

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

THE FREECYCLE NETWORK, INC.,
an Arizona non-profit organization,

Plaintiff,

v.

TIM OEY and JANE DOE OEY,

Defendants

NO. CIV 06-173-TUC-RCC

AFFIDAVIT OF ROBERT A.
MATSON

DECLARATION OF ROBERT A. MATSON

I, Robert A. Matson, declare as follows:

1. I am a legal intern at the Law Firm of Hayes Soloway, P.C., 3450 E. Sunrise Drive, Suite 140, Tucson, Arizona 85718.
2. Upon researching TTAB decisions this year, I have discovered that the TTAB decided 31 cases of opposition to registration between January 1, 2006 and May 19, 2006. Out of these 31 cases, 20 oppositions were sustained by the Board (65%). This information was obtained from the USPTO website.
3. I have counted at least nine generic uses of the term "freecycle" or some variation thereof (freecycling, freecycles, etc.) on the single web page that was submitted as a specimen with the trademark application, attached as Appendix A.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.



Robert A. Matson

Date: May 25, 2006

APPENDIX A

freecycle

Changing the world one gift at a time.

home | Frequently Asked Questions | Start a Group | Other Resources

[Make a Donation](#)

Freecycle Groups:

- Canada
- International
- US Northeast
- US Central
- US Southern
- US Southwest
- US West Coast
- US Pacific
- All Groups

Newest Freecycles

- Cedar Springs
- Waterford
- Howard County

Biggest Freecycles

- freecycleportland(8263)
- AustinFreecycle(5542)
- freecyclenewyorkcity(5391)
- chicagofreecycle(3354)
- DFWFreecycle(5042)
- grfreecycle(4703)
- FreecycleDC(4396)
- FreecycleSeattle(3711)

1203 Cities! Others coming soon! If you want to start one, visit our Start-A-Group page.

If you know of one that isn't listed, let us know.



1858486

THE COUNTER:

Number of cities freecycling: 1203
Number of people freecycling: 392,415

Welcome!

The worldwide (1) Freecycle Network is made up of many individual groups across the globe. It's a grassroots movement of people who are giving (& getting) stuff for free in their own towns. Each local group is run by a local volunteer moderator (them's good people). Membership is free. To sign up, find your city by clicking on the region on the right. It will generate a automatic e-mail which, when sent, will sign you up for your local group and send you an response with instructions on how it works. Or, go directly to the webpage for your city's group by clicking on your city's link on the left. Can't find your city? It takes about ten minutes to start your own (click on "Start your own" for instructions). Have fun and keep on Freecycling!

The Freecycle Network is a project of RISE, Inc., a 501(c)3 nonprofit organization whose mission includes reducing waste, generating employment training, and fostering cooperation between other nonprofit organizations and the public.

RISE started the Freecycle Network in May 2003 to promote waste reduction in Tucson's downtown and help save desert landscape from being taken over by landfills. Freecycle provides individuals and non-profits an electronic forum to "recycle" unwanted items. One person's trash can truly be another's treasure!

How does Freecycling work?

One rule: everything posted must be free. Whether it's a chair, a fax machine, piano, or an old door to be given away, it can be posted on the network. Or, maybe you're looking to acquire something yourself? Respond to the posting directly and you just might get it. After that it is up to the giver to set up a pickup time for passing on the treasure.

Non-profit organizations also benefit from the Freecycle Network. Post the item or items you want to give away and a local organization can help you get it to someone in need.

Who can Freecycle?

As Abe Lincoln once said, "Think globally, recycle locally." The Freecycle Network is open to all cities and to all individuals who want to participate. Freecycle groups are run by local volunteer moderators from across the globe who facilitate each local group - Grassroots at its best!

- Alphabet! (08/18)
- ...slow the flow of trash (08/17)
- What is freecycle? (08/14)
- News Channel 10 - Freecycle... (08/13)
- FREE market rules (08/12)
- Free for all (08/11)



Sign Up!

To sign up for a Freecycle Yahooogroup, choose your region below. And then find the closest freecycle to your location. If you click [HERE](#), you will be taken to the website of your freecycle group. If you click [HERE](#), an email window will pop up. Send a blank email to the address in the 'to' field and you will be signed up shortly for that freecycle group. If you have any questions, please let us know!

- Canada
- International
- US Northeast
- US Central
- US Southern
- US Southwest
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- US Pacific

What information is on this website

Frequently Asked Questions - This is accumulated answers to questions, advice and general etiquette that you should read before joining the list.

Start A Freecycle Group - If you are interested in starting a Freecycle group in your area, this page will help you find out how we can help you.

Other Resources - A list of websites and other resources that are related to what Freecycle is doing. Recycling, trading, free resources, etc.