

Exhibit 4

Thomas C. Morrison
Kimo S. Peluso
Nirav S. Shah
Manatt, Phelps & Phillips LLP
7 Times Square
New York, NY 10036

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

J.T. COLBY & COMPANY, INC. d/b/a
BRICK TOWER PRESS, J. BOYLSTON &
COMPANY, PUBLISHERS LLC and
IPICTUREBOOKS LLC,

Plaintiffs,

-against-

APPLE, INC.,

Defendant.

Case No. 11-VIC-4060 (KBF)

ECF Case

**PLAINTIFFS' RESPONSES AND
OBJECTIONS TO DEFENDANT APPLE INC.'S
NOTICE OF DEPOSITION OF PLAINTIFF J.
BOYLSTON & COMPANY, PUBLISHERS LLC
PURSUANT TO FED. R. CIV. P. 30(b)(6)**

Plaintiffs J.T. Colby & Company, Inc. d/b/a Brick Tower Press, J. Boylston & Company, Publishers LLC and ipicturebooks LLC hereby object to the Notice of Deposition Pursuant to Rule 30(b)(6) served by defendant Apple, Inc. on March 7, 2012.

GENERAL OBJECTIONS

1. Plaintiffs object to each of Defendant's 30(b)(6) Deposition Topics on the grounds and to the extent that it calls for information that is protected from disclosure by the attorney-client privilege, common interest privilege, joint interest privilege, work-product doctrine and/or any other applicable privilege or protection from discovery.

2. Plaintiffs object to each of Defendant's 30(b)(6) Deposition Topics on the grounds and to the extent that they seek information that is not relevant and/or not likely to lead

to the discovery of admissible evidence.

3. Plaintiffs object to each of Defendant's 30(b)(6) Deposition Topics on the grounds and to the extent that they are vague, ambiguous, unintelligible, uncertain, overly broad, duplicative, unreasonably burdensome, harassing and/or not properly limited as to time period or scope.

4. Plaintiffs object to each of Defendant's 30(b)(6) Deposition Topics on the grounds and to the extent that they do not specify the information sought with reasonable particularity.

5. Plaintiffs objects to each of Defendant's 30(b)(6) Deposition Topics insofar as they seeks disclosure of information already known or available to Defendant.

6. Plaintiffs object to Definitions No. 3, 17, and 18 on the grounds and to the extent that they are vague and ambiguous. Plaintiffs further object to Defendant's proposed definitions of "PURPORTED MARKS", "PURPORTED IBOOKS MARK" and "PURPORTED IPICTUREBOOKS MARK" to the extent that they constitute improper legal arguments.

7. These objections are not intended to be exhaustive; any failure to interpose an objection to Defendant's 30(b)(6) Deposition Topics here in no way precludes Plaintiffs from raising objections in the future.

EXAMINATION TOPICS

EXAMINATION TOPIC NO. 1:

The alleged date of first use of the PURPORTED IBOOKS MARK by any of the PREISS ENTITIES.

RESPONSE TO EXAMINATION TOPIC NO. 1:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the

grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 2:

The alleged date of first use of the PURPORTED IPICTUREBOOKS MARK by any of the PREISS ENTITIES.

RESPONSE TO EXAMINATION TOPIC NO. 2:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 3:

The derivation, significance, meaning, selection, adoption and/or use of the PURPORTED IBOOKS MARK by or to any of the PREISS ENTITIES.

RESPONSE TO EXAMINATION TOPIC NO. 3:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome,

compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 4:

The alleged ownership and maintenance of rights in and to the PURPORTED IBOOKS MARK by any of the PREISS ENTITIES.

RESPONSE TO EXAMINATION TOPIC NO. 4:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 5:

The derivation, significance, meaning, selection, adoption and/or use of the PURPORTED IPICTUREBOOKS MARK by or to any of the PREISS ENTITIES.

RESPONSE TO EXAMINATION TOPIC NO. 5:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for

information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 6:

The alleged ownership and maintenance of rights in and to the PURPORTED IPICTUREBOOKS MARK by any of the PREISS ENTITIES.

RESPONSE TO EXAMINATION TOPIC NO. 6:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 7:

Use and/or contemplated use of the PURPORTED IBOOKS MARK by any of the PREISS ENTITIES for each year since the earliest date of first use of the PURPORTED IBOOKS MARK in commerce, including, but not limited to, manner of use, date of first use, length of use, exclusiveness of use, and geographic location of use.

RESPONSE TO EXAMINATION TOPIC NO. 7:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome,

compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 8:

Use and/or contemplated use of the PURPORTED IPICTUREBOOKS MARK by any of the PREISS ENTITIES for each year since the earliest date of first use of the PURPORTED IPICTUREBOOKS MARK in commerce, including, but not limited to, manner of use, date of first use, length of use, exclusiveness of use, and geographic location of use.

RESPONSE TO EXAMINATION TOPIC NO. 8:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 9:

The website www.ibooksinc.com, including the identity of the owner of the website, the date on which the website was launched, the date on which the website ceased being active (if applicable), and any use of any of the PURPORTED MARKS on the website.

RESPONSE TO EXAMINATION TOPIC NO. 9:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 10:

The website www.ibooks.net, including the identity of the owner of the website, the date on which the website was launched, the date on which the website ceased being active (if applicable), and any use of any of the PURPORTED MARKS on the website.

RESPONSE TO EXAMINATION TOPIC NO. 10:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 11:

The website www.ipicturebooks.com, including the identity of the owner of the website, the date on which the website was launched, the date on which the website ceased being active

(if applicable), and any use of any of the PURPORTED MARKS on the website.

RESPONSE TO EXAMINATION TOPIC NO. 11:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 12:

The PREISS ENTITIES' marketing, advertising and promotion strategy and activities with respect to any of the PREISS PRODUCTS offered or rendered in connection with the PURPORTED IBOOKS MARK for each year since the earliest date of first use of the PURPORTED IBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 12:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 13:

The PREISS ENTITIES' marketing, advertising and promotion strategy and activities with respect to any of the PREISS PRODUCTS offered or rendered in connection with the PURPORTED IPICTUREBOOKS MARK for each year since the earliest date of first use of the PURPORTED IPICTUREBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 13:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 14:

The PREISS ENTITIES' annual marketing, advertising and promotional expenditures with respect to any of the PREISS PRODUCTS offered or rendered in connection with the PURPORTED IBOOKS MARK for each year since the earliest date of first use of the PURPORTED IBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 14:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not

relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 15:

The PREISS ENTITIES' annual marketing, advertising and promotional expenditures with respect to any of the PREISS PRODUCTS offered or rendered in connection with the PURPORTED IPICTUREBOOKS MARK for each year since the earliest date of first use of the PURPORTED IPICTUREBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 15:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 16:

The PREISS ENTITIES' annual marketing, advertising and promotional budgets with respect to any of the PREISS PRODUCTS offered or rendered in connection with the PURPORTED IBOOKS MARK for each year since the earliest date of first use of the PURPORTED IBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 16:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the

grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 17:

The PREISS ENTITIES' annual marketing, advertising and promotional budgets with respect to any of the PREISS PRODUCTS offered or rendered in connection with the PURPORTED IPICTUREBOOKS MARK for each year since the earliest date of first use of the PURPORTED IPICTUREBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 17:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 18:

All marketing, advertising and promotions by the PREISS ENTITIES in connection with the PREISS PRODUCTS bearing the PURPORTED IBOOKS MARK for each year since the earliest date of first use of the PURPORTED IBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 18:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 19:

All marketing, advertising and promotions by the PREISS ENTITIES in connection with the PREISS PRODUCTS bearing the PURPORTED IPICTUREBOOKS MARK for each year since the earliest date of first use of the PURPORTED IPICTUREBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 19:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 20:

The PREISS ENTITIES' marketing strategy, including target market and demographics, for any and all of the PREISS PRODUCTS bearing the PURPORTED IBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 20:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 21:

The PREISS ENTITIES' marketing strategy, including target market and demographics, for any and all of the PREISS PRODUCTS bearing the PURPORTED IPICTUREBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 21:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 22:

Any public awareness and/or recognition of the PURPORTED IBOOKS MARK and/or the PREISS PRODUCTS bearing the PURPORTED IBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 22:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 23:

Any public awareness and/or recognition of the PURPORTED IPICTUREBOOKS MARK and/or the PREISS PRODUCTS bearing the PURPORTED IPICTUREBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 23:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 24:

Any consumer, advertising or marketing investigation, focus group, MARKET RESEARCH, study or SURVEY of opinions, attitudes, preferences or understandings with respect to the PURPORTED IBOOKS MARK, whether conducted formally or informally, or by

means of a pilot study, by any of the PREISS ENTITIES, or by any PERSON, firm, corporation or association for or on behalf of the PREISS ENTITIES, or by any of the PREISS ENTITIES' attorneys.

RESPONSE TO EXAMINATION TOPIC NO. 24:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 25:

Any consumer, advertising or marketing investigation, focus group, MARKET RESEARCH, study or SURVEY of opinions, attitudes, preferences or understandings with respect to the PURPORTED IPICTUREBOOKS MARK, whether conducted formally or informally, or by means of a pilot study, by any of the PREISS ENTITIES, or by any PERSON, firm, corporation or association for or on behalf of the PREISS ENTITIES, or by any of the PREISS ENTITIES' attorneys.

RESPONSE TO EXAMINATION TOPIC NO. 25:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not

relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 26:

Unsolicited publicity received by any of the PREISS ENTITIES with respect to the PURPORTED IBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 26:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 27:

Unsolicited publicity received by any of the PREISS ENTITIES with respect to the PURPORTED IPICTUREBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 27:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further

object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 28:

The policing and/or enforcement of the PURPORTED IBOOKS MARK against third parties by any of the PREISS ENTITIES or any PERSON(S) acting for or on their behalf.

RESPONSE TO EXAMINATION TOPIC NO. 28:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 29:

The policing and/or enforcement of the PURPORTED IPICTUREBOOKS MARK against third parties by any of the PREISS ENTITIES or any PERSON(S) acting for or on their behalf.

RESPONSE TO EXAMINATION TOPIC NO. 29:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further

object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 30:

Any valuations of the PURPORTED IBOOKS MARK performed by any of the PREISS ENTITIES or any PERSON(S) acting for or on their behalf.

RESPONSE TO EXAMINATION TOPIC NO. 30:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 31:

Any valuations of the PURPORTED IPICTUREBOOKS MARK performed by any of the PREISS ENTITIES or any PERSON(S) acting for or on their behalf.

RESPONSE TO EXAMINATION TOPIC NO. 31:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from

disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 32:

The PREISS ENTITIES' sales, on an annual and monthly basis, in units and dollars, with respect to any of the PREISS PRODUCTS bearing the PURPORTED IBOOKS MARK distributed or sold for each year since the earliest date of first use of the PURPORTED IBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 32:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 33:

The PREISS ENTITIES' sales, on an annual and monthly basis, in units and dollars, with respect to any of the PREISS PRODUCTS bearing the PURPORTED IPICTUREBOOKS MARK distributed or sold for each year since the earliest date of first use of the PURPORTED IPICTUREBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 33:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for

information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 34:

The PREISS ENTITIES' revenues, on an annual and monthly basis, associated with any of the PREISS PRODUCTS bearing the PURPORTED IBOOKS MARK distributed or sold for each year since the earliest date of first use of the PURPORTED IBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 34:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 35:

The PREISS ENTITIES' revenues, on an annual and monthly basis, associated with any of the PREISS PRODUCTS bearing the PURPORTED IPICTUREBOOKS MARK distributed or sold for each year since the earliest date of first use of the PURPORTED IPICTUREBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 35:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the

grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 36:

The PREISS ENTITIES' expenses, on an annual and monthly basis, with respect to any PREISS PRODUCTS bearing the PURPORTED IBOOKS MARK for each year since the earliest date of first use of the PURPORTED IBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 36:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 37:

The PREISS ENTITIES' expenses, on an annual and monthly basis, with respect to any PREISS PRODUCTS bearing the PURPORTED IPICTUREBOOKS MARK for each year since the earliest date of first use of the PURPORTED IPICTUREBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 37:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 38:

Financial statements and profit and loss statements of each of the PLAINTIFFS.

RESPONSE TO EXAMINATION TOPIC NO. 38:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 39:

Actual or contemplated licensing activity by any of the PREISS ENTITIES
CONCERNING or REFERRING AND RELATING TO the PURPORTED IBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 39:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the

grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 40:

Actual or contemplated licensing activity by any of the PREISS ENTITIES CONCERNING or REFERRING AND RELATING TO the PURPORTED IPICTUREBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 40:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 41:

Any application for registration and/or any registration by any of the PREISS ENTITIES of the PURPORTED IBOOKS MARK for any goods or services, including but not limited to any application for registration and/or registration with (a) the PTO and (b) any state(s) of the United States.

RESPONSE TO EXAMINATION TOPIC NO. 41:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 42:

Any application for registration and/or any registration by any of the PREISS ENTITIES of the PURPORTED IPICTUREBOOKS MARK for any goods or services, including but not limited to any application for registration and/or registration with (a) the PTO and (b) any state(s) of the United States.

RESPONSE TO EXAMINATION TOPIC NO. 42:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 43:

COMMUNICATIONS and/or filings with the PTO CONCERNING or REFERRING

AND RELATING TO any application for registration and/or any registration by any of the PREISS ENTITIES of the PURPORTED IBOOKS MARK for any goods or services.

RESPONSE TO EXAMINATION TOPIC NO. 43:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 44:

COMMUNICATIONS and/or filings with the PTO CONCERNING or REFERRING AND RELATING TO any application for registration and/or any registration by any of the PREISS ENTITIES of the PURPORTED IPICTUREBOOKS MARK for any goods or services.

RESPONSE TO EXAMINATION TOPIC NO. 44:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 45:

COLBY's acquisition of assets from the PREISS ENTITIES, as alleged in ¶ 2 of the COMPLAINT, including all information CONCERNING or REFERRING AND RELATING TO (a) due diligence conducted by COLBY or any PERSON(S) acting on his behalf, including without limitation, BOYLSTON, and (b) COMMUNICATIONS between the PREISS ENTITIES, or any PERSON(S) acting on their behalf, on the one hand, and COLBY, or any PERSON(S) acting on his behalf, including, without limitation BOYLSTON, on the other hand.

RESPONSE TO EXAMINATION TOPIC NO. 45:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 46:

The derivation, significance, meaning, selection, adoption and/or use of the PURPORTED IBOOKS MARK by or to BOYLSTON.

RESPONSE TO EXAMINATION TOPIC NO. 46:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not

relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 47:

BOYLSTON' s alleged acquisition, ownership and maintenance of rights in and to the PURPORTED IBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 47:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 48:

BOYLSTON' s alleged acquisition, ownership and maintenance of rights in and to the PURPORTED IPICTUREBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 48:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further

object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 49:

The derivation, significance, meaning, selection, adoption and/or use of the
PURPORTED IPICTUREBOOKS MARK by or to BOYLSTON

RESPONSE TO EXAMINATION TOPIC NO. 49:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 50:

The alleged date of first use of the PURPORTED IBOOKS MARK by BOYLSTON.

RESPONSE TO EXAMINATION TOPIC NO. 50:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 51:

The alleged date of first use of the PURPORTED IPICTUREBOOKS MARK by BOYLSTON.

RESPONSE TO EXAMINATION TOPIC NO. 51:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 52:

Use and/or contemplated use of the PURPORTED IBOOKS MARK by BOYLSTON for each year since BOYLSTON' s earliest date of first use of the PURPORTED IBOOKS MARK in commerce, including, but not limited to, manner of use, date of first use, length of use, exclusiveness of use, and geographic location of use.

RESPONSE TO EXAMINATION TOPIC NO. 52:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from

disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 53:

Use and/or contemplated use of the PURPORTED IPICTUREBOOKS MARK by BOYLSTON for each year since BOYLSTON's earliest date of first use of the PURPORTED IPICTUREBOOKS MARK in commerce, including, but not limited to, manner of use, date of first use, length of use, exclusiveness of use, and geographic location of use.

RESPONSE TO EXAMINATION TOPIC NO. 53:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 54:

The website www.bricktowerpress.com, including the identity of the owner of the website, the date on which the website was launched, the date on which the website ceased being active (if applicable), and any use of any of the PURPORTED MARKS on the website.

RESPONSE TO EXAMINATION TOPIC NO. 54:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not

relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 55:

BOYLSTON's marketing, advertising and promotion strategy and activities with respect to any of PLAINTIFFS' PRODUCTS offered or rendered in connection with the PURPORTED IBOOKS MARK for each year since BOYLSTON's earliest date of first use of the PURPORTED IBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 55:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 56:

BOYLSTON's marketing, advertising and promotion strategy and activities with respect to any of PLAINTIFFS' PRODUCTS offered or rendered in connection with the PURPORTED IPICTUREBOOKS MARK for each year since BOYLSTON' s earliest date of first use of the PURPORTED IPICTUREBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 56:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the

grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 57:

BOYLSTON's annual marketing, advertising and promotional expenditures with respect to any of PLAINTIFFS' PRODUCTS offered or rendered in connection with the PURPORTED IBOOKS MARK for each year since BOYLSTON's earliest date of first use of the PURPORTED IBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 57:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 58:

BOYLSTON's annual marketing, advertising and promotional expenditures with respect to any of PLAINTIFFS' PRODUCTS offered or rendered in connection with the PURPORTED IPICTUREBOOKS MARK for each year since BOYLSTON's earliest date of first use of the

PURPORTED IPICTUREBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 58:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 59:

BOYLSTON's annual marketing, advertising and promotional budgets with respect to any of PLAINTIFFS' PRODUCTS offered or rendered in connection with the PURPORTED IBOOKS MARK for each year since BOYLSTON's earliest date of first use of the PURPORTED IBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 59:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 60:

BOYLSTON's annual marketing, advertising and promotional budgets with respect to any of PLAINTIFFS' PRODUCTS offered or rendered in connection with the PURPORTED IPICTUREBOOKS MARK for each year since BOYLSTON's earliest date of first use of the PURPORTED IPICTUREBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 60:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 61:

All marketing, advertising and promotions by BOYLSTON in connection with PLAINTIFFS' PRODUCTS bearing the PURPORTED IBOOKS MARK for each year since BOYLSTON's earliest date of first use of the PURPORTED IBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 61:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further

object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 62:

All marketing, advertising and promotions by BOYLSTON in connection with PLAINTIFFS' PRODUCTS bearing the PURPORTED IPICTUREBOOKS MARK for each year since BOYLSTON's earliest date of first use of the PURPORTED IPICTUREBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 62:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 63:

BOYLSTON's marketing strategy, including target market and demographics, for any and all of PLAINTIFFS' PRODUCTS bearing the PURPORTED IBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 63:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not

relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 64:

BOYLSTON's marketing strategy, including target market and demographics, for any and all of PLAINTIFFS' PRODUCTS bearing the PURPORTED IPICTUREBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 64:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 65:

Any public awareness and/or recognition of the PURPORTED IBOOKS MARK and/or PLAINTIFFS' PRODUCTS bearing the PURPORTED IBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 65:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further

object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 66:

Any public awareness and/or recognition of the PURPORTED IPICTUREBOOKS MARK and/or PLAINTIFFS' PRODUCTS bearing the PURPORTED IPICTUREBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 66:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 67:

Any consumer, advertising or marketing investigation, focus group, MARKET RESEARCH, study or SURVEY of opinions, attitudes, preferences or understandings with respect to the PURPORTED IBOOKS MARK, whether conducted formally or informally, or by means of a pilot study, by BOYLSTON, or by any PERSON, firm, corporation or association for or on behalf of BOYLSTON, or by any of BOYLSTON's attorneys.

RESPONSE TO EXAMINATION TOPIC NO. 67:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome,

compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 68:

Any consumer, advertising or marketing investigation, focus group, MARKET RESEARCH, study or SURVEY of opinions, attitudes, preferences or understandings with respect to the PURPORTED IPICTUREBOOKS MARK, whether conducted formally or informally, or by means of a pilot study, by BOYLSTON, or by any PERSON, firm, corporation or association for or on behalf of BOYLSTON, or by any of BOYLSTON's attorneys.

RESPONSE TO EXAMINATION TOPIC NO. 68:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 69:

Unsolicited publicity received by BOYLSTON with respect to the PURPORTED IBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 69:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 70:

Unsolicited publicity received by BOYLSTON with respect to the PURPORTED 16 IPICTUREBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 70:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 71:

Any attempts by third parties to copy the PURPORTED IBOOKS MARK prior to January 2010.

RESPONSE TO EXAMINATION TOPIC NO. 71:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 72:

Any attempts by third parties to copy the PURPORTED IPICTUREBOOKS MARK prior to January 2010.

RESPONSE TO EXAMINATION TOPIC NO. 72:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 73:

The policing and/or enforcement of the PURPORTED IBOOKS MARK against third parties by BOYLSTON or any PERSON(S) acting for or on its behalf.

RESPONSE TO EXAMINATION TOPIC NO. 73:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 74:

The policing and/or enforcement of the PURPORTED IPICTUREBOOKS MARK against third parties by BOYLSTON or any PERSON(S) acting for or on its behalf.

RESPONSE TO EXAMINATION TOPIC NO. 74:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 75:

Any valuations of the PURPORTED IBOOKS MARK performed by BOYLSTON, COLBY, or any PERSON(S) acting for or on its or his behalf.

RESPONSE TO EXAMINATION TOPIC NO. 75:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 76:

Any valuations of the PURPORTED IPICTUREBOOKS MARK performed by BOYLSTON, COLBY, or any PERSON(S) acting for or on its or his behalf.

RESPONSE TO EXAMINATION TOPIC NO. 76:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 77:

BOYLSTON's sales, on an annual and monthly basis, in units and dollars, with respect to any of the PLAINTIFFS' PRODUCTS bearing the PURPORTED IBOOKS MARK distributed or sold for each year since BOYLSTON's earliest date of first use of the PURPORTED

IBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 77:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 78:

BOYLSTON's sales, on an annual and monthly basis, in units and dollars, with respect to any of the PLAINTIFFS' PRODUCTS bearing the PURPORTED IPICTUREBOOKS MARK distributed or sold for each year since BOYLSTON's earliest date of first use of the PURPORTED IPICTUREBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 78:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 79:

BOYLSTON's revenues, on an annual and monthly basis, associated with any of PLAINTIFFS' PRODUCTS bearing the PURPORTED IBOOKS MARK distributed or sold for each year since BOYLSTON's earliest date of first use of the PURPORTED IBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 79:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 80:

BOYLSTON's revenues, on an annual and monthly basis, associated with any of PLAINTIFFS' PRODUCTS bearing the PURPORTED IPICTUREBOOKS MARK distributed or sold for each year since BOYLSTON's earliest date of first use of the PURPORTED IPICTUREBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 80:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not

relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 81:

BOYLSTON's expenses, on an annual and monthly basis, with respect to any of PLAINTIFFS' PRODUCTS bearing the PURPORTED IBOOKS MARK distributed or sold for each year since BOYLSTON's earliest date of first use of the PURPORTED IBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 81:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 82:

BOYLSTON's expenses, on an annual and monthly basis, with respect to any of PLAINTIFFS' PRODUCTS bearing the PURPORTED IPICTUREBOOKS MARK distributed or sold for each year since BOYLSTON's earliest date of first use of the PURPORTED IPICTUREBOOKS MARK in commerce.

RESPONSE TO EXAMINATION TOPIC NO. 82:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the

grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 83:

Efforts by BOYLSTON, or any PERSON(S) acting on its behalf, to sell PLAINTIFFS' PRODUCTS through the Apple's iTunes Store or iBookstore download service.

RESPONSE TO EXAMINATION TOPIC NO. 83:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 84:

Financial statements and profit and loss statements of each of the PLAINTIFFS.

RESPONSE TO EXAMINATION TOPIC NO. 84:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for

information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 85:

Actual or contemplated licensing activity by BOYLSTON CONCERNING or REFERRING AND RELATING TO the PURPORTED IBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 85:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 86:

Actual or contemplated licensing activity by BOYLSTON CONCERNING or REFERRING AND RELATING TO the PURPORTED IPICTUREBOOKS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 86:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not

relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 87:

BOYLSTON's knowledge or awareness of the APPLE MARKS.

RESPONSE TO EXAMINATION TOPIC NO. 87:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 88:

BOYLSTON' s knowledge or awareness of the APPLE PRODUCTS.

RESPONSE TO EXAMINATION TOPIC NO. 88:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 89:

Any of the PREISS ENTITIES' knowledge or awareness of the APPLE MARKS.

RESPONSE TO EXAMINATION TOPIC NO. 89:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 90:

Any of the PREISS ENTITIES' knowledge or awareness of the APPLE PRODUCTS.

RESPONSE TO EXAMINATION TOPIC NO. 90:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 91:

BOYLSTON' s knowledge or awareness of Family Systems, Ltd.

RESPONSE TO EXAMINATION TOPIC NO. 91:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 92:

BOYLSTON' s knowledge or awareness of the FAMILY SYSTEMS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 92:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 93:

BOYLSTON' s knowledge or awareness of the FAMILY SYSTEMS PRODUCTS.

RESPONSE TO EXAMINATION TOPIC NO. 93:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome,

compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 94:

Any of the PREISS ENTITIES' knowledge or awareness of Family Systems, Ltd.

RESPONSE TO EXAMINATION TOPIC NO. 94:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 95:

Any of the PREISS ENTITIES' knowledge or awareness of the FAMILY SYSTEMS MARK.

RESPONSE TO EXAMINATION TOPIC NO. 95:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not

relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 96:

Any of the PREISS ENTITIES' knowledge or awareness of the FAMILY SYSTEMS PRODUCTS.

RESPONSE TO EXAMINATION TOPIC NO. 96:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 97:

Actual or potential confusion on the part of consumers between goods or services bearing the PURPORTED IBOOKS MARK and those offered by APPLE under the APPLE MARKS.

RESPONSE TO EXAMINATION TOPIC NO. 97:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further

object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 98:

Actual or potential confusion on the part of consumers between goods or services bearing the PURPORTED IPICTUREBOOKS MARK and those offered by APPLE under the APPLE MARKS.

RESPONSE TO EXAMINATION TOPIC NO. 98:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 99:

The allegations in the COMPLAINT that APPLE's acquisition of the IBOOK mark from Family Systems, Ltd. was an invalid assignment in gross.

RESPONSE TO EXAMINATION TOPIC NO. 99:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further

object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 100:

The allegations in the COMPLAINT that APPLE committed fraud on the PTO.

RESPONSE TO EXAMINATION TOPIC NO. 100:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 101:

The allegations in the COMPLAINT that APPLE's alleged actions were knowing and willful.

RESPONSE TO EXAMINATION TOPIC NO. 101:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 102:

The claim in paragraph 90 of the ORIGINAL COMPLAINT that “Apple’s use of the mark ‘iBooks’ . . . constitutes wrongful misappropriation.”

RESPONSE TO EXAMINATION TOPIC NO. 102:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 103:

The claim in paragraph 92 of the ORIGINAL COMPLAINT that “Apple’s use of the mark ‘iBooks’ . . . constitutes unjust enrichment at plaintiffs’ expense.”

RESPONSE TO EXAMINATION TOPIC NO. 103:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 104:

The claim in paragraph 94 of the ORIGINAL COMPLAINT that “Apple’s use of the mark ‘iBooks’ . . . constitutes conversion.”

RESPONSE TO EXAMINATION TOPIC NO. 104:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 105:

BOYLSTON’s alleged damages and harm as a result of APPLE’s actions as alleged in the Prayer for Relief section of the COMPLAINT and the basis of BOYLSTON’s calculations from which the alleged damages and harm were derived.

RESPONSE TO EXAMINATION TOPIC NO. 105:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 108:

The relationship between and among each of the PLAINTIFFS.

RESPONSE TO EXAMINATION TOPIC NO. 108:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 109:

BOYLSTON's corporate structure, including all information regarding BOYLSTON's past or present affiliates, subsidiaries and/or parents; the number and identity of its past and present owners, principals, officers, directors, and shareholders; and the number of its current employees.

RESPONSE TO EXAMINATION TOPIC NO. 109:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 110:

The relationship between BOYLSTON and COLBY.

RESPONSE TO EXAMINATION TOPIC NO. 110:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 111:

Any third-party funding of, financial contribution to, or reimbursement of fees, costs or expenses incurred in connection with, this lawsuit.

RESPONSE TO EXAMINATION TOPIC NO. 111:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

EXAMINATION TOPIC NO. 112:

Any insurance, indemnification, or similar agreement or arrangement to fund, financially

contribute to, pay for, or provide reimbursement for any potential fees, costs, expenses, or liability incurred in connection with, this lawsuit.

RESPONSE TO EXAMINATION TOPIC NO. 112:

In addition to their general objections, Plaintiffs object to this Deposition Topic on the grounds and to the extent that it is vague, ambiguous, overly broad and unduly burdensome, compound, does not specify the information sought with reasonable particularity, calls for information outside of Plaintiffs' possession, custody or control, and seeks information that is not relevant and/or not likely to lead to the discovery of admissible evidence. Plaintiffs further object to this Request on the grounds and to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine.

Dated: New York, New York
April 6, 2012

Manatt, Phelps & Phillips, LLP
7 Times Square
New York, NY 10036
(212) 790-4500

By: _____



Thomas C. Morrison
Kimo S. Peluso
Nirav S. Shah

Attorneys for Plaintiffs