

EXHIBIT A

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Date: Fri, 26 Oct 2007 15:15:59 -0700 (PDT)

From: "Phenomenon@" <rapphenomenons@yahoo.com>  Add to Address Book  Add Mobile Alert

Subject:  Attn: Cantor Colburn LLP

To: dbruso@cantorcolburn.com

CC: dmayhew@cantorcolburn.com

Attn: Daniel E. Bruso
Cantor Colburn LLP
55 Griffin Road South
Bloomfield, CT 06002

Re: TTAB Cancellation proceeding No. 92048120

We have not been able to reach your office by phone.

We mailed a certified copy of our TTAB extension request to your office via U.S mail October 26th 2007.

We have also attached the granted request form to this email.

Attachments

Attachment scanning provided by: 



Files:

 ttabvue_92048120_CAN_4_Official_TTAB_extension_form.pdf (4k) [Scan and Save to Computer](#)

EXHIBIT B

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Printable View

Date: Mon, 29 Oct 2007 07:41:11 -0700 (PDT)
From: "Phenomenon@" <rapphenomenons@yahoo.com>  Add to Address Book  Add Mobile Alert
Subject:  RE: Attn: Cantor Colburn LLP
To: "Bruso, Daniel" <DBruso@CantorColburn.com>

Dear Ma'am,

We already attempted to contact your company as we instructed the Trademark Trial and Appeal Board on Friday October 26th 2007 during regular business hours.

We had no working phone number on your company so we had no choice but to send the information by certified U.S mail. Our records indicate your office received our information on Monday October 29th 2007.

We emailed your company also on Friday during regular business hours. Why did it take 3 days for your company to respond? Our company is hiring a legal team to defend our intellectual property rights.

Our company will not be intimidated by your worthless threats or claims. We will not be intimidated like the other companies you have approached through the USPTO website.

We have the right to hire a Trademark attorney to defend our registered trademarks. We found out about your frivolous cancellation with the Trademark Trial and Appeal Board on Thursday October 25th 2007. We need additional time to hire legal counsel.

We have again attached the information emailed to us by the Trademark Trial and Appeal Board. We will submit our answer in the time allowed.

LJ/dm

EXHIBIT C

Myspace Prepaid Surveys Teens Reports on Findings of Teen Gift Card Survey

CLEVELAND, OHIO (September 9, 2007) Myspace Prepaid Solutions has released the results of a survey of 527 college bound teenagers. One of the key findings of the survey is that 98 percent of all teens between the ages of 14 and 19 have either bought or received a gift card. Commissioned by the national gift card supplier and transaction processor, the survey reveals that in 2007 teens purchased almost double the number of gift cards they did in 2006 (7.6 vs. 4.3 cards — a 77 percent increase). Further, the average loaded dollar amount on cards given went from \$28 to \$33.

Teens also reported that nearly one-half (46 percent) of the presents they give are gift cards — a twelve percent increase from 2006. Males are still more likely to give gift cards (50 percent) than females (43 percent), but these electronic cards packed with cash are becoming a more popular gift option every year.

"As our young people gain more financial freedom, we get a good idea of how they choose to spend their own money," said Lee Mitchell, executive president and general manager of MPS. "Teens are growing up with gift cards receiving them, gifting them and using them for personal purchases. So gift cards continue to gain popularity with this sought-after group of consumers, and are becoming synonymous with their gifting culture. The information in this survey represents very good news for retailers." According to the survey, while cash is mentioned most often as the preferred gift, an equal number of teens rank cash (81 percent) and gift cards (79 percent) first or second, compared to the 40 percent who prefer receiving actual items.

And once they get a gift card, teens are ready to spend. Sixty-two percent of teens say that they hold on to their gift cards for one month or less before using them. Only one in 10 (11 percent) says that they keep a gift card for more than two months before using it the first time.

When using gift cards, teens also spend more than the card's value. Eighty-nine percent of teens add some of their own money when making a purchase with a gift card. Once they've depleted the funds on their card, some teens are going back for more. While still a growing trend, one in five teens has reloaded a gift card — on average with \$24.

"Cards are being reloaded for future use and convenience," said Mitchell. "From a parent's perspective, it's a great way to control where your teen spends his or her money. From our young people's perspectives, it's a way to maintain financial freedom when making purchases — especially when they don't have their own credit or debit card yet."

Other key findings from the survey:

- Among teens who have purchased gift cards, three-quarters (76 percent) have purchased cards for others. Two in five teens (42 percent) have purchased cards for themselves. Young men (46 percent) are more likely than young women (38 percent) to have purchased gift cards for personal use.
- Gift card malls, a collection of various retailers' gift cards typically found in convenience or grocery stores, continue to gain acceptance. Forty-five percent (up from 29 percent in 2006) of teens say they have purchased a gift card at a gift card mall and 21 percent (up from 11 percent in 2006) say they prefer to buy them there.
- If the gift card a teen wished to purchase was not available at a gift card mall, almost half of teens (49 percent) would have gone to the specific retail store to purchase a gift card. Two in five teens (42 percent) would have simply chosen to purchase a different gift card at the gift card mall.
- Respondents report that approximately four in 10 gifts they receive (43 percent) are gift cards. On average, teens report that the gift cards they receive are loaded with \$25 per card.
- Teens surveyed reported spending an average of \$101 yearly on gifts.

The survey was conducted online between June 29 - July 2, 2007 involving (527) 14 - 19 year-old students who plan to attend college or are currently attending their first year. They have also previously purchased or received a gift card.

Source: MPS (www.myspaceprepaid.com)

IC of Ohio Inc re-launches Myspace® Prepaid Solutions Debit and ...

IC of Ohio Inc re-launches Myspace® Prepaid Solutions Debit and ... PR Leap (press release), CA - 17 hours ago Commissioned by Myspace® Prepaid Solutions, ...
myspace.com/press/07/05 - 14k - Cached - Similar pages

Buy prepaid gift card

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groups-beta.google.com/group/bycard/web/buy-prepaid-gift-card.htm - 11k - Cached - Similar pages

The Prepaid Press

IC of Ohio Inc Re-Launches Myspace Prepaid Solutions * Kajeet Raises \$36.8M In Series B Round of Funding * Virgin Mobile USA and UTStarcom Unveil Super ...
www.prepaid-press.com/ideedition - 54 - 43k - Cached - Similar pages

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www.markaboo.com/bookmarks/hack/myspace - 49k - Cached - Similar pages

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www.gift-card-guide.com/09/iphone-price-is-slashed-200-first-customers-given-100-gift-card-abc-news/ - 19k - Cached - Similar pages

UC struggles for acceptance - America's Network

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studentcar-loan into solutions-using - 24k - Cached - Similar pages

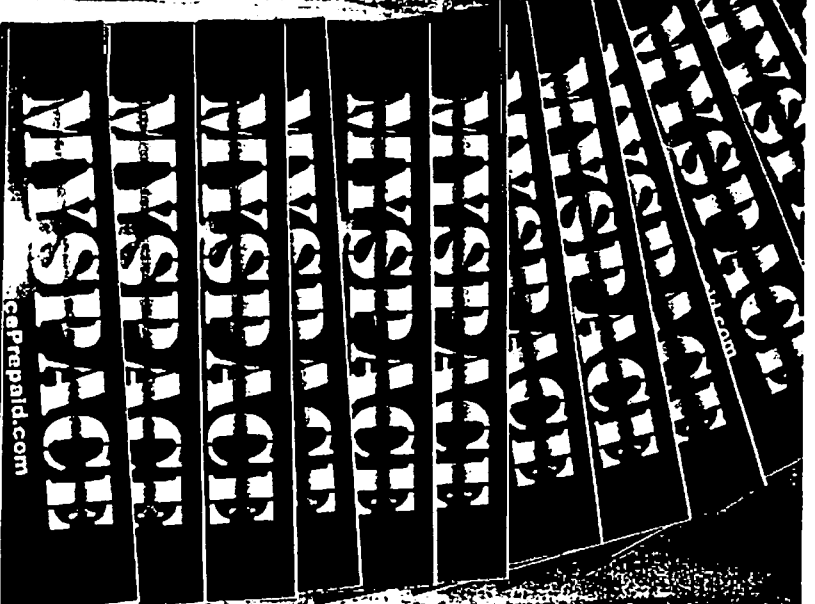
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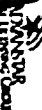
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 417
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 Cabin: A4
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 Zip: [redacted]
 Country: [redacted]
 Telephone: [redacted]
 Fares: [redacted]
 Taxes: [redacted]
 Total: [redacted]
 Remarks: [redacted]
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 MySpace Business Card
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 417
 Name: [redacted]
 Date: 11/20/07
 Class: [redacted]
 Flight: 18A
 Cabin: A4
 Seat: 116A
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 Phone: [redacted]
 Fax: [redacted]
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 Telephone: [redacted]
 Fares: [redacted]
 Taxes: [redacted]
 Total: [redacted]
 Remarks: [redacted]

Work Here
 by [redacted]

EXHIBIT D

SOME U.S. CODE (AND C.F.R.) SECTIONS PROTECTING SPECIFIC NAMES, TERMS AND MARKS

(This is a partial listing of some of the names, terms, initials and marks which are protected under the United States Code (and Code of Federal Regulations). Almost all of these sections protect symbols, emblems, seals, insignia and badges, as well as the referenced name. Many sections also protect other names and initials. Some sections protect characters in addition to names. See the sections for specific information. See also the next listing which provides other important Code sections, many of which also protect certain names, terms, initials and marks, e.g. 18 U.S.C. §709. For further information on other sections, see the Index to the United States Code, and the Index to the Code of Federal Regulations, especially under the terms "decorations, medals and badges," "coats of arms," "character," "insignia," "names," "seals" and "symbols." Other sections also exist which are not indexed under these terms.)

- American Ex-Prisoners of War, 36 U.S.C. §20907
- American Legion, 36 U.S.C. §21705
- The American National Theater and Academy, 36 U.S.C. §21904
- American Symphony Orchestra League, 36 U.S.C. §22306
- American Veterans of World War II, Korea, and Vietnam, 36 U.S.C. §22706
- American War Mothers, 36 U.S.C. §22505
- AMVETS (see American Veterans of World War II, Korea, and Vietnam)
- Big Brothers [and other names], 36 U.S.C. §30106
- Big Sisters [and other names], 36 U.S.C. §30106
- Blinded Veterans Association, 36 U.S.C. §30306
- Blue Star Mothers of America, Inc., 36 U.S.C. §30507
- Board for Fundamental Education, 36 U.S.C. §30706
- Boy Scouts of America, 36 U.S.C. §30905
- Central Intelligence Agency, 50 U.S.C. §403m
- Central Liquidity Facility, 18 U.S.C. §709
- CIA (see Central Intelligence Agency)
- Citius Altius Fortius (see Olympic)
- Civil Air Patrol, 36 U.S.C. §40306
- Coast Guard [and other names], 14 U.S.C. §639
- Commodity Credit Corporation, 15 U.S.C. §714m
- DEA (see Drug Enforcement Administration)

- Department of Housing & Urban Development [and other names], 18 U.S.C. §709
- Disabled American Veterans, 36 U.S.C. §90h
- Drug Enforcement Administration, 18 U.S.C. §709
- Fastener Quality Act, 15 U.S.C. §5401
- FFA (see Future Farmers of America)
- The Foundation of the Federal Bar Association, 36 U.S.C. §70506
- 4-H Club [also specific reference to emblem consisting of a green four-leaf clover with stem and the letter H in white or gold on each leaflet], 18 U.S.C. §707
- F.B.I. (see Federal Bureau of Investigation)
- Federal Bureau of Investigation, 18 U.S.C. §709
- Federal Deposit Insurance Corporation [and other names], 18 U.S.C. §709
- Federal Home Loan Mortgage Corporation, 12 U.S.C. §1457; 12 U.S.C. §1723a
- Future Farmers of America, 36 U.S.C. §70907
- Geneva Cross (see Red Cross)
- Girl Scouts of America, 36 U.S.C. §80305
- Give a Hoot, Don't Pollute (see Woodsy Owl)
- The Golden Eagle [also specific reference to insignia of an American Golden Eagle (colored gold) and a family group (colored midnight blue) enclosed within a circle (colored white with a midnight blue border)], 18 U.S.C. §715
- Government National Mortgage Association, 12 U.S.C. §1723a; 18 U.S.C. §709
- HUD (See Department of Housing & Urban Development)
- International Olympic Committee (see Olympic)
- HCFA (see Social Security)
- Health Care Financing Administration (see Social Security)
- Ladies of the Grand Army of the Republic, 36 U.S.C. §130106
- Life Saving Service (see Coast Guard),
- Lighthouse Service (see Coast Guard),
- Little League; Little Leaguer, 36 U.S.C. §130506
- Marine Corps, 10 U.S.C. §7881

- Medicaid (see Social Security)
- Medicare (see Social Security)
- The Military Chaplains Association of the United States of America, 36 U.S.C. §140304
- NASA (see National Aeronautics and Space Administration)
- National Aeronautics and Space Administration [also flags, logo, seal], 42 U.S.C. §2459b; 14 C.F.R. §§1221.101, 1221.107
- National Conference of State Societies, Washington, District of Columbia, 36 U.S.C. §150507
- National Conference on Citizenship, 36 U.S.C. §150507
- National Credit Union [and other names and acronyms], 18 U.S.C. §709
- National Music Council, 36 U.S.C. §152306
- National Safety Council, 36 U.S.C. §152506
- National Society, Daughters of the American Colonists, 36 U.S.C. §152907
- National Society of the Daughters of the American Revolution, 36 U.S.C. §153104
- National Women's Relief Corps, Auxiliary of the Grand Army of the Republic, 36 U.S.C. §153706
- Naval Sea Cadet Corps, 36 U.S.C. §154106,
- NCOA (see Non Commissioned Officers Association of the United States of America)
- Non Commissioned Officers Association of the United States of America [and other names], 36 U.S.C. §154707
- Olympiad (see Olympic)
- Olympic [and other names] [also specific reference to (1) the symbol of the International Olympic Committee, consisting of five interlocking rings, and (2) the emblem consisting of an escutcheon having a blue chief and vertically extending red and white bars on the base with five interlocked rings displayed on the chief], 36 U.S.C. §220506
- OPIC (see Overseas Private Investment)
- Overseas Private Investment, 18 U.S.C. §709
- Paralyzed Veterans of America, 36 U.S.C. §170105
- Pearl Harbor Survivors Association, 36 U.S.C. §170307
- Peace Corps, 22 U.S.C. §2518
- Red Cross [and other names] [also specific reference to the emblem of the Greek red cross on a white ground], 18 U.S.C. §706

- Reserve Officers Association of the United States, 36 U.S.C. §190106
- SSA (see Social Security)
- Secret Service [and other names], 18 U.S.C. §709
- Smokey Bear, 18 U.S.C. §711; 16 U.S.C. §580p; 36 C.F.R. §261.20
- Social Security [and other names, symbols and emblems], 42 U.S.C. §1320b-10
- Sons of Union Veterans of the Civil War, 36 U.S.C. §200306
- Swiss Confederation [with specific reference to the coat of arms, consisting of an upright white cross with equal arms and lines on a red ground], 18 U.S.C. §708
- U.D. (see Secret Service)
- USCG (see Coast Guard)
- USCGR (see Coast Guard)
- USMC (see Marine Corps)
- USO (see United Service Organizations, Incorporated)
- U.S.S.S. (see Secret Service)
- United Service Organizations, Incorporated, 36 U.S.C. §220106
- United States Capitol Historical Society, 36 U.S.C. §220306
- United States Mint, 18 U.S.C. §709
- United States Railway Association , 45 U.S.C. §711
- United States Coast Guard (see Coast Guard)
- United States Olympic Association (see Olympic)
- United States Olympic Committee (see Olympic)
- 369th Veterans Association, 36 U.S.C. §210307
- Veterans of Foreign Wars of the United States, 36 U.S.C. §230105
- Veterans of World War I of the United States of America, Incorporated, 36 U.S.C. §230306
- Vietnam Veterans [and other names], 36 U.S.C. §230507
- Woodsy Owl, 18 U.S.C. §711a, 16 U.S.C. §580p; 36 C.F.R. §261.20



WHAT'S NEW
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CONTACT INFORMATION
REPORT VIOLATIONS

REPORTING ANTITRUST CONCERNS

ANTITRUST DIVISION

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- [How to File a Complaint](#)
- [How to Contact Us](#)
- [Confidentiality Policy and Privacy Policy](#)
- [Leniency Policies](#)

Warning: Unsolicited E-mails from DOJ

The U.S. Department of Justice has issued a warning about fraudulent spam e-mail messages that claim to be from DOJ. These messages claim that a complaint has been filed against the recipient. The messages often include a Department of Justice banner and attachments.

These messages are fraudulent and were not sent by the Department of Justice. If you receive one of these e-mails:

1. Do not open the attachments.
2. Delete the e-mail and empty your deleted items folder.
3. If you would like to file a complaint about the e-mail, go to the [Internet Crime Complaint Center](#).

For more information, see [Justice Department Alerts Public about Fraudulent Spam Email](#).

Antitrust Laws and You

Many consumers have never heard of antitrust laws, but when these laws are effectively and responsibly enforced, they can save consumers millions and even billions of dollars a year in illegal overcharges. Most states have antitrust laws, and so does the federal government. Essentially, these laws prohibit business practices that unreasonably deprive consumers of the benefits of competition, resulting in higher prices for inferior products and services.

There are three major federal antitrust laws: the Sherman Antitrust Act, the Clayton Act, and the Federal Trade Commission Act. The following information on these laws comes from the [Antitrust Enforcement and the Consumer guide](#).

Sherman Antitrust Act

This Act expresses our national commitment to a free market economy in which competition free from private and governmental restraints leads to the best results for consumers. This Act outlaws all contracts, combinations, and conspiracies that unreasonably restrain interstate and foreign trade. This

includes agreements among competitors to fix prices, rig bids, and allocate customers, which usually are punishable as criminal felonies.

The Sherman Act also makes it a crime to monopolize any part of interstate commerce. An unlawful monopoly exists when only one firm controls the market for a product or service, and it has obtained that market power, not because its product or service is superior to others, but by suppressing competition with anticompetitive conduct.

The Act, however, is not violated simply when one firm's vigorous competition and lower prices take sales from its less efficient competitors; in that case, competition is working properly.

The Clayton Act

This Act is a civil statute (carrying no criminal penalties) that prohibits mergers or acquisitions that are likely to lessen competition. Under this Act, the government challenges those mergers that careful economic analysis shows are likely to increase prices to consumers. All persons considering a merger or acquisition above a certain size must notify both the Antitrust Division and the Federal Trade Commission. The Act also prohibits other business practices that may harm competition under certain circumstances.

The Federal Trade Commission Act

This Act prohibits unfair methods of competition in interstate commerce, but carries no criminal penalties. It also created the Federal Trade Commission to police violations of the Act.

The Department of Justice also often uses other laws to fight illegal activities, including laws that prohibit false statements to federal agencies, perjury, obstruction of justice, conspiracies to defraud the United States and mail and wire fraud. Each of these crimes carries its own fine and imprisonment term, which may be added to the fines and imprisonment terms for antitrust law violations.

Read more about the activities of the Antitrust Division:

- [Antitrust Enforcement and the Consumer](#)
- [Price Fixing, Bid Rigging and Market Allocation Schemes: What They Are and What to Look For](#)
- [Overview of the Antitrust Division](#)
- [Antitrust Division Manual, Chapter 2: Statutory Provisions and Guidelines of the Antitrust Division.](#)

How to File a Complaint

Information from the public is vital to the work of the Antitrust Division. Your e-mails, letters, and phone calls could be our first alert to a possible antitrust violation and may provide the initial evidence needed to begin an investigation.

The Antitrust Division's Citizen Complaint Center (CCC) facilitates communication of your concerns to the Division's legal staff. As the complaint intake center for the Antitrust Division, the CCC will create a record of the information you have provided and will preliminarily review your complaint for possible antitrust violations. If your complaint raises sufficient concern under the

federal antitrust laws, the CCC will refer it to the appropriate Division section where additional research may lead to a formal investigation into the reported conduct. If Division staff decides to review your complaint further, you will likely be contacted within one month of filing your complaint.

If you have information about a possible antitrust violation or potential anticompetitive activity, please contact us by e-mail, regular mail, or phone. We recommend that you use the following questions as a guideline when describing your complaint:

- What are the names of companies, individuals, or organizations that are involved?
- How do you believe they have violated the antitrust laws?
- Can you give examples of the conduct that you believe violates the antitrust laws? If so, please provide as much detail as possible.
- What is the product or service affected by this conduct? Where is the product manufactured or sold, or where is the service provided?
- Who are the major competitors that sell the product or provide the service?
- What is your role in the situation in question?
- Who is harmed by the alleged violations? How are they harmed?

How to Contact Us

You can reach us with your complaint by e-mail, regular mail, or phone.

E-mail

antitrust.complaints@usdoj.gov

Mail

Citizen Complaint Center
Antitrust Division
950 Pennsylvania Ave., NW
Room 3322
Washington, DC 20530

Phone

1-888-647-3258 (toll free in the U.S. and Canada) or 202-307-2040

Please keep in mind that the Antitrust Division is prohibited from giving legal advice to private individuals.

If you do not think your concerns involve the antitrust laws, you may want to visit the [Department of Justice web page](#) for more information or send an e-mail to AskDOJ@usdoj.gov.

Confidentiality Policy and Privacy Policy

Our Confidentiality Policy and Privacy Policy apply to all complaints received by the Antitrust Division.

Leniency Policies

Individuals or companies who (a) believe they may have been involved in criminal antitrust violations and (b) cooperate with the Antitrust Division may avoid prosecution if they meet the conditions of our individual or corporate leniency (amnesty) policies.

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