, but it's free and it's a great way to start off with the peace-of-mind that you're not already the victim of title fraud.

Q: Where can homeowners go to learn more about title fraud and how to protect themselves?

A: I would visit the Home Title Lock website at www.HomeTitleLock.com and sign up for a free scan today!

TO MAKE SURE YOUR HOME'S TITLE HASN'T ALREADY BEEN COMPROMISED, ORDER YOUR COMPREHENSIVE TITLE REPORT TODAY. It's FREE at www.HomeTitleLock.com with sign up (a \$100 value). Home Title Lock puts a barrier around your home's title. The instant they detect sinister activity — they're on it — helping to shut it down. For more information visit www.HomeTitleLock.com.