TimesLines, Inc v. Facebook, Inc.
Doc. 81 Att. 9

Exhibit 47

Dockets.Justia.com

INTERNET ARCHIVE WaybackMachine BETA
http://www.smartdraw.com/specials/timelines.asp
314 captures
3 Oct 02 - 24 Dec 10
SEP OCT DEC
3
2001 2002 2004

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- Tutorials
- Cool Examples
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- Your Own Web Site
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You'll find free Gantt chart and time lines tutorials, examples, resources, and more!

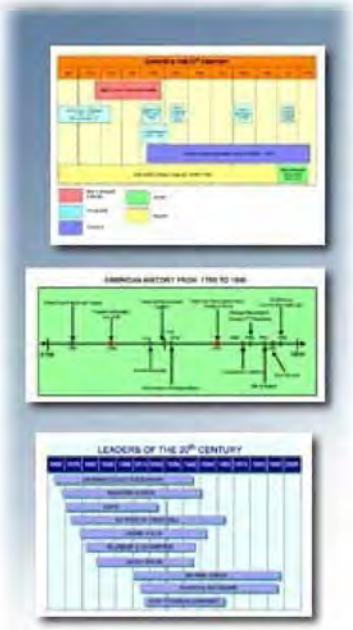
Users Love SmartDraw!

PC Magazine · ZDNet · SIA Winner

"Within an hour, I was comfortable with SmartDraw's interface, and I was finally able to electronically create the timelines I had been doing by hand for so long! "
Catherine Sherman

Create Time Lines & Charts

Easily Create Time Lines, Schedules, Timetables, Gantt Charts, Chronologies and Much More — Download It Free!



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Quickly and easily draw time lines, schedules, timetables, Gantt charts and much more—even if you have no drawing skill at all!

SmartDraw gives you hundreds of ready-made templates and symbols for all kinds of timelines and charts:

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- Chronology Time Lines
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- Drawing is easy! Just drag-and-drop ready-made graphics from the built-in libraries and drop them on your page.
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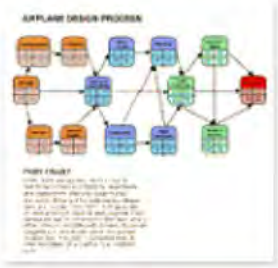
- SmartDraw is so easy to use, you can download it and get started right away!

Discover why SmartDraw is the Internet's #1 drawing program. It's fast, it's easy, and you can Try it FREE for 30 days with no obligation.

Create Great-Looking Charts Like These!



Click Here to see the other amazing things you can do with SmartDraw!

FB_TL_00011614

Timeline / Time Line:
Illustrates the relationship between events and time; usually a linear representation of important events (aka timetable). Most timelines are arranged chronologically: the order in which the event occurred.

Timetable / Time Schedule:
Any schedule or plan designating the times at or within which certain things occur or are scheduled to occur.

Project Time Line or Gantt Chart Schedules:
Bar graphs that help plan & monitor project development or resource allocation on a horizontal time scale.

Visit the SmartDraw Gantt Chart & Time Line Center where you'll find free tutorials, examples, resources, and more! Or click on the following direct paths to various time line and scheduling chart examples:

17th Century European Time Line
20th Century Leaders Time Line
American History Time Line
Appointment Schedule
Assignment Schedule for Sales Territory
Arts & Literature Time Lines
Bible Maps & Time Lines
Biblical Time Lines
Biographical Time Line
Calendar Appointment Schedules
Chronological Time Lines
Chronology of Personal Computers
Chronology of U.S. Historical Documents
Computing Time Line
Construction Project Schedule
Daily Planner Time Schedule
Daily Timetable
Development Schedule for Software
ER Project Schedule
Europe Historical Time Line
Evolutionary & Geological Time Line
Historical Time Lines
History & Cultures Chronology Time Lines
History of Science & Technology Time Line
History Time Lines
Innovation & Invention Time Lines
Knowledge Management Timeline
Leaders of the 20th Century Time Line
Marketing Timeline: Purchasing Budget
Meeting Schedule Planner
Network Status Project Schedule
Planning Calendars - Appointment Schedules
Planning Schedule for Daily Appointments
Production Timeline: Planning, Decision, Validation
Production Schedule for Software Development
Program Implementation Timeline
Project Development Schedule
Religious Bible Timeline Charts
Religious Time Lines & Chronologies
Sales Territory Schedule
Schedule for School Project
School Project Time Line
Science & Technology Time Lines
Science Time Lines
Software Development Project Timeline
Strategic Action Plan Timeline
Territory Schedule for Sales
Timeline Pictures / Timeline Examples
Timetable Chart for Construction Project
Timetable Chart for Network Computer Status
Timetable Chart for Software Development
Time Line Biographical
Time Line Pictures / Time Line Examples
Time Management Schedule, Construction
Time Management Schedule, Daily Schedule
Time Schedule for Appointments
Time Schedule for School Project

Time Sheet Schedule, Weekly
Time Table for ER Work Schedule
Typical Time Schedule for a SVP Plant
Typical Weekly Time Schedule

Click Here to see the other amazing things you can do with SmartDraw!

Exchange Links with SmartDraw
If you have a high-quality web site that you think would be of interest to SmartDraw users, we encourage you to submit it here!

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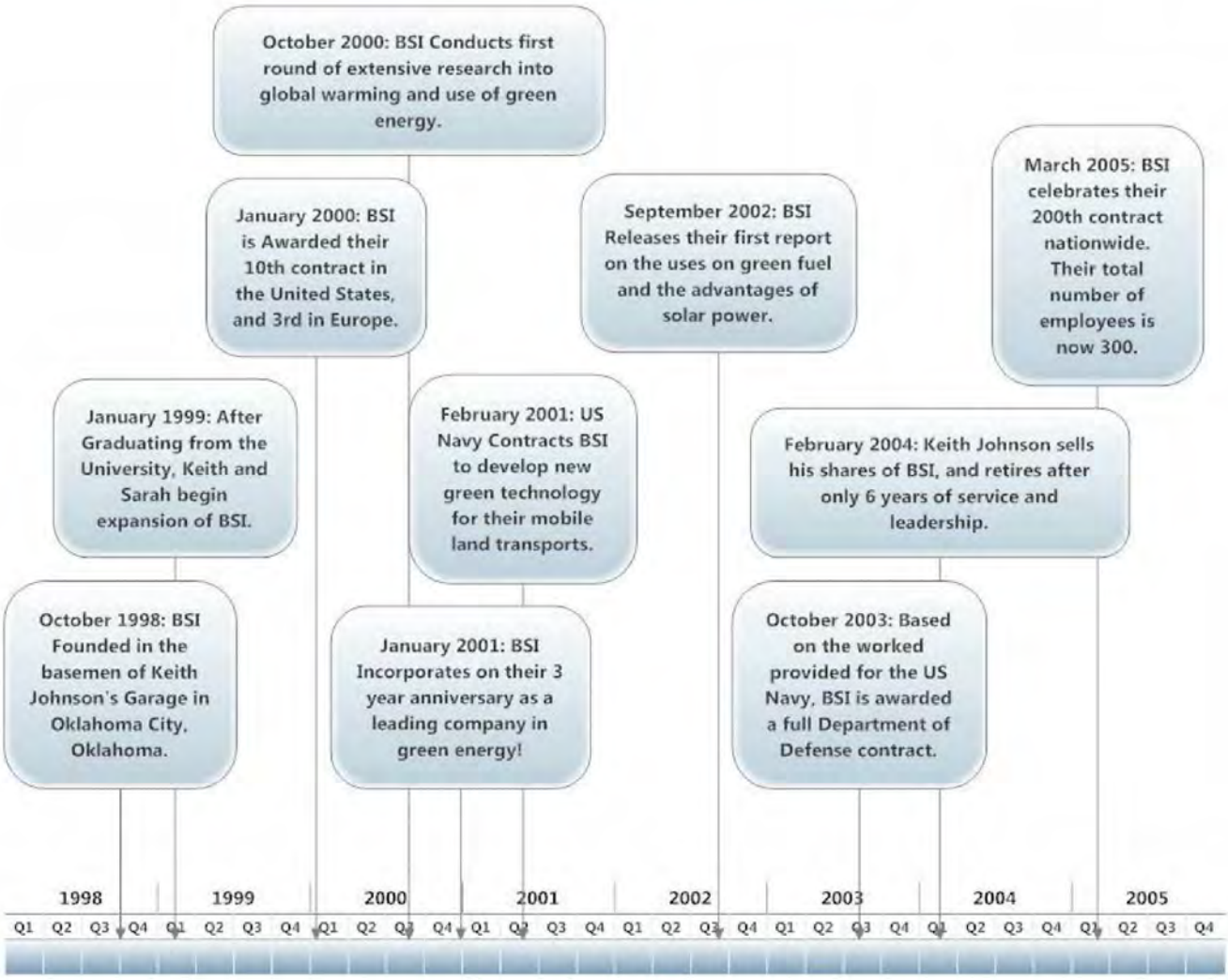
http://web.archive.org/web/20021003080823/http://www.smartdraw.com/specials/timelines.asp[8/10/2012 12:48:19 PM]

More examples in Timelines/Timelines

Company Timeline Example - SmartDraw

SmartDraw includes thousands of professional-looking diagrams like this that you can easily edit and make your own.

Click Here to Download this Example and Try SmartDraw



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Easy Timeline Software

Easily create timelines, schedules, timetables, Gantt charts, chronologies, and much more! Download Our Timeline Software FREE!

CNET Editor's Rating: ★★★★★

Free Download

SmartDraw, the world's first visual processor™, creates your visuals for you. Simply input your information, and SmartDraw does the rest, aligning everything automatically and applying professional design themes for presentation-quality results every time.

Play Demo Video:

Top reasons SmartDraw is the ideal timeline software:

- **Automatic Formatting**
  Simply click to add events and SmartDraw builds your timeline for you, automatically. Add or remove events, and SmartDraw realigns and arranges all the elements in your timeline for you so that everything looks great.
- **Quick-Start Templates**
  Dozens of timeline examples make you instantly productive. Choose a timeline template and customize it to suit your needs with just a few clicks.
- **Free Support**
  Got a question? Call or email us. SmartDraw experts are standing by ready to help, for free!

Timeline Examples:

Company Timeline

Gantt Chart - Business Preparation

Click here for more timeline examples

What timelines are and how they help you:

Timelines show the steps or events of a process or project over a certain period of time. They show minimal detail, but they do make it easy to see when each step of the process must be completed. A Timeline consists of a horizontal bar or line representing time progressing from left to right. This bar is marked with events or steps to indicate when they should or did happen.

Create a great looking timeline in no time with SmartDraw.
Try SmartDraw FREE.

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Exhibit 48

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

TIMELINES, INC.,	)	
	)	
Plaintiff,	)	
	)	
VS.	)	No. 11-CV-06867
	)	
FACEBOOK, INC.,	)	
	)	
Defendant.	)	
	)	

DEPOSITION OF J. ANTHONY PATTERSON
San Diego, California
Wednesday, August 29, 2012

Job 53014
Reported by: NIKKI ROY
CSR No. 3052

Q. Could you please tell me what it is?

A. It's a representative copy of our home page of our website from 1996.

Q. Great. And was this one of the documents that you collected in order to respond to our document request?

A. Yes.

Q. And was this -- it appears that this document was captured using the Wayback Machine, according to the top of the page. Was this in your files, or was this -- is that how that was captured?

A. That's how it was captured.

Q. Great. Do you believe that this is a true and accurate screenshot from your web page from this period of time here as indicated as being November 15, I guess, 1996?

A. Yes.

Q. Great. And I'd appreciate it if you could please look at the first bullet point. Have you had the opportunity to take a look at this exhibit?

A. Yes.

Q. All right. Great. Appreciate it if you could please look at the first bullet point and read that into the record, please.

A. (Reading:)

Instant formatting, period. Create perfectly formatted organization charts, fishbone diagrams, network diagrams, timelines and other arrays of shapes automatically with new connector objects.

Q. And what does the term "timelines" mean to you?

A. It's a type of --

MS. MOORE: Objection; form.

MR. MARTIN: I'm sorry. I think there was something else.

Ms. Moore, did you make an objection?

MS. MOORE: Thank you, Mr. Martin. I apologize for speaking over Mr. Patterson. I think that's the fact we're on telephone here. I was objecting to the form of the question.

You can obviously answer.

MR. MARTIN: Go ahead, Mr. Patterson.

THE WITNESS: Could you reask the question, please.

BY MR. HUGHES:

Q. Yes. I'd appreciate it if you could please let me know what the term "timelines" -- how you would define the term "timelines."

A. It's a diagram type that would annotate or show events over a period of time.

Q. So in this context when you use it, what are you -- what are you referring to when you use the term "timelines" when you use it within the context of this bullet point?

A. The capability of our software to create timelines.

Q. And is that a capability that your customers are interested in?

A. I don't know how to answer that exactly.

Q. Is -- is timeline creation a functionality of your software that interests your customers?

A. I can only assume so. We had had requests for it, so if you want to call that that they're interested in, you can. Certainly it's something we added to the product.

Q. Okay. And how -- when was this timeline creation functionality added to your product?

A. It was added right here in version 3.

Q. Version 3?

A. Uh-huh.

Q. And when was version 3 launched? Do you recall?

A. It would have been in the fall of 1996.

Q. And beginning in the fall of 1996 when this version 3 was launched, would the timeline functionality

management diagrams, electrical diagrams, mechanical diagrams, chemistry diagrams, timelines, space plans, flyers, posters, banners, maps, forms and more.

Q. Thank you very much.

And when you reference the term "timelines," is it in connection with the timeline creation capability of your software?

A. Yes.

Q. And is that the same capability that we discussed in connection with Exhibit 7?

A. Yes.

Q. Great. And why did you use the term "timelines" here?

A. It was descriptive of the feature.

Q. Okay. Great. And, again, could you please explain a little bit more about that feature. What specifically would it allow consumers to do?

MS. MOORE: Objection; form.

THE WITNESS: A consumer can create a time horizon and attach events by date and get a visual view of -- of events over a specific period of time.

BY MR. HUGHES:

Q. And why did you use the term "timeline" in connection with that capability?

parties objecting to your use of that term?

MS. MOORE: Objection; form.

THE WITNESS: None of which we're aware.

BY MR. HUGHES:

Q. Has SmartDraw ever been asked to stop using the term "timeline" or "timelines" in connection with its timeline software?

MS. MOORE: Objection; form.

THE WITNESS: No.

BY MR. HUGHES:

Q. Clarify that question. Has SmartDraw ever been asked to stop using the term "timeline" or "timelines" in connection with its SmartDraw software?

A. No.

Q. Is SmartDraw aware of any instances of consumer confusion arising from its use of the term "timeline" in connection with its SmartDraw software?

MS. MOORE: Sorry, Brendan. Objection; foundation.

THE WITNESS: No.

BY MR. HUGHES:

Q. Has plaintiff Timelines, Inc., ever asked SmartDraw to cease using the term "timeline" or "timelines" in connection with its software?

A. No.

Q. Has any third party asked SmartDraw to cease using the term "timeline" or "timelines" in connection with its software?

A. No.

Q. Has SmartDraw ever filed an application to register the term "timeline" -- a trademark application to register the term "timeline"?

A. No.

Q. Has SmartDraw ever attempted to enforce any trademark rights in the term "timelines"?

A. No.

Q. Clarify. Has SmartDraw ever attempted to enforce any rights in the term "timeline"?

THE DEPOSITION OFFICER: I'm sorry. Brendan, I'm sorry. This is Nikki, the court reporter. Was the first question "timelines," plural or singular, and is the second question -- I'm not hearing the plural, if there is one.

MR. HUGHES: The first question was plural, and the second question was singular.

THE DEPOSITION OFFICER: Okay. Let me have one second, please. Thank you.

THE WITNESS: I'm going to have to ask you to re- -- to ask the question again.

(The record was read as follows:

Exhibit 49

FB_TL_00000498

Curriculum Uses & Standards | Timeliner XE | Windows Internet Explorer

http://www.tomsnyder.com/timeliner/details.asp

timeliner

File Edit View Favorites Tools Help Convert Select

Favorites | Curriculum Uses & Standards | Timeliner XE

TIMELINER XE

English/Espanol
All Grades

Home | Product Details | Tutorials | Pricing/Order Info | Resources

PRODUCT FEATURES

VIDEO DEMONSTRATION

CURRICULUM USES

STANDARDS CORRELATIONS

WHAT'S INCLUDED

SYSTEM REQUIREMENTS

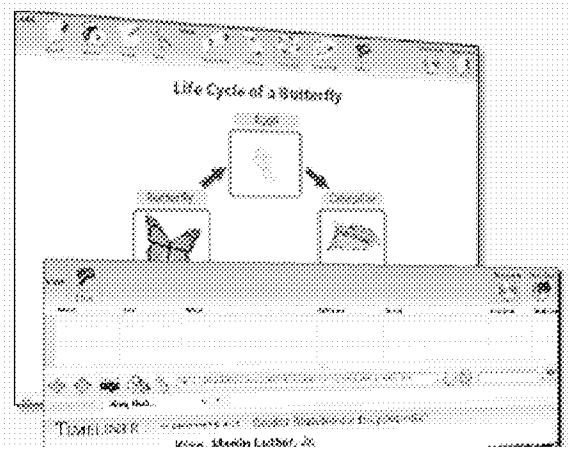
PRODUCT FEATURES

Timeliner XE is the powerful and intuitive software program students use to organize data—on multimedia timelines, sequences, and cycles—to see the connections, and transform a world of information into real knowledge.

Intuitive, all-in-one tool.
Visually organize any sequential information on a horizontal, vertical, or circular sequence in just minutes. Timeliner XE automatically plots the events in proportional distance to each other. Using the formatting tools and library of over 1000 media files, students can express their creativity and fully engage with the curriculum.

NEXT STEPS

- Schedule Presentation
- Download e-Kit
- Contact Us
- Buy Now

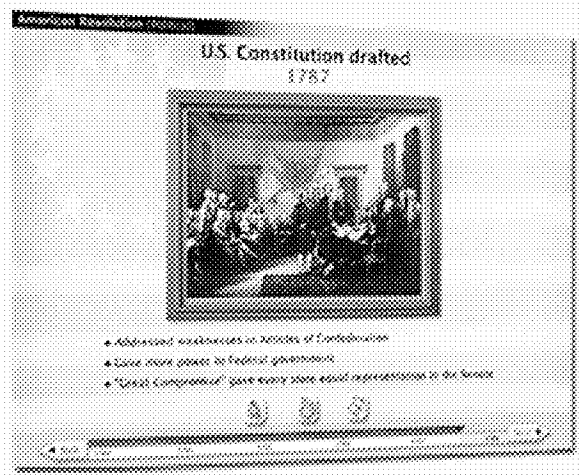


Activities across the curriculum.
More than 400 customizable activity files in language arts, science, and social studies are included with the program. There are 50 ready-made research assignments that include free, educationally appropriate articles from Grolier Online. Teachers

Done | Internet | 105%

timeliner
File Edit View Favorites Tools Help
Convert
Select
Favorites
Curriculum Uses & Standards | Timeliner XE
Activities across the curriculum.
More than 400 customizable activity files in language arts, science, and social studies are included with the program. There are 50 ready-made research assignments that include free, educationally appropriate articles from Grolier Online. Teachers can also quickly assess student understanding of sequential information with engaging scramble challenges. Finally, students work on their critical thinking skills as they fill in missing information in the "Finish Me" timeline activities. Teachers can easily author their own activities, too!
Research in the 21st Century.
Students gather information seamlessly from the web using Timeliner XE's built-in browser. Take electronic notes while researching on the web, without ever leaving the program. This revolutionary technology allows students to grab online images, sounds, and movies—complete with citations! Notes and media then turn into a finished timeline with just one click.
U.S. Constitution drafted
1787
Communication to build understanding.
Communication is not only a way to share knowledge, but also a way to deepen one's own understanding. Timeliner XE has been built with this in mind. Students can transform their sequences
Done
Internet
105%

Research in the 21st Century.
Students gather information seamlessly from the web using Timeliner XE's built-in browser. Take electronic notes while researching on the web, without ever leaving the program. This revolutionary technology allows students to grab online images, sounds, and movies—complete with citations! Notes and media then turn into a finished timeline with just one click.



Communication to build understanding.
Communication is not only a way to share knowledge, but also a way to deepen one's own understanding. Timeliner XE has been built with this in mind. Students can transform their sequences into multimedia slideshows without leaving the program. Students can create their own or use pre-made templates. When presenting, you can move the Timeliner XE toolbar to the bottom of the screen to use with interactive whiteboards. Students can also share their understanding with parents by saving their projects in PDF format.

Tom Snyder Productions

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FB_TL_00000501

Lesson Plans & Activities | Timeliner XE - Windows Internet Explorer
File Edit View Favorites Tools Help
Favorites
Lesson Plans & Activities | Timeliner XE
TIMELINER XE
English/Esperanto
All Grades
Home
Product Details
Tutorials
Pricing/Order Info
Resources
INCLUDED ACTIVITIES
ACTIVITY EXCHANGE
PRODUCT REGISTRATION
DOCUMENTATION
PRESENTERS' AREA
TECHNICAL SUPPORT
INCLUDED ACTIVITIES
Timeliner XE comes with more than 400 activity files in language arts, science, social studies, math, and life skills. New activity files will be added online periodically and they will appear in the program if you are connected to the Internet.
Download and print materials now
To save the files to your hard drive before viewing and/or printing, right click the link (on Windows) and choose "Save Target As...", or control-click the link (on Macintosh) and choose "Download Link to Disk". To simply view the files without downloading, just click on the links below.
Activities Matrix
This matrix aligns the included activities to learning objectives.
Ready-Made Timelines
This list includes the additional 200+ ready-made timeline files that come with the program
NEXT STEPS
Schedule Presentation
Download e-Kit
Contact Us
Buy Now
Tom Snyder Productions
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Done
Internet
105%

Exhibit 50

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

TIMELINES, INC., Plaintiff,	)	
v.	)	Civil Action No. 11-cv-06867
FACEBOOK, INC., Defendant.	)	

CONTAINS CONFIDENTIAL PORTIONS

30(b)(6) DEPOSITION OF
TOM SNYDER PRODUCTIONS, INC. THROUGH ITS DESIGNEE
RICHARD ABRAMS
New York, New York
Thursday, September 13, 2012

Reported by:
ASHLEY SHUGAR
JOB NO. 53493

R. ABRAMS

A. So what's the question again, sorry?

Q. How would you describe the goods and services that Tom Snyder Productions provides its customers?

MR. LICK: Today?

A. Elementary, middle school. So it's software to help teachers teach.

Q. Is the educational consumer the only target audience of Tom Snyder Productions?

A. That is the target market for the products. A parent could potentially purchase. I suppose our market is educational, K through 12.

Q. Okay. What is the Timeliner product?

A. Timeliner is educational software that's delivered on a CD that allows teachers or students in their class to type in dates and facts and the computer will create a scaled timeline that you could print out. You could simply store and look at on the screen and that is the functionality of Timeliner.

Q. Is Timeliner only delivered on a CD or is it available by any of the other delivery mechanisms?

A. It is delivered on a CD.

Q. Only?

A. Yes.

Q. Have there been different versions of Timeliner --

A. Yes.

Q. -- from inception to the current --

A. Yes, there were a number of versions.

Q. Do you know when it was first created?

A. Yes, we worked and created it in 1986 and I believe the first date of shipment is 1987.

Q. Do you have any idea of how many versions of Timeliner there have been?

A. If it's acceptable to think about it generally, there have been more than three and less than 15, so a number.

Q. Okay. And is there sort of a typical change or evolution from one version to the next?

A. Yes.

Q. And what would that be?

A. We would fix bugs for a new release. We would accumulate teacher feedback to improve the program and would support newer operating

A. Of the events or facts that you're looking at, at the time.

Q. Under the heading "A Natural for Social Studies" it says, "Timeliner is quickly becoming a basic tool in social studies and history classes around the country. Timeliner comes complete with many historical timelines."

What did that mean?

A. Yes, the primary purpose of Timeliner was to create scaled timelines like the ones we just spoke about, a family timeline. You could also use it, kids or teachers could use it for in-class projects or homework, whatever. So I'll share it comes complete with historical timelines, means I'll give you an example. If you were studying the history of the United States in the 20th century, you might type in information about your life, your family life, your town history and you might want to compare it to what was happening. As an example, in the United States at that time, who was president, when there were wars. To relieve some of the burden on teachers and students from having to type in all of that factual data, when did World

War II start, when did it end, when did we land on the moon, when was the polio vaccine, whatever, we would create some pre-made timelines. One of the features of Timeliner was the ability to merge timelines, so with the push of a button I could merge my family timeline, my personal timeline with the history of the United States. Push of a button, gee, I didn't know mom and dad were X age when we landed on the moon in 1969. It was our way of making the product even more useful for educational purposes.

(Exhibit 5, Scholastic/Tom Snyder Productions Fall 2008 Catalog cover and excerpt, Bates stamped TSP0000068 through TSP0000069 and TSP0000093 through TSP0000094, was marked for identification.)

Q. Mr. Abrams, I've handed you what's been marked as Exhibit No. 5.

Have you seen this document before?

A. I have seen this document before.

Q. What is this document?

A. This is a catalog cover and it looks like some of the pages from the catalog. Yes, some of the pages.

A. This document is the getting started guide or a subset, as you described, of the getting started guide.

Q. And what is the purpose of the guide?

A. The purpose of this guide is to provide a document that would allow a student or teacher who's interested in using Timeliner. It's a guide that would help them learn how to use the program, the features of the program, the benefits of the program, et cetera.

Q. If you flip to the sixth page of the exhibit, which is Bates No. TSP ending 133.

A. Okay. I'm there.

Q. There's a letter from the producer?

A. Yes.

Q. Just starting with the second sentence of that first paragraph to the end, if you wouldn't mind just reading that.

A. "I used it to make banner timelines that printed on a continuous feed ImageWriter and taped above the chalkboard in my classroom. The timelines were a great visual reference to help my students keep track of how everything fit together chronologically. But the program was

limited. You could only make banner timelines in black and white with no images."

Q. Who's the sort of author of this introduction?

A. The person whose name is on this page is Hedrick Ellis. He was an executive producer and his responsibility was to manage the development and launch from a marketing point of view, the XE version of Timeliner.

Q. Is it important to use the term "timeline" to describe the functionality of the Timeliner product?

MR. ROSENTHAL: Objection.

A. I'm not sure what important means, but if we were describing to a teacher what Timeliner does, we would use the word "timeline" in our sentence in describing what Timeliner does.

Q. And why is that?

A. Because the program creates timelines, so it would be natural to use the word "timeline" as we describe what Timeliner does.

(Exhibit 9, a Timeliner 5.0 timeline of Florida History 1500-1700, Bates stamped

Exhibit 51

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

TIMELINES, INC.,	)	
	)	
Plaintiff,	)	
	)	Civil Action
V.	)	No. 11-cv-06867
	)	
FACEBOOK, INC.,	)	
	)	
Defendant.	)	
	)	

International Reading Association
800 Barksdale Road
Newark, Delaware
September 10, 2012
2:42 P.M.

ORAL RULE 30(b)(6) DEPOSITION OF
International Reading Association
Through Its Designee
Bridget Hilferty

Reported by:
DEBRA SAPIO LYONS, RDR, CRR, CCR, CPE
JOB NO. 53016

B. Hilferty

Q. Okay. So it's just the one student interactive Timeline Tool, is that what you call it?

A. The Timeline Tool, yes.

Q. Timeline Tool. Okay.

And it's available -- is it web based?

A. Yes.

Q. And when did International Reading Association start offering the web-based Timeline Tool?

A. It would have been around 2003.

Q. And since that time has it always called it the Timeline Tool?

A. Yes.

Q. And why does it call it the Timeline Tool?

A. It creates a timeline.

MS. MAYALL: Okay. Miss Lyons, can you please identify what was previously marked as Facebook Exhibit 2, and I'm going to enter this in as Deposition Exhibit 4.

COURT REPORTER: Okay. Would you like me to mark it?

B. Hilferty

Association is providing?

MS. MOORE: Objection to form and foundation.

You can answer the question.

BY MS. MAYALL:

Q. Ms. Hilferty?

A. Yeah. Um, yes.

Q. If International Reading Association was prevented from using the term timeline, would it be at a competitive disadvantage in the marketplace?

MS. MOORE: Objection, form, foundation.

You can answer.

MS. MAYALL: I'll step back. Let me -- sorry. I'll rephrase.

BY MS. MAYALL:

Q. So if -- you said it would be difficult for International Reading Association to communicate to its consumers the type of product it's providing if it wasn't able to use this timeline -- to use the term timeline; correct?

A. Yes.

B. Hilferty

MS. MOORE: Objection, form.

BY MS. MAYALL:

Q. Okay. And why would that -- why would it be difficult?

A. Because the tool is essentially having students create a timeline.

Q. Okay. So if you couldn't call it a timeline, you wouldn't have anything else to call it; is that right?

MS. MOORE: Objection, form, foundation.

THE WITNESS: Not sure.

MS. MAYALL: Okay. Let's move on to Facebook Exhibit -- what was previously marked as Facebook Exhibit 7.

And, Miss Lyons, if you could please mark this in as -- are we at 9? Yes. Exhibit 9, Deposition Exhibit 9.

(Exhibit Hilferty-9, document previously marked as Facebook Exhibit 7 entitled WebTrends Usage, is marked for identification.)

COURT REPORTER: Okay.

BY MS. MAYALL:

Q. Okay. Ms. Hilferty, what's this

B. Hilferty

if I may.

- - -

E X A M I N A T I O N

- - -

BY MS. MAYALL:

Q. Okay. Ms. Hilferty, are you a trademark attorney?

A. No.

Q. Have you ever read any books on trademarks?

A. No.

Q. Have you ever studied what a trademark is?

A. No.

Q. Is timeline a common name for your student interactive?

A. Yes.

MS. MOORE: Objection, form.

BY MS. MAYALL:

Q. Okay. Have you -- has International Reading Association used the term timeline continuously without interruption?

A. Yes.

Q. Okay. Has International Reading

B. Hilferty

Association ever received any letters stating an objection to its use of the term timelines?

A. No.

MS. MOORE: Objection, form.

BY MS. MAYALL:

Q. Has International Reading Association ever been asked to stop using the term timelines in connection with its student interactive Timeline Tool?

MS. MOORE: Objection, form.

THE WITNESS: No.

BY MS. MAYALL:

Q. Is International Reading Association aware of any instances of consumer confusion arising from its use of the term timeline in connection with its timelines tool?

MS. MOORE: Objection, form.

THE WITNESS: No.

BY MS. MAYALL:

Q. And has Timelines, Inc. ever asked International Reading Association to cease using the term timelines in connection with its Timelines Tool?

MS. MOORE: Objection, form,

B. Hilferty

foundation.

THE WITNESS: No.

BY MS. MAYALL:

Q. Okay. Before Timelines, Inc. sued Facebook, was International Reading Association aware of Timelines, Inc.?

MS. MOORE: Objection, form.

THE WITNESS: No.

BY MS. MAYALL:

Q. Before International Reading Association was served with the subpoena, was it aware of Timelines, Inc.?

A. No.

Q. Has anyone at International Reading Association communicated with Timelines, Inc.?

MS. MOORE: Objection, form.

THE WITNESS: No, aside from myself in communicating with Raven.

BY MS. MAYALL:

Q. Okay. And what did you communicate with Ms. Moore about?

A. About the deposition today.

Q. Can you go in a little bit more detail about what was discussed?

Landing Page for Classroom Resource:

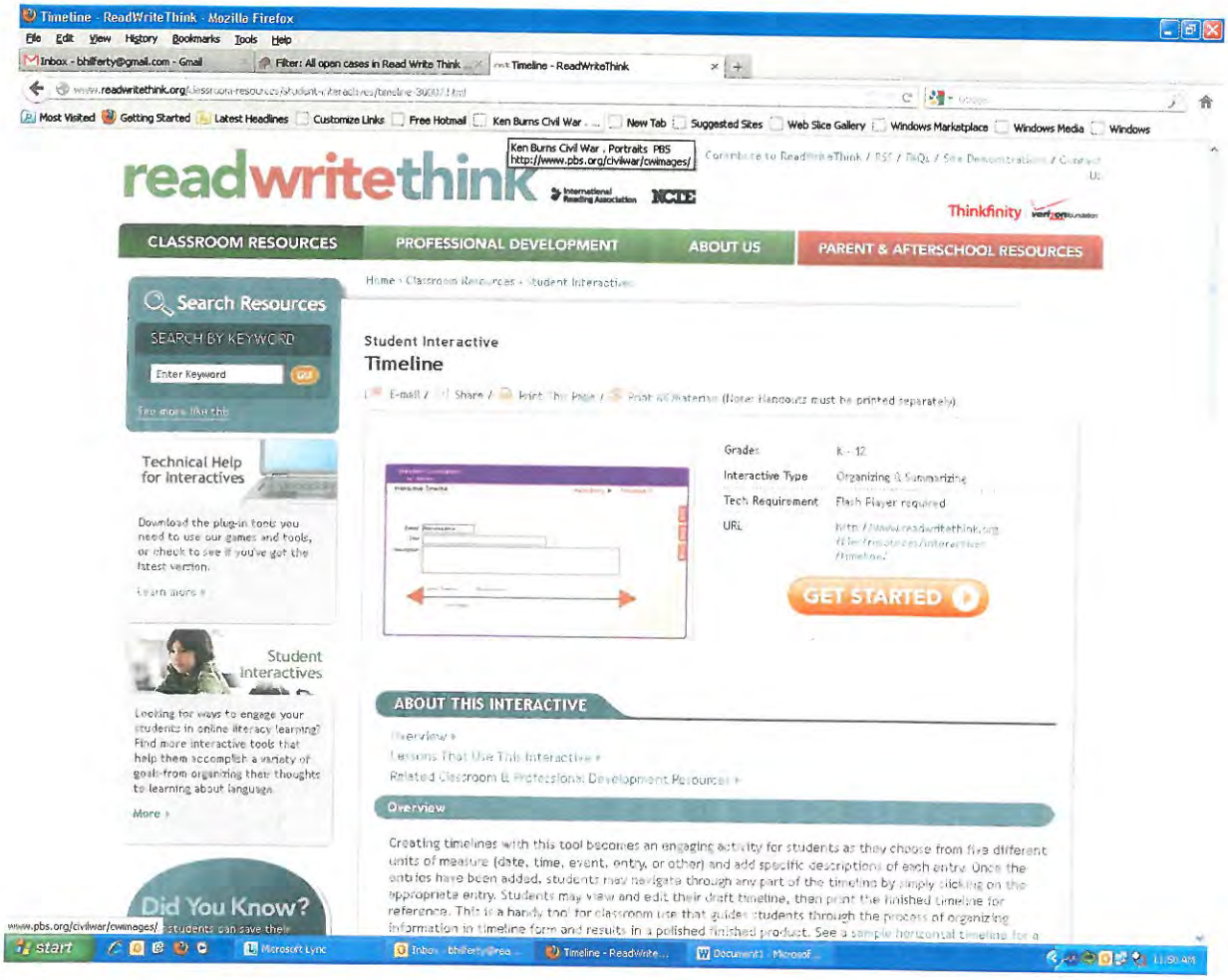
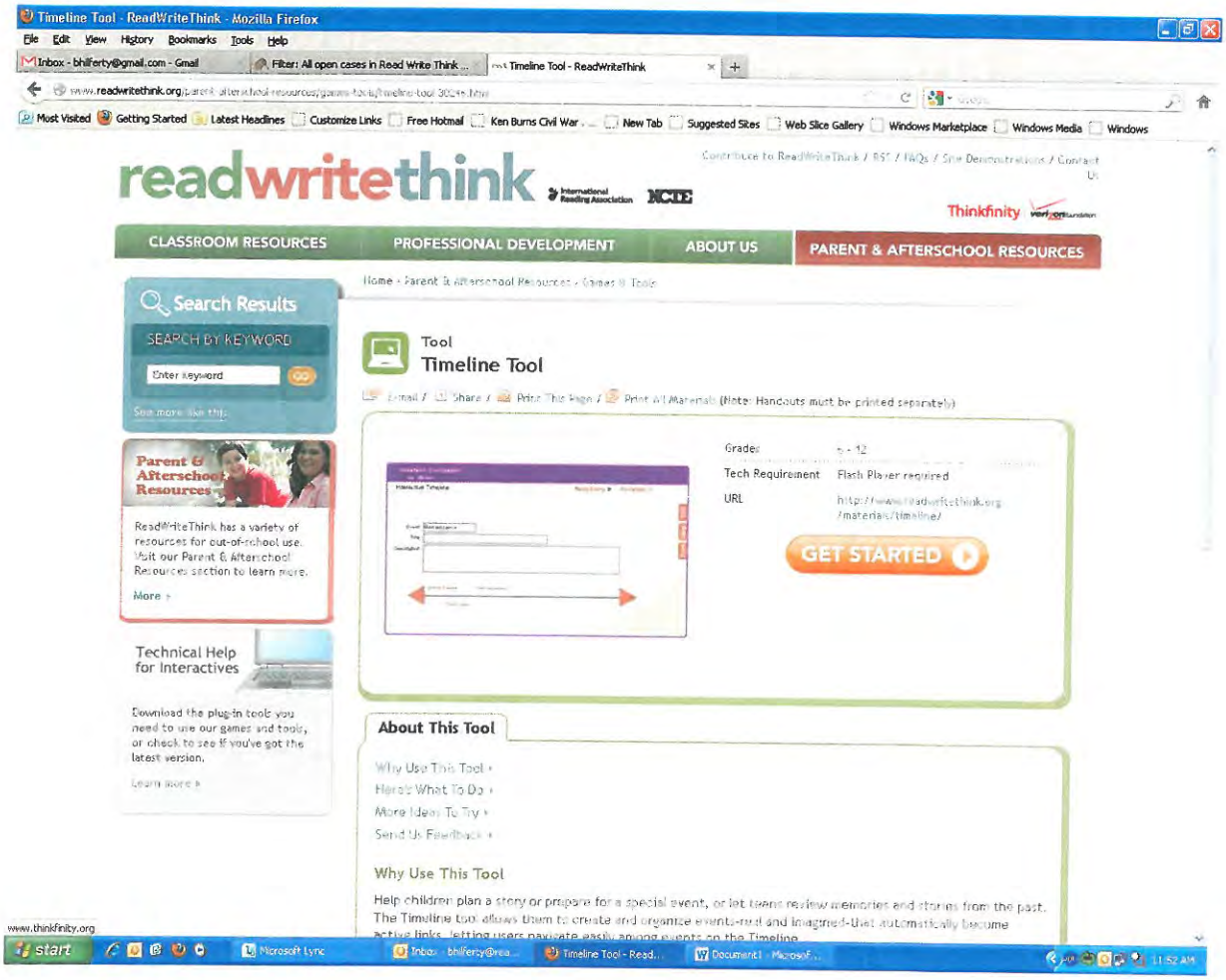
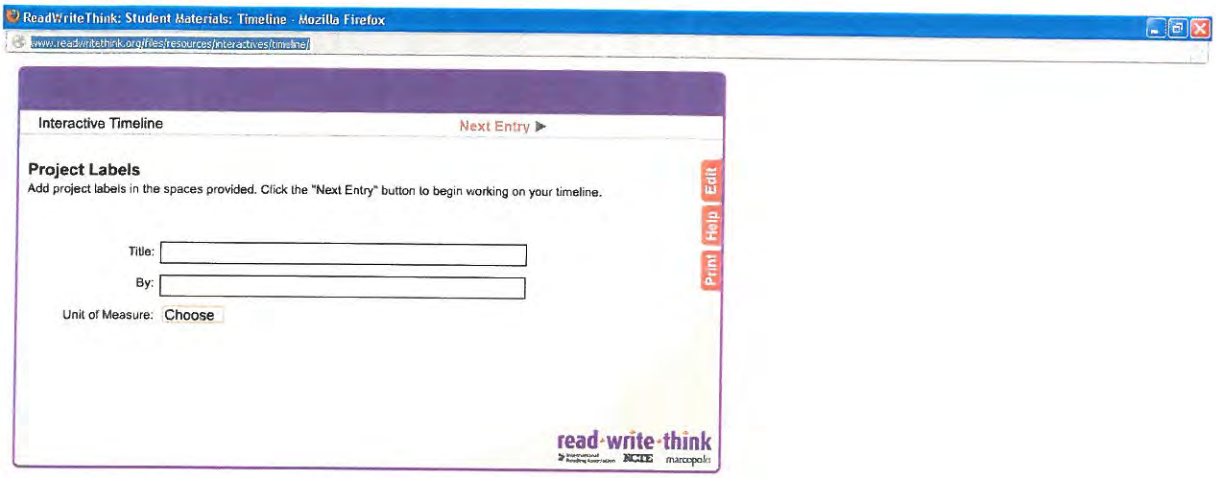


EXHIBIT
Hilferty-4
9/10/12
PENGAD 800-631-6989

Landing Page for Parent Resource:



Student Interactive:



PENGAD 800-631-6989
EXHIBIT
Hilferty-6
9/10/18

Sample Lesson Plan:

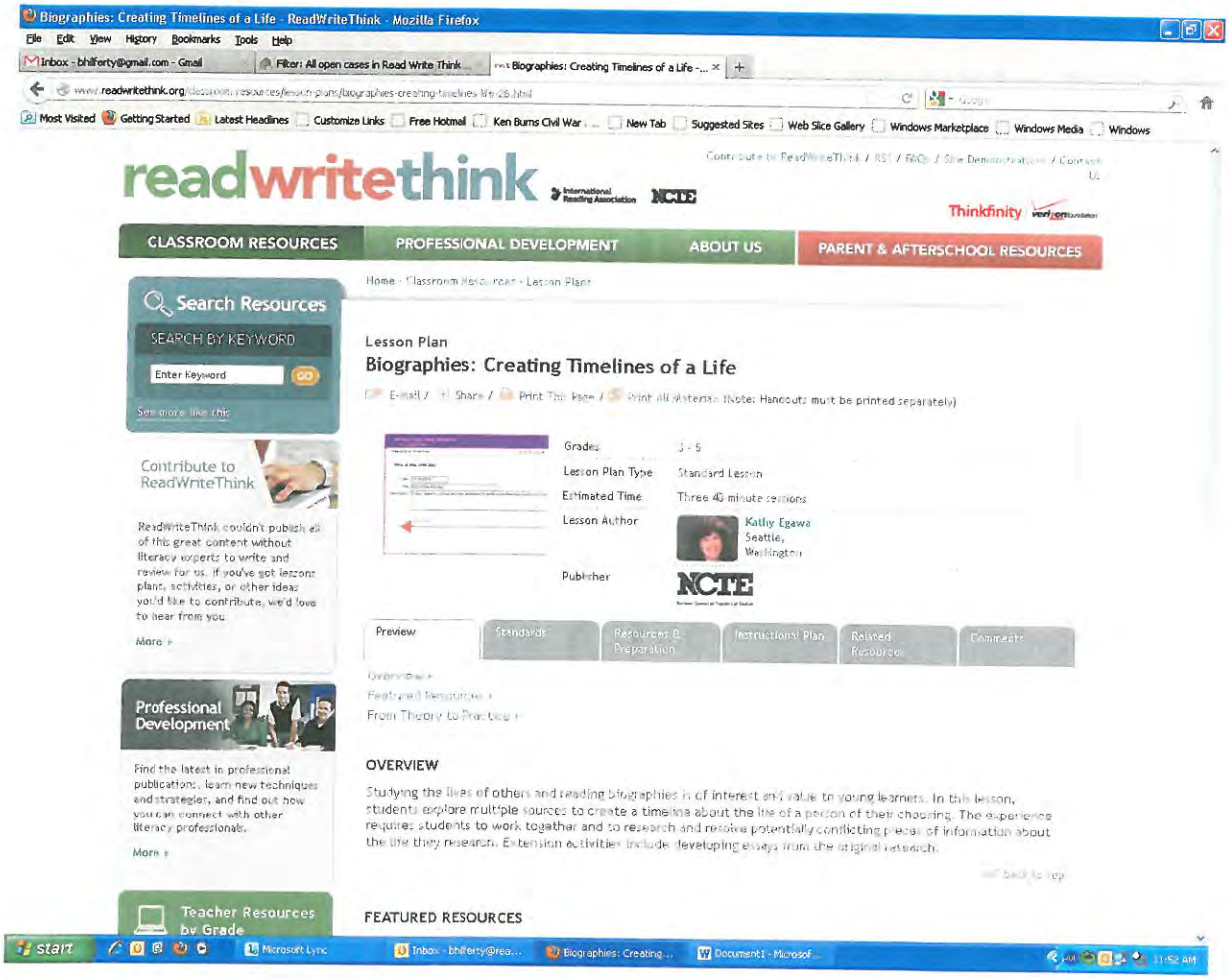


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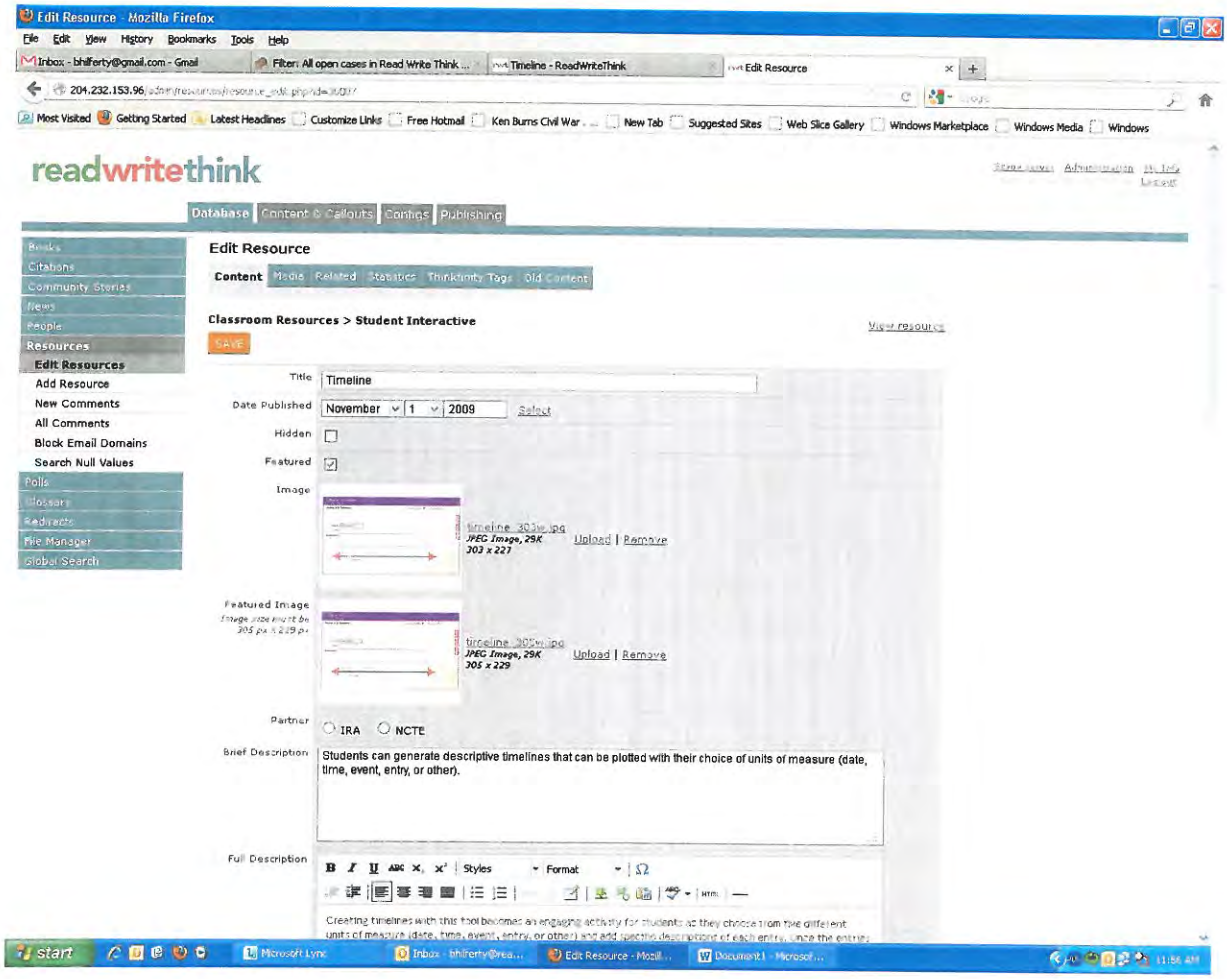
EXHIBIT
Hilferty - 7
9/1/12

Content Management System Page:

[Note: Timeline Tool originally published in 2003; the date in Content Management System was updated to 2009 with launch of a site redesign]



PENGAD 800-631-6989
EXHIBIT
H: Herty-8
9/10/12

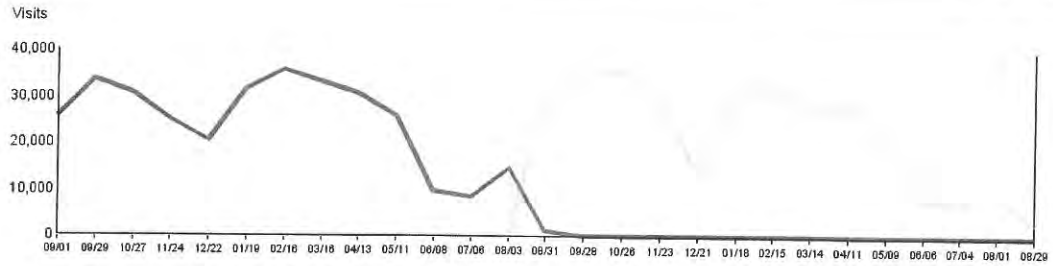
WebTrends Usage:

Pages: Search Results For /files/resources /interactives/timeline/

This report identifies the most popular pages on your site and shows you key metrics for each page such as Visits, Page Views and Average Time Viewed.

Sep 1, 2010 (12:00 AM) - Aug 31, 2012 (11:59 PM)

Pages Trend



Showing: 1 - 2 of 2

Pages: Search Results For /files/resources/interactives/timeline/

/files/resources/interactives/timeli Search Clear Advanced

New Calculated Measure Query Related Reports

Search Page Titles Search Page URLs

Pages: Search Results For /files/resources/interactives/timeline/

Pages	Visits	Views	Average Time Viewed (seconds)	Average Time to Serve (ms)
ReadWriteThink: Student Materials: Timeline 1. http://www.readwritethink.org/files/resources/interactives/timeline/ Overall Rank: 27	325,175	424,622	227	0.00
ReadWriteThink: Student Materials: Timeline 2. http://www.readwritethink.org/files/resources/interactives/timeline/ Overall Rank: 30	306,796	407,752	216	0.00
Total	-	832,374	-	-

http://www.readwritethink.org/classroom-resources/student-interactives/timeline-30007.html

readwritethink International Reading Association NCTE

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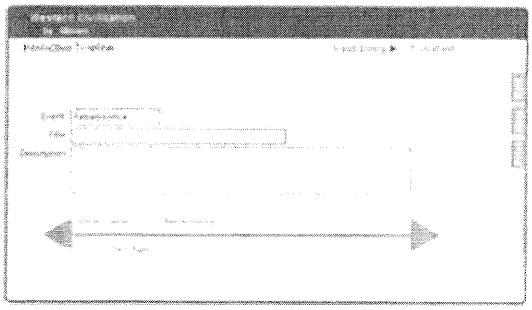
DY 9/10/12

STUDENT INTERACTIVE

Timeline



Grades	K - 12
Interactive Type	Organizing & Summarizing
Tech Requirement	Flash Player required
URL	http://www.readwritethink.org /files/resources/interactives /timeline/

GET STARTED

ABOUT THIS INTERACTIVE

OVERVIEW

Creating timelines with this tool becomes an engaging activity for students as they choose from five different units of measure (date, time, event, entry, or other) and add specific descriptions of each entry. Once the entries have been added, students may navigate through any part of the timeline by simply clicking on the appropriate entry. Students may view and edit their draft timeline, then print the finished timeline for reference. This is a handy tool for classroom use that guides students through the process of organizing information in timeline form and results in a polished finished product. See a sample horizontal timeline for a student autobiography for an example of what a student's work might look like.

For additional ideas on how to use this tool outside of the classroom, see Timeline in the Parent & Afterschool Resources section.

LESSONS THAT USE THIS INTERACTIVE

back to top

Grades 6 - 8 | Lesson Plan | Standard Lesson
Memories Matter: *The Giver* and Descriptive Writing Memoirs

Using *The Giver*, students discuss the importance recorded history. This provides context for descriptive writing of students' own history in a lesson that integrates personal writing, research, and literary response.

Grades 3 - 5 | Lesson Plan | Unit
Writing and Assessing an Autobiographical Incident

Students build upon their knowledge of biographies to write their own autobiographical incident. After going through a process of revision, they use a rubric to assess their work.

Grades 3 - 5 | Lesson Plan | Standard Lesson
Biographies: Creating Timelines of a Life

In this lesson students explore a number of sources to create a biographical timeline about a selected person. Students collaboratively research and resolve conflicting information they find during their investigation.

Grades 6 - 8 | Lesson Plan | Standard Lesson

Writing a Flashback and Flash-Forward Story Using Movies and Texts as Models

Using the film *The Sandlot*, students are introduced to the literary devices of flashbacks and flash-forwards. They then write their own stories using those devices.

Grades 6 - 8 | Lesson Plan | Standard Lesson

A Picture's Worth a Thousand Words: From Image to Detailed Narrative

The old cliche, "A picture is worth a thousand words" is put to the test when students write their own narrative interpretations of events shown in an image.

Grades 3 - 5 | Lesson Plan | Standard Lesson

Cyberspace Explorer: Getting to Know Christopher Columbus

Students explore multiple online sources to gather information about the life of Christopher Columbus, complete a cyber scavenger hunt, and use their notes to prepare a timeline and summary report.

Grades 3 - 5 | Lesson Plan | Standard Lesson

Thundering Tall Tales: Using Read-Aloud as a Springboard to Writing

Imagination and application are key to this tall tale lesson in which students take what they know about tall tales to spin a yarn of their own.

Grades 3 - 5 | Lesson Plan | Unit

Voting! What's It All About?

Students explore a variety of sources for information about voting. They evaluate the information to determine if it is fact or opinion, and then create a graffiti wall about voting.

Grades 3 - 5 | Lesson Plan | Standard Lesson

Looking for the History in Historical Fiction: An Epidemic for Reading

This lesson pairs the reading of historical fiction with nonfiction to introduce students to the large themes of history.

Grades 6 - 8 | Lesson Plan | Unit

Discovering Memory: Li-Young Lee's Poem "Mnemonic" and the Brain

Students learn about memory by doing a memory-writing exercise, studying the brain to understand how it affects memory, reading Li-Young Lee's poem "Mnemonic," and creating projects to demonstrate their understanding.

Grades 6 - 8 | Lesson Plan | Standard Lesson

Copyright Law: From Digital Reprints to Downloads

Students investigate how and why copyright law has changed over time, and apply this information to recent copyright issues, creating persuasive arguments based on the perspective of a particular group.

RELATED CLASSROOM & PROFESSIONAL DEVELOPMENT RESOURCES

back to top

Grades 6 - 8 | Lesson Plan | Standard Lesson

Timelines and Texts: Motivating Students to Read Nonfiction

In an effort to help motivate students to read nonfiction, students are challenged to use a timeline to help them name the year when certain products were invented.

Grades 3 - 12 | Student Interactive | Organizing & Summarizing
Graphic Map

The Graphic Map assists teachers and students in reading and writing activities by charting the high and low points related to a particular item or group of items, such as events during a day or chapters in a book.

Grades 1 - 12 | Student Interactive | Organizing & Summarizing
Plot Diagram

The Plot Diagram is an organizational tool focusing on a pyramid or triangular shape, which is used to map the events in a story. This mapping of plot structure allows readers and writers to visualize the key features of stories.

Grades 3 - 8 | Calendar Activity | October 4
Edward Stratemeyer, creator of book series such as Nancy Drew, was born on this day in 1862.

Students select several books from one of Stratemeyer's series to read, discuss shared elements in the books, and use the 3-Circle Venn Diagram to compare story elements.

Grades 3 - 8 | Printout | Graphic Organizer
Narrative Pyramid

After students read a short story or chapter of a novel, they can use the Narrative Pyramid to reflect on key ideas and details.

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