

# EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

ERICH SPECHT, et al.	)	
	)	NO 09 CV 2572
Plaintiffs,	)	
	)	Judge Leinenweber
v.	)	
	)	Magistrate Judge Cole
GOOGLE, INC., et al.	)	
	)	
Defendants.	)	

**PLAINTIFFS ANSWER TO  
FIRST SET OF INTERROGATORIES PROPOUNDED BY  
DEFENDANT, GOOGLE, INC.**

Plaintiffs by and through Erich Specht, pursuant to Rule 33 of the Federal Rules of Civil Procedure, hereby responds to the interrogatories as follows:

Plaintiffs incorporate as if set forth fully herein, all general and specific objections previously raised to these interrogatories and do not, by providing these responses, waive any or all objections which have or could have been raised and reserve the right to raise any and all objections and privileges they are entitled to raise.

The following responses and previous objections are based upon Plaintiffs understanding of the Court's June 4, 2009 order and information now known. Plaintiffs have not yet completed discovery or preparation for trial and will supplement the responses and objections to the extent required by Rule 33.

**RESPONSES TO INTERROGATORIES**

**INTERROGATORY NO. 1**

Identify the complete factual basis for Plaintiffs' allegation, in ¶52 of their First Amended

Complaint, that Plaintiff(s) "has/have continuously used Android Data in interstate commerce," including all persons having relevant knowledge.

**RESPONSE:** The Android Data® mark is and has been permanently affixed to each version of the proprietary content management / e-commerce software which has been licensed to clients as well as demonstrated to prospective clients from 1998 through 2009. The mark is affixed to the splash screen that appears once a user has logged in to versions 5 and 6 as well as on the main screen showing the product tree.

The various versions of this software were installed at client locations beginning in 1999 as well as being installed on my development server, which was a Toshiba notebook until it was damaged around 2006. The client version of the software is installed on my current development/demonstration notebook and is often used to present the product to prospective clients.

The mark has also appeared on numerous proposals to clients over the years. It has appeared on every brochure produced since the start of the company - one in 2000 (the version that was used as an exhibit in the trademark application). I created subsequent brochures myself in order to save money. One was created in 2002 to promote the version 5 software, and another was created in 2007. The one in 2002 was provided to customers who inquired from ads I had placed online about the business and were sent one at a time to each inquirer. The brochure I created in 2007 was sent to an updated version of a list that I had developed earlier containing addresses of catalog companies.

The mark has also appeared on proposals from 1998 through 2009.

The mark was used on the video CDs that were sent to prospective buyers during the period of 2002-2004. The mark also appeared in the online ads placed for this purpose on bizbuysell.com, usbx.com, and the like during this period.

It has also been used on business cards, letterhead, and invoices for both Android Data Corporation and The Android's Dungeon Incorporated.

The mark was used in an application filed by Android Data Corporation with Register of Copyrights on 6/20/2000 for copyrights on "Android Editor", "Android Data Web Editor", and "Android Server." Requested copyrights were granted with effective dates of registration as June 26, 2000 for all three products. The mark was used in application for "Android Data® - Version 5" which was applied for in May of 2009 by The Android's Dungeon Incorporated.

The mark appeared on business listings along with contact information on zibb.com, manta, yellowpages.com and the like.

The mark is also used extensively "behind the scenes" within the code of the software itself, with every XML document that is used for the transmission of data from the client applications to a remote host being enclosed within an XML element such as the following:

```
<AndroidData></AndroidData>
```

The mark and a link to Plaintiffs' AndroidData.com and Android-Data.com web sites appeared on other clients web sites.

Persons with knowledge of the use of this mark include:

Vendors involved in marketing material creation or distribution:

Prisca Tibbetts and other unknown employees who may have come in contact with the mark, copy, logo, or other materials related to this project.

Brooks Tower  
1020 15th Street #38B  
Denver, CO 80202

Steve Devonshire and other unknown employees who may have come in contact with the mark, copy, logo, or other materials related to this project.

Image Systems  
4895 Riverbend Road, Suite A  
Boulder, CO 80301

Jim Emily, Kevin Delaney and other unknown employees who may have come in contact with the mark, copy, logo, or other materials related to this project.

Artistry In Printing  
1424 Lee Street  
Unit B  
Des Plaines, IL 60018

Steve, Joe and other unknown employees who may have come in contact with the mark, copy, logo, or other materials related to this project.

American Quickprint  
563 S. Arthur Ave.  
Arlington Hts., IL 60005

Current and former clients:

Mark McSweeney, Chief Financial Officer, Erik Martinez, Director of Marketing, Maria Jong (title unknown), Mike Stopka, President, and other unknown employees who may have come in contact with the software, invoices, or other marketing materials.

Design Toscano  
1400 Morse Avenue  
Elk Grove Village, IL 60007

Mark McSweeney, Chief Financial Officer, Erik Martinez, Director of Marketing, Maria Jong (title unknown), Mike Stopka, President, and other unknown employees

who may have come in contact with the software, invoices, or other marketing materials.

Basil Street Gallery of London  
1400 Morse Avenue  
Elk Grove Village, IL 60007

John DeAno, President, Dennis Ignacek, Sales Manager, and other unknown employees who may have come in contact with the software, invoices, or other marketing materials. O/S Services, MagnaMedia Training Solutions, Summit Recruiting (AKA Edge Consulting), Lucent Technology, NCR Customer Education

1835A Rohlwing Road  
Arlington Heights, IL 60008

Jennie Wilson and other unknown employees who may have come in contact with the software, invoices, or other marketing materials.

GPS Products - Integrated Electronic Systems Sectr.  
Motorola  
4000 Commercial Avenue  
Northbrook, IL 60062-1840

Paul Duchek, Sue Duchek, Megan Specht, and other unknown employees who may have come in contact with the software, invoices, or other marketing materials.

Picket Fence Realty  
113 S. Arlington Heights Road  
Arlington Heights, IL 60005

Jordan May and other unknown employees who may have come in contact with the software, invoices, or other marketing materials.

HuTech Resources, LLC  
650 East Devon Avenue, Suite 165  
Itasca, IL 60143

Jordan May and other unknown employees who may have come in contact with the software, invoices, or other marketing materials.

The Physician's Coalition of America  
650 East Devon Avenue, Suite 165  
Itasca, IL 60143

Steve Salzman and other unknown employees who may have come in contact with the software, invoices, or other marketing materials.

SS Syntec / DA Syntec  
4426 N. Winchester  
Suite 1N  
Chicago, IL 60640

Ken Gansmann and other unknown employees who may have come in contact with the software, invoices, or other marketing materials.

UniSource Energy  
245 W. Roosevelt Road  
Building 15, Suite 123  
West Chicago, IL 60185

David Finn, Attorney and other unknown employees who may have come in contact with the software, invoices, or other marketing materials.

113 S. Arlington Heights Road  
Arlington Heights, IL 60005

Jim Emily, Kevin Delaney and other unknown employees who may have come in contact with the software, invoices, or other marketing materials.

Artistry In Printing  
1424 Lee Street  
Unit B  
Des Plaines, IL 60018

Michelle Johnson and other unknown employees who may have come in contact with the software, invoices, or other marketing materials.

Bonaparte Corporation  
1455 S. Michigan Avenue  
Chicago, IL 60605

Warren Crum and other unknown employees who may have come in contact with the software, invoices, or other marketing materials.

Northwest Recovery / Northwest Repossession  
4000 Industrial Avenue  
Rolling Meadows, IL 60008

Respondents to Advertisements:

Alon Altman  
1301 W Madison #203  
Chicago, IL 60607

Alvaro Albarracin  
12543 Brookwood Ct.  
Davie, FL 33330

Anil Kapuria  
1820 Plainfield Avenue  
Watchung, NJ 07069

Ben Childers  
108 Arlington Drive  
Barrington, IL 60010

Bob Hudgens  
2516 Freeland Court  
Naperville, IL 60564

Bruce Howard  
6410 Oakwood Manor Dr,  
Crystal Lake, IL 60012

NS Kocher  
CDIL  
40425 Chapel Way Suite 201  
Fremont, CA 94538

Dan Drechsel  
500 Country Club Lane  
Glen Ellyn, IL 60137

Dave Maden  
1417 E. 56th Street  
Chicago, IL 60637

Ed Randolph  
503 E. Park Ave  
Elmhurst, IL 60126



Greg Brown  
Versatile Metals  
913 B North Plum Grove Road  
Schaumburg, IL 60173

Daniel A. Heuertz  
Hirize Ventures  
56 W. Wilson  
Palatine, IL 60067

Jack Marshak  
340 Garretson Road  
Ridgewater, NJ 08807

Ken Gay  
1007 Deshannon Court  
Batavia, IL 60510

Kuanie Huang  
KYH International Co.  
2721 Miller Road  
Geneva, IL 60134

Larry Wu  
1 West Beechwood Court  
Buffalo Grove, IL 60089

Marc Levin  
4 Hibbs Lane  
New Hope, PA 18948

Michael King  
Quadra Network Corp  
34859 High Drive  
Abbotsford, BC Canada V2S2X7

Michael Scoby  
1050 W Kinzie  
Chicago, IL 60622

Mike Mitchell  
211 South Main Street  
Suite 103

Wauconda, IL 60084

Mitul Patel  
9206 Kostner  
Skokie, IL 60076

Nubert Boubeka  
9047 E. Mayberry Dr.  
Tucson, AZ 85730

Oke Okaro  
690 Riverside Drive  
Suite 5C  
New York, NY 10031

Prateek Chhabra  
707 St. James Place  
Nashua, NH 03062

Ron Reed  
317 South Division  
Ann Arbor, MI 48104

Sam Cinquegrani  
ObjectWave Corporation  
333 N. Wacker Drive  
Suite 1860  
Chicago, IL 60614

Peyton Anderson  
SciQuest, Inc.  
5151 McCrimmon Parkway  
Suite 216  
Morrisville, NC 27709

Chuck Rothstein  
Securities Acquisition Corporation  
40 Avon Lane  
Staten Island, New York 10314

Siby Joseph  
1503 Ogden Avenue  
Suite 400

Downers Grove, IL 60515

Steve Aakhus  
19981 Sec Gull Rd.  
Brainerd MN, 56401

Steven Robb  
2805 Coleen ct  
Rolling Meadows IL 60008

Raymond Stevens  
Business Development  
TTLIC IT Solutions  
10 Second Street  
Dover, NH 03820

Persons or organizations for whom I prepared proposals attempting to solicit  
business:

Gregory Panjian, President  
DeNunzio Inc  
The Masters Collection  
40 Scitico Rd  
Somers CT 06071

Keith Searls / Gil Chavez  
MindWave  
425 West Galena Blvd.  
Suite 200  
Aurora, IL 60506

Erika Judd  
Eclectic Junction  
1630 N. Damen Avenue  
Chicago, IL 60647

Persons or organizations I contacted attempting to solicit business:

Nine West  
1245 Forest Parkway  
Paulsboro, NJ 08066

Adams Headwear

181 Lynn Drive  
Santa Rosa Beach, FL 324594202

Coldwater Creek  
One Coldwater Creek Drive  
Sandpoint, ID 83864

Corral West Ranchwear  
4519 Frontier Mall Dr.  
Cheyenne, WY 82009

Desantis Collection  
4500 Oak Circle  
Suite B-9  
Boca Raton, FL 334314212

Delias  
435 Hudson Street  
New York, NY 10014

Dexter Shoe Company  
71 Railroad Avenue  
Dexter, ME 04930

Junonia  
2950 Lexington Avenue  
Eagan, MN 55121

Nordstrom  
1617 Sixth Avenue  
Seattle, WA 981011742

Title 9 Sports  
5743 Horton Street  
Emeryville, CA 94608

Urban Outfitters  
1809 Walnut Street  
Philadelphia, PA 19103

Caselogic  
6303 Dry Creek Parkway  
Longmont, CO 80503

Club Mac  
2555 W. 190th St.  
Torrance, CA 90504

Cyberguys  
11345 Sunrise Park Drive  
Rancho Cordova, CA 95742

Egghead  
1350 Willow Road  
Menlo Park, CA 94025

GTSI  
83 Gerber Road West  
South Windsor, CT 06074

Meglen Micro  
3002 Dow Ave. #212  
Tustin, CA 92780

Micro Warehouse  
1720 Oak St.  
Lakewood, NJ 08701

Outpost  
23 North Main Street  
P.O. Box 636  
Kent, CT 06757

Programmer's Paradise  
1157 Shrewsbury Avenue  
Shrewsbury, NJ 07702

Sound City  
45 Indian Lane East  
Towaco, NJ 07082

Tredex  
12336 Lower Azusa Road  
Arcadia, CA 91006

Thortek  
2800 West Main Street #A

League City, TX 775731809

Ethel M. Chocolates  
One Sunset Way  
Henderson, NV 89014

Hickory Farms  
1505 Holland Road  
Maumee, OH 43537

Melitta  
13925 58th Street North  
Clearwater, FL 33760

Republic Of Tea  
8 Digital Drive, Suite 100  
Novata, CA 94949

Wine Country Gift Baskets  
4225 N. Palm Street  
Fullerton, CA 928351045

America's Hobby Center  
8300 Tonnelle Ave.  
North Bergen, NJ 07047

Baseball Express  
1051 East Nakoma  
San Antonio, TX 78216

Big Toe Sports  
5972 Executive Dr.  
Suite 200  
Madison, WI 53719

Bravanta  
818 Brannan St.  
San Francisco, CA 94103

Catalog Ventures  
222 Mill Road  
Chelmsford, MA 01824

Claire's Accessories  
3 S.W. 129th Ave.  
Pembroke Pines, FL 33027

Daniel Smith  
4150 1st Ave South  
Seattle, WA 98134

Mystical Planet  
4439 North Broadway  
Suite G  
Boulder, CO 80304

Expendol  
1930 W. Olive Ave.  
Burbank, CA 91506

Fire Mountain Gems  
28195 Redwood Hwy  
Cave Junction, OR 975239304

Gaiam  
360 Interlocken Blvd.  
Suite 300  
Broomfield, CO 80021

Hammer Schlemmer  
147 East 57th Street  
New York, NY 10022

Idea Forest  
841 Apollo St.  
Suite 350  
El Segundo, CA 90245

Johnson Smith  
4514 19th St. Court East  
Brandenton, FL 34203

KB Kids  
1099 18th Street  
Suite 1000  
Denver, CO 80202

Levenger Company  
420 S. Congress Ave  
Delray Beach, FL 33445

Life Sketch  
6510 Schroeder Rd.  
Madison, WI 53711

Master Grip  
3410 Century Circle  
Irving, TX 75062

Miami Dolphins Pro Shop  
P.O. Box 290670  
Fort Lauderdale, FL 33329-0670

Miles Kimball Co.  
41 West Eighth Ave.  
Oshkosh, WI 54901

Model Expo  
3850 N. 29th Terrace  
Suite 103  
Hollywood, FL 33020

My Twinn  
3231 S. Platte River Dr.  
Englewood, CO 80110

New England Serum  
P.O. Box 128  
Topsfield, MA 01983

Odimo  
14001 NW 4th St.  
Sunrise, FL 33325

Old Glory  
90 Knothe Rd.  
Westbrook, CT 06498

On Campus Marketing  
4630 Montgomery Ave.



Suite 600  
Bethesda, MD 20814

Outer Banks Outfitters  
2010 Main St.  
Suite 400  
Irvine, CA 92614

Paper Direct  
1025 East Woodmen Road  
Colorado Springs, CO 80920

Peachtree Business Products  
1755 West Oak Pkwy  
Marietta, GA 30062

Personal Creations  
145 Tower Drive  
Burr Ridge, Illinois 60521

Price Point  
1442 W. 135th Street  
Gardena, CA 90249

QVC  
1200 Wilson Dr.  
West Chester, PA 19380

Red Envelope  
P.O. Box 600040  
San Diego, CA 92160-0040

Retail Source  
19045 State Hwy 305  
PMB 220-183  
Poulsbo, WA 98370

Stumps  
One Party Place  
P.O. Box 305  
South Whitley, IN 46787-0305

Taylor Gifts

600 Cedar Hollow Rd.  
Paoli, PA 19301

That Pet Place  
237 Centerville  
Lancaster, PA 17603

Susquehanna Pfaltzgraff Co.  
140 E. Market St.  
York, PA 17401

The Golf Warehouse  
8851 East 34th Street North  
Wichita, KS 67226

Turn Off The TV  
2711 152nd Ave. NE  
Redmond, WA 98052

Western Athletic Ave.  
850 Marlborough Ave.  
Riverside, CA 92507

A.M. Leonard  
241 Fox Drive  
Piqua, OH 45356-0816

Ben Meadows  
P.O. Box 20200  
Canton, GA 30114

Bob Drake  
1819 NW Washington BLVD.  
Grants Pass, OR 97526

Carlton Industries  
P.O. Box 280  
La Grange, TX 78945

Country Home Products  
Meigs Road  
P.O. Box 25  
Vergennes, VT 05491

Country Supply  
12627 River Road  
P.O. Box 400  
Ottumwa, IA 52501

Galls Inc.  
2680 Palumbo Drive  
Lexington, KY 40509

Gemplers  
100 Countryside Dr.  
P.O. Box 270  
Belleville, WI 53508

McFeely's  
1620 Wyhe Road  
P.O. Box 11169  
Lynchburg, VA 245061169

Mustangs Unlimited  
185 Adams Street  
Manchester, CT 06040

Childcraft  
P.O. Box 3239  
Lancaster, PA 17604

Northern Safety  
P.O. Box 4250  
Utica, NY 13504

Pinch-A-Penny  
P.O. Box 6025  
Clearwater, FL 33758

The Bureau fo At-Risk Youth  
135 Dupont Street  
P.O. Box 760  
Plainview, NY 11803-0760

Classroom Direct  
P.O. Box 830677

Birmingham, AL 35283-0677

Coffee Table Books.Com  
4920 Carroll Canyon Road  
Suite 200  
San Diego, CA 92121

Global Video  
Global Online  
50 N. 3rd Street  
Fairfield, IA 52556

Insect Lore  
Box 1535  
Shafter, CA 93263

Library Video Co.  
P.O. Box 580  
Wynnewood, PA 19096

Malaco Music Group  
P.O. Box 9287  
Jackson, MS 39286-9287

American Musical Supply  
P.O. Box 152  
Spicer, MN 56288

Musician's Friend  
P.O. Box 4520  
Medford, OR 97501

Pro Sound & Stage Lighting  
11070 Valley View St.  
Cypress, CA 90630

Shar Products Co.  
P.O. Box 1411  
Ann Arbor, MI 48106

Tom Snyder Productions  
80 Coolidge Hill Road  
Watertown, MA 02472

Upstairs Records  
140 58th Street  
Suite 6W  
Brooklyn, NY 11220

World Almanac  
15355 Neo Parkway  
Cleveland, OH 44128

Indiana Botanic Gardens  
3401 West 37th Avenue  
Hobart, IN 46342

NVE Pharmaceuticals  
33 Newton-Sparta Road  
Newton, NJ 07860

Rexall Sundown  
6111 Broken Sound Pkwy. N.W.  
Boca Raton, FL 33487

Maritz Inc.  
1375 North Highway Drive  
Fenton, MO 63099

Marketing Concepts  
130 Lake Ave.  
P.O. Box 152  
Spicer, MN 56288

Sure Source  
50 Commerce Drive  
Trumbull, CT 06611

TCIM Services  
1011 Centre Road  
Wilmington, DE 19805

USCO Distribution  
22 Spencer Street  
Naugatuck, CT 06770

Zomax

1640 Berryess Road  
Suite F  
San Jose, CA 95133

One Step Ahead.com  
P.O. Box 517  
Lake Bluff, IL 60044

Fahrney's pens  
1317 F Street, NW  
Washington DC

Jim Brant  
418 South Third Street  
West Dundee, IL 60118-2808

Randy Scott  
My Twinn  
3231 S. Platte River Drive  
Engelwood, CO 80110-2139

Lashun Dickson  
Dickson Enterprise  
1430 W. 35th Street  
Los Angeles, CA 90018-3929

Liz Wagner  
Sona  
PO Box 2088  
Palm Springs, CA 92263-2088

Joao Dasilda  
3520 McKean  
St. Louis, MO 63118

Traditions  
Hometown Center  
Good Hope, CA 92599-4000

White Esther  
New England Serum Company  
239 Newburyport Tpke  
Topsfield, MA 01983

Investigation Continues.

**INTERROGATORY NO.2.**

Identify the complete factual basis for Plaintiffs' allegation, in ¶75 of their First Amended Complaint, that "Plaintiffs have expended considerable resources marketing, advertising and promoting goods under its Android Data mark," including all persons having relevant knowledge.

**RESPONSE:** See the answer to Interrogatory No. 1 and the documents produced.

In 2000, I hired a professional graphic designer, Prisca Tibbetts, to design the original brochure which was used as an exhibit on the trademark application. This brochure was professionally printed, and was distributed to clients and prospective clients during meetings and via direct mailings. Prisca's design services for that brochure cost \$730 and the printing of 1500 copies was done by Image Systems for \$1,394.00. In addition to the professional design and printing services, I also incurred fees for mailing labels, envelopes, and postage as each mailing was performed.

Additional brochures were designed in-house in 2002 and 2007, which were sent via direct mailings to potential clients or investors/purchasers.

Other professionally printed materials which contained the Android Data mark were several versions of letterhead and envelopes, initially professionally printed and later designed and printed in-house, requiring considerable expense in printers, ink cartridges, paper, postage, and the like.

From 1998-2005, I paid over \$90,000 for co-location space and business-class internet service which, in addition to being used to host client sites, was used to host my online marketing materials including offers for purchase and investment opportunities via several variations of the androiddata.com web site. In 2009, a new web domain was launched at android-data.com.

Between 2002 and 2004, online advertisements were purchased on bizbuysell.com and usbx.com seeking investment opportunities.

Persons with relevant knowledge: See the answers to Interrogatory No. 1.

Investigation Continues

**INTERROGATORY NO.3**

Identify each and **every product or service** that any of the Plaintiffs have offered for sale, sold, licensed or distributed in association with the ANDROID DATA trademark, at any time, and for each product or service, further identify each and every consummated sale, license or distribution

of such product or service, including:

- a) the method and date of the sale, license or distribution;
- b) the identity of the person who purchased, licensed or received the product or service;
- c) the amount of revenue received by any of the Plaintiffs in association with that sale, license or distribution; and
- d) all persons having relevant knowledge of those sales, licenses or distribution.

**RESPONSE:** The Android Data® mark has been used to promote products and services related to:

Android Data proprietary e-commerce software product which was licensed to clients

Web site design services

Web site hosting services

Custom database application development

Computer consulting services

Also, see the answers to the other Interrogatories, documents produced and the invoices provided.

Investigation Continues

#### **INTERROGATORY NO.4**

Identify each and every way in which Plaintiffs have marketed, advertised and/or promoted any goods or services offered for sale, sold, licensed or distributed in association with the ANDROID DATA trademark, including the dates and locations (such as by dissemination through newspapers, magazines, direct mailings, advertising circulars, periodicals, broadcast median, billboards and websites), of such marketing, advertising and/or promotion.

**RESPONSE:**

\* Brochures:

>> One created in 2000, created by Prisca Tibbetts and printed by Image Systems. 1500 copies were produced, most of which were distributed by direct mail and/or presented directly to clients at meetings.



Date of payment to Prisca Tibbetts 6/28/2000 (after first mailing on 6/20/2000 came back undeliverable). Paid \$730 for design services.

Check sent via Fed Ex (using Mark as sender's name) to:

Prisca Tibbetts  
Brooks Tower  
1020 15th Street #38B  
Denver, CO 80202

Date of payment to Image Systems: 7/8/2000. Paid \$1,394 for 1500 copies of full-color brochures. Sent via Fed Ex (from Android Data Corporation) to:

Image Systems  
4895 Riverbend Road, Suite A  
Boulder, CO 80301

- \* Direct mailings: One approximately 2000, one in 2001 or 2002, and one in 2007.
- \* Online advertisements: USBX and bizbuysell.com
- \* Attending Chamber of Commerce and various charity events 1999-2009
- \* Follow-up on inquiries - online & other - sending promotional materials & proposals, giving presentations.
- \* Online marketing materials on web site
- \* Thawte Reseller Program
- \* Online listing such as Zibb.com, Manta, YellowPages.com, and the like.

See answers to other Interrogatories and documents produced.

Investigation continues.

**INTERROGATORY NO. 5**

Identify, by month and year, the total dollar amount of goods and/or services sold, licensed and/or distributed by each respective Plaintiff in association with the ANDROID DATA trademark.

**RESPONSE:** See the Answers to the other Interrogatories and Documents produced.

including invoices..

Total Sales were in excess of \$600,000.

Investigation continues.

**INTERROGATORY NO. 6**

Identify the annual gross revenue, net revenue, gross profit and net profit realized by each respective Plaintiff, for each year from 1999 to the present.

**RESPONSE:** See the Response to Interrogatory No. 5, Documents produced, and the answer to the other Interrogatories.

**Android Data Corporation**

Year	Gross Revenue Gross Profit	Net Revenue Net Profit
1999	\$57,481 \$39,547	\$57,481 \$2,697
2000	\$142,548 \$112,529	\$142,548 \$31,922
2001	\$197,430 \$155,237	\$197,430 \$76,939
2002	\$200,858 \$160,386	\$200,858 \$41,786

**Android's Dungeon Incorporated**

Year	Gross Revenue Gross Profit	Net Revenue Net Profit
2001	\$1,060 (\$409)	\$1,060 (\$409)
2002	\$496 (\$1,504)	\$496 (\$1,504)
2003	\$3,768	\$3,768

	\$60	\$60
2004	\$823 (\$412)	\$823 (\$412)
2005	\$66,096 \$63,138	\$66,096 \$34,029
2006	\$71,492 \$56,667	\$71,492 \$39,626
2007	\$11,550 \$10,829	\$11,550 (\$15,265)
2008	\$30,583 \$29,450	\$30,583 \$8,387

Investigation continues.

**INTERROGATORY NO. 7**

Identify by Plaintiff all domain names utilized by each Plaintiff in connection with the offer for sale, sale, license, distribution and/or promotion of any goods or services in association with the ANDROID DATA trademark, including for each such domain name the period of time during which the respective Plaintiff or any person associated with Plaintiff was the registrant of record for that domain name, the dates that products or services in association with the ANDROID DATA trademark were present on the website and all persons having relevant knowledge.

**RESPONSE:**

Domain names owned by Plaintiffs which promote Android Data ecommerce suite, use Android Data ecommerce solution to manage site content, and/or sell music related products on iTunes:

androiddata.com	1999- October, 2005
android-data.com	2009-Present
erichspecht.com	2003-Present
devastationwagon.com	2002-2006
pushpuppets.net	2008-Present

Domain names of clients and utilized by Plaintiffs to promote Android Data brand, but not owned by them:

tiebynight.com	2000-2002
wendymurphy.com	2000-Present
saztv.com	2001-Present
zibb.com	2001-Present
manta.com	2001-Present
dnb.com	

Domain names of clients managed by Plaintiffs which utilized AD proprietary software solutions

desigtoseano.com & variations

basilstreetgallery.com & variations

artistryinprinting.com

Domain names of clients managed by Plaintiffs which utilized custom software solutions

srjobs.com

ihunt4u.com

osservices.com

picketfencerealty.com

picketfencehomes.com

magnamedia.com

ncr-trainus.com

villageinvestments.com

homemachine.com

bonapartecorp.com & variations

thepca.com

hutech.net

buildusa.syntecgroup.com

Domain names of clients managed by Plaintiffs:

atmtutor.com

**INTERROGATORY NO. 8**

Identify, by year, all employees, shareholders, officers and/or directors of each Plaintiff from 1998 to date who have knowledge of the use of the ANDROID DATA mark by each Plaintiff.

**RESPONSE:**

**Android Data Corporation**

Plaintiff - Erich Specht sole shareholder, officer and director, 1998-Present

Other employee: Richard Moore January 2002 to August 2002  
230 S Highland #1C  
Arlington Heights, IL 60005

**Androids Dungeon Incorporated**

Plaintiff - Erich Specht sole shareholder, officer and director with knowledge of the use of ANDROID DATA mark 2001-2009

Megan Specht, Plaintiff's wife, officer and director with very limited knowledge of the use of the ANDROID DATA mark.

**INTERROGATORY NO. 9**

Identify, by year, all customers for, vendors of and/or suppliers for any product or service offered, sold, licensed or distributed by each Plaintiff in association with the ANDROID DATA trademark.

**RESPONSE:** See response to Interrogatory No.'s 1, 4, 7 and 8 and Documents produced.

Investigation continues

**INTERROGATORY NO.10**

Identify all persons, including counsel, if any, involved with the preparation and/or filing of the "Declaration of Use of Mark in Commerce under Section 8" for U.S. Trademark Registration No. 2,639,556, which was submitted to the U.S. Patent and Trademark Office by

ADI on or about April 21, 2009.

Erich Specht, Plaintiff

**INTERROGATORY NO.11**

Identify all persons, including counsel, if any, involved with the preparation and/or filing of an "Application for Reinstatement Domestic/Foreign Corporations" for ADC, which was filed with the Illinois Secretary of State's Office on or about April 24, 2009.

**RESPONSE:** Erich Specht, Plaintiff  
Martin Murphy, Plaintiff's Attorney

Corporation Services Company  
801 Adlai Stevenson Drive  
Springfield, IL 62703  
217-544-5900  
Fax 217-492-2727

**INTERROGATORY NO.12**

Identify all persons expected to testify on behalf of Plaintiffs at trial or otherwise regarding each Plaintiffs' use of the ANDROID DATA trademark and/or the issue of Plaintiffs' alleged abandonment of the ANDROID DATA trademark.

**RESPONSE:**

Abandonment has not been alleged. Plaintiffs expects to call Erich Specht, Plaintiff, some of the parties, still to be determined, listed in the above interrogatories, or identified in the documents produced.

Investigation continues.

Erich Specht states under penalty of perjury that he has read the foregoing Interrogatory answers and knows the contents thereof; that said answers were prepared with assistance of counsel; that the responses set forth above, subject to inadvertent or undiscovered errors, are based upon, and, therefore limited by, the records and information still in existence, presently recollected, and thus far discovered in the course of preparation of these answers; that Erich Specht reserves the right to make any changes in the answers if it appears at any time that omissions or errors have been made or that more accurate information is available; that subject to these limitations, the Interrogatory responses are true to the best of his knowledge, information and belief.

Signed



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Erich Specht, Plaintiff

Dated: July 29, 2009

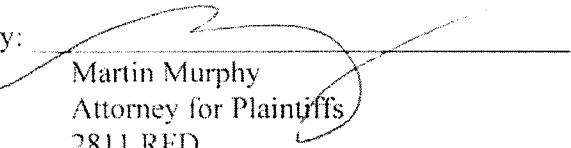
Martin J. Murphy  
Attorney for Plaintiffs  
2811 RFD  
Long Grove, IL 60047  
(312) 933-3200  
martyrvillageinvestments.com

**CERTIFICATE OF SERVICE**

I hereby certify that I served a true and correct copy of this document on the following by personal service on July 31, 2009 at the address listed below:

To:  
Herbert H. Finn, Esq.  
Greenberg & Traurig, LLP  
77 W Wacker Drive #3100  
Chicago, IL 60601

Signed this 31<sup>st</sup> day of July, 2009

By:   
Martin Murphy  
Attorney for Plaintiffs  
2811 RFD  
Long Grove, IL 600473  
(312) 933-3200  
email: martym@villageinvestments.com