

- Paul D. Brandes and Jeutonne Brewer, *Dialect Clash in English: Issues and Answers*, The Scarecrow Press, 1977; *Choice*, Dec. 1977, 1354.
- James C. Raymond and I. Willis Russell, eds., *James B. McMillan, Essays in Linguistics by his Friends*, Univ. of Alabama Press, 1978; *Choice*, July/Aug. 1978, 684.
- Eva M. Burkett, *American English Dialects in Literature*, The Scarecrow Press, 1978; *Choice*, Mar. 1979, 53.
- James D. McCawley, *Adverbs, Vowels, and Other Objects of Wonder*, Univ. of Chicago Press, 1979; *Choice*, Jan. 1980, 138.
- Andrew Ortony, ed., *Metaphor and Thought*, Cambridge Univ. Press, 1979; *Choice*, Apr. 1980, 96.
- Thomas Pyles, *Selected Essays on English Usage*, ed. by John Algeo, Univ. of Florida Press, 1970; *South Atlantic Quarterly*, Autumn 1980, 460–1.
- Raven I. McDavid, Jr., *Dialects in Culture*, ed. by William A. Kretzschmar, Jr., et al., Univ. of Alabama Press, 1970; *South Atlantic Quarterly*, Winter 1981, 113–15.
- Albert Valdman and Arnold Highfield, eds., *Theoretical Orientations in Creole Studies*, Academic Press, 1980; *Choice*, Sept. 1981, 159.
- George Lakoff and Mark Johnson, *Metaphors We Live By*, Univ. of Chicago Press, 1980; *South Atlantic Quarterly*, Winter 1982, 128–29.
- Richard A. Spears, *Slang and Euphemism: A Dictionary*, Jonathan David Publisher, 1981; *Choice*, May 1982, 55–56.
- Hugh Rawson, *A Dictionary of Euphemisms and Other Doubletalk*, Crown Publishers, 1981; *American Speech* (58) 1983, 60.
- Jim Quinn, *American Tongue and Cheek: A Populist Guide to Our Language*, Pantheon, 1981; *American Speech* (58) 1983, 60.
- Donald Koster, ed., *American Literature and Language: A Guide to Information Sources*, Gale Research Co., 1982; *American Speech* (58) 1983, 188.
- Robert Fiengo, *Surface Structure: The Interface of Autonomous Components*, Harvard Univ. Press, 1980; *American Speech* (58) 1983, 188.
- Wm. E. Kruck, *Looking for Dr. Condom*, Publication of the American Dialect Society, no. 66; *South Atlantic Quarterly*, Summer 1983, 348.
- Derek Bickerton, *Roots of Language*, Karoma Press, 1981; *South Atlantic Quarterly*, Autumn 1983, 456–58.
- Walter M. Brasch, *Black English and the Mass Media*, Univ. of Massachusetts Press, 1981; *South Atlantic Quarterly*, Winter 1983, 106–7.
- Dennis Baron, *Grammar and Good Taste*, Yale Univ. Press, 1982; *South Atlantic Quarterly*, Autumn 1984, 471–72.
- Wolfgang Viereck, Edgar W. Schneider, and Manfred Görlach, *A Bibliography of Writings on Varieties of English*, John Benjamins, 1984; *American Speech* (60) Spring 1985, 88.
- Raymond Chapman, *The Treatment of Sounds in Language and Literature*, Blackwell, 1984; *South Atlantic Quarterly*, Spring 1986, 208–9.
- Laurence Urdang, et al., *-ologies and -isms*, 3rd. ed., Gale Research, 1986; *American Speech* 61 (1986), 280.
- Wayne Dynes, *Homolexis*, Gay Academic Union, 1985; *American Speech* (63) 1988, 175–76.
- Barbara Leeds, *Fairy Tale Rap: "Jack and the Bean Stalk" and Other Stories*, 1990; *American Speech* 66 (1991), 104.
- Judith N. Levi and Anne Graffam Walker, eds., *Language in the Judicial Process*, 1990; and Roger W. Shuy, *Language Crimes: The Use and Abuse of Language Evidence in the Courtroom*, 1993; *American Speech* 68 (1993), 109–12.
- Joseph E. Holloway and Winifred K. Vass, *The African Heritage of American English*, 1993; *Anthropological Linguistics* 36 (1994), 274.
- Traute Ewers, *The Origin of American Black English: Be-forms in the HOODOO Texts* (1996); *Language* 74 (1998), 384.
- James Milroy and Leslie Milroy, *Authority in Language: Investigating Standard English*. Third edition, 1999. *American Literature* 72 (2000), 668–69.

6. Conference Papers and Invited Lectures (unpublished only; published conference papers are listed in [1] above)

- "Concerning Linguistic Studies of Literary Style," North Carolina State Univ. Graduate English Society, 26 Feb., 1971 [invited lecture].
- "On the Nature of Linguistic Data," Univ. of North Carolina Linguistics Circle, 14 Oct. 1971 [invited].
- "The Psychological Reality of Sociolinguistic Models," Georgetown Univ. Sociolinguistics Seminar, 6 Dec. 1972 [invited].
- "What is 'Data' in the Expanding Domain of Linguistics?" Conference on "The Expanding Domain of Linguistics," Univ. of Texas at Austin, 26–27 Mar. 1973 [invited].
- "Have (to)," Linguistic Society of America Summer Meeting, Ann Arbor, Michigan, July 1973.
- "Linguistic Variation in Wilmington, N.C.," Southern Anthropological Society, Blacksburg, Virginia, Apr. 1974.
- "Getting a Linguistics Program Started?" South Atlantic Modern Language Association, Dec. 1974 [invited].
- "A Linguistic View of the Basics in English," Symposium on "What's Behind the Basics," Univ. of North Carolina at Greensboro, 1976 [invited].
- "What's Worth Teaching in the Language Arts," North Carolina State Department of Human Resources, Division of Youth Services, First Annual Teachers Conference, Raleigh, NC, 1977 [invited].

- "ARGUMENT IS WAR: Lakoff and Johnson on *Metaphors We Live By* Once in a While," Department of English, Univ. of Tennessee at Knoxville, 25 Nov. 1980 [invited].
- "How to Read What Your are Trying to Write," Duke Univ. East/West Conference, 25 Sept. 1980 [invited].
- "Can White Folks Speak Black English?" Virginia Commonwealth Univ. Linguistics Circle, Richmond, 4 Dec. 1981 [invited].
- "Dialect Interference in the Writing Process," State of North Carolina Department of Public Instruction Reading/Writing Institute, Wake Forest Univ., 22 June 1982 [invited].
- "Benjamin Franklin, Orthoepist," Philological Association of the Carolinas, Chapel Hill, NC, 2 Mar. 1984.
- "Problems of Scholarly Publishing in the Field of Dialectology," Midwestern Modern Language Association, 1 Nov. 1984 [panel discussion; invited].
- "Language and Law: Applied Linguistics," Southeastern Conference on Linguistics, Univ. of South Carolina, Columbia, 1985.
- "The Linguist as Expert Witness," Conference on Language in the Judicial Process, Georgetown Univ., 27 July 1985 [interest group leader; invited].
- "Come Here Till I Punch You on the Nose," American Dialect Society, Chicago, 1985. [Beth Day, 2d author]
- "From Tape and Questionnaire: Labovian and Post-Labovian Methodologies," Philological Association of the Carolinas, Charleston, SC, 1986.
- "Linguistic Convergence in a Southern Community," Univ. of North Carolina at Chapel Hill, 18 Mar. 1986 [invited].
- "Sociolinguistic Convergence and Divergence," Universität Bamberg, 28 May 1986 [invited].
- "Sociolinguistic Convergence in the American South," Universität Freiburg, 2 June 1986 [invited]; Universität Stuttgart, 19 June 1986 [invited]; Universität Bamberg, 18 June 1986 [invited]; Technical Univ. of Aachen, 7 July 1986 [invited].
- "The Death of Black English?" Univ. of Georgia, Athens, 29 May 1987 [invited].
- "The Double Modal in U.S. Black English," Sixteenth Annual NWAWE Conference, Univ. of Texas, Austin, 1987.
- "The Death of Black English," South Atlantic Modern Language Association, Atlanta, 1987.
- "The Future of Black English: The Status of the Convergence/Divergence Controversy," Department of Linguistics, Univ. of South Carolina, Columbia, 1988 [invited].
- "Current Issues in Convergence and Divergence," Texas A&M Univ., 1988 [invited].
- "Linguistic Profit," Southeastern Conference on Linguistics, Norfolk, VA, 1989.
- "The Death Penalty Verdict: Language, Race, and Bigotry in a Rural Southern Courtroom," Eighteenth Annual NWAWE Conference, Duke Univ., 1989.
- "Incorporating Dialect Diversity into the English Classroom," NCTE, Baltimore, 1989. [discussant]
- "Oldest Living Confederate Widow Tells More Than She Knows: Dialect, Fiction, and Capital Crimes," Philological Association of the Carolinas, Myrtle Beach, SC, 1990 [invited plenary lecture].
- "Linguistic Dimensions of the Death Penalty in the American South," Law and Society Association (session on Legal Applications of Scholarly Knowledge: Linguists as Expert Witnesses), Oakland, CA, 1990 [invited].
- "Issues in Language and Law," Institut für Englische Philologie, Freie Universität Berlin, 19 July 1990 [invited].
- "What is About to Take Place Is a Murder": Construing the Racist Subtext in a Small-Town Virginia Courtroom," North Carolina State Univ. Linguistics Forum, Raleigh, North Carolina, 1 Feb. 1991.
- "The Slang Meanings of *suck* in American English: What a Trial Judge and Jury Might Need to Know," Thirteenth Annual Spring Linguistic Colloquium, Linguistic Circle of the Univ. of North Carolina, Chapel Hill, March 1993.
- "Appropriating the Exotic Identity: Sociolinguistic Perspectives on the Moroccan-American Triple Bind," Conference on "Croisement des Cultures: Monde Arabe-USA," Cadi Ayyad Univ., Marrakech, Morocco, 16 Apr. 1993 [invited].
- "This Case Sucks!: Free-Speech Issues in Anti-Drug Propaganda and Public High Schools," Law and Society Association (session on Linguists in the Judicial Process), Chicago, May 1993.
- "The Imitation of Dialect for Illegal Purposes: An Empirical Study," Twenty-Second Annual Conference on New Ways of Analyzing Variation in English and Other Languages, Oct. 1993 [Thomas Espy, and Kent Altsuler, 2nd authors].
- "The Imitation of Dialect for Illegal Purposes: An Empirical Study," Triangle Linguistics Club, Research Park, NC, Oct. 1993 [invited paper; Thomas Espy, and Kent Altsuler, 2nd authors].
- "The Imitation of Dialect for Illegal Purposes," Law and Society Association (session on Linguists in the Judicial Process), Phoenix, AZ, June 1994.

- "How Private is Your Toilet? Anatomy of a Harmful-Speech Debate," Fourth Annual Lavender Languages and Linguistics Conference, The American Univ., Washington, DC, 27 Sept. 1996 [Jason D. Hall, 2d author].
- "Why Dictionaries Can't Deal Adequately with *redskins*," Dictionary Society of North America, Madison, WI, May 1997.
- "What Patients Really Know about the Terms Used in Obtaining Informed Consent: False Comfort, Unreasonable Fear, and 'Medical Research'," Third Biennial Conference, International Association of Forensic Linguists, Duke Univ., Durham, NC, 5 Sept. 1997 [Jeremy Sugarman, 2d author, and Lyla Kaplan, 3d author].
- "Variation and Terms for 'Medical Research': Unreasonable Fear Versus Informed Consent," American Dialect Society Annual Meeting, New York City, 10 Jan. 1998. [Lyla Kaplan, 2d author, and Jeremy Sugarman, 3d author]
- "Legal and Ethical Considerations in Informed Consent Discussions: Lexical Choice for Terms Relating to 'Medical Research'," Law and Society Association, Aspen, Colorado, June 1998. [Lyla Kaplan, 2d author, and Jeremy Sugarman, 3d author]
- "Virtuous Prescriptivism," American Dialect Society Annual Meeting, Los Angeles, 9 January 1999.
- "Language and Law: Three Case Studies in Forensic Linguistics," Department of Linguistics, Univ. of Georgia, 23 April 1999. [invited lecture]
- "Pushing the *Envelope* : Talking Fancy Across Gender and Region," 28th Annual Conference on New Ways of Analyzing Variation in English and Other Languages, Toronto, October 1999. [Boyd Davis, first author]
- " 'We didn't realize that lite beer was supposed to suck!': The Putative Amelioration of *X sucks!* in American English," American Dialect Society, January 6, 2000.
- "Variation in Interpretation: Ideological Responses to a 'Harmful' Flier—Part II: Public Responses," 29th Annual NWAWE Conference, Michigan State Univ., October 2000.
- "Emma Gets her Driving License: Life Imitating Art in Oral Narratives," South Atlantic Modern Language Association, Birmingham, Alabama, 12 November 2000.
- "Literary Qualities in Sociolinguistic Narratives of Personal Experience," American Dialect Society Presidential Address, January 2001.
- "Linguistics Across the Curriculum," Southeastern Conference on Linguistics, Knoxville, Tennessee, 6 April 2001 (invited panel member).
- "The Role of Linguistics in Regional Humanities Centers," Southeastern Conference on Linguistics, Knoxville, Tennessee, 6 April 2001 (invited panel member).
- "Genericness in Lexicography, General Linguistics, and American Trademark Law," Fifth Biennial Conference, International Association of Forensic Linguists, University of Malta, July 2001.
- "Electronic Searches as Sources of Data for Social Variation in the Lexicon," 3rd UK Language Variation and Change Conference, University of York, July 19–22, 2001.
- "Current Sociolinguistic Issues in African American Vernacular English," International Association of University Professors of English, Jubilee Conference, University of Bamberg, Germany, July 29– August 4, 2001 (invited paper).
- "Genericness in Lexicography, General Linguistics, and American Trademark Law," 30th Annual Conference on New Ways of Analyzing Variation in English and Other Languages, Raleigh, NC, October 2001. [invited paper].
- "The Emergence of Hispanic English in the Rural South," Southeastern Conference on Linguistics, Memphis, Tennessee, 20 April 2002. [4th author, with Beckie Moriello, Walt Wolfram, and Michael Oles]
- "Trademark, Metaphor, and Synecdoche in Dictionary Labeling," Dictionary Society of North America, Durham, North Carolina, May 2003. [Jennifer Westerhaus, first author]
- "Trademark Genericide in Specialized Communities," Sixth Biennial Conference, International Association of Forensic Linguists, University of Sydney, Sydney, Australia, July 2003. [Jennifer Westerhaus, first author]
- "Variation in Southern Trademarks: Regionalisms that One May Can Own," Third Conference on Language Variation in the South, Tuscaloosa, Alabama, April 17, 2004.
- "Global Influence on the Rate of Trademark Genericide," Law and Society Association, Chicago, IL, May 29, 2004. [Jennifer Westerhaus, 1st author]
- "Evidence of the Rehearsal of a Videotaped Confession as Support for a Diminished Capacity Defense in USA Death-Penalty Trials," Cardiff University Conference on Forensic Linguistics, Gregynog Hall, University of Wales, July 5, 2004.
- "Fay Etrange of Kuntzville: Names in Queer Novels before Stonewall," American Name Society, Oakland, CA, January 6, 2005.

- "The Linguist as Dictionary," Southeastern Conference on Linguistics, Raleigh, NC, April 9, 2005. [Jackson Nichols, 1st author]
- "The Credentials of Linguists Testifying in American Trademark Litigation," Law and Society Assoc., June 3, 2005.
- "The Dictionary Treatment of Similatives," Dictionary Society of North America, Boston, MA, June 9, 2005. [Sarah Hilliard, 2nd author]
- "Similatives in Recent English: The Case of *whisper quiet*," First International Conference on the Linguistics of Contemporary English, Edinburgh, Scotland, 25 June 2005.
- "What Can Go Wrong When Linguists Testify in American Trademark Litigation," International Association of Forensic Linguists, Cardiff, Wales, July 3, 2005. [Jackson Nichols, 2nd author]
- "The Credentialing of Linguists Who Testify in American Trademark Litigation," Language and the Law: East meets West, Department of English Language, University of Lodz, Poland, September 12–14, 2005.
- "The American Linguistic Consultant in American Trademark Litigation: Current Issues," European Forensic Linguistic Conference, Barcelona, Spain, September 14, 2006. [invited plenary lecture]
- "Discourse Analysis: Instant Messages and 'Sexual Predator' Prosecutions," Department of Linguistics, University of Florida, Gainesville, March 1, 2007. [invited lecture]
- "Forensic Linguistics and American Trademark Law," Department of Linguistics, Georgetown University, Washington, DC, April 10, 2007. [invited 90-minute lecture]
- "The discourse of operatives working to catch sexual predators in IM messages," Department of Linguistics, Georgetown University, April 11, 2007. [invited lecture]
- "Legal Evidence and Lexicographical Methodology: *Life's Good*," Dictionary Society of North America, Chicago, June 2007.
- "Discourse Analysis of Instant Messages Used as Incriminating Evidence in 'Sexual Predator' Prosecutions," International Association of Forensic Linguists, Seattle, July 2007. [Tyler Kendall & Phillip Carter, 2nd and 3rd authors]
- "*Perverved Justice*: The Instant Messages of Some Convicted 'Sexual Predators'," Law and Society Association, Berlin, Germany, July 2007. [Phillip Carter and Tyler Kendall, 2nd and 3rd authors]
- "IM Traps and Broadcast Surprises: *Perverved Justice* on NBC-TV," Georgetown University Round Table Conference in Linguistics, Washington, DC, March 14–16, 2008. [Phillip Carter and Tyler Kendall, 2nd and 3rd authors]
- Co-chair (with Edward Finegan, University of Southern California), Organized Session on "Ethical Issues in Forensic Linguistic Consulting," Linguistic Society of America, San Francisco, California, January 2009.
- "The Forensic Linguist's Professional Credentials," Organized Session on "Ethical Issues in Forensic Linguistic Consulting," Linguistic Society of America, San Francisco, California, January 2009. [session organized by Edward Finegan and Ronald Butters]
- "Forensic Linguistics and Linguistics Scholarship," Southeastern Conference on Linguistics, Tulane University, New Orleans, Louisiana, April 6–9, 2009 [invited plenary lecture]
- "A Harmless Drudge at Work: The Thoroughly Tedious Etymology of *crack* 'smokable cocaine'," Dictionary Society of North America, Bloomington, Indiana, May 2009.
- "Resolving Unresolvable Ambiguity in an Expert Witness's Testimony: A Court Reporter's Impossible Task in An American Death-Penalty Trial," International Association of Forensic Linguists, Amsterdam, The Netherlands, July 2009. [Tyler Kendall, second author]
- "Forensic Linguistics," Universität Bamberg, Germany, April 27, 2010. [invited lecture]
- "The Divergence Controversy Revisited," Universität Regensburg, Germany, April 29, 2010. [invited lecture]
- "Trademarks as Linguistic Objects," Masaryk University, Brno, Czech Republic, May 3, 2010. [invited lecture]
- "'I am a needy petite woman': Judging the Real Age of Participants in IM Sex Talk 'Enticement' Conversations," Aston University, Birmingham, England, May 5, 2010. [invited lecture]
- "Trademarks as Linguistic Objects in Civil Litigation," Aston Univ., Birmingham, England, May 6, 2010. [invited lecture]
- "Imaginative Leaps in Trademark Law," International Association of Forensic Linguists, Aston University, Birmingham, England, July 2011.
- "Ethics in Forensic Linguistics," International Association of Forensic Linguists, Aston University, Birmingham, England, July 2011. [invited plenary lecture]
- "'I am a needy petite woman': Judging the Real Age of Participants in IM Sex-Talk 'Enticement' Conversations," International Pragmatics Association, Manchester, England, July 2011.

Other Professional Activities

- Southeastern Conference on Linguistics: Member of the Executive Committee, 1969–70, 1984–86; Member of the Nominating Committee, 1972–74; Program Committee Member, 1981–84; Vice-President, 1982; President, 1983; Local Arrangements Committee Chair, Spring meeting, Duke Univ., 23–24 Mar. 1984.
- Secretary of the Linguistics Section, South Atlantic Modern Language Association, 1970; Chairman 1971.
- National Endowment for the Humanities Grant: Linguistic Variation in the Spoken English of North Carolina, 1973–74.
- Chairman, South Atlantic Section, American Dialect Society, 1979; Nominating Committee member 1980–82.
- Consultant, Alamance County Schools Junior High Program for Gifted Students, 29 Oct. 1980. Consultant, Lexington Senior High School English Program, 1981. Consultant, Project on Linguistics in the Undergraduate Curriculum, Linguistic Society of America, 1985–86. Consultant, "English and the American South," Tennessee Humanities Council, Apr. 1989. Consultant on historical dialects of American English for Journey Communications, Alexandria, VA, 1993 (dialects of actors portraying figures in the life of Thomas Jefferson—production for PBS). Consultant for various publishers, including NCTE, Duke Univ. Press, Scott Foresman, D.C. Heath, Univ. of Alabama Press, Univ. of Wisconsin Press, Pergamon Press, Blackwell, Cambridge Univ. Press, and Prentice-Hall. Consultant, various years, to other universities (promotion and tenure decisions): Univ. of Utah, Univ. of Minnesota at Duluth, Georgetown Univ., Mississippi State Univ., Univ. of Massachusetts at Boston, Texas A&M Univ., Univ. of Minnesota at Minneapolis, North Carolina State Univ., Univ. of Houston, Univ. of North Carolina at Greensboro.
- Panel Member, Soundings, "The State of the Language," National Humanities Center's weekly public affairs radio program (distributed in five parts to 250 U.S. radio stations and the Voice of America), Spring 1983. Second panel, "American English Today," broadcast Fall 1984.
- Member of Advisory Committee, Compendium of Non-Mainstream English, Center for Applied Linguistics, Washington, DC, 1984–86.
- National Endowment for the Humanities research proposal evaluator, various years beginning 1984.
- Advance Placement Examination reader in English Literature, Educational Testing Service, Princeton, NJ, June 1985.
- National Science Foundation research proposal evaluator, various years beginning 1987.
- Member, Executive Committee, Modern Language Association Division on Language Theory, 1988–1993. Chair, 1991.
- Visiting Scholar, Center for Applied Linguistics, Washington, DC, 1 Dec. 1988–1 June 1989.
- Program Organizer (for the American Dialect Society) of the Joint Conference of the American Dialect Society and the Society for Caribbean Linguistics, Trinidad, 27–30 Aug. 1986. Organizer, "Linguistics and Legal Issues," American Dialect Society and the Linguistic Society of America, Chicago, 5 Jan. 1991. Organizer, Eighteenth Annual Conference on New Ways of Analyzing Variation in English and Other Languages, meeting at Duke Univ., 20–22 Oct. 1989. Organizer, "Linguists in the Judicial Process," Law and Society Association (meeting in Chicago, May 1993). Organizer, Triangle Linguistics Club, Research Triangle Park, North Carolina (with Walt Wolfram, North Carolina State Univ., and Randy Hendrick, Univ. of North Carolina, Chapel Hill), 1994–. Organizer, "Language in the Judicial Process," Law and Society Association (meeting in Phoenix, June 1994). Organizer, "Special Symposium: Linguistic Theory in the 1980s," Southeastern Conference on Linguistics, 1985. Local Arrangements Committee Chair, International Association of Forensic Linguists (September 1997 meeting). Local arrangements committee chair, meeting of the Dictionary Society of North America at Duke University, Durham, North Carolina, May 29–31, 2003. "The Forensic Linguist's Professional Credentials," Organized Session on "Ethical Issues in Forensic Linguistic Consulting," Linguistic Society of America, San Francisco, California, January 2009. [session organized by Edward Finegan and Ronald Butters]
- Member of the Delegate Assembly, Modern Language Association (for the Division on Language Theory), 1991–94.
- American Dialect Society Delegate to the American Council of Learned Societies, 1992–96.
- Vice President, American Dialect Society, 1997–98; President 1999–2000.
- Member of the Advisory Board, Linguistic Atlas of the Middle and South Atlantic States, 1981–.
- Member of the Advisory Board, United States Dictionaries Program, Oxford Univ. Press, 1997–.
- Vice President, International Association of Forensic Linguists, 2007–8.
- Acting President, International Association of Forensic Linguists, 2008–9.
- President, International Association of Forensic Linguists, 2009–11.
- Member, Linguistic Society of America Committee on Professional Ethics

Professional Organizations and Memberships

- American Dialect Society, American Name Society, Asociación de Linguística y Filología de América Latina, Dictionary Society of North America, International Association of Forensic Linguists, Law and Society Association, Linguistic Society of America, South Atlantic Modern Language Association, Southeastern Conference on Linguistics (founding member), International Language and Law Association (founding member), *Who's Who in America* 1995–.

Ronald R. Butters, Testimony Record
March 29, 2007–March 29, 2011

1. TPI Holdings and Trader Publishing Company v. Josh Bond d/b/a Rainforest Consulting, Inc., United States District Court for the Middle district of Tennessee, Nashville Division. Deposition testimony, April 20, 2007.
2. Lucas Oil Products, Inc., v. OAO Lukoil et al., United States District Court, Southern District of New York. Deposition testimony, May 31, 2007.
3. Verizon California Inc., et al. v. Maltuzi LLC, et al., United States District Court, Central District of California, Western division. Deposition testimony, November 26, 2007.
4. Larry Dwayne Register v. Lake Shore Hospital and Quality First Care, Circuit Court, Third Judicial District, in and for Columbia County, Florida. Case Number 06-352-CA. Deposition testimony, February 6, 2008.
5. Nike, Inc., v. Gregory A. Bordes, United States Patent and Trademark Office Trademark Trial and Appeal Board. Deposition testimony, September 10, 2008.
6. State of Florida v. Michael Gordon Reynolds, In the Circuit Court for the Eighteenth Judicial Circuit, in and for Seminole County, Florida. Case No. 98-CF-3341-A. Hearing testimony concerning State's Motion to Correct the Record (re: court reporter's interpretation of an ambiguity in expert testimony in a capital homicide trial). October 24, 2008.
7. Société des Bains de Mer et du Cercel des Étrangers a Monaco v. Playshare PLC, Grand Monaco Ltd., Gamshare (UK) Ltd., Lucan Toh, Maxwell Wright, Hillstead Ltd., United States District Court, Southern District of New York. Case No. 07 Civ. 4802 (DAB). Deposition testimony, 13 March 2009.
8. Walgreen Co. v. Wyeth, United States District Court for the Northern District of Illinois, Eastern Division. Case No. 08CV5694. Deposition testimony, May 22, 2009.
9. Flagstar Bank, FSB v. Freestar Bank, United States District Court, Central District of Illinois, Peoria Division. Case No. 1:08-cv-1278-MMM-JAG. Deposition testimony, July 1, 2009.
10. High Voltage Beverages, L.L.C. v. The Coca-Cola Company, United States District Court, Southern District of New York. Civil Action No. 3:08-CV-367. Deposition testimony, August 5, 2009.
11. Research in Motion v. Defining Presence Marketing Group, United States Patent and Trademark Office Trademark Trial and Appeal Board. Trial testimony, September 30, 2009.
12. Walgreen Co. v. Wyeth, United States District Court for the Northern District of Illinois, Eastern Division. Case No. 08CV5694. Trial testimony, October 14, 2009.
13. The Hershey Company and Hershey Chocolate & Confectionery Corporation v. Promotion in Motion, Inc., United States District Court for the District of New Jersey. Case No. 07-CV-1601 (SDW) (MDA). Deposition testimony, November 4, 2009.
14. United States of America v. Richard L. Rockett, Jr., a/k/a ABQ_TBIRDS, United States District Court for the District of Virginia. Trial testimony, April 20, 2010.
15. National Western Life Insurance Company v. National Western Life Insurance Company, United States District Court for the Western District of Texas, Austin Division. Civil Action No. 09-CA-711-LY. Deposition testimony, October 1, 2010.
16. Opposition by On Side Restoration Services Ltd. to Application No. 1,384,785 filed on behalf of FirstOnSite Restoration L.P. for the trade-mark "FirstOnSite Restoration", Canadian Trade-Marks Office. Deposition testimony, October 28, 2010.

DECLARATION OF
DR. RONALD R. BUTTERS

EXHIBIT 2

**DECLARATION OF DR. RONALD R. BUTTERS
EXHIBIT 2**

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DICTIONARIES

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SECOND EDITION

SIDNEY I. LANDAU

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For Sarah

Butters Declaration
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of the exclusive use of their trademarks, since their business often depends upon the public's recognition of their trademark. When a trademark is commonly used, however, as if it were an ordinary (or generic) term, not for a brand of a kind of thing but for the kind of thing itself, it enters into disputed territory. To the lexicographer, the word has become generic and should be included in the dictionary and defined. If it is written generically with an initial lower-case letter, it may be entered in this form, although it is usually identified as a trademark. To the trademark owner, such generic treatment is illegal, based on ignorance of the term's protected status or contempt for his proprietary interest. If the linguistic evidence shows that a trademark is well accepted as a generic term, particularly if it has inflections that are commonly used, it may be identified as a trademark only in its etymology.

Some trademark owners are hostile to any inclusion of their trademarks in a dictionary, even if they are entered in capitalized form and identified as trademarks. Others object if their trademarks are not capitalized. Almost all trademark owners are concerned to have their trademarks identified as trademarks, and lawyers often try to specify to lexicographers the exact form which they find acceptable, one which defines the trademark as a brand for a kind of thing.

The concern of trademark owners is understandable, as many trademarks have been lost because they were not adequately protected. Competitors who are sued by trademark owners for infringement often defend themselves by maintaining that the alleged trademark is actually a generic word in common use. Therefore they have as much right to use it as anyone else. For example, in 1966 Eastern Air Lines registered the name "Air-Shuttle" for its New York - Washington, D.C., and New York - Boston flights. When New York Air introduced a similar service between these cities in December 1980 and promoted it with the name "shuttle," Eastern sued. New York Air claimed that its use of "shuttle" was generic and refused to stop using the term. Prominent lexicographers testified on both sides of the issue. The judge decided that "shuttle" was generic but also found that New York Air's advertising was misleading because it suggested that it provided all the services Eastern did, and enjoined New York Air from advertising in that way, although it could continue to use "shuttle" to describe its service.⁶

Dictionary treatments of trademarks can be used as evidence in support of the position that a trademark is generic, though such treatment would hardly be sufficient to jeopardize a trademark in the absence of other evidence. If there is enough evidence to support generic status,

the trademark may be declared invalid, at potentially enormous cost to the original owner. Thus the Bayer Company lost *aspirin* as a trademark in the United States, though it remains a trademark in Great Britain. Many other once-valuable trademarks, such as *escalator*, *machintosh*, and *zipper*, have lost their protected status. To the trademark owner, the case is clear and simple. He asks the lexicographer to omit his trademark from dictionaries or, if it must be included, to treat it in a way that fully recognizes its protected status. It's not generic, the trademark owner says. It is legally protected, like *Microsoft* or *Rolls Royce*.

But is it? When lexicographers review the corpus and citational evidence and see countless uses of *kleenex*, both capitalized and not, to mean a facial tissue; of *xerox* used both as noun and verb, often inflected as *xeroxed* and *xeroxing*, to refer to a xerographic duplicate or the act of making such duplicates; of *band-aid* to mean a makeshift and usually inadequate remedy - what are they to do? These words are as much a part of the language as any other word. If the object of a dictionary is to represent the language so that people unfamiliar with the meanings of words can find those meanings, doesn't omitting trademarks from the dictionary subordinate the interests of dictionary users to those of trademark owners? What gives their interests priority? More to the point, by what right can trademark owners or anyone else be empowered to dictate the facts of usage? If the facts so warrant, any word or set of words can be generic, and as such be subject to inclusion in a general dictionary. The lexicographer has no intention of depriving a trademark owner of the exclusive right to use a term; but he is in the business of writing dictionaries and his overriding obligation is therefore to dictionary users. He cannot allow any special-interest group to determine what goes in his dictionary or how it is represented.

As a hedge against the sometimes importunate demands, even threats, of trademark owners or their lawyers, some dictionaries have taken to including a statement on their copyright page disclaiming any intent to affect the copyright status of words they include. The *Random House Webster's College Dictionary* (RHWCD), for example, states:

A number of entered words which we have reason to believe constitute trademarks have been designated as such. However, no attempt has been made to designate as trademarks or service marks all words or terms in which proprietary rights might exist. The inclusion, exclusion, or definition of a word or terms [sic] is not intended to affect, or to express a judgment on, the validity or legal status of the word or terms as a trademark, service mark, or proprietary term.

[WHERE SHOULD I START?]

<http://corpus.byu.edu/coca/>
MARCH 27, 2011

[COMPARE TO OTHER CORPORA / ARCHITECTURES]

The Corpus of Contemporary American English (COCA) is the largest freely-available corpus of English, and the only large and balanced corpus of American English. It was created by Mark Davies of Brigham Young University in 2009, and it is now used by tens of thousands of users every month (linguists, teachers, translators, and other researchers). COCA is also related to other large corpora that we have created or modified, including the British National Corpus (our architecture and interface), the 100 million word TIME Corpus (1920s-2000s), and the new 400 million word Corpus of Historical American English (COHA) (1810-2009).

The corpus contains more than 410 million words of text and is equally divided among spoken, fiction, popular magazines, newspapers, and academic texts. It includes 20 million words each year from 1990-2010, and the corpus is also updated once or twice a year (the most recent texts are from Summer 2010). Because of its design, it is perhaps the only corpus of English that is suitable for looking at current, ongoing changes in the language (see the 2010 article in *Literary and Linguistic Computing*).

The interface allows you to search for exact words or phrases, wildcards, lemmas, part of speech, or any combinations of these. You can search for surrounding words (collocates) within a ten-word window (e.g. all nouns somewhere near *faint*, all adjectives near *woman*, or all verbs near *feelings*), which often gives you good insight into the meaning and use of a word.

The corpus also allows you to easily limit searches by frequency and compare the frequency of words, phrases, and grammatical constructions, in at least two main ways:

- By genre: comparisons between spoken, fiction, popular magazines, newspapers, and academic, or even between sub-genres (or domains), such as movie scripts, sports magazines, newspaper editorial, or scientific journals
- Over time: compare different years from 1990 to the present time

You can also easily carry out semantically-based queries of the corpus. For example, you can contrast and compare the collocates of two related words (*little/small*, *democrats/republicans*, *men/women*), to determine the difference in meaning or use between these words. You can find the frequency and distribution of synonyms for nearly 60,000 words and also compare their frequency in different genres, and also use these word lists as part of other queries. Finally, you can easily create your own lists of semantically-related words, and then use them directly as part of the query.

Please feel free to take a five minute guided tour, which will show the major features of the corpus. A simple click for each query will automatically fill in the form for you, search through the more than 410 million words of text, and then display the results.

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DOWNLOAD LIST OF ALL TEXTS AND SUMMARY BY YEAR, GENRE, AND SUB-GENRE

[Download file](#) with information for each text: tokens, types, avg. word length, # nouns, # tokens

The corpus is composed of more than 410 million words ([details](#)) in more than 160,000 texts (actually 169,140), including 20 million words each year from 1990-2010. For each year (and therefore overall, as well), the corpus is evenly divided between the five genres of **spoken, fiction, popular magazines, newspapers, and academic journals**. The texts come from a variety of sources:

- **Spoken:** (85 million words [84,818,571]) Transcripts of unscripted conversation from more than 150 different TV and radio programs (examples: *All Things Considered* (NPR), *Newshour* (PBS), *Good Morning America* (ABC), *Today Show* (NBC), *60 Minutes* (CBS), *Hannity and Colmes* (Fox), *Jerry Springer*, etc.). [\[See notes\]](#) on the naturalness and authenticity of the language from these transcripts).
- **Fiction:** (80 million words [80,251,038]) Short stories and plays from literary magazines, children's magazines, popular magazines, first chapters of first edition books 1990-present, and movie scripts.
- **Popular Magazines:** (86 million words [86,000,281]) Nearly 100 different magazines, with a good mix (overall, and by year) between specific domains (news, health, home and gardening, women, financial, religion, sports, etc.). A few examples are *Time*, *Men's Health*, *Good Housekeeping*, *Cosmopolitan*, *Fortune*, *Christian Century*, *Sports Illustrated*, etc.
- **Newspapers:** (82 million words [81,861,570]) Ten newspapers from across the US, including: *USA Today*, *New York Times*, *Atlanta Journal Constitution*, *San Francisco Chronicle*, etc. In most cases, there is a good mix between different sections of the newspaper, such as local news, opinion, sports, financial, etc.
- **Academic Journals:** (82 million words [81,840,348]) Nearly 100 different peer-reviewed journals. These were selected to cover the entire range of the Library of Congress classification system (e.g. a certain percentage from B (philosophy, psychology, religion), D (world history), K (education), T (technology), etc.), both overall and by number of words per year

Because of copyright and licensing issues, **the texts themselves are not available for download**, under any circumstances. All access to the texts is via this web interface.

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DETAILED INFORMATION ON TYPES (UNIQUE WORD FORMS)

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Exact number of words (tokens): 414,771,808

Statistics on types (unique word forms)

# tokens per type >=	Not case sensitive	Case sensitive
1	2,805,451	3,298,943
2	904,912	1,122,436
3	605,712	759,136
4	476,398	599,855
5	401,786	507,058
6	352,967	445,906
7	316,952	400,970
8	289,423	366,429
9	267,095	338,330
10	249,013	315,654

[Download spreadsheet](#) with number of types for tokens = 1-100, with chart

[Download list](#) of all words [types] that occur at least four times in the corpus; with part of speech

[Download file](#) with information for each text: tokens, types, avg. word length, # nouns, # tokens

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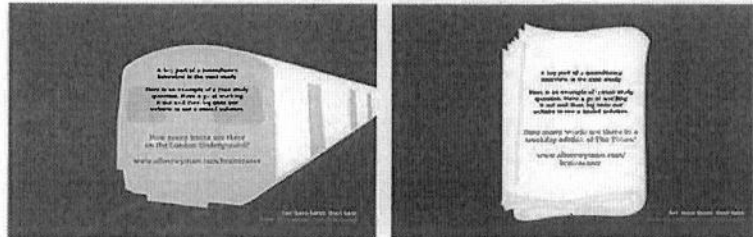
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Newspaper

A key part of a consultancy interview is the case study. Below is an example of the kind of case study question you might be asked.

How many words are there in the daily edition of The Times?

Answer:

When faced with a structured estimation question such as this one, it is essential to make your assumptions and thought-process clear at the beginning. You should start by laying out any key principles which will help you simplify the problem – getting the answer exactly right isn't required. In this example, the key principle is to come up with the number of text-only pages in a standard copy, and combine this with an estimate of words per text-only page. One way of simplifying the problem is to exclude text in adverts and diagrams, to make it easier to convert a standard page into a fraction of text-only page. Another simplification is to exclude any additional supplements.

Once you have set out any key principles and simplifying assumptions, break the problem into sub-questions or a logic flow to show the interviewer how you are thinking. One possible set of sub-questions is shown below:

1. On average, how pages are there in the daily Times, excluding supplements?
2. How much of the paper is taken up by adverts?
3. What fraction of news story pages is taken up with images or diagrams?
4. What is the number of words on a text-only page?

Question 1

You would be expected to answer this question with a reasonable estimate based on knowledge, for example by breaking down the paper into its constituent sections (UK news, World news, Business, Sport, Court & Social etc). The interviewer would also help guide you in the right direction if needed.

The answer is approximately **65 pages**.

Question 2

The two most common advertisement sizes in the Times are full page and 1/3 page. Estimating the share of advertisements is not trivial but a good approximation would be that 20% of the paper is taken up by adverts with minimal text. You could estimate this number based on common sense / experience, and then check with the interviewer to make sure.

Given the low word density of advertisements compared to text, it would be a reasonable approximation to discount their word contribution, and therefore assume that, of the 65 pages, 20% are non-text pages. This is equivalent to $65 / 5 = 13$ pages of adverts.

This leaves $65 - 13 = 52$ pages of news stories.

Question 3

In addition to adverts, news stories are often illustrated with images or diagrams that take up a large amount of space on the page. This would vary across different sections of the paper (for example, the main News section will have more images than the Business section), so you would be expected to take an average across the whole paper. A reasonable approximation is that **25%** of news space is taken by diagrams and images.

Remembering that you have calculated that there are 52 pages excluding adverts, $0.25 \times 52 \text{ pages} = 13$ pages of news related images and diagrams.

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