

EXHIBIT B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 05-80387 CIV RYSKAMP/VITUNAC

STELOR PRODUCTIONS, LLC, a Delaware limited liability company, ,

Plaintiff,

v.

GOOGLE INC., a Delaware corporation,

Defendant.

RESPONSES TO GOOGLE INC.'S FIRST SET OF INTERROGATORIES

Pursuant to Fed. R. Civ. P. 33, and the Local Rules for the Southern District of Florida, Plaintiff Stelor Productions, LLC hereby submits the following responses to Defendant Google Inc.'s "First Set of Interrogatories to Plaintiff Stelor Productions, Inc."

Respectfully submitted,

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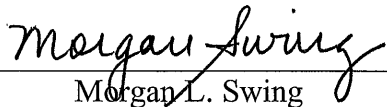
EXHIBIT B

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served, this 28th
day of October, 2008, via E-mail and United States Mail upon:

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By: 
Morgan L. Swing

GENERAL OBJECTIONS

The following general objections are hereby made and incorporated in each response to each of the Interrogatories, whether or not expressly incorporated in each individual response.

1. Stelor objects to the Interrogatories to the extent they seek to impose obligations beyond those set forth in the Federal Rules of Civil Procedure.

2. Stelor objects to the Interrogatories to the extent they seek information protected by the attorney-client privilege, the work product doctrine, the self-evaluation or the self-critical analysis privilege, or any other applicable privilege, rule of privacy or confidentiality, immunity, protection, or restriction that makes such information otherwise non-discoverable.

3. Stelor objects to the Interrogatories on the grounds that they are overly broad and unduly burdensome.

4. Stelor objects to the Interrogatories to the extent that they seek information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence

5. Google's discovery responses remain incomplete and depositions of its representatives are still scheduled to proceed. Stelor responds to the Interrogatories based on information available as of the date hereof and reserves the right to supplement its objections or responses to any of the Interrogatories pursuant to all appropriate rules, laws, statutes and regulations.

6. The foregoing general objections shall be considered as made to the extent applicable in response to each of the Interrogatories as if the general objections were fully set forth in each such response, including those responses which also set forth specific objections.

7. Stelor's responses to the Interrogatories are made without in any way waiving or intending to waive, but rather, to the contrary, preserving and intending to preserve, the right to raise all questions as to competence, relevance, materiality, privilege and admissibility as evidence for any purpose.

RESPONSES

1. Describe all products and services that have been distributed, advertised, sold or offered for sale in connection with the "GOOGLES" trademark.

RESPONSE: The following is a list of products and services with the "GOOGLES" trademark:

- (1) books;
- (2) plush items;
- (3) music CDs (Gootunes);
- (4) DVDs/VHS (Goosicals);
- (5) clothing and accessories (including t-shirts, GOOWEAR/GOOGEAR);
- (6) stickers;
- (7) magnets;
- (8) printed materials (including flyers, information booklets, and newsletters);
- (9) the subscription-based googles.com website;
- (10) e-mail functions, including but not limited to an e-mail fan club information service, an instant messaging service and GooMail; and
- (11) search functions, including but not limited to a search dictionary appendix and GooSearch.

Stelor further answers this interrogatory by referencing the prior versions of the googles.com website, *see, e.g.*, the versions referenced at www.archive.org, which display products and services offered over time on the googles.com website.

2. Describe your plans in connection with your use of the GOOGLES trademark, including your plans for the googles.com website.

RESPONSE: The GOOGLES trademark will be used in connection with goods and services supporting an interactive multi-media platform. The googles.com website will feature music, games, activities, videos, live web cast, chat and e-mail services, and search services, all protected by our patent pending technology to keep children safe on our website and on the internet.



3. Describe the organizational structure for Stelor, including, without limitation, its specific partners, shareholders, officers, and directors.

RESPONSE: Stelor objects to this interrogatory, to the extent that it seeks information that is confidential, irrelevant, and not reasonably calculated to lead to admissible evidence, including but not limited to the ownership of Stelor. Without waiving this objection, Stelor Productions, LLC is a Delaware limited liability company. Steven A. Esrig is the Chairman of the Board, President and Chief Executive Officer of Stelor Productions, LLC.

4. Identify all persons who have had or currently have involvement with the googles.com website, or the use of the "GOOGLES" trademarks, and give the nature of their involvement.

RESPONSE: Stelor objects to this interrogatory as overly broad, unduly burdensome, and seeking information not reasonably calculated to lead to admissible evidence. Without waiving the objection, Steven Silvers originally registered both the "GOOGLES" trademark and the googles.com domain name in 1997. From 1999 until 2002, the Aurora Collection, Inc. helped to develop the "Googles" concept and "GOOGLES" trademark with, among other things, "Googles" products and music and to develop an improved googles.com website. Since 2002, Stelor has been involved with the development and promotion of the "Googles" concept and googles.com.

5. For each product and service that was requested to be identified in response to Interrogatory No. 1, provide the following, with the relevant dates included:

- a. the dates that the product or service was distributed, sold and offered for sale;
- b. the sales, in dollars and by volume, for each year;
- c. the channels of trade in which the product or service was distributed;
- d. the nature and extent of any advertising;
- e. the manner in which the GOOGLES trademark was associated with the product or service; and
- f. the geographic areas in which the product or services was distributed, sold or offered for sale,

RESPONSE: Stelor objects to this interrogatory as overly board, unduly burdensome, and seeking information not reasonably calculated to lead to admissible evidence. Without waiving the objection, Stelor states the following:

All items associated with the GOOGLES trademark and the googles.com website are advertised through the googles.com website as well as through licensing shows. (The New York Licensing Show is a platform to advertise Stelor's products and services to potential investors, licensors and parents of the children to whom Stelor provides its services.) The GOOGLES trademark is prominently featured on products and services associated with Googles, whether on items sold (books, plush toys, etc.), the website, or any marketing material. Items are distributed through direct sales as well as the googles.com website and/or the Internet, except GooMail and GooSearch which are only distributed through the website/Internet.

The following is with respect to each item in connection with the GOOGLES trademark:

- (1) The first book, *Googles And the Planet of Goo*, has been sold with the GOOGLES trademark since 1997. Other books are distributed on the googles.com website.
- (2) Plush items and toys have been sold, distributed, or offered since 2001 and are available on the googles.com website.
- (3) Music CDs (Gootunes) have been sold, distributed, or offered since 2002 and are available on the googles.com website and on iTunes.
- (4) DVDs/VHS (Goosicals) have been sold, distributed, or offered for sale since 2004 and are available on the googles.com website.
- (5) Goo Games are offered on the googles.com website.
- (6) Clothing & accessories - T-shirts have been sold, distributed, or offered since 2005 and other GOOWEAR/GOOGEAR clothing & accessories have been sold, distributed, or offered since 2008. Both are currently available on the googles.com website.
- (7) Stickers have been sold, distributed, or offered for sale since 2002 and are currently available on the googles.com website.
- (8) Magnets have been sold, distributed, or offered for sale since 2005.
- (9) The googles.com website has been in operation since 1997.
- (10) From the beginning of googles.com in or about 1997, there has been e-mail functionality on the website, including an e-mail service to receive FOG (Friends of Googles) Fan Club and related information, as well as an invitation to correspond by e-mail to sales@googles.com. (A copy of the



webpage is attached.) Additionally, an instant messaging function is available on the website and an updated and enhanced e-mail service, GooMail, is in development. GooMail has been in development but not distributed on the website due to business reasons, including but not limited to upcoming patent filings associated with the functionalities and concerns related to the possibility of further litigation between the parties

- (11) In addition, search features have also been available since the initial launch of the googles.com website in or about 1997. An initial feature allowed a search through the website of a dictionary-appendix that was provided at the end of the "Googles" Book. The search functions have continued to develop, with a full-featured search function, "GooSearch", in the process of development. This enhanced "GooSearch" function has been in development but not distributed on the website due to business reasons, including but not limited to upcoming patent filings associated with the functionalities and concerns related to the possibility of further litigation between the parties.

6. State the factual basis for your assertion that there is a likelihood of confusion created by Google's activities, including the identity of all documents reflecting any such likelihood, the identity of all persons who are familiar with any facts supporting your assertion, and the identify of all communications relevant to the assertion, including the nature of any actual confusion that has occurred.

RESPONSE: Google objects to this interrogatory to the extent that discovery responses from Google remain incomplete and depositions of its representatives are still scheduled to proceed. Stelor responds to this interrogatory based on information available as of the date hereof and reserves the right to supplement its objections or responses to any of the interrogatories pursuant to all appropriate rules, laws, statutes and regulations.

Without waiving this objection, Stelor states that the likelihood of confusion arises, among other things, from the strong similarity between the two marks ("Googles" and "Google"), the senior status of the "Googles" mark, the inventive and arbitrary nature of the "Googles" mark, the latter commercial strength of Google's mark, evidence of actual confusion by consumers (including e-mails, news broadcasts, and direct communications from investors and potential investors), the similarity between products offered by both Stelor and Google, the fact that goods distributed and/or sold by both Stelor and Google are marketed and advertised through the same channels and are targeted at children Steven A. Esrig, Chairman of the Board, President and Chief Executive Officer of Stelor Productions, LLC, is familiar with the facts related to confusion by Google's activities.

7. State the factual basis for your contention that you have suffered damages as a result of Google's activity or the basis to your claim for monetary relief, including the extent of any such relief.

RESPONSE: Google objects to this interrogatory to the extent that discovery responses from Google remain incomplete and depositions of its representatives are still scheduled to proceed. Stelor responds to this interrogatory based on information available as of the date hereof and reserves the right to supplement its objections or responses to any of the interrogatories pursuant to all appropriate rules, laws, statutes and regulations.

Without waiving this objection, Stelor has suffered in numerous manners as a result of Google's activity, including but not limited to, an inability to develop Stelor's brand identity due to confusion and association with Google, injury to Stelor's brand because Stelor was viewed as illegally trading upon the Google brand, expenditures to prevent, correct, or mitigate consumer confusion, and direct infringement of Stelor's registered trademark by Google's development of products and services (i.e., for children's books Class 016), and direct infringement of Stelor's common law use of the Googles trademark by Google's development of products and services (i.e., for search, mail, clothing, and toys), for which Stelor seeks disgorgement of Google's profits.

8. Describe all products or services that have been provided from the googles.com website in the history of its use, including, without limitation, the nature and time period when such products or services were provided. Your answer should include, among other things, whether and to what extent any products have been sold through the website, and whether or to what extent any internet search functionality was ever provided on the website.

RESPONSE: Stelor objects to this interrogatory as overly board, unduly burdensome, and seeking information not reasonably calculated to lead to admissible evidence. Without waiving the objection, see Stelor's response to Interrogatory No. 5 and the document attached as Exhibit A which lists the different features available on the various versions of the googles.com website.

9. State the factual basis for your claim that Stelor owns trademark rights in "GOOGLES" that had been infringed by Google, including without limitation, the nature and scope of rights allegedly owned by Stelor.

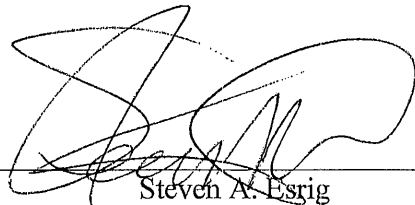
RESPONSE: The Googles trademark was used and registered before the Google trademark was in use or registered. Further, the Googles trademark was used and registered before the Google trademark was in use or registered in the children's market. Google, as well as its principals, Sergey Brin and Larry Page, knew of the Googles mark and purposefully proceeded with their use and registration in violation of the rights existing in the Googles mark.



VERIFICATION

I, Steven A. Esrig, CEO and President of Stelor Productions, LLC, have reviewed
The Responses to Interrogatories above, and have verified that I believe them to be true.

Dated: October 28, 2008



Steven A. Esrig

Googles & the planet of Goo



Something new & refreshing !

Something exciting & entertaining !

Googles



That's what parents and children are saying about our innovative, interactive children's edutainment book.

The Googles concept was created as a means to provide your child with a fun-filled method of expanding his/her vocabulary. In this first of several Googles adventures, your child will learn and recognize many new words.

Along with vocabulary enrichment your child will also learn, through application of the imagination, identifiable lessons in conceptual awareness and social interaction.



To further assist your child in learning new words, a dictionary-appendix is conveniently provided at the end of each book which corresponds to the (*italicized*) words in the original text. This method of learning affords your child a quick reference in finding and understanding the new words s/he is about to learn.

A phonetic pronunciation of each (*italicized*) word is also provided.

Please type in your E-Mail address to receive more information about FOG (Friends of Googles) Fan Club !

Enter

We sincerely hope your child will enjoy reading all about the adventures of Googles, Giggles and Goggles from the imaginary planet of Goo.

We welcome your comments and/or suggestions about our innovative children's edutainment reading and vocabulary enrichment learning technique.

Kindly direct your correspondence to :

The Googles Children's Workshop

EXHIBIT B

You are Earthling visitor #



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