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

Proceeding no.	92078477
Party	Defendant Counsel for Creators LLP
Correspondence address	ZACHARY LEVINE WOLK & LEVINE, LLP 535 N. BRAND BLVD., SUITE 300 GLENDALE, CA 91203 UNITED STATES Primary email: zjl@wolklevine.com 818-241-7499
Submission	Testimony For Defendant
Filer's name	Zachary Levine
Filer's email	zjl@wolklevine.com
Signature	/Zachary Levine/
Date	05/04/2023
Attachments	C4C.Dec_Bui_small.pdf(410499 bytes)

DECLARATION OF CHUONG T. BUI

I, Chuong T. Bui, declare and state:

1. I am over the age of 21 and am competent to testify to the matters contained in this Declaration based upon my personal knowledge.
2. I am the co-founder and a managing partner of Counsel for Creators LLP (the “Registrant”), and am submitting this Declaration in support of Registrant’s Motion for Summary Judgment.
3. Registrant has used the mark COUNSEL FOR CREATORS (the “Mark”) in connection with: “Legal services; legal services, namely, licensing intellectual property, including copyrights, and trademarks; legal services, namely, intellectual property prosecution and protection; legal services, namely, business formation and operation; legal services, namely, contract drafting, review and negotiation” since at least as early as April 2013.
4. Attached hereto as “Exhibit A” and incorporated herein by this reference is a true and correct copy of a screenshot of Registrant’s website from 2013 showing Registrant’s use of the Mark.
5. Attached hereto as “Exhibit B” and incorporated herein by this reference is a true and correct copy of an email with Registrant’s client in 2013 showing Registrant’s use of the Mark.
6. Attached hereto as “Exhibit C” and incorporated herein by this reference are true and correct copies of invoices sent to Registrant’s clients in 2013 showing Registrant’s use of the Mark.

7. Attached hereto as “Exhibit D” and incorporated herein by this reference is a true and correct copy of Registrant’s promotional material from 2013 showing Registrant’s use of the Mark.

I declare under penalty of [perjury under the laws of the United States pursuant to 28 U.S.C. §1746 that the foregoing is true and correct.

Executed on this 4th day of May 4, in Los Angeles County, California.

/Chuong T. Bui

Chuong T. Bui

EXHIBIT A

Jonathan Tobin

Counsel for Creators

Jonathan Tobin does one thing: uses the law to help creative ideas turn into profitable and fulfilling businesses. Jonathan worked as a designer and software developer for over a decade prior to choosing a career in law. This gives him insight into the unique challenges facing creators.

A graduate of the UCLA School of Law, he can offer sound counsel on copyrights, trademarks, business formation, contracts, technology, licensing, artwork and anything else necessary to convert an idea from dream to reality.

**Free initial consultations by appointment only:
jontobin.la@gmail.com**

Los Angeles, CA

EXHIBIT B

Creators' Legal Program

1 message

Jonathan Tobin <jontobin.la@gmail.com>

Mon, Aug 19, 2013 at 2:56 PM

To: [REDACTED] >

Hi [REDACTED]

Hope you are doing well and I hope that you found the talk in Long Beach to be informative. Would be curious to learn what was discussed.

I wanted to let you know about something new that I am trying.

I set up a program called the Creators' Legal Program as I saw that there is an unmet demand for lower-cost legal services than I had been offering. In essence, I am creating a discount program in which people who are doing a creative project or business pay about a third of my regular rate for a period of six months. So \$85/hour.

I am rolling it out this week and offering it to potential and existing clientele. If it works well, I will continue to offer it as a basic part of my legal practice.

Anyways, I attached the information sheet to this email. Let me know if you are into trying it and we can modify the engagement letter that I sent accordingly.

Would also be curious to know your thoughts on this, either way.

--

Jonathan C. Tobin**Counsel for Creators**<http://counselforcreators.com>jontobin.la@gmail.com

(213) 440-7187

**Creators Legal Program Information.pdf**

113K

EXHIBIT C

Invoice CC3016 was sent to Colibri Law Group

1 message

FreshBooks <info@freshbooks.com>
Reply-To: do-not-reply@freshbooks.com
To: jon@counselforcreators.com

Tue, Oct 15, 2013 at 11:45 AM

Hey Jon,

The following people at [REDACTED] were emailed Invoice CC3016 for
\$100.00 USD:

- [REDACTED]

View Invoice

To stop being notified when Invoices are sent, [unsubscribe](#).



Counsel for Creators

Counsel for Creators
(213) 935-0745

2000 Riverside Drive
Los Angeles, California
90039
United States

Billed To



Date of Issue

10/22/2013

Invoice Number

CC3017

Amount Due (USD)

\$0.00

Due Date

10/22/2013

Description	Rate	Qty	Line Total
Draft Contract Draft licensing agreement for artists; modification of contract to client specs; research on royalty rates for art licensing; advise client on licensing agreement.	\$395.00	1	\$395.00
Subtotal			395.00
Tax			0.00
Total			395.00
Amount Paid			395.00
Amount Due (USD)			\$0.00

Notes

Thank you again for your business! I really do appreciate it and I look forward to helping you as you proceed in your new venture.

Terms

Invoices due upon receipt, payable by major credit card or check made out to Jonathan Tobin, Esq.

Counsel for Creators

Counsel for Creators
(213) 935-0745

2000 Riverside Drive
Los Angeles, California
90039
United States

Billed To



Date of Issue
11/08/2013

Due Date
11/08/2013

Invoice Number
CC3019

Amount Due (USD)
\$0.00

Description	Rate	Qty	Line Total
Time [Review Subpublishing Agreement with [REDACTED] Review/Analyse Subpublishing Agreement	\$250.00	1.4	\$350.00
Time [Review Subpublishing Agreement with [REDACTED] Draft Letter re issues w subpublishing agmt.	\$250.00	0.6	\$150.00
General Proofread/Review	\$35.00	1.5	\$52.50
Time [Review Subpublishing Agreement with [REDACTED] Modifications per client's instruction.	\$250.00	0.2	\$50.00
Time [Review Subpublishing Agreement with [REDACTED] Modifications per client's instructions	\$250.00	0.6	\$150.00
Subtotal			752.50
Tax			0.00
Total			752.50
Amount Paid			752.50
Amount Due (USD)			\$0.00

Notes

Legal services for collaboration between [REDACTED] [REDACTED] and [REDACTED]

Tak!

Terms

All invoices due upon receipt, payable by Mastercard or Visa.

EXHIBIT D

The Creators' Legal Program

Jonathan Tobin, Esq.

Counsel for Creators

<http://counselforcreators.com>

Good legal counsel can be crucial for many creative projects and businesses. However, the cost of legal services are often out of the price range of people who are using their resources to bootstrap something new into existence. The Creators' Legal Program seeks to remedy that by making quality counsel available to more people.

How Does It Work?

- You must be involved in a **creative project or business**.
- You can use this program for a total of six months. After those **six months** are through, you begin to pay my standard hourly rate.
- I will offer a **low rate of \$85/hr** to members of the Creators' Legal Program.

Why Are You Doing This?

- I want creative people who are not high income but who do not qualify for income-based legal aid to be able to afford competent, effective legal counsel.
- I want people who have never hired an attorney to understand the value that a good lawyer can bring to his or her project. Ideally, a lawyer should save you money and time. This gives you a way of testing that ideal without breaking the bank.
- I believe that we are at a time when the delivery of legal services is changing. The Creators' Legal Program is one way that I hope to meet the challenges and opportunities that such change brings and pioneer a new model for getting legal services to people who need them.

How Is This Possible?

I keep my overhead low: I do not maintain physical offices and I use software to do the job that filing systems and mail do in other law offices. I know how to run a tight ship. This gives me the flexibility to price aggressively for the term of the Creators' Legal Program.

I also know that a number of participants in the Creators' Legal Program will go on to become even more successful than they would have had they not been part of the program. I hope that after being pleased with the quality of legal services they receive they stay on as a regular client.

What Types of Matters Do You Handle?

In my everyday practice, I work primarily with people in the creative professions: artists, writers, software developers, designers, fabricators and product makers. That means that I typically do things involving intellectual property, contracts and business formation.

More specifically, I can help with things like: setting up a business entity; registering copyrights and trademarks; drafting contracts; reviewing/revising contracts; advising on technology related issues; licensing artwork; licensing software; and anything else that would arise in the daily operations of your creative venture.

How Do I Begin?

To participate, please send an email to:
clp@counselforcreators.com

Include **all** the following:

- Your first and last name.
- Your telephone number.
- Your address.

- The type of work that you do.
- Whether you are a sole proprietor or have established a business entity (LLC, corporation, partnership, etc.)
- Whether or not you have worked with an attorney before in your creative endeavors.
- The type of legal assistance you need most.

Once I receive this information, we will schedule a half-hour telephone consultation at a mutually convenient time. During that consultation I will learn more about you, your business and what you hope to get out of hiring an attorney.

If it seems like I am able to help you with your projects, I will then check for any possible conflicts of interest. If there are none, I will send you an engagement letter, which will inform you of the program details. Once you have signed the engagement letter, I can begin to represent you as counsel.

I am looking forward to it.

Jonathan Tobin is a California attorney who specializes in providing legal counsel to creative professionals and businesses. Prior to becoming a lawyer, Jonathan worked as a graphic designer and software developer for over a decade. This means that he is especially sensitive to the issues that creative professionals face. Jonathan graduated from the UCLA School of Law, where he was editor-in-chief of the UCLA Journal of International Law and Foreign Affairs.