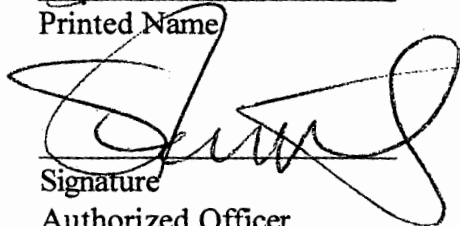


Case No. 1:05-cv-0354-DFH-TAB

~~swear~~ or affirm under the penalties of perjury that the representations made in Stelor  
~~Productions~~ Answers to Oogles N Googles First Interrogatories to Plaintiff are  
true.

STEVEN A. ESRI6

Printed Name

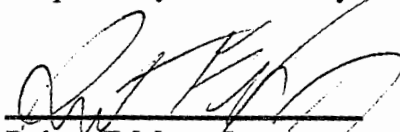


Signature

Authorized Officer

Stelor Productions, LLC.

Respectfully submitted by:



Robert F Merz, Jr.

STELOR PRODUCTIONS, LLC

11910 Montgomery Village Avenue,  
Suite 320

Montgomery Village, MD 20886

Telephone: (301) 963-0000

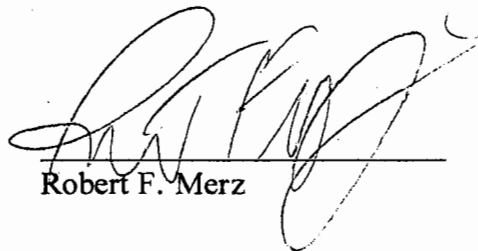
Fax: (301) 740-7552

Email: [b.merz@stelorproductions.com](mailto:b.merz@stelorproductions.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on July 22, 2008, a copy of the Answers to the First Interrogatories to Plaintiff by Oogles n Googles Franchising , LLC was sent via US mail, postage prepaid, to the below listed counsel of record.

Stephen L. Vaughan  
INDIANO VAUGHAN LLP  
One N. Pennsylvania Street, Suite 1300  
Indianapolis, I N 46204



Robert F. Merz

- Ooglesn googles.com utilizes a font similar to the font used by Stelor at googles.com
- The name Oogles N Googles incorporates two trademarks owned by Stelor
- Ooglesn googles.com utilizes color schemes similar to the color schemes found on the googles.com website and used for the characters of Iggle, Oggle and Oogle.

- Ooglesngoogles.com utilizes tree imagery similar to that which is prevalent on the googles.com website.
- The "Googles Themed Birthday Parties" page of ooglesngoogles.com leads people to believe that Stelor's Googles characters or themes are available.
- Both ooglesngoogles.com and googles.com have "Barnyard", "Firefighter" and "Wizard" themes.
- The "Oogles Parties" page of ooglesngoogles.com leads people to believe that the Stelor character "Oogle" is associated with Oogles N Googles birthday parties.
- The cloud like banner of ooglesngoogles.com is similar to the artistic style used by Stelors in the creative executions.
- The Oogles N Googles programs focus on the same principles that Stelor and the Googles.com website focus.
- Oogles N Googles offers CDs of music branded with Oogles N Googles like Stelor offers Googles branded music.
- Both ooglesngoogles.com and googles.com have maze games.
- Both ooglesngoogles.com and googles.com have coloring activities.
- Both Oogles N Googles and Stelor have monkey characters.

Investigation continues.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

STELOR PRODUCTIONS, LLC,

Plaintiff,

v.

OOGLES N GOOGLES FRANCHISING,  
LLC, *et al.*

Defendants.

Case No. 1:05-cv-0354-DFH-TAB

**STELOR PRODUCTIONS ANSWERS TO OOGLES N GOOGLES' FIRST  
INTERROGATORIES TO PLAINTIFF**

INTERROGATORY NO. 2

Please fully describe each and every incident of actual confusion wherein an actual or prospective consumer was confused as to the source of origin of Stelor's goods or services because the consumer mistook the origin of those goods or services to be Oogles n Googles. Include in your answer the name, address, and phone number of all the witnesses to each incident of confusion, the date of each incident of confusion occurred, and description of the incident.

ANSWER:

The President and CEO of Stelor Productions, LLC, Steven A. Esrig, took several phone call from individuals seeking to book a party with Oogles N Googles. The individuals were under the impression that the Googles and Oogles N Googles were associated and were confused when they were informed otherwise.

The President and CEO of Stelor Productions, LLC, Steven A. Esrig, was approached by many individuals at licensing shows where those individuals inquired as to whether Stelor Productions, LLC was the birthday party company.

The Oogles N Googles mark generates confusion with Stelor's marks on a daily basis as a result of the following:

- Ooglesngoogles.com utilizes a font similar to the font used by Stelor at googles.com
- The name Oogles N Googles incorporates two trademarks owned by Stelor

- Ooglesngoogles.com utilizes color schemes similar to the color schemes found on the googles.com website and used for the characters of Iggle, Oggle and Oogle.
- Ooglesngoogles.com utilizes tree imagery similar to that which is prevalent on the googles.com website.
- The "Googles Themed Birthday Parties" page of ooglesngoogles.com leads people to believe that Stelor's Googles characters or themes are available.
- ~~Both ooglesngoogles.com and googles.com have "Barnyard", "Firefighter" and "Wizard" themes.~~
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- The Oogles N Googles programs focus on the same principles that Stelor and the Googles.com website focus.
- Oogles N Googles offers CDs of music branded with Oogles N Googles like Stelor offers Googles branded music.
- Both ooglesngoogles.com and googles.com have maze games.
- Both ooglesngoogles.com and googles.com have coloring activities.
- Both Oogles N Googles and Stelor have monkey characters.

Investigation continues.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

STELOR PRODUCTIONS, LLC,

Plaintiff,

v.

OOGLES N GOOGLES FRANCHISING,  
LLC, *et al.*

Defendants.

Case No. 1:05-cv-0354-DFH-TAB

**STELOR PRODUCTIONS ANSWERS TO OOGLES N GOOGLES' FIRST  
INTERROGATORIES TO PLAINTIFF**

INTERROGATORY NO. 3

Please fully describe each and every incident of actual confusion wherein an actual or prospective consumer was confused as to the origin of Oogles n Googles' services because the consumer mistook the origin of those services to be Stelor Productions, LLC or Stelor Productions, Inc. Include in your answer the name, address, and phone number of all the witnesses to each incident of confusion, the date each incident of confusion occurred, and description of the incident.

ANSWER:

The President and CEO of Stelor Productions, LLC, Steven A. Esrig, took several phone call from individuals seeking to book a party with Oogles N Googles. The individuals were under the impression that the Googles and Oogles N Googles were associated and were confused when they were informed otherwise.

The President and CEO of Stelor Productions, LLC, Steven A. Esrig, was approached by many individuals at licensing shows where those individuals inquired as to whether Stelor Productions, LLC was the birthday party company.

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- Ooglesngoogles.com utilizes a font similar to the font used by Stelor at googles.com
  - The name Oogles N Googles incorporates two trademarks owned by Stelor
  - Ooglesngoogles.com utilizes color schemes similar to the color schemes found on the googles.com website and used for the characters of Iggle, Oggle and Oogle.
  - Ooglesngoogles.com utilizes tree imagery similar to that which is prevalent on the googles.com website.
- 
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  - Both ooglesngoogles.com and googles.com have "Barnyard", "Firefighter" and "Wizard" themes.
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  - Both Oogles N Googles and Stelor have monkey characters.

Investigation continues.

Case No. 1:05-cv-0354-DFH-TAB

The Plaintiff objects to the Defendant/Counter-Plaintiff's request to the extent that it seeks information not reasonably related to the claims or defenses in this matter.

The Plaintiff objects to the interrogatory to the extent that it seeks information not reasonably related to the claims and defenses in this matter.



The Plaintiff objects to the interrogatory to the extent that it seeks information not reasonably related to the claims and defenses in this matter.

**CERTIFICATE OF SERVICE**

I hereby certify that on September 24, 2008, a copy of Stelor Productions Answers to  
Oogles N Googles First Interrogatories to Plaintiff was sent via Fedex, postage prepaid,  
to the below listed counsel of record.

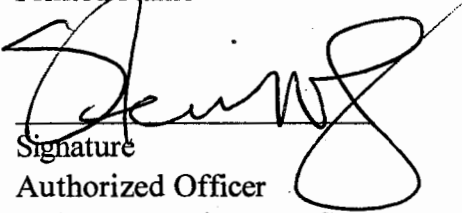
Stephen L. Vaughan  
INDIANO VAUGHAN LLP  
One N. Pennsylvania Street, Suite 1300  
Indianapolis, IN 46204

\_\_\_\_\_  
Robert F. Merz

I swear or affirm under the penalties of perjury that the representations made in Stelor Productions Answers to Oogles N Googles First Interrogatories to Plaintiff are true.

STEVEN A. ESSELG

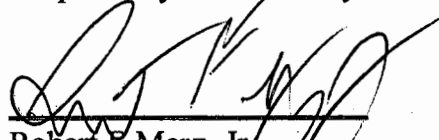
Printed Name



Signature

Authorized Officer  
Stelor Productions, LLC.

Respectfully submitted by:



Robert F Merz, Jr.  
STELOR PRODUCTIONS, LLC  
11910 Montgomery Village Avenue,  
Suite 320  
Montgomery Village, MD 20886  
Telephone: (301) 963-0000  
Fax: (301) 740-7552  
Email: [b.merz@stelorproductions.com](mailto:b.merz@stelorproductions.com)