

20. There have been many articles written evidencing the notoriety of the Gibson Marks. A cross section of these articles is attached hereto as Exhibit B.

21. As a result of the quality of the Gibson's products and the extensive sales, licensing and marketing, advertising and promotion of these products under the Gibson Marks, the Gibson Marks have become famous trademarks that are widely and favorably known by consumers in the United States and worldwide as designating high quality and dependable products originating exclusively from Gibson and its related companies.

22. The Gibson Marks have been famous in the United States, and elsewhere since long prior to the acts complained of herein.

**DEFENDANTS HAVE IMPROPERLY COPIED GIBSON'S MARKS AND ARE
CAPITALIZING ON THE ENORMOUS GOODWILL THAT GIBSON HAS BUILT IN THE
MARKS**

23. I am aware that Defendants offer for sale and sell products using the Gibson Marks ("Defendant's Unauthorized Products") (See Exhibits "B," "C," "D," and "E").

24. Gibson has not authorized nor licensed the Gibson Marks to be used on Defendant's Unauthorized Products utilizing the Gibson Marks.

25. I have looked at the Defendants websites at www.paperjamz.com (Defendant WowWee), www.walmart.com (Defendant Wal-Mart), www.amazon.com (Defendant Amazon), www.biglots.com (Defendant Big Lots), www.kmart.com (Defendant K Mart), www.macys.com (Defendant Macy's), www.target.com (Defendant Target), www.toyrus.com (Defendant Toys R Us), www.walgreens.com (Defendant Walgreen), www.brookstone.com (Defendant Brookstone), www.ebay.com (Defendant EBay), www.toywiz.com (Defendant ToyWiz), and www.hsn.com

1 (Defendant HSN). These websites appear to involve the supply of many types of products, of which
2 the products displaying the unauthorized Gibson Marks are a small percentage.

3 26. The aforementioned misuse of the Gibson Marks by Defendants is irreparably
4 damaging to the reputation and goodwill of Gibson and the Gibson Marks.

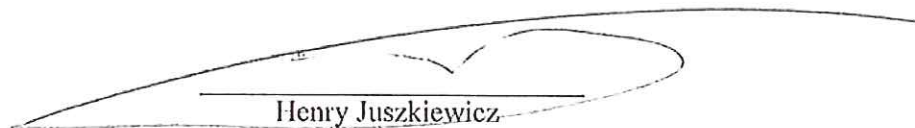
5 27. The continued misappropriation of the Gibson Marks by the Defendants will
6 irreparably harm Gibson by: (1) undermining Gibson's monumental investment in time and money
7 spent in building the value in the Gibson Marks; 2) eliminating Gibson's control over the distribution
8 of products displaying the Gibson Marks; 3) harming Gibson's reputation with the consuming public
9 and licensees; and 4) diminishing the sales of future products displaying the Gibson Marks by Gibson
10 and its authorized retailers.

11 28. In my experience in the music industry, once irreparable damage to a trademark has
12 been caused, it is nearly impossible to recover. The inability to police Gibson trademarks would lead
13 to industry wide copying and render the Gibson Marks worthless.

14 I declare under penalty of perjury under the laws of the United States of America, and the
15 State of California that the foregoing is true and correct.

16 Executed on November 18th, 2010 at Nashville, Tennessee.

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Henry Juskiewicz
Declarant

EXHIBIT A

Pictures of Famous Musicians Using the Gibson Marks

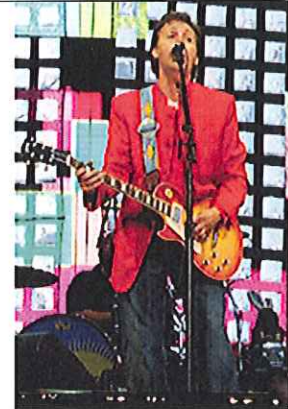
Les Paul Body Shape Design®, Les Paul Peg-Head Design®, and Bell-Shaped Truss Rod Cover Design®



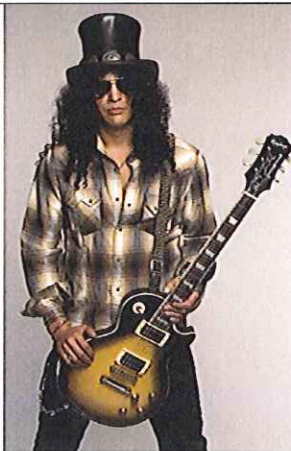
Elvis Presley



Michael Jackson with Slash



Paul McCartney of the Beatles



Slash

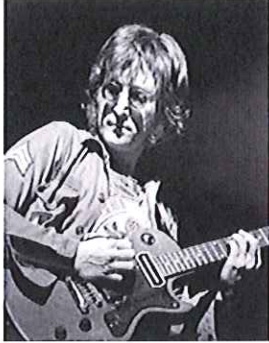


Ace Frehley of KISS

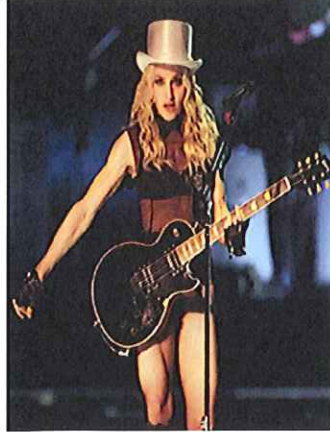


© David E. Levine

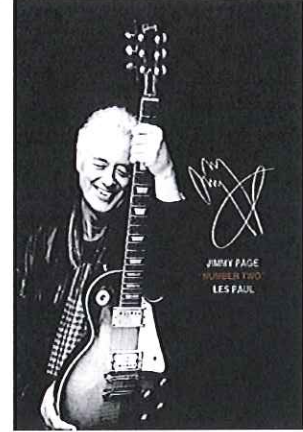
Jimmy Page of Led Zeppelin



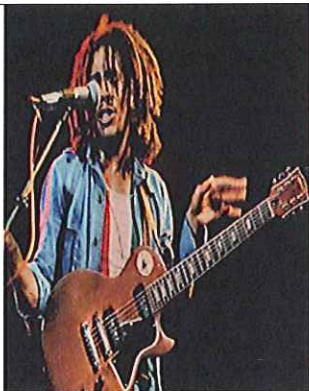
John Lennon of the Beatles



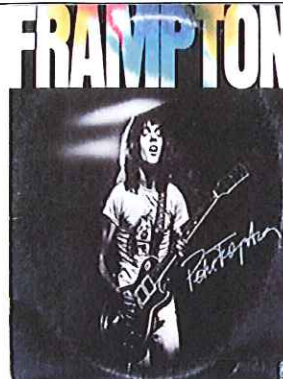
Madonna



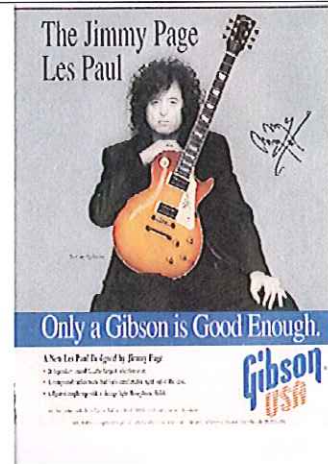
Jimmy Page



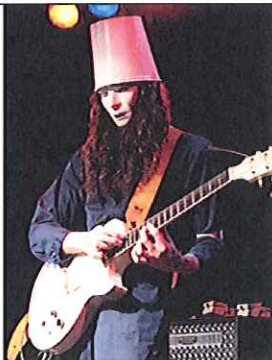
Bob Marley



Peter Frampton



Jimmy Page Les Paul Ad



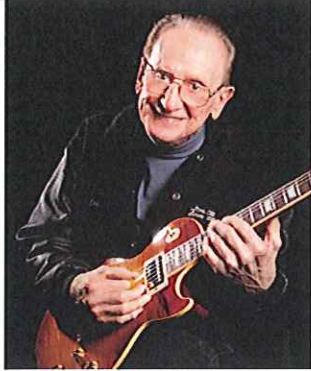
Buckethead



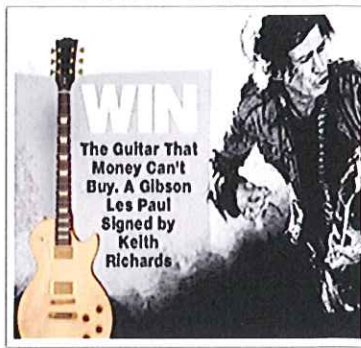
Spinal Tap



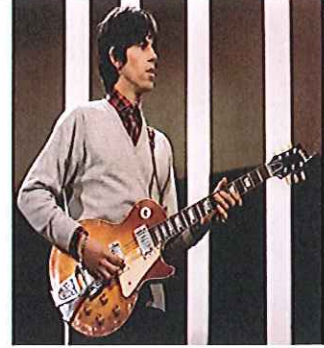
Les Paul and Mary Ford



Les Paul



Keith Richards Les Paul Ad

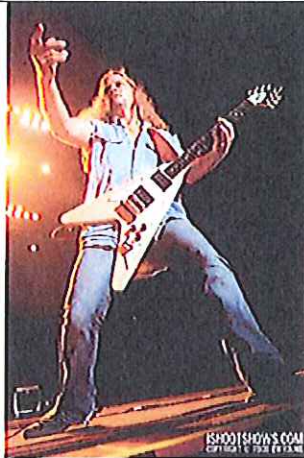


Keith Richards of the Rolling
Stones

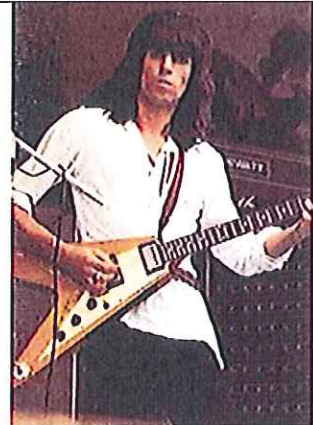
The Flying V Body Shape Design®



Eddie Van Halen



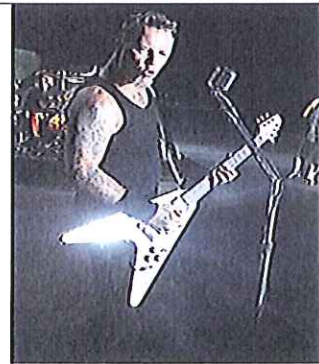
Frank Hannon of Tesla



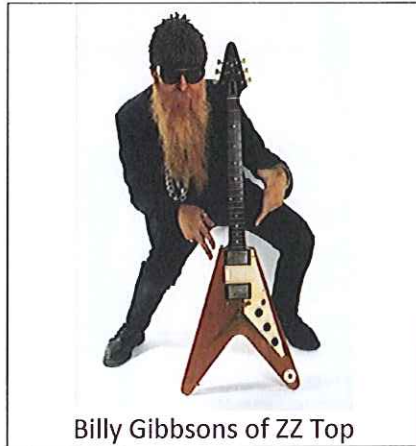
Keith Richards of the Rolling
Stones



Tom Petty

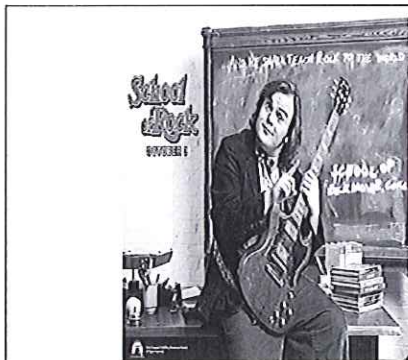


James Hetfield of Metallica

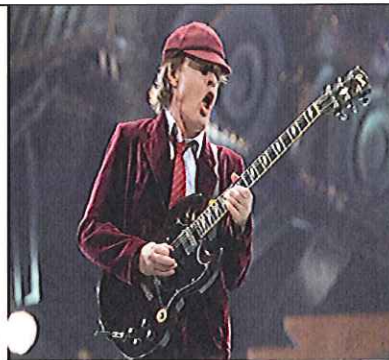


Billy Gibbons of ZZ Top

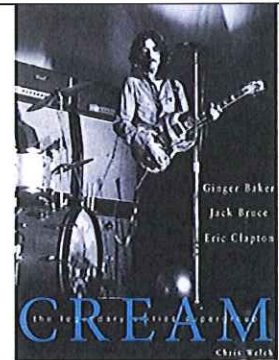
SG Body Shape Design®, Les Paul Peg-Head Design®, and Bell-Shaped Truss Rod Cover Design®



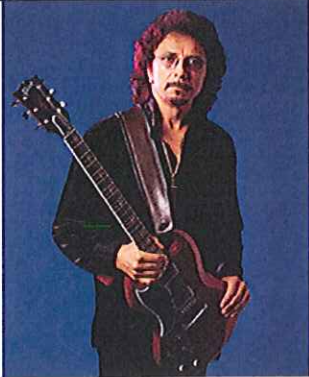
Jack Black



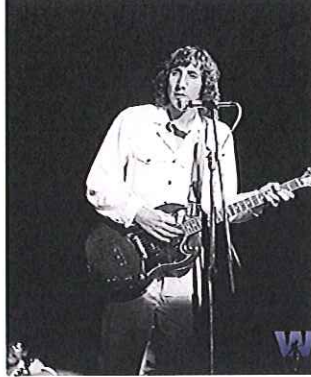
Angus young of AC/DC



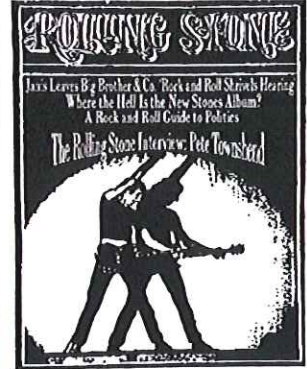
Eric Clapton



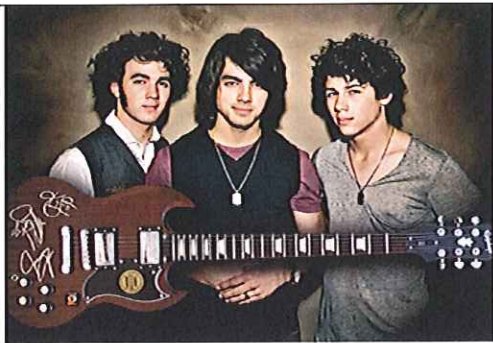
Tony Iommi of Black Sabbath



Pete Townshend of the Who



Pete Townshend on the cover of September, 1968 Rolling Stone magazine



The Jonas Brothers



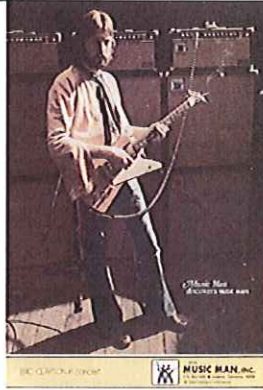
Robby Krieger Gibson Ad

Explorer Body Shape Design®, Kramer Peg-Head Design





The Edge of U2



Eric Clapton



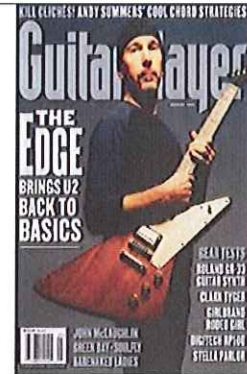
James Hetfield of Metallica



ZZ Top



Dave Grohl



The Edge Magazine Cover



Slash

EXHIBIT B

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Traditionalists in the music world may not have jumped on the Gibson Flying V band wagon in 1958, but there are probably a few guitar players and collectors who wish they had. This attention-getting instrument, the Gibson Flying V electric guitar, carried a price tag of \$247.50, plus \$75 for the case. That was a significant amount of cash at the time. But those who have held onto one of the early "Vs" or who purchased one a few years later, now hold a Gibson Flying V electric that is worth a bit more than the original price, even if you figure in 50 years of inflation.

According to the respected manual, Blue Book of Electric Guitars by S.P. Fjestad, the 1958 Gibson Flying V guitar "had very limited manufacture (estimated to be under 100 instruments). Original Flying Vs exhibiting some wear and no problems" have brought sale prices in the \$40,000 range. That number will probably rise as years pass.

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Gibson Flying V Guitar



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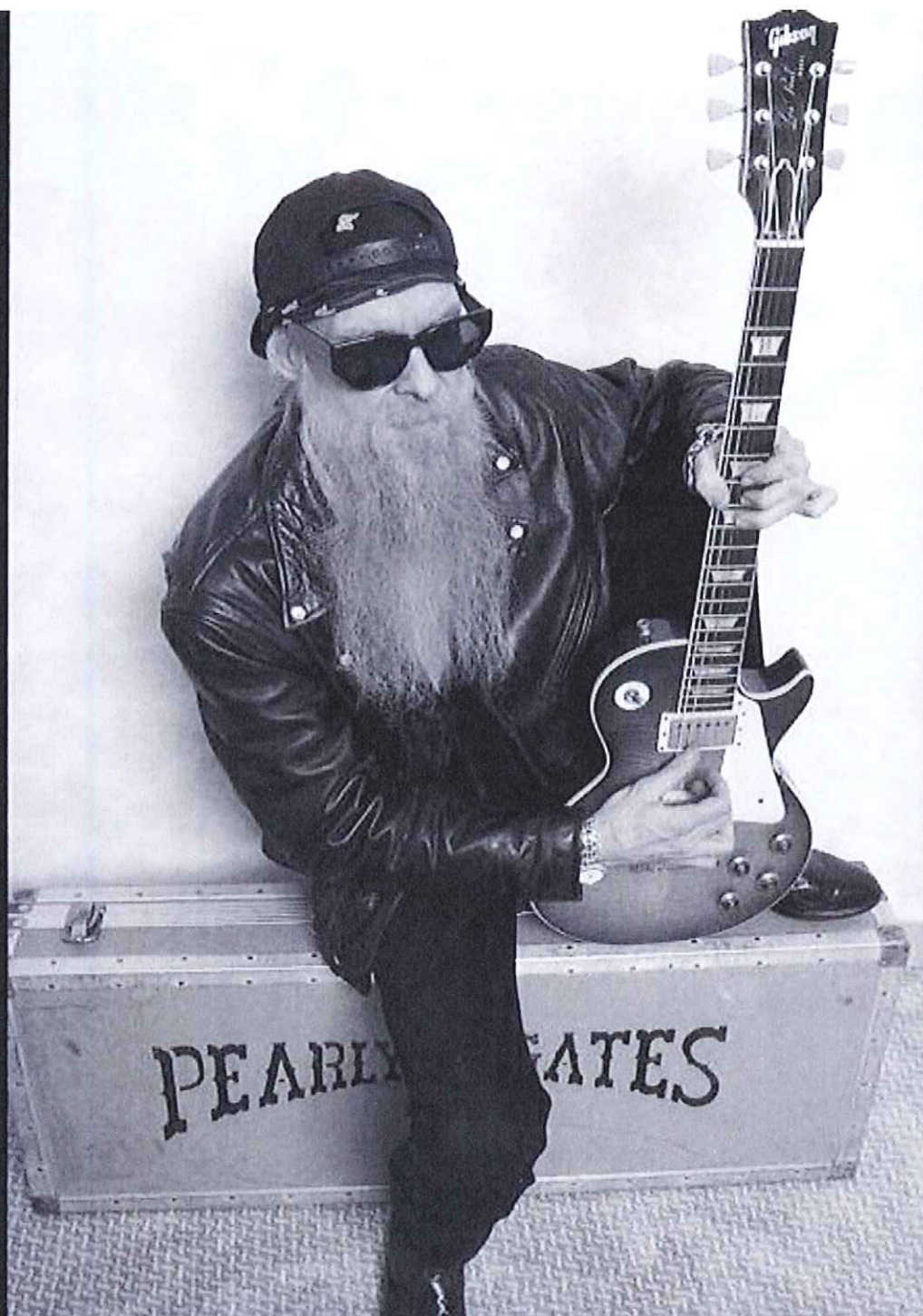
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ASK!



Of all the burst slingers that influenced many Sunburst Les Paul players of a later time, Billy Gibbons of ZZ Top is listed on top of the list, along with players such as Jimmy Page and Duane Allman. Here is his story about his beloved '59 Les Paul, widely known as Pearly Gates.

Billy Gibbons

ZZ TOP

"Tone" is a meaningful word, but really, the tone of Pearly Gates far exceeds the normal range of that word.

http://www.duaneallmansgoldtop.com/

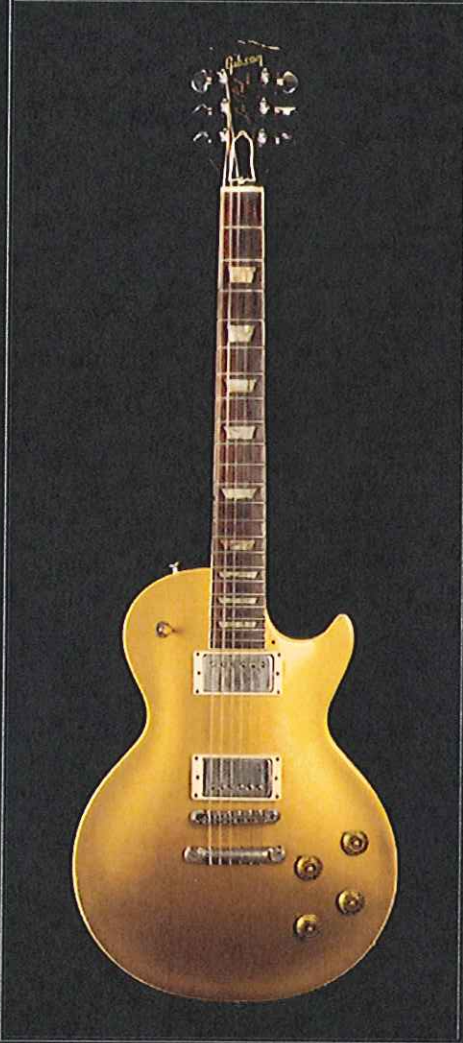
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Q Duane Allman and his Les Paul

DOCUMENTS **HISTORY** **DISCOGRAPHY** **PHOTOS** **CONTACT**

**The Home of
Duane Allman's 1957 Goldtop Les Paul**

"The Layla Guitar"



This is the 1957 goldtop Les Paul that Duane Allman purchased in early 1969, and is the guitar on which he learned and perfected his slide style. This was his primary instrument on the first two Allman Brothers albums, countless concerts, and perhaps most significantly, Duane's guitar of choice for almost the entire Derek & the Dominos "Layla" album.

Be sure to check out the Skydog Woody Project on the [Les Paul's Band](#) website including the new album "Guitar Magic" featuring recordings made with Duane's '57 Goldtop!

[See the album here! \(PDF\)](#)

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The Big House Museum

Bobby Whitlock

the some of best Acoustic Guitars.

I have researched these guitars not only from feedback here at GuitarSite.com, but also by communicating with retailers, and scouring the feedback and comments on a whole host of websites.

Sweetwater Top Guitars

1. Gibson Custom Les Paul Standard Silverburst
2. Wechter Maple Lake 2013
3. Epiphone G-400 Cherry
4. Squier Mini Strat
5. Paul Reed Smith SE Custom



Latest News

- Best Acoustic Guitar Brands
- Gibson Tone Tips: #43 - Fuzz Power
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- 99-xx Launches Peter Frampton Signature Megawah Pedal
- An Introduction to Sweep Picking
- Balancing "Practice" and Real Life!
- Learn 50 Killer Metal Guitar Licks Vol. 2 from Lick Library
- New Limited Edition 1960 Les Paul Standard from Epiphone

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The Top 10 Gibson Metal Guitar Solos of All Time

Submitted by GSite_Editor on Tue, 08/25/2007 - 12:12

By Chris Gill

Part One: The 70s and '80s

The definition of metal changes every decade as musicians continually push the genre to new extremes. But several elements have remained consistent throughout the years: distorted guitar, heavy riffs, and lightning-fast solos. Some of the greatest guitar solos ever recorded can be found on metal classics from the '70s and '80s, and many of those solos were recorded using Gibson guitars.

What makes a guitar solo great? While technical precision and speed are certainly important, a good solo should also be inventive and imaginative. The solo should support the song, and the best solos are ones that are so melodically strong that you can sing them while you wall away on your air guitar. All of the following solos meet those criteria, and, even better, they were all played on Gibson guitars!



"Whole Lotta Love"

Led Zeppelin, Led Zeppelin II [Atlantic, 1969]

Jimmy Page

Guitar: Gibson Les Paul Standard

Although it was released in 1969, "Whole Lotta Love" formed the foundation for hundreds of great heavy metal tunes that followed in the '70s, '80s, and beyond. Page's solo at the climax of the "orgasm" section exploded with primal fury, accentuated by double stomping power chords that defined "heavy" and "metal" with a one-two punch. The entirety of Led Zeppelin's second album is full of awe-inspiring solos, but with "Whole Lotta Love," Page made his point loud and clear that the guitar hero for the modern age of rock had arrived.



"Welcome to the Jungle"

Guns N' Roses, Appetite for Destruction [Geffen, 1987]

Slash

Guitar: Gibson Les Paul Standard

By 1987, every guitarist was shredding like mad and studying exotic scales at GIT. Slash ripped across the grain with his boozey and bluesy playing on "Welcome to the Jungle," which evoked Joe Perry's raunchiest moments with Aerosmith. Sure, other players may have had more polished technique, but few of them could match Slash's sweet emotion.

Mr. Gibson's V-Shaped Legacy - The Spark of Yahoo!

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Mr. Gibson's V-Shaped Legacy

By Chris Lindsey
Wed, January 7, 2009, 12:01 am PST

The flagrantly non-traditional shape of Gibson's Flying V electric guitar has been a symbol of rebellion for rebellion's sake in the rock n' roll world since they were first patented on this date in 1958. Blues-rock legend [Lonnie Mack](#) and the defied [Jimi Hendrix](#) began using them in the 1960s to emphasize their rock star individuality. In the 1980s, the "Flying V" shape was the most recognizable symbol of heavy metal (and [Hair Metal](#)) and led to a series of similarly-shaped guitars, including the [Jackson Rhoads](#) (built for [Ozzy Osbourne's](#) uncannily dexterous [Randy Rhoads](#)), the [Jackson King V](#) (built for [Robbin Crosby](#) of way bitchin' [Ratt](#)), and B.C. Rich's [Kerry King V](#), [Jr. V](#), and [Draco](#) models.

But is there more to the Flying V than just a funny shape? Is there some engineering rhyme or reason that gives it a unique sound or better playability? Designer and electric guitar pioneer [Ted McCarty](#) might have taken the answer to those questions to his grave.

Whatever the appeal is, the Flying V will forever be emblematic of rock's over-the-top awesomeness. I mean, imagine how un-awesome [this guy](#) would seem strumming a giant acoustic guitar in Times Square? And speaking of giant Flying Vs, way back in 2000, the Academy of Science and Technology in Texas built a [Guinness record-holding](#), 43 ft long, [playable](#) Flying V guitar ... for some reason.

If you want to use some of that leftover Christmas bonus (har har) to buy a regular-sized Flying V, I would have to recommend Gibson's new and award-winning [Robert Flying V Limited](#), which looks ridiculously cool and (get this) [tunes itself](#).

Suggested Sites...

[The Gibson Flying V Website](#) - not afraid to show its love for the Flying V.
[Flying V - Zuitar.com](#) - complete list (with photos) of every Gibson Flying V model ever made.
[V-Factor X Flying V - Gibson.com](#) - if you'd like to buy a new Flying V, Gibson would be happy to sell you one.
[A Brief History and Popular Models](#) - a lovingly-made pictorial history from a vintage guitar dealer in Chicago.

Directory categories: [Guitar](#), [Guitar Makers](#), [Guitar Makes and Models](#), [Hair Metal](#), [Hair Metal Artists](#)

Archived under: [Anniversaries](#), [Guitars](#), [Heavy Metal](#) and [Hard Rock](#), [History](#), [Invention](#), [Music](#), [Musical Instruments](#), [Musicians](#), [Rock and Roll](#)

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Gibson's Flying V

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Discover How You Can Play Blues With 4 Notes.
[BluesGuitarUnleashed.com](#)

[Windows Fix](#)

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Repair All File Types: (Like FENDER) Takes 3 min!
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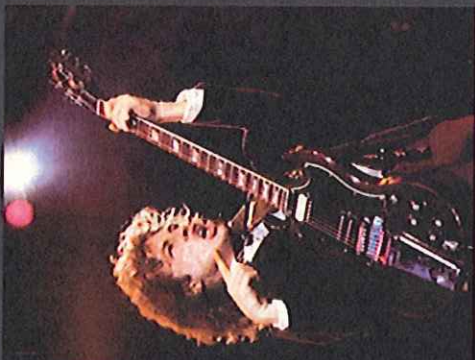
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"You Shook Me All Night Long"
AC/DC, Back In Black [Atlantic, 1980]

Angus Young

Guitar: Gibson SG Standard

Angus Young has always insisted that his main influence was the blues, and here he shows his roots in smashing form. But instead of fiddling about in the pentatonic box, Young delivers a rich, melodic solo that you can sing along with. An AC/DC classic.



Slash on Les Paul and Les Pauls

Posted In: '80s Rock, Classic Interview Series, Feature Stories, Frontpage, Interviews, Rock Guitar Interviews

Tags: les paul, slash

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GUITAR INTERNATIONAL EXCLUSIVE: 10 FREE OFFICIAL TABS FOR A NEW SONG EVERYDAY

FREE TABS FOR A NEW SONG EVERYDAY, PLUS MAJOR DISCOUNTS ONCE THE FREEBIES RUN OUT

By: Rick Landers
Photo Credit: Marc Canter

6

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Slash. The name alone conspires to attract and enthrall a cult following of guitarists and fans. Take the nonchalant tilt of a black top hat, a skull and bones talisman, a classic Les Paul, exotic good looks and mix it with voodoo charm and amazing chops and you've got yourself a bonafied Guitar Hero.

There's been plenty of ink put to paper about Slash, so let's run through a short list of some of his awards and honors to highlight his legacy. In 2005, *Esquire* magazine honored him with its Esquire Music Award for "Best Guitarist." He joined other guitar legends with his own star planted on Hollywood's Rock Walk of Fame (2007).

That same year, at the 4th Annual Metal Hammer Golden Gods awards, he was awarded the title of "Riff Lord." His guitar solo on "November Rain," garnered him several honors including the song being listed at number six on the "The 100 Greatest Guitar Solos," by *Guitar World* magazine.

Describing Slash as only he can, long-time friend Marc Canter has this to say about the guitar slinger in his book *Reckless Road: Guns n' Roses and the Making of Appetite for Destruction*:

"Slash is in a great place in his life. He has accomplished so much with his music, guitar playing and tone, the spirit in his guitar solos and the coolest rock image on the planet. He's been a monumental influence on guitar playing, leading to a huge wave of people picking up guitars and learning to play. And his love of Gibson's Les Paul guitars has been a major factor in keeping it the guitar of choice for

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The No.1 website for musicians

iPhone/iPad iOS music making app round-up: Week 14: Controllers, instruments, Djing, audio editing and tuition <http://bit.ly/eqqgTX> about an hour on [mrond](http://twitter.com/mrond)

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NAMM 2010: Gibson partners with Monster, reveals show lineup

Signature guitars and artist appearances

Press Release, Thu 14 Jan 2010, 12:38 pm UTC

PRESS RELEASE: Gibson Guitar, the world's leading musical instrument manufacturer and leader in music technology has partnered once again with Monster Cable, a leading manufacturer of high performance cable and power protection components as well as headphones, at NAMM 2010.

Both companies will exhibit in Booth # 4242 on the main convention hall floor. New signature guitar models, ultra high speed cables for HDMI, artist visits and demonstrations of the highly popular Gibson Dusk Tiger are among the highlights of this year's exhibit.

The two company's comprehensive new products are brought together by one unified message, "Because the Music Matters."

Gibson Guitar and Epiphone's offerings will include several new models from Gibson Custom, Gibson Acoustic, Gibson USA, Epiphone, Steinberger and Kramer. Among the many highlights guests of NAMM will have the opportunity for the very first-sneak peak at the new Slash "Appetite Les Paul" model scheduled to be launched later in the year.

The Aaron Lewis Gibson Acoustic model, Keb Mo Blues Master and the John Hiatt J45 Acoustic round out Gibson Montana's offering. Gibson USA will host daily demonstrations of the most technologically advanced guitar of all time, the Gibson Dusk Tiger. The Dusk Tiger represents state of the art technology in electric guitars and redefines what a guitar can do with the most advanced design in the industry and limited to only 1,000 produced worldwide.

Other Gibson USA offerings include the Zakk Wylde BFG model, the Angus Young SG, The Gibson Grabber Bass and the Gibson Holy Explorer. The Les Paul Standard and the Les Paul Supreme continue to honor the legendary Les Paul who passed away earlier this year and will be a center attraction to the jointly produced exhibit.

Related Links

NAMM 2010: the ultimate guide
News, rumours, analysis - it's all here

Poll

Ask MusicRadar: your nominations are in, so who is the greatest lead singer of all time?

- ☐ Matt Bellamy
- ☐ Frank Black
- ☐ Kurt Cobain
- ☐ Roger Daltrey
- ☐ Bruce Dickinson
- ☐ Ronnie James Dio
- ☐ Liam Gallagher
- ☐ Debbie Harry
- ☐ James Hetfield
- ☐ Mick Jagger
- ☐ Maynard James Keenan
- ☐ James LaBrie
- ☐ Geddy Lee
- ☐ John Lennon
- ☐ Paul McCartney
- ☐ Freddie Mercury
- ☐ Jim Morrison
- ☐ Morrissey
- ☐ Stevie Nicks
- ☐ Robert Plant
- ☐ Iggy Pop



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GREAT HARBING



EARL SLICK

NAMM 2010: Gibson partners with Monster, reveals show lineup

Signature guitars and artist appearances

Press Release, Thu 14 Jan 2010, 12:38 pm UTC

In addition to the exciting product line up from both companies, a daily schedule of artist appearances have been confirmed. Those confirmed include:

Thursday 14 January:

TBD: Kris Allen – Gibson guitar player Kris Allen, who recently released his self-titled debut album on Jive Records after winning season 8 of American Idol, will visit the Gibson booth on Thursday.

Friday 15 January:

TBD: Ted Nugent – A Gibson enthusiast and regular player of the hollow-bodied Gibson Byrdland guitar, famed hard rock guitarist Ted Nugent will make an appearance at the booth on Friday. To date, Nugent has released over 34 albums and sold more than 30 million records.

Saturday 16 January:

2:00 PM: Aaron Lewis – Acclaimed Staind frontman Aaron Lewis will perform an acoustic set and sign autographs in anticipation of the release of his upcoming Gibson Acoustic model. Staind's decade-long career has seen worldwide album sales in excess of 13 million and five #1 singles. Lewis is currently on a solo acoustic tour which kicked off New Year's Day in Las Vegas.

3:00 PM: Slash – The iconic guitarist and co-founder of Velvet Revolver will visit the Gibson booth in anticipation of both the new Slash "Appetite Les Paul" model from Gibson guitar and his debut solo album to be released in 2010. The Slash "Appetite Les Paul" guitar will join multiple other Gibson models designed with Slash that have become both classics and fan favorites.

TBD: Keb Mo – Celebrating the recent release of the Keb Mo Signature Acoustic Blues Master guitar, the legendary blues artist will visit the Gibson booth on Saturday. The Signature Acoustic Blues Master guitar honors the three-time Grammy winner by taking the sounds, the tradition and the history of blues music and putting them into an acoustic model that will inspire musicians throughout the ages.

Sunday 17 January:

TBD: 30 Seconds to Mars – Fronted by Jared Leto, rockers 30 Seconds to Mars released their third album, This is War, in December. The band will make an appearance at the Gibson booth on closing day.

Additional artist appearance will occur throughout the 2010 NAMM show including blues-rock guitarist Joe Bonamassa, glam metal group Steel Panther and the band of American Idol's Adam Lambert.

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- ☐ Martha Reeves
- ☐ Smokey Robinson
- ☐ Axl Rose
- ☐ Diana Ross
- ☐ Bon Scott
- ☐ Joe Strummer
- ☐ Steven Tyler

Exhibit 5