

FILED
08 JAN 30 PM 1:45
CLERK OF DISTRICT COURT
DALLAS COUNTY TEXAS
DEPUTY

CAUSE NO. 08-01055

i.think inc.,
Plaintiff,

v.

Minekey, Inc.,
Delip Andra and
Internet Unlimited,

Defendants.

§ **IN THE DISTRICT COURT**
§
§
§
§
§
§ **OF DALLAS COUNTY, TEXAS**
§ **H-160th**
§
§
§ **_____ JUDICIAL DISTRICT**

PLAINTIFF'S ORIGINAL PETITION AND APPLICATION FOR TEMPORARY AND PERMANENT RESTRAINING ORDER

Plaintiff i.think inc. files this Original Petition and Application for Temporary Restraining Order against Defendants Minekey, Inc. ("Minekey"), Delip Andra ("Andra") and Internet Unlimited ("IU") and states as follows:

I. DISCOVERY LEVEL

Plaintiff intends to conduct discovery pursuant to Level 3 of Texas Rules of Civil Procedure 190.4.

II. PARTIES

1. Plaintiff i.think inc. is a Texas corporation registered to do business in the State of Texas.

2. Defendant Minekey is a California corporation with the following address:

Minekey, Inc.
440 N. Wolfe Road
Sunnyvale, CA 940858

3. Defendant Andra is an individual with the following address:

Minekey, Inc.
440 N. Wolfe Road
Sunnyvale, CA 940858

PLAINTIFF'S ORIGINAL PETITION AND APPLICATION FOR TEMPORARY RESTRAINING ORDER - Page 1

462499

4. Defendant IU is a Florida corporation with the following address:

Internet Unlimited, LLC
3101 South Ocean Drive
Hollywood Beach, FL 32746

III. JURISDICTION AND VENUE

5. This Court has jurisdiction over this matter because the damages sought by i.think inc. exceed the minimum jurisdictional limits of this Court. Jurisdiction over Defendants Minekey, Andra and IU is appropriate because the alleged liability arises from or is related to activities directed to the State of Texas.

6. Pursuant to Texas Civil Practice and Remedies Code § 15.002(a)(1) venue is proper in Dallas County, Texas because all or a substantial part of the events or omissions giving rise to the claim occurred in Dallas County, Texas.

IV. FACTS

The i.think inc. Service Mark

7. i.think inc. is an online research services company with over ten years experience meeting online research needs.¹ A pioneer in the field of Internet-based survey services, i.think inc. is consistently relied upon to gather consumer information on a rapid basis.²

8. In 1997, i.think inc. began operations to meet the needs of researchers who need to evaluate material quickly and accurately.³ i.think inc. offers a range of online research

¹ See Affidavit of Beth Mack ¶ 4.

² *Id.*

³ *Id.* ¶ 5.

services, from providing panelists only through full-service quantitative surveys.⁴ i.think inc. also provides qualitative research online.⁵ It uses proprietary software tools and maintains its own online panel.⁶

9. i.think inc. has been dedicated to developing and maintaining a panel of high-quality respondents that care about providing real and honest feedback that its customers rely upon in their decision making process.⁷ Panelists come to i.think inc. through referrals and charity programs, increasing the confidence its clients have in the panel.⁸

10. Since at least May 1997, i.think inc. has used the i.think inc. service mark in connection with these services.⁹ The service mark was registered December 27, 1997 in the State of Texas as Registration Nos. 57402 and 57403 and it was registered December 18, 2007 as U.S. Registration No. 3,355,268.¹⁰

11. In connection with its business, i.think inc. also operates the website www.ithinkinc.com.¹¹ Plaintiff prominently displays the i.think inc. service mark on this website.¹²

Defendants Minekey and Andra's Use of iThink

12. On or about December 13, 2007, i.think inc. first discovered that Defendants Minekey and Andra were operating a website that uses "iThink".¹³ The following domains are

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.* ¶ 6.

⁸ *Id.*

⁹ *Id.* ¶ 7.

¹⁰ *Id.*

¹¹ *Id.* ¶ 8.

¹² *Id.*

operated by Defendants Minekey and Andra: ithink.com and ithink.net.¹⁴ Defendants Minekey and Andra acquired these domains from Defendant IU.¹⁵

13. Defendant IU previously used these domains in connection with online surveys, but ceased those activities after i.think inc. sent notice that those uses were infringing on i.think inc.'s service mark.¹⁶

14. Defendants Minekey and Andra use the domains and "iThink" in connection with online opinion polls in connection with primarily Facebook.¹⁷

The Use of iThink Has Created Actual Confusion

15. The use of the ithink.com and ithink.net domains for online surveys has created actual confusion.¹⁸

16. When Defendant IU owned the ithink domains, the following instances of confusion occurred:

- a. An individual paid money to IU, but had not received any surveys. The person mistakenly contacted i.think inc. on March 19, 2007 regarding this problem.¹⁹
- b. On October 24, 2007, an individual mistakenly contacted i.think inc., asking about how long it takes to receive emails regarding surveys and about a money back guarantee.²⁰

¹³ *Id.* ¶ 12.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.* ¶ 13.

¹⁷ *Id.* ¶ 16.

¹⁸ *Id.* ¶ 17.

¹⁹ *Id.* ¶ 17a.

c. On December 12, 2007, an individual mistakenly emailed i.think inc. asking the company to unsubscribe her name and email address from all promotions.²¹

17. Since Minekey and Andra have owned the ithink domains, the following instances of confusion have occurred:

a. On December 19, 2007, an individual mistakenly sent an email to i.think inc. asking whether there is a way to earn money by way of a survey.²²

b. On December 22, 2007, an individual mistakenly sent an email to i.think inc. stating that she could not log in with her email address and password.²³

18. i.think inc. does not charge any money to respondents and does not require respondents to purchase any items.²⁴

iThink Dilutes Plaintiff's Service Mark

19. i.think inc. engages in true research, with a scientific methodology, for a business purpose, for a variety of clients, including Fortune 500 companies. Accordingly, a more rigorous standard applies for the design of surveys.

20. Defendants Minekey and Andra, on the other hand, do not conduct scientific methodology. They simply collect data for the purpose of social networking.

21. Because i.think inc. is a reputable and well-known company for online surveys, using scientific standards, Defendants Minekey and Andra's use of iThink in connection with

²⁰ *Id.* ¶ 17b.

²¹ *Id.* ¶ 17c.

²² *Id.* ¶ 18a.

²³ *Id.* ¶ 18b.

²⁴ *Id.* ¶ 19.

data collection opinion polls tarnishes and dilutes i.think inc.'s service mark because the online polls that are conducted are not conducted with the same standards and therefore diminishes the reputation that i.think inc. has in producing quality surveys.

22. Further, prospective clients and customers who are trying to reach i.think inc. will likely never get to i.think inc. after seeing Defendants Minekey and Andra's website. Prospective clients and customers will likely visit the ithink.com domain, see the opinion polls, and determine that is not the service they want and need and look no further.

i.think inc.'s Service Mark is Famous

23. i.think inc. has developed a panel that now contains over 400,000 working e-mail addresses from households containing 1.25 millions individuals.²⁵

24. Hundreds of thousands of panelists have provided their honest feedback through these surveys.²⁶ Hundreds of clients have used i.think inc. to improve their products and their companies, clients which include leaders in the national advertising and market research industry as well as many Fortune 500 companies.²⁷ Since 1997, millions of online interviews have been conducted using i.think inc.'s patent pending Survey Engine.²⁸

25. i.think inc. has approximately \$2 million in business a year.²⁹ The company has been quoted in articles and is a respected member of both the Marketing Research Association and the American Marketing Association.³⁰

²⁵ *Id.* ¶ 10.

²⁶ *Id.* ¶ 9.

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.* ¶ 11.

³⁰ *Id.*

i.think inc. is a Distinctive Name

26. i.think inc. is a distinctive name the field of online surveys.³¹ A search of i.think inc. in Google and Yahoo! displays only Plaintiff in the field of online surveys.³²

27. i.think inc. is a strong mark because at best it is suggestive of a company of thinkers, like Rand Corporation.³³ i.think inc., however, is not a think tank. i.think inc. is a company that offers a range of online research services.³⁴ Further, a search in Google and Yahoo! of i.think inc. does not yield any other results for online survey companies.³⁵

**IV.
COUNT I
INJURY TO TRADE NAME AND DILUTION**

28. Plaintiff incorporates here by reference this Petition's preceding paragraphs.

29. The service mark i.think inc. is distinctive. Specifically, i.think inc. has used the service mark for 11 years, currently uses the service mark prominently on its website and Plaintiff is well-known in the field of surveys.

30. Defendants Minekey and Andra's use of the service mark iThink is likely to cause injury to i.think inc.'s business reputation or dilute the distinctive quality of i.think inc.'s service mark.

31. Defendants Minekey and Andra's conduct violates Texas Business and Commerce Code § 16.29.

³¹ *Id.* ¶ 2.

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

COUNT II
TRADEMARK INFRINGEMENT UNDER TEX. BUS. & COMM. CODE § 16.26

32. Plaintiff incorporates here by reference this Petition's preceding paragraphs.

33. Defendants Minekey and Andra's actions constitute trademark infringement of i.think inc.'s service mark and palming-off of Defendants Minekey and Andra's services to be understood as services from i.think inc.

34. Palming off creates a likelihood of confusion in the minds of the public as to the source and approval of Defendants Minekey and Andra's products. Further, this creates the impression that i.think inc. is responsible for the quality of the services offered by Defendants Minekey and Andra.

35. Defendants Minekey and Andra's conduct violates Texas Business and Commerce Code § 16.26.

COUNT III
BREACH OF CONTRACT

36. Plaintiff incorporates here by reference this Petition's preceding paragraphs.

37. i.think inc. sent the March 9, 2007 letter to Defendant IU.³⁶

38. Defendant IU responded with the March 27, 2007 letter to i.think inc., agreeing to comply with the letter and abandoning its trademark application for ithink.com.³⁷

39. i.think inc. subsequently reminded Defendant IU of the agreement on November 8, 2007, when i.think inc. discovered that Defendant IU was using surveys on its website again. Defendant IU again agreed to not use surveys and took those off its website.³⁸

³⁶ *Id.* ¶ 13.

³⁷ *Id.* ¶ 14.

40. i.think inc. relied upon the agreement between it and Defendant IU regarding Defendant IU's prohibition to conduct surveys on its website.

41. Defendant IU subsequently sold the domains to Defendants Minekey and Andra, who now use the domains for, in part, conducting opinion polls.³⁹

42. The parties operated under this agreement. Specifically, Defendant IU ceased using the phrase online surveys in association with ithink.com and ithink.net, and i.think inc. did not sue.

43. Defendants Minekey and Andra's use of online opinion polls on the ithink.com website breaches the contract between Defendant IU and i.think inc.

V. APPLICATION FOR TEMPORARY RESTRAINING ORDER, TEMPORARY INJUNCTION, AND PERMANENT INJUNCTION

44. Plaintiff incorporates here by reference this Petition's preceding paragraphs.

45. As a result of Defendants Minekey and Andra's ongoing activities, i.think inc. will suffer irreparable harm.⁴⁰ Specifically, Defendants Minekey and Andra's ongoing infringement of i.think inc.'s service mark will irreparably harm i.think inc. because customers and potential customers will be unable to locate i.think inc.'s services on the Internet and become frustrated.⁴¹ This association will damage i.think inc.'s reputation, as well as dilute the strength of i.think inc.'s service mark, which are irreparable injuries. Furthermore, no adequate remedy at law exists because the damages to i.think inc. are in part immeasurable.⁴²

³⁸ *Id.*

³⁹ *Id.* ¶¶ 15, 16.

⁴⁰ *Id.* ¶ 24.

⁴¹ *Id.* ¶¶ 20, 24.

⁴² *Id.*

46. i.think inc. has a substantial likelihood of success on the merits for the reasons set forth in this Petition.

47. The injury faced by i.think inc. outweighs the injury Defendants Minekey and Andra will sustain if this Court grants injunctive relief. Defendants Minekey and Andra only recently began using the website at issue. Prevention of consumer confusion would serve the public interest and the legitimate business interests of all parties involved.

48. i.think inc. requests that this Court schedule a hearing at which time Defendants Minekey and Andra should be required to appear and show cause why a Temporary Injunction should not be issued prohibiting Defendants Minekey and Andra's activities through the time of the trial, and that, upon such hearing, a Temporary Injunction be issued prohibiting Defendants Minekey and Andra's activities to the time of trial and, thereafter, a permanent injunction upon final trial, to restrain Defendants Minekey and Andra from violating Texas law.

PRAYER FOR RELIEF

Plaintiff requests judgment against Defendants that includes, without limitation:

1. A temporary, preliminary and permanent injunction ordering that Defendant Minekey, its officers, directors, shareholders, agents, servants, employees, and attorneys, and all those in active concert or participation with them, and each of them, and Defendant Andra be temporarily, preliminarily and permanently enjoined and restrained from:

- (a) Displaying or otherwise using "iThink" in connection with online survey polls;

PLAINTIFF'S ORIGINAL PETITION AND APPLICATION FOR TEMPORARY RESTRAINING ORDER - Page 10

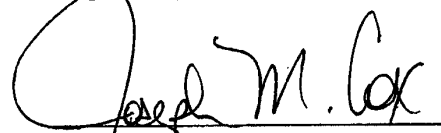
462499

- (b) Acting in any manner likely to dilute, tarnish, or blur the distinctiveness of Plaintiff's service mark; and
 - (c) Misappropriating or otherwise unfairly trading upon the goodwill of i.think inc. and i.think inc.'s service mark.
2. An Order that Defendants Minekey and Andra expressly abandon use of "iThink".
 3. Damages in an amount to be determined at trial.
 4. Reasonable costs and attorneys' fees.
 5. Such other, further, and different relief as the court may deem just and proper.

JURY TRIAL DEMAND

Plaintiff also demands jury trial.

Respectfully submitted,



Joseph M. Cox
State Bar No. 04950200
Talcott J. Franklin
Texas Bar No. 24010629
Lawrence R. Youst
State Bar No. 00794898

CERTIFICATE OF COMPLIANCE

The undersigned counsel certifies that she has complied with Local Rule 2.02. Counsel for Defendants Minekey and Andra was notified that this Application for TRO would be filed today and that Plaintiff would request a hearing for January 31, 2008, in order to give enough time for the parties to come to the hearing in Texas. Counsel for Defendants Minekey and Andra was asked whether he wanted to participate in the hearing by telephone conference, and if so the undersigned would coordinate a call-in number for a telephonic conference. Counsel stated that he does want to participate by telephone.

The undersigned counsel further certifies that to the best of her knowledge, this case is not subject to transfer under Local Rule 1.06.



Nicola M. Shiels

AFFIDAVIT OF BETH MACK

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared Beth Mack, known to me to be the person whose name is subscribed to this affidavit and, after being duly sworn, did depose and state:

1. My name is Beth Mack. I am over the age of twenty-one (21) years and am otherwise competent to make this affidavit. I have personal knowledge of the facts stated herein, and those facts are true.
2. I am Principal for i.think inc. I have been in this position since the company began operations in 1997. I chose the name i.think inc. i.think inc. is a strong mark because at best it is suggestive of a company of thinkers, like Rand Corporation. i.think inc., however, is not a think tank. i.think inc. is a company that offers a range of online research services. Further, a search in Google and Yahoo! of i.think inc. does not yield any other results for online survey companies. See Exhibit 1 for true and correct copies of the Google and Yahoo! search results.
3. i.think inc.'s service mark, evidenced by Texas registration numbers 57402 and 57403 and U.S. Registration No. 3,355,268 (the "i.think inc. Mark"), has been in continuous use in U.S. commerce since May 1997 in connection with the services described in the service mark registrations. i.think inc. has built substantial goodwill in the i.think inc. Mark. To protect that goodwill, i.think inc. filed and maintains the Texas and U.S. service mark applications and registrations for the i.think inc. Mark. See Exhibit 2 for true and correct copies of the Texas and U.S. service mark registrations for the i.think inc. Mark.

4. i.think inc. is an online research services company with over ten years experience meeting online research needs. A pioneer in the field of Internet-based survey services, i.think inc. is consistently relied upon to gather consumer information on a rapid basis.

5. In 1997, i.think inc. began operations to meet the needs of researchers who need to evaluate material quickly and accurately. i.think inc. offers a range of online research services, from providing panelists only through to full-service quantitative surveys. i.think inc. also provides qualitative research online. It uses proprietary software tools and maintains its own online panel.

6. i.think inc. has been dedicated to developing and maintaining a panel of high-quality respondents that care about providing real and honest feedback that its customers rely upon in their decision making process. Panelists come to i.think inc. through referrals and charity programs, increasing the confidence i.think inc.'s clients have in the panel.

7. Since at least May 1997, i.think inc. has used the i.think inc. Mark in connection with these services. The service mark was registered December 27, 1997 in the State of Texas as Registration Nos. 57402 and 57403 and it was registered December 18, 2007 as U.S. Registration No. 3,355,268.

8. In connection with its business, i.think inc. also operates the website www.ithinkinc.com. Plaintiff prominently displays the i.think inc. service mark on this website. See Exhibit 3 for a true and correct copy of i.think inc.'s website.

9. Since 1997, millions of online interviews have been conducted using i.think inc.'s patent pending Survey Engine. Hundreds of thousands of panelists have provided their honest feedback through these surveys. Hundreds of clients have used i.think inc. to improve their

products and their companies, clients which include leaders in the national advertising and market research industry as well as many Fortune 500 companies.

10. i.think inc. has developed a panel that now contains over 400,000 working e-mail addresses from households containing 1.25 millions individuals.

11. i.think inc. has approximately \$2 million in business a year. The company has been quoted in articles and is a respected member of both the Marketing Research Association and the American Marketing Association. See Exhibit 4 for a true and correct copy of list of publications in which i.think inc. has been featured.

12. On or about December 13, 2007, i.think inc. discovered that Minekey, Inc. ("Minekey") and Delip Andra ("Andra") were operating a website that uses "iThink". The following is the website operated by Minekey and Andra: ithink.com and ithink.net. See Exhibit 5 for true and correct copies of the website. Minekey and Andra acquired these domains from Internet Unlimited, LLC ("IU").

13. IU previously used these domains in connection with online surveys, but ceased those activities after notice from Plaintiff that those uses were infringing on Plaintiff's service mark. See Exhibit 6 for true and correct copies of correspondence between i.think inc.'s attorneys and IU.

14. Specifically, on March 27, 2007, IU agreed to not use surveys on the ithink.com and ithink.net websites and also abandoned its trademark application for ithink.com. In November 2007, i.think inc. discovered that IU was again using surveys on its website ithink.com. After receipt of i.think inc.'s letter to IU regarding this improper use and our agreement, IU immediately stopped using surveys on the ithink.com website.

15. IU transferred or sold the ithink.com and ithink.net domains to Minekey and Andra some time thereafter.

16. Minekey and Andra use the domains and “iThink” in connection with online opinion polls in connection with primarily Facebook.

17. The use of the ithink.com and ithink.net domains for online surveys has created actual confusion. When IU owned the ithink domains, the following instances of confusion occurred. See Exhibit 7 for true and correct redacted copies of emails between confused consumers and i.think inc.

a. An individual paid money to IU, but had not received any surveys.

The person mistakenly contacted i.think inc. on March 19, 2007 regarding this problem.

b. On October 24, 2007, an individual mistakenly contacted i.think inc., asking about how long it takes to receive emails regarding surveys and about a money back guarantee.

c. On December 12, 2007, an individual mistakenly emailed i.think inc. asking for the company to unsubscribe her name and email address from all promotions.

18. Since Defendant has owned the ithink domains, the following instances of confusion have occurred:

a. On December 19, 2007, an individual mistakenly sent an email to i.think inc., asking whether there is a way to earn money by way of a survey.

b. On December 22, 2007, an individual mistakenly sent an email to i.think inc. stating that she could not login with her email address and password.

19. i.think inc. does not charge any money to respondents and does not require respondents to purchase any items.

20. Based on my ten years of experience with customers desiring online surveys and with subjects willing to participate in such surveys, it is my belief that i.think inc. will a) lose customers and b) lose survey participants.

21. On December 21, 2007, i.think inc.'s attorneys sent a cease and desist letter to Andra. This letter was returned back to i.think inc.'s attorneys. Therefore, on January 8, 2008, i.think inc.'s attorneys sent another cease and desist letter via overnight delivery to Andra at the address that Minekey provides on its website. In both letters, i.think inc. demanded that Andra immediately stop using and transfer ithink.com and ithink.net to i.think inc. i.think inc. also demanded a reply by January 18, 2008.

22. Minekey responded to the January 8, 2008 letter by its attorneys. The letter simply stated that they were investigating the allegations made. The letter did not state a date by which Minekey would respond to i.think inc.'s assertions. See Exhibit 8 for true and correct copies of the correspondence between i.think inc.'s attorneys, Andra and Minekey.

23. Minekey and Andra did not deactivate their website or transfer to i.think inc. the ithink.com and ithink.net domain names as a result of the letter. After further consideration and no change in Minekey and Andra's website, i.think inc. files the accompanying Original Petition and Application for Temporary and Permanent Restraining Order in an effort to stop further damage to the i.think inc. Mark.

24. i.think inc. does not have an adequate remedy at law. There is no way to quantify the damages that i.think inc. will sustain should Minekey and Andra's conduct continue. Further, i.think inc. will suffer irreparable injury through the loss of customers and the confusion that currently exists.

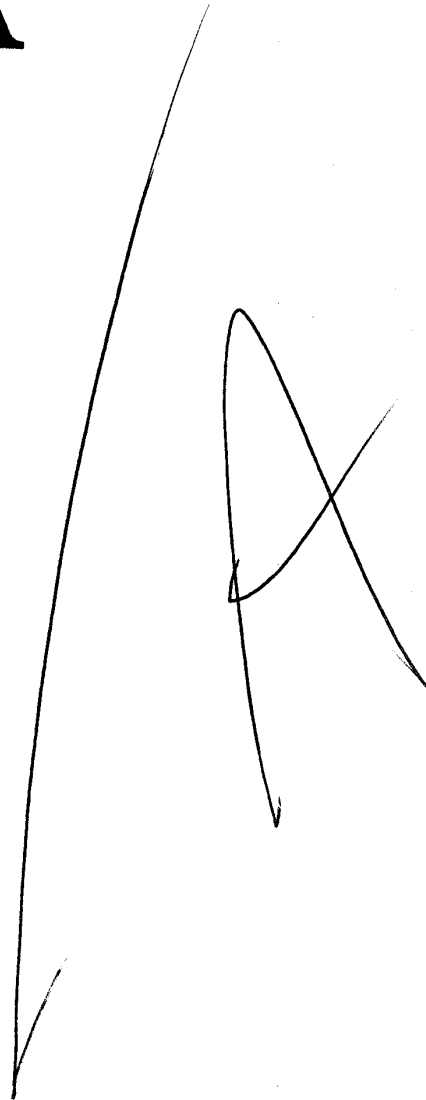
Beth Mack
Beth Mack

SUBSCRIBED AND SWORN TO before me this the 30th day of January, 2008.

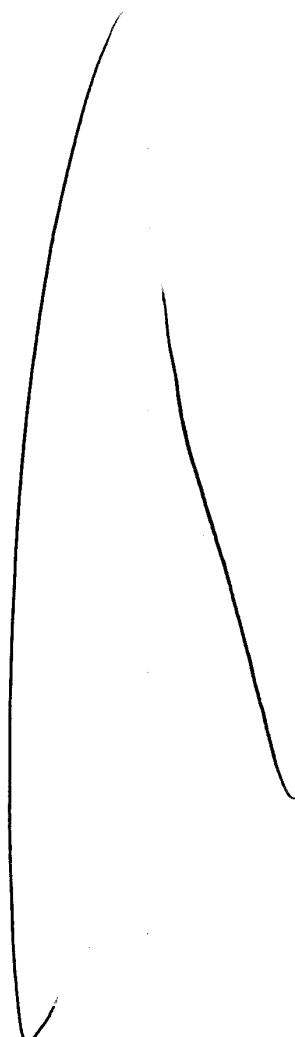
Sharon Hunter
Notary Public in and for
the State of Texas



A



1

A large, handwritten scribble or signature in black ink, consisting of several overlapping, curved lines that form a vertical, somewhat irregular shape.

Web Images Maps News Shopping Gmail more ▼

Sign in

Google

i.think inc.

Advanced Search
Preferences

Web

Results 1 - 10 of about 15,600,000 for [i.think inc.](#) (0.27 seconds)

i.think inc.

Provide hosted surveys, research and focus groups, with online and offline analysis and reporting.

[www.ithinkinc.com/](#) - 11k - [Cached](#) - [Similar pages](#)

i.think inc.

"Survey Invitation" Direct communication from an authorized [i.think inc.](#) representative which usually describes tasks necessary for completion and incentive ...

[www.ithinkinc.com/Page.aspx?WP_ID=256](#) - 18k - [Cached](#) - [Similar pages](#)

i think inc

Home · Sign Up · Update Your Profile · Register Your Charity · Why [i.think inc?](#) Corporate Site. © 2007 [i.think inc.](#)

<https://www.ithinkinc.com/ProfileCentral/default/en/home.aspx> - 8k - [Cached](#) - [Similar pages](#)

ithinkinc.ca

This Space is Reserved for [ithinkinc.ca](#).

[www.ithinkinc.ca/](#) - 1k - [Cached](#) - [Similar pages](#)

YouTube - Broadcast Yourself.

I have recently launched my own production company "Sometimes I Think Inc." I am working on expanding my ability to make movies of greater quality so that ...

[www.sometimesithinkinc.com/](#) - 92k - [Cached](#) - [Similar pages](#)

LLL | ithink inc.

LLL is now working with [i.think inc.](#), an online marketing research firm. ... [i.think inc.](#) is an ethical research company that maintains an online ...

[www.llli.org/donor/ithink.html](#) - 17k - [Cached](#) - [Similar pages](#)

i.think inc.

[i.think inc.](#) reserves the right to make changes, modifications, additions or deletions to all or any portion of these terms and conditions of use without ...

[www.ithinkformyself.com/info.asp?Pg=Terms](#) - 12k - [Cached](#) - [Similar pages](#)

i.think inc.

You can design up to 10 preformatted questions, select your target audience and field your study with 300 respondents from the proprietary [i.think inc.](#) ...

[www.ithinkformyself.com/](#) - 4k - [Cached](#) - [Similar pages](#)

[More results from www.ithinkformyself.com »](#)

Re:Think 2008 Virtual Expo Booth: add+impact

[i.think inc.](#) provides both qualitative and quantitative online research tools for the advertising community. Full online fielding services available ...

[www.thearf.org/events/upcoming/ve/ithink.html](#) - 10k - [Cached](#) - [Similar pages](#)

THINKING IN PICTURES: Autism and Visual Thought

I THINK IN PICTURES. Words are like a second language to me. If I think about Great Danes, the first memory that pops into my head is Dansk, ...

[www.grandin.com/inc/visual.thinking.html](#) - 62k - [Cached](#) - [Similar pages](#)

1 2 3 4 5 6 7 8 9 10 **Next**

i.think inc. 

[Search within results](#) | [Language Tools](#) | [Search Tips](#) | [Dissatisfied? Help us improve](#) | [Try Google Experimental](#)

©2008 Google - [Google Home](#) - [Advertising Programs](#) - [Business Solutions](#) - [About Google](#)

[Yahoo!](#) [My Yahoo!](#) [Mail](#) Welcome, **Guest** ([Sign In](#)) [Help](#)

[Web](#) | [Images](#) | [Video](#) | [Local](#) | [Shopping](#) | [more](#)

[i.think inc.](#)

[Options](#)

1 - 10 of about 750,000,000 for [i. think inc.](#) . ([About this page](#)) - 0.22 sec.

I Think Inc.

Online market research services including web surveys, focus groups, and do it yourself surveys.
Large panel available.
[www.ithinkinc.com](#) - 10k - [Cached](#)

Default

Home. Sign Up. Update Your Profile. Register Your Charity. Why [i.think inc](#)? Corporate Site ©
2007 [i.think inc](#) ...
[www.ithinkinc.com/SC](#) - 8k - [Cached](#)

LLLI | ithink inc.

LLLI is now working with [i.think inc.](#), an online marketing research firm. ... [i.think inc.](#) is an ethical research company that maintains an online respondent ...
[www.llli.org/donor/ithink.html](#) - 17k - [Cached](#)

i.think inc.

... field your study with 300 respondents from the proprietary [i.think inc.](#) database. Answers are provided in a secure data access area which is password protected. ...
[www.ithinkformyself.com/default.asp](#) - 3k - [Cached](#)

ithinkinc.ca

This Space is Reserved for [ithinkinc.ca](#) ...
[www.ithinkinc.ca](#) - [Cached](#)

i.think inc.

Contact Us. [i.think inc.](#) 2811 McKinney Ave. Suite 218, LB 112. Dallas, TX 75204. 214.855.3777
phone. 214.855.3779 fax. [questions@ithinkinc.com](#) ...
[www.ithinkformyself.com/info.asp?Pg=ContactUs](#) - 2k - [Cached](#)

Playscripts, Inc. - I Think You Think I Love You

"Kelly Younger's short play **I Think You Think I Love You** was a comedic tour-de-force... Jennifer Palais in **I Think You Think I Love You**, Ruskin Group ...
[www.playscripts.com/play.php3?playid=834](#) - 17k - [Cached](#)

Square Seven

[i.think inc.](#), a pioneering online research and analysis company, needed an ... Much of the work we've done for [i.think inc.](#) is password protected. ...
[www.sqseven.com/ithink-inc.aspx](#) - 24k - [Cached](#)

I Think I'll Stand Up: Finding Your Personal Path To - SHOP.COM

Shop for **I Think I'll Stand Up: Finding Your Personal Path To** at [Shop.com](#). ... Finding Your Personal Path To, [luniverse Inc](#), [Books & Magazines](#), **I Think I'll Stand** ...
[www.shop.com/p26520579-aprod.shtml](#) - 132k

Penny Arcade! - I Think It's Working!

Equal parts comics and commentary, Penny Arcade features Tycho and Gabe, the ... I Think It's Working! © 1998-2008 Penny Arcade, Inc. ...

www.penny-arcade.com/comic/1999/11/24 - 8k - [Cached](#)

SPONSOR RESULTS

I.Think Inc.

www.smarter.com - Compare prices on I.Think Inc. at Smarter.com.

I.Thin
Compa
Smarte
www.s

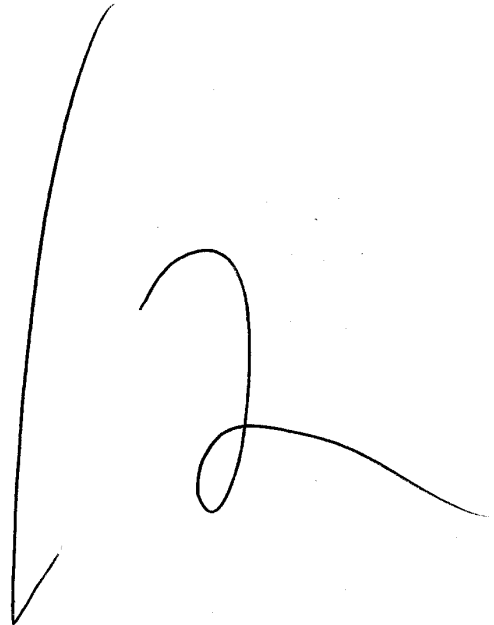
See

1 2 3 4 5 6 7 8 9 10 11

 Test drive mobile search optimized for your phone with [Y! oneSearch](#).

© 2008 Yahoo! [Privacy](#) / [Legal](#) - [Submit Your Site](#)

2

A large, handwritten mark consisting of a long vertical stroke on the left and a complex, looping scribble on the right, resembling a stylized signature or a large number.



The State of Texas

SECRETARY OF STATE

CERTIFICATE OF TRADEMARK OR SERVICE MARK REGISTRATION

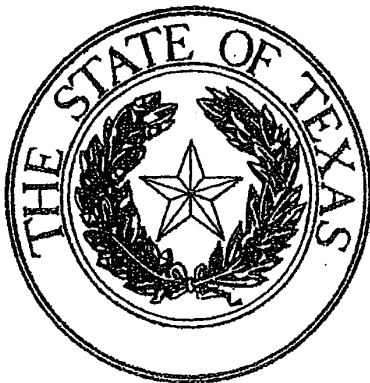
FOR

I. THINK INC.

REGISTRATION NUMBER 57402

The undersigned, as Secretary of State of Texas, by virtue of the authority vested in the Secretary by CHAPTER 16, TEXAS BUSINESS AND COMMERCE CODE hereby issues this Certificate of Trademark or Service Mark Registration and attaches hereto a copy of the application for registration. Such registration is effective for a term of ten years from the date of registration of application shown below.

DATED: December 27, 1997



Alberto R. Gonzales
Secretary of State



The State of Texas

SECRETARY OF STATE

CERTIFICATE OF TRADEMARK OR SERVICE MARK REGISTRATION

FOR

I. THINK INC.

REGISTRATION NUMBER 57403

The undersigned, as Secretary of State of Texas, by virtue of the authority vested in the Secretary by CHAPTER 16, TEXAS BUSINESS AND COMMERCE CODE hereby issues this Certificate of Trademark or Service Mark Registration and attaches hereto a copy of the application for registration. Such registration is effective for a term of ten years from the date of registration of application shown below.

DATED: December 27, 1997



Alberto R. Gonzales
Secretary of State

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,355,268

Registered Dec. 18, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

i.think inc

IThink INC (TEXAS CORPORATION)
2811 MCKINNEY SUITE 350 LB 112
DALLAS, TX 75204

FOR: MARKET RESEARCH CONSULTATION;
MARKET RESEARCH SERVICES; MARKET RE-
SEARCH STUDIES; BUSINESS RESEARCH; BUSI-
NESS RESEARCH AND SURVEYS; BUSINESS
RESEARCH USING FOCUS GROUPS; CONDUCT-
ING BUSINESS AND MARKET RESEARCH SUR-
VEYS; CONDUCTING BUSINESS RESEARCH AND
SURVEYS; CONDUCTING ON-LINE BUSINESS
MANAGEMENT RESEARCH SURVEYS; CONSU-
MER RESEARCH; MARKET RESEARCH; MARKET
OPINION POLLING STUDIES; PUBLIC OPINION
SURVEYS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 5-1-1997; IN COMMERCE 5-1-1997.

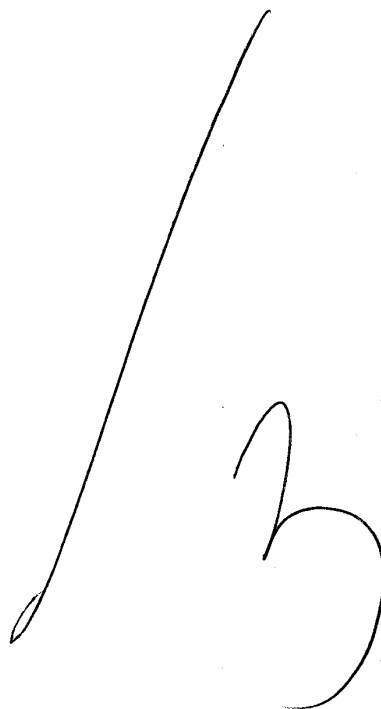
THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

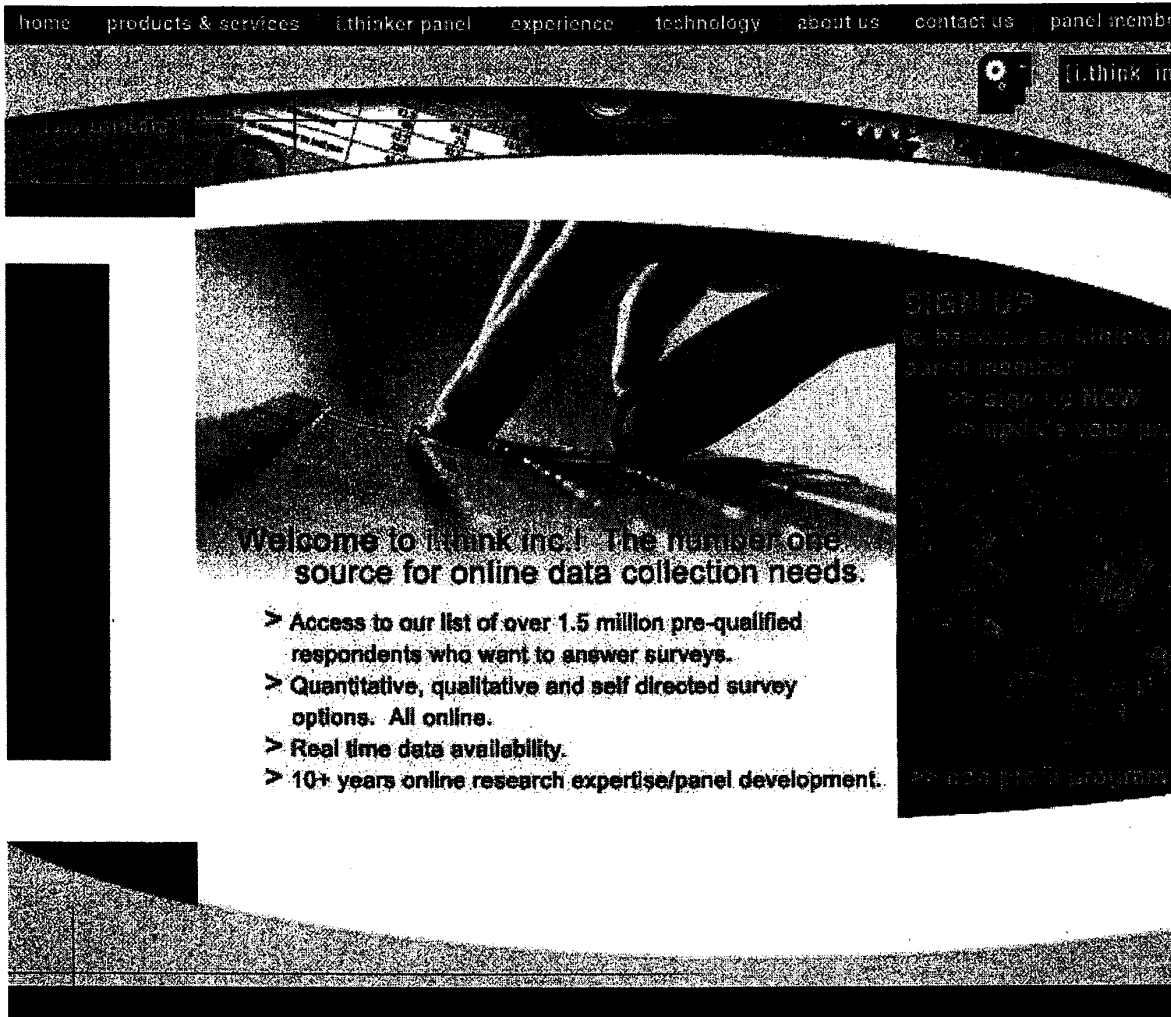
NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "INC" , APART FROM THE MARK
AS SHOWN.

SER. NO. 77-127,264, FILED 3-9-2007.

BONNIE LUKEN, EXAMINING ATTORNEY

3

A large, handwritten mark consisting of a long, sweeping diagonal line that curves downwards and to the right, ending in a large, stylized loop or flourish.

A banner for the i.think inc. website. The top navigation bar includes links for home, products & services, i.thinker panel, experience, technology, about us, contact us, and panel member. The main banner features a background image of a hand writing on a document. The text in the banner reads: "Welcome to i.think inc! The number one source for online data collection needs." followed by a bulleted list of services: "Access to our list of over 1.5 million pre-qualified respondents who want to answer surveys.", "Quantitative, qualitative and self directed survey options. All online.", "Real time data availability.", and "10+ years online research expertise/panel development." On the right side of the banner, there is a "SIGN UP" section with the text "to become an i.think inc panel member" and "to sign up NOW" with a "SIGN UP" button. The i.think inc. logo is visible in the top right corner of the banner area.

home products & services i.thinker panel experience technology about us contact us panel member

(i.think inc)

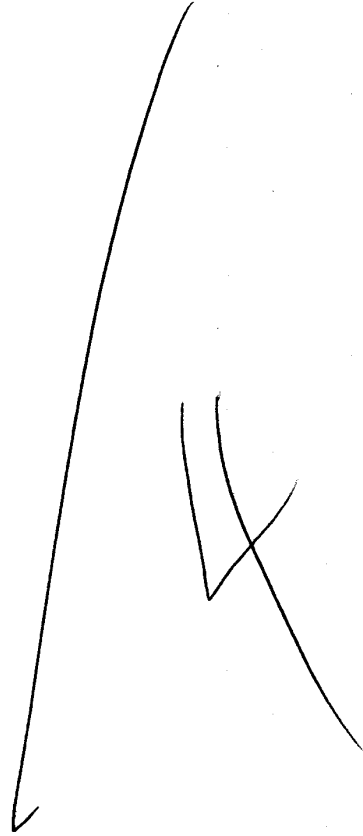
Welcome to i.think inc! The number one source for online data collection needs.

- Access to our list of over 1.5 million pre-qualified respondents who want to answer surveys.
- Quantitative, qualitative and self directed survey options. All online.
- Real time data availability.
- 10+ years online research expertise/panel development.

SIGN UP
to become an i.think inc panel member
to sign up NOW
to apply your profile

Copyright © 1997-2008 Privacy Policy Official Rules

4

A large, handwritten mark consisting of a long, sweeping curve on the left side and a more complex, scribbled shape on the right side, possibly representing a signature or initials.



about us

Home - About i.think inc. - Recent News / Articles

recent news / articles

Learn more about i.think inc. by reading some of the publications and articles in which i.think inc. has been featured.

Can a website be social?
Journal of Marketing
08/29/2007

SuperPages.com Survey Reveals What You See Is Not Always What You'll Get On A First Date
Superpages.com
02/13/2007

New Survey Reveals Women's Insights on How Food and Friends Affect Their Health Practices
Beano
06/28/2006

i.think inc Leads Launch of Davie-Brown Index
Various
03/16/2006

Omnicom Unit to Enter Game of Valuing Stars
Wall Street Journal
02/13/2006

Hip--and Happening
American Journalism Review
05/01/2005

To dip or not to dip, that is the question
Pizza Hut
02/14/2005

FOX NEWS Cited as "Winner" by Most, Regardless of Political Affiliation
Baylor University
10/06/2004

Share Your Thoughts
RedBook Magazine
09/01/2003

Fund Raising *(large file size)*
Philanthropy In Texas
03/01/2003

Online privacy critical to research success *(large file size)*
Marketing News
11/25/2002

Privacy, please (large file size)
Quirk's Marketing Research Review
07/01/2002

Driving and Dialing
BusinessWeek
07/23/2001

Survey: Consumers favor regulation of cell phone use
Dallas-Fort Worth TechBiz
05/14/2001

New Tools for New Rules - "Post for Pay"
Business 2.0
04/17/2001

Up-and-dot.commer: Ad executive pioneers online surveys that pay off
The Dallas Morning News
01/01/2001



Copyright © 1997-2008 Privacy Policy Official Rules

5

A large, handwritten mark consisting of a long, curved line that starts near the top right and ends near the bottom left, with a smaller, more complex scribble to its right.

Stay Tuned for The Next iThink Contest

Published December 21, 2007 1 0 Comments

Our current contest is over.

Congratulations again to all of our winners and thanks to everybody for voting and providing great opinions!

Stay tuned. Our next contest will begin soon.

Winners | iThink Contest on Facebook | 12/21

Published December 21, 2007 Facebook , Opinions , Voting , contest , iThink
0 Comments

Opinion with most Votes: Boys give more preference to the physical beauty of their partners than girls do?

Votes: 1,599 | 62% agreed

Winner: Talal Rafi

Prize: \$100



Lucky Voter: Sheniz Boois

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/20

Published December 20, 2007 Facebook , Opinions , Voting , contest , iThink
0 Comments

Opinion with most Votes: Rape is rape, regardless of how well you know the person.

Votes: 1,675 | 96% agreed

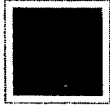
Winner: Katie Noel

Prize: \$100



Lucky Voter: Sharon Fong

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/19

Published December 19, 2007 Facebook , Opinions , Voting , contest , iThink
0 Comments

Opinion with most Votes: Sometimes I enjoy "stupid" humour.

Votes: 1,069 | 96% agreed

Winner: Katie Noel

Prize: \$100



Lucky Voter: Farah Malik

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/18

Published December 18, 2007 1 0 Comments

Opinion with most Votes: We take friendships for granted all too often.

Votes: 1,007 | 91% agreed

Winner: Mark Ulasowski

Prize: \$100



Lucky Voter: Michael Rohler

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/17

Published December 17, 2007 1 0 Comments

Opinion with most Votes: Its better to stay single than marrying the wrong person.

Votes: 1,837 | 96% agreed

Winner: Peggy Peiyi

Prize: \$100



Lucky Voter: Sue Harries

Prize: \$50



Click [here](#) to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/16

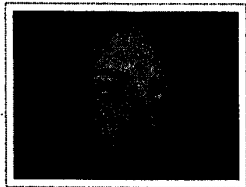
Published December 16, 2007 1 0 Comments

Opinion with most Votes: I would never lie to my children about Santa.

Votes: 1,133 | 26% agreed

Winner: Katie Noel

Prize: \$100



Lucky Voter: Damian Kenneally

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/15

Published December 15, 2007 1 0 Comments

Opinion with most Votes: Be a Christian, be a Muslim, be whatever you want. But before all that... be a good human.

Votes: 1,376 | 96% agreed

Winner: Eliyas Mohd

Prize: \$100



Lucky Voter: Dave Hewitt

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/14

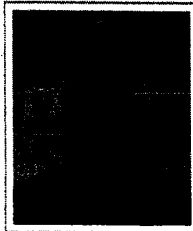
Published December 14, 2007 1 0 Comments

Opinion with Most Votes: Men think about sex more often than women.

Votes: 1,406 | 69% agreed

Winner: Dat Q Vu

Prize: \$100



Lucky Voter: Emmanuel Blavier

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/13

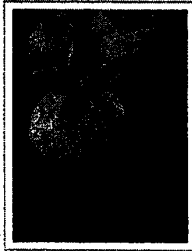
Published December 13, 2007 1 0 Comments

Opinion with Most Votes: It is easier to forgive than to forget.

Votes: 1,820 | 86% agreed

Winner: Nura Johan

Prize: \$100



Lucky Voter: Hayley Zatzkis

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

[Next Page »](#)

6

A large, handwritten mark, possibly a signature or a stylized letter, is located on the right side of the page. It consists of a long, sweeping vertical stroke that curves to the right and then loops back down and to the left, ending in a small loop.

DANAMRAJ & YOUST, P.C.

ATTORNEYS AND COUNSELORS
INTELLECTUAL PROPERTY LAW AND RELATED MATTERS

PREMIER PLACE, SUITE 1450
5910 NORTH CENTRAL EXPRESSWAY
DALLAS, TEXAS 75206
(214) 750-5866 (tel)
(214) 363-8177 (fax)

SHREEN K. DANAMRAJ
LAWRENCE R. YOUST
KENNETH T. EMANUELSON

Direct Dial: (214) 363-4266
lawrence@dy-iplaw.com

March 9, 2007

FedEx and Regular Mail

Philip V. Patete
Chief Executive Officer
Internet Unlimited, LLC.
3101 South Ocean Drive
Suite 3102
Hollywood Beach, Florida 33019

Re: Trademark Infringement
Our File: 1386-5010

Dear Mr. Patete:

Danamraj & Youst, P.C. represents i.think inc. (ITI) in various intellectual property matters. As you know, ITI is a full service online research fielding company who pioneered web based surveys and specializes in both quantitative and qualitative research collection methods for advertising agencies, full service research companies and corporate end users. ITI owns a database of approximately 1.5 million respondents who have signed up with the company to answer surveys and participate in online consumer research. ITI operates a website at the domain name "ithinkinc.com," a copy of the home page of this website is attached hereto as Exhibit A. Our client has been using the I. THINK INC. mark to identify its services and as a trade name since at least as early as May, 1997. Additionally, ITI owns Texas Trademark Registration Nos. 57402 and 57403 for the I. THINK INC. mark, copies of which are attached as Exhibits B and C.

It has come to our attention that Internet Unlimited, LLC (IU) has obtained the domain name "ithink.com" and is using it to operate a website. It has also come to our attention that IU has recently updated the contents of this website, to now offer "Paid Surveys," "Online Surveys," "Surveys" and "Womens Surveys," a copy of the current home page of this website is attached hereto as Exhibit D. As a result of these recent updates, the public is likely to be deceived and has been deceived into believing that your website is sponsored by or affiliated with ITI. As your use of the ithink.com website is not under license from ITI, your actions constitute the misappropriation of ITI's registered trademarks. Accordingly, ITI hereby demands that IU immediately cease and desist from using the ithink.com domain name or using any other domain name or mark that is confusingly similar to the I. THINK INC. mark in association with market research or survey services.

In addition, it has come to our attention that you filed an application for federal trademark registration on November 7, 2006 (Serial Number 77/038,392) for ITHINK.COM. In this application, you have declared that IU is using ITHINK.COM in commerce in connection with "Business research and surveys," "Conducting business and market research surveys," "Conducting business research and surveys" and "Conducting on-line business management research surveys." This admission directly supports my client's contention of trademark infringement. Further, in your application, you have declared that IU has been using

Philip V. Patete
March 9, 2007
Page 2

ITHINK.COM in commerce in connection with "Business research and surveys," "Conducting business and market research surveys," "Conducting business research and surveys" and "Conducting on-line business management research surveys" since at least as early as May 4, 1994. The itthink.com website, however, has only recently included content related to surveys, a copy of the home page of this website dated April 23, 2006 is attached hereto as Exhibit E. Accordingly, the assertions made by IU and particularly by Philip V. Patete as to "first use anywhere date" and "first use in commerce date" for these services are not only willfully false and in violation of 18 U.S.C. 1001, but will also form at least part of the basis for ITI to oppose this registration.

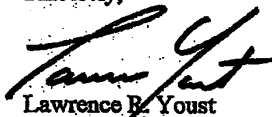
On behalf of ITI, we hereby demand that:

1. IU immediately cease and desist use of the "itthink.com" domain name;
2. IU assign the "itthink.com" domain name to ITI; and
3. IU withdraw application serial number 77/038,392 from consideration for registration.

While we prefer to resolve this situation amicably, if IU fails to comply with these demands, my client may be forced to take any and all available legal action including, but not limited to, filing suit against you asserting, among other claims, claims for trademark infringement and seeking the maximum amount of damages available to ITI under Texas and federal law.

Please contact the undersigned within seven days from the date of this letter, i.e., by March 16, 2007 to discuss your plans for immediate compliance.

Sincerely,



Lawrence R. Youst

March 27, 2007

RE: Your File: 1386-5010

Lawrence Youst
Danamraj & Youst, P.C.
Premier Place, Suite 1450
5910 North Central Expressway
Dallas, TX 72506

Dear Mr. Youst,

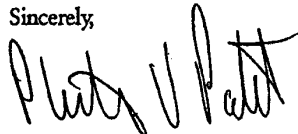
I am responding to your letter dated March 9th, 2007 as well as to the phone conversation we had on March 26th. As I said, I am not familiar with your client, *ithink inc.* or their business and have not found any Federal Trademark owned by them for *ithink inc.* My attorney and I have reviewed your letter, the information you provided as well as your demands. While we may have a difference of opinion on some of the points you raised, other circumstances will allow us to resolve this situation quickly and hopefully to your client's satisfaction.

Our business reasons for filing the Trademark application have changed and we have no intention of operating any sort of online survey site. In fact, the site referenced in your letter was a so-called "parked" or dummy site that was not controlled by our company. The *ithink.com* domain has been "un-parked" from this company and now sits at its domain registrar - Godaddy.com. Your client can rest assured that there will be no development of survey-related content for this domain.

We have also submitted a Request for Express Abandonment. In addition we have received notice last week that our application was not approved. Based on our conversation, I believe this will satisfy your client.

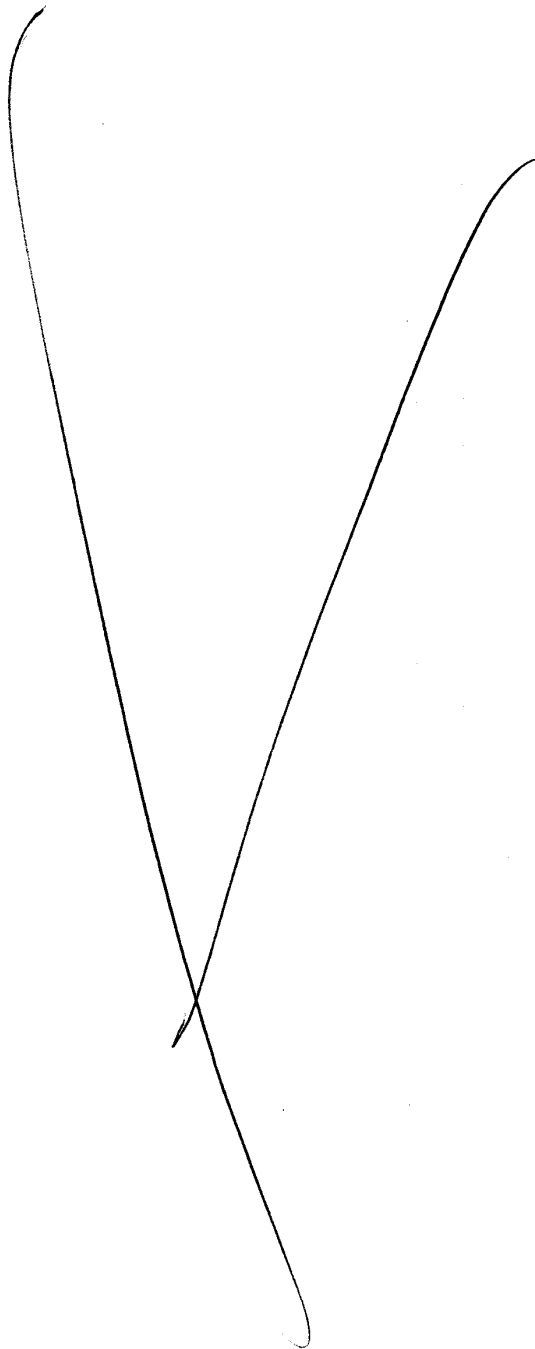
In regards to our discussion to purchasing the domains *ithink.com* and *ithink.net*, I am not yet ready to sell them at the price you offered. I will keep your offer in mind and suggest you or your client contact me in about a month to further discuss it.

Sincerely,



Philip V Patete, PhD

3101 SOUTH OCEAN DRIVE
SUITE 3102
HOLLYWOOD BEACH, FL 33019



PATTON BOGGS LLP
ATTORNEYS AT LAW

2001 Ross Avenue
Suite 3000
Dallas, TX 75201-8001
214-758-1500
Facsimile 214-758-1550
www.pattonboggs.com

November 8, 2007

Lawrence R. Youst
214-758-3414
lyoust@pattonboggs.com

FedEx and Regular Mail

Philip V. Patete
Chief Executive Officer
Internet Unlimited, LLC.
3101 South Ocean Drive
Suite 3102
Hollywood Beach, Florida 33019

Re: Trademark Infringement
Patton Boggs Ref.: 026122.0102

Dear Mr. Patete:

Since our last communication, I have joined the law firm of Patton Boggs LLP who is now counsel for i.think inc. (ITI) in its intellectual property matters. As you know from my letter of March 9, 2007, ITI is a full service online research fielding company who pioneered web based surveys and specializes in both quantitative and qualitative research collection methods for advertising agencies, full service research companies and corporate end users. ITI owns a database of approximately 1.5 million respondents who have signed up with the company to answer surveys and participate in online consumer research. ITI operates a website at the domain name "ithinkinc.com," and has been using the I.THINK INC. mark to identify its services and as a trade name since at least as early as May, 1997. Additionally, ITI owns Texas Trademark Registration Nos. 57402 and 57403 for the I.THINK INC. mark.

Inconsistent with your letter of March 27, 2007 in which you state that my "client can rest assured that there will be no development of survey-related content," Internet Unlimited, LLC (IU) is again using the Ithink.com domain in an infringing manner. Specifically, we have recently reviewed the contents of the ithink.com website and have identified offerings including "Paid Surveys," "Online Surveys" and "Surveys." Copies of various versions of the current home page of the ithink.com website are attached hereto as Exhibit A with this content circled. As a result of this content, the public is likely to be deceived and has been deceived into believing that the ithink.com website is sponsored by or affiliated with ITI. In fact, ITI has recently received several misdirected complaints relating to surveys or survey related services that were initiated at the ithink.com website.

As IU's use of the ithink.com website is a misappropriation of ITI's registered trademarks and is currently causing confusion in the marketplace to ITI's detriment, ITI hereby demands that IU immediately cease and desist from using the ithink.com domain name or using any other domain name or mark that is

451014



Philip V. Patete
November 8, 2007
Page 2

confusingly similar to the LTHINK INC. mark in association with market research or survey services.

On behalf of ITI, we hereby demand that:

1. IU immediately cease and desist use of the "ithink.com" domain name; and
2. IU assigns the "ithink.com" domain name to ITI.

While we prefer to resolve this situation amicably, if IU fails to comply with these demands, my client may be forced to take any and all available legal action including, but not limited to, filing suit against IU asserting, among other claims, claims for trademark infringement and seeking the maximum amount of damages available to ITI under Texas and federal law.

Please contact the undersigned within seven days from the date of this letter, i.e., by November 14, 2007 to discuss your plans for immediate compliance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence R. Youst", is written over a printed name.

Lawrence R. Youst

cc: Beth Mack

451014

7

1

Shiels, Nicola

From: Kerry Stover [info@ithinkinc.com]
Sent: Tuesday, March 20, 2007 2:44 PM
To: 'Beth Mack, i.think inc.'
Subject: FW: asap

From: jessica farrell [mailto:jrae013@yahoo.com]
Sent: Monday, March 19, 2007 9:27 PM
To: info@ithinkinc.com
Subject: asap

my name is jrae013

i have paid the money asked for and that was like a week ago, i still cant not get to the surveys and have not been emailed any. so how am i supposed to get to the surveys to make money!

Bored stiff? Loosen up...

Download and play hundreds of games for free on Yahoo! Games.

1/28/2008

Shiels, Nicola

From: Lisa Gilligan [mailto:lgilligan1@yahoo.com]
Sent: Wednesday, October 24, 2007 4:31 PM
To: info@ithinkinc.com
Subject: Survey information

I just signed up for your company to answer surveys. How long does it take to receive emails to take these surveys? I signed up for mystery shopping and they said they would email me but still haven't received anything from them yet. Is there a money back guarentee if I don't receive any emails to take surveys? Is there a way to just access surveys through your website instead of emails?
Lisa Gilligan

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

1/28/2008

Shiels, Nicola

From: JOE MADISON [mailto:aichil@verizon.net]
Sent: Wednesday, December 12, 2007 10:46 AM
To: info@ithinkinc.com
Cc: aichil@hotmail.com
Subject: unsubscribe

Please remove my name and e-mail address from all your promotions. I am a widowed mother of six, and was told that this was a good way to make extra cash. But through your program I must either purchase something I don't need to get something that I want. The sad thing is all the time and energy that I wasted with your program, I could have been doing something else to ensure my children a happy christmas!

1/28/2008

Shiels, Nicola

From: Surveys [surveys@ithinkinc.com]
Sent: Wednesday, December 19, 2007 2:23 PM
To: 'Beth Mack, i.think inc.'
Subject: FW: earning money by way of survey

Hi Beth. A while back you asked us to forward you these kinds of e-mails. This is the first I've received since then. This panelist (rid 906618) apparently thinks he paid someone (us?) \$34 and it's not possible to earn money taking our surveys. At least, that's what I'm assuming, despite his use of "possible" instead of "impossible." I've replied to him asking him to clarify, but also telling him our records show he joined today and it is free to join at our web site.

Tracy

From: atiar rahman [mailto:atiar_fmrp@yahoo.com]
Sent: Wednesday, December 19, 2007 1:02 PM
To: surveys@ithinkinc.com
Subject: earning money by way of survey

Dear sir

Is it possible to earn money by this purchase. I have spent \$34. Please help me.
Kh Atiar rahman

Never miss a thing. [Make Yahoo your homepage.](#)

1/28/2008

Shiels, Nicola

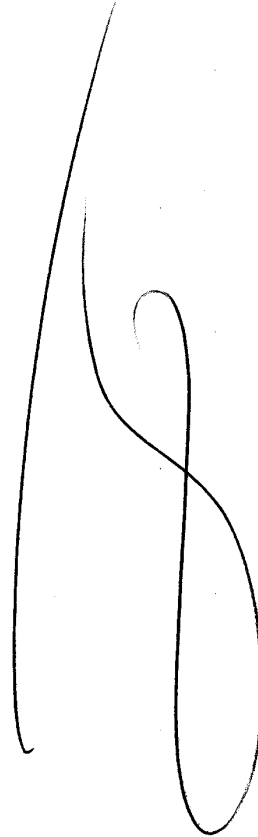
From: Crystal Adkins [mailto:crystala35@yahoo.com]
Sent: Saturday, December 22, 2007 10:44 PM
To: info@ithinkinc.com
Subject:

Hi, my name is Mayah Adkins, CrystalA35@yahoo.com, I have been trying for several days now to gain access to yur ithink.com member website. It's not accepting my emailaddress and /or my password. I've even had several different seny yo me and have tried logging in unfirt them and still no liuck. Would you please be so kindsas to help me and direct me through whatever it is that I need to do. Thank much.
Ms. Mayah Adkins

Looking for last minute shopping deals? [Find them fast with Yahoo! Search.](#)

1/28/2008

8

A large, handwritten scribble or signature in black ink, consisting of several overlapping loops and a long vertical stroke on the left side.

PATTON BOGGS LLP
ATTORNEYS AT LAW

2001 Ross Avenue
Suite 3000
Dallas, TX 75201-8001
214-758-1500

Facsimile 214-758-1550
www.pattonboggs.com

December 21, 2007

Lawrence R. Youst
214-758-3414
lyoust@pattonboggs.com

FedEx and Regular Mail

Delip Andra
2000 Walnut Ave
Fremont, California 94538

Re: Trademark Infringement
Patton Boggs Ref.: 026122.0103

Dear Mr. Andra:

Patton Boggs LLP represents i.think inc. (ITI) in various intellectual property matters. As you know, ITI is a full service online research fielding company who pioneered web based surveys and specializes in both quantitative and qualitative research collection methods for advertising agencies, full service research companies and corporate end users. ITI owns a database of approximately 1.5 million respondents who have signed up with the company to answer surveys and participate in online consumer research. ITI operates a website at the domain name "ithinkinc.com," a copy of the home page of this website is attached hereto as Exhibit A. Our client has been using the I.THINK INC mark to identify its services and as a trade name since at least as early as May, 1997. Additionally, ITI owns Federal Trademark Registration No. 3,355,268 and Texas Trademark Registration Nos. 57402 and 57403 for the I.THINK INC mark, copies of which are attached as Exhibits B, C and D.

It has come to our attention you and/or MineKey (hereinafter collectively referenced to as "you") has obtained the domain names "ithink.com" and "ithink.net." It has also come to our attention that you are conducting online "opinion polls" on these domains and using a trademark that is confusingly similar to the I.THINK INC mark in association with your "opinions polls," representative pages from these domains are attached hereto as Exhibit E. In addition, a search for ithink.com on Yahoo! Search results in a link to Internet Marketing Research, which further establishes that ithink.com is associating itself with internet marketing research as well as to ITI, representative pages from Yahoo! Search and Yahoo! Directory are attached hereto as Exhibit F.

As a result of the content being presented on the ithink.com and ithink.net websites and the association you are creating between ithink.com and internet marketing research, the public is likely to be deceived and has been deceived into believing that your websites are sponsored by or affiliated with ITI. As your use of the ithink.com and ithink.net websites are not under license from ITI, your actions constitute the misappropriation of ITI's registered trademarks. Furthermore, you are intentionally trading on the

457587



Delip Andra
December 21, 2007
Page 2

goodwill of ITI by using a trademark that is confusingly similar to the I.THINK INC mark. Accordingly, ITI hereby demands that you immediately cease and desist from using the *ithink.com* and *ithink.net* domain names and using any mark that is confusingly similar to the I.THINK INC mark in association with online market research or online opinion polls.

In addition, we hereby put you on notice that we contacted the prior owner of these websites on several occasions regarding its misappropriation of ITI's registered trademarks, a copy of two letters from me to Internet Unlimited, LLC (hereinafter "IU") and a copy of one letter from Philip V. Patete, CEO of IU to me is attached hereto as Exhibit G. In each instance when we contacted IU, it promptly complied with our demands without the need for further legal action.

ITI is adamant about protecting its rights and will not tolerate continued misappropriation of ITI's registered trademarks. On behalf of ITI, we hereby demand that:

1. You immediately cease and desist use of the *ithink.com* and *ithink.net* domain names;
2. You assign the *ithink.com* and *ithink.net* domain names to ITI; and
3. You immediately cease and desist use of any mark that is confusing similar to the I.THINK INC mark.

While we prefer to resolve this situation amicably, if you fail to comply with these demands, my client may be forced to take any and all available legal action including, but not limited to, filing suit against you asserting, among other claims, claims for trademark infringement and seeking preliminary and permanent injunctions, money damages including treble damages, defendant's profits, attorneys' fees and transfer of the *ithink.com* and *ithink.net* domain names to ITI as available to ITI under Federal law, Texas law and ICANN policy.

Please contact the undersigned within ten days from the date of this letter, i.e., by **December 31, 2007** to discuss your plans for immediate compliance.

Sincerely,

Lawrence R. Youst

cc: Beth Mack

457587

From: Origin ID: RBDA (214)758-3414
Lawrence Youst
Patton Boggs LLP
2001 Ross Avenue
Suite 3000
Dallas, TX 75201



CLS890987/2125

Ship Date: 21DEC07
ActWgt: 1 LB
System#: 8405018/INET7091
Account#: S *****

Delivery Address Bar Code



Ref # 026122.0103
Invoice #
PO #
Dept #

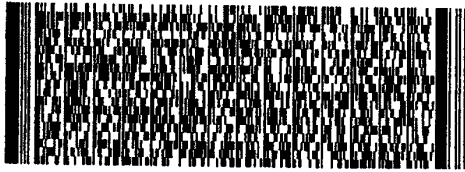
SHIP TO: (408)981-6992

BILL SENDER

Delip Andra

2000 Walnut Avenue

Fremont, CA 94538

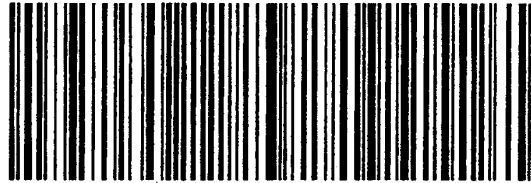


TRK# 7904 1159 2445
0201

MON - 24DEC A2
STANDARD OVERNIGHT

A5-HWDA

OAK
CA-US
94538



Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Exhibit A



i.think inc.

home products & services market panel experience technology about us contact us panel members

search

welcome to i.think inc. the number one source for online data collection needs.

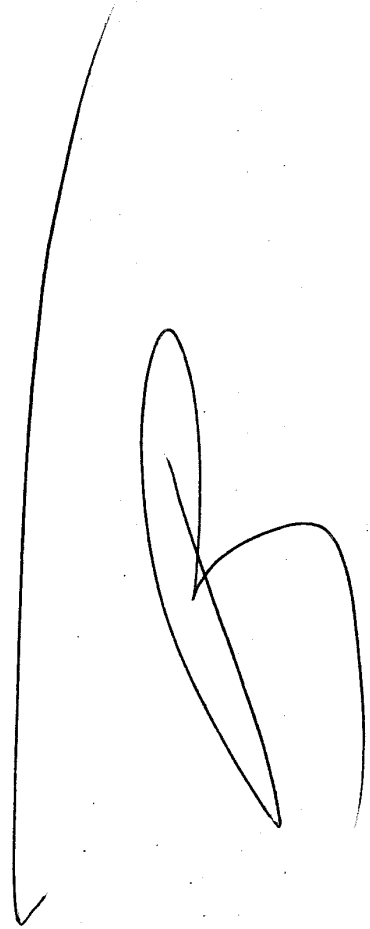
- Access to our list of over 1.5 million pre-qualified respondents who want to answer surveys.
- Quantitative, qualitative and self directed survey options. All online.
- Real time data availability.
- 10+ years online research expertise/panel development.

Copyright © 1997-2007 Privacy Policy Official Rules

<http://www.ithinkinc.com/>

12/20/2007

Exhibit B



Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,355,268

Registered Dec. 18, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

i.think inc

**ITHINK INC (TEXAS CORPORATION)
2811 MCKINNEY SUITE 350 LB 112
DALLAS, TX 75204**

FIRST USE 5-1-1997; IN COMMERCE 5-1-1997.

**FOR: MARKET RESEARCH CONSULTATION;
MARKET RESEARCH SERVICES; MARKET RE-
SEARCH STUDIES; BUSINESS RESEARCH; BUSI-
NESS RESEARCH AND SURVEYS; BUSINESS
RESEARCH USING FOCUS GROUPS; CONDUCT-
ING BUSINESS AND MARKET RESEARCH SUR-
VEYS; CONDUCTING BUSINESS RESEARCH AND
SURVEYS; CONDUCTING ON-LINE BUSINESS
MANAGEMENT RESEARCH SURVEYS; CONSU-
MER RESEARCH; MARKET RESEARCH; MARKET
OPINION POLLING STUDIES; PUBLIC OPINION
SURVEYS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).**

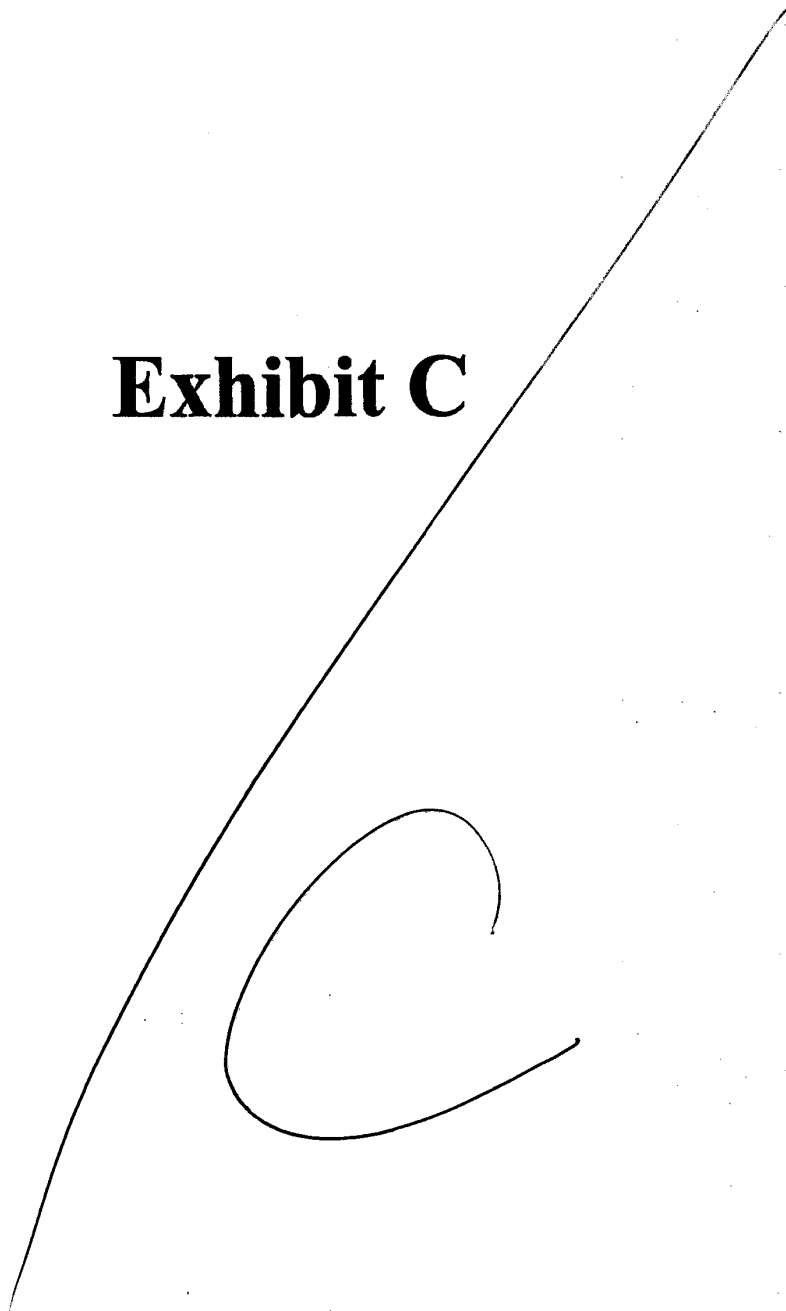
**THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.**

**NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "INC", APART FROM THE MARK
AS SHOWN.**

SER. NO. 77-127,264, FILED 3-9-2007.

BONNIE LUKEN, EXAMINING ATTORNEY

Exhibit C





The State of Texas

SECRETARY OF STATE

CERTIFICATE OF TRADEMARK OR SERVICE MARK REGISTRATION

FOR

I. THINK INC.

REGISTRATION NUMBER 57402

The undersigned, as Secretary of State of Texas, by virtue of the authority vested in the Secretary by CHAPTER 16, TEXAS BUSINESS AND COMMERCE CODE hereby issues this Certificate of Trademark or Service Mark Registration and attaches hereto a copy of the application for registration. Such registration is effective for a term of ten years from the date of registration of application shown below.

DATED: December 27, 1997



Alberto R. Gonzales
Secretary of State

Exhibit D

A large, handwritten signature or set of initials in black ink, consisting of a tall vertical stroke and a large, stylized letter 'A' or similar shape.A single, horizontal, slightly curved handwritten stroke in black ink, resembling a flourish or a short signature.



The State of Texas

SECRETARY OF STATE

CERTIFICATE OF TRADEMARK OR SERVICE MARK REGISTRATION

FOR

L. THINK INC.

REGISTRATION NUMBER 57403

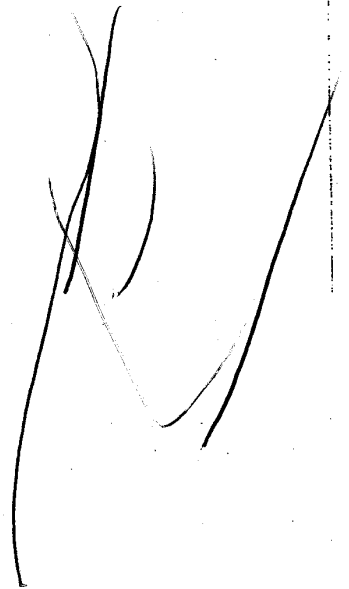
The undersigned, as Secretary of State of Texas, by virtue of the authority vested in the Secretary by CHAPTER 16, TEXAS BUSINESS AND COMMERCE CODE hereby issues this Certificate of Trademark or Service Mark Registration and attaches hereto a copy of the application for registration. Such registration is effective for a term of ten years from the date of registration of application shown below.

DATED: December 27, 1997



Alberto R. Gonzales
Secretary of State

Exhibit E



Contest

Win up to \$100 just for expressing your opinion on **Facebook** with iThink!

Two ways to win: If the opinion you express is voted most popular by the iThink Facebook community in any given 24-hour period, you will be awarded \$100. In addition, one lucky winner will be chosen from the pool of everyone who agreed/disagreed with that opinion and awarded \$50. Two new winners every day!

Contests start and end every day at 12 midnight GMT (4 pm PDT).

So start expressing those quality thoughts and make sure you invite all your friends to vote for your opinion. If you are not already using the iThink application, add it now by clicking [here](#).

Rules and Regulations

- The iThink Opinion of the Day will be chosen by the iThink community based solely on the largest number of iThink users who have "agreed" or "disagreed" with a particular opinion during the daily 24-hour contest period.
- The "Lucky Voter" winner will be chosen at random from among all users who agreed or disagreed with the Most Popular opinion during the 24-hour daily contest period.
- Anybody who is a Facebook User and has added the iThink application is eligible to enter.
- Participants may submit as many opinions as they like
- iThink application users may only vote once for each opinion
- Contests start and end daily at 12 midnight GMT (4 pm PDT)
- Any user who does not abide by these rules and regulations may be subject to elimination from the contest.
- Prizes are payable by check or through Paypal.com. Prize winners are solely responsible for any taxes on the prize. Prizes are non-transferable. By participating, Entrants agree to these Official Rules, which are final and binding in all respects. Unclaimed prizes will not be awarded. Winners of all prizes will be contacted with a Notification Message to their Facebook profile. The Notification Message will be sent within two days immediately following the end of each contest. A prize will be considered unclaimed if a response is not received to the Notification Message within 10 days of when the Notification Message is sent. The response from the winner must include either the winner's full mailing address (if the winner would like the payment

Contest @ Ithinkapp.com

Page 2 of 2

in the form of a check) or the email address which they would like the Paypal payment sent to (if the winner would like the payment sent through Paypal).

- If for any reason the Contest is not capable of running as planned, including infection by computer virus, bugs, tampering, unauthorized intervention, fraud, technical failures, or any other causes which corrupt or affect the administration, security, fairness, integrity or proper conduct of the Contest, Sponsor reserves the right, at its sole discretion, to cancel, modify or terminate the Contest or any part of the Contest.

■

<http://ithinkapp.wordpress.com/contest/>

12/19/2007

ITHINKAPP.COM

Winners | iThink Contest on Facebook | 12/18

Published December 18, 2007 1 0 Comments

Opinion with most Votes: We take friendships for granted all too often.

Votes: 1,007 | 91% agreed

Winner: Mark Ulasowski

Prize: \$100



Lucky Voter: Michael Rohler

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/17

Published December 17, 2007 1 0 Comments

Opinion with most Votes: Its better to stay single than marrying the wrong person.

Votes: 1,837 | 96% agreed

Winner: Peggy Pelyi

Prize: \$100



Lucky Voter: Sue Harries

Prize: \$50

<http://ithinkapp.wordpress.com/>

12/19/2007



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/16

Published December 16, 2007 1 0 Comments

Opinion with most Votes: I would never lie to my children about Santa.

Votes: 1,133 | 26% agreed

Winner: Katie Noel

Prize: \$100



Lucky Voter: Damian Kenneally

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/15

Published December 15, 2007 1 0 Comments

Opinion with most Votes: Be a Christian, be a Muslim, be whatever you want.

But before all that... be a good human.

Votes: 1,376 | 96% agreed

Winner: Eliyas Mohd

Prize: \$100



Lucky Voter: Dave Hewitt

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/14

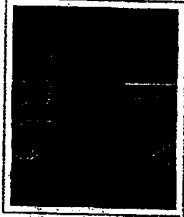
Published December 14, 2007 1 0 Comments

Opinion with Most Votes: Men think about sex more often than women.

Votes: 1,406 | 69% agreed

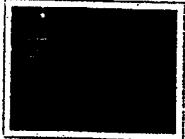
Winner: Dat Q Vu

Prize: \$100



Lucky Voter: Emmanuel Blavier

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/13

Published December 13, 2007 1 0 Comments

Opinion with Most Votes: It is easier to forgive than to forget.

Votes: 1,820 | 86% agreed

Winner: Nura Johan

Prize: \$100



Lucky Voter: Hayley Zatzkis

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/12

Published December 12, 2007 1 0 Comments

Opinion with Most Votes: A few good friends is better than a whole lot of friends you hardly even know.

Votes: 516 | 99% agreed

Winner: Luke Cavalier McKenna

Prize: \$100



Lucky Voter: Thea Backlar

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

How to Win the \$100 iThink Opinion of the Day Contest

Published December 11, 2007 1 0 Comments

Tags: contest, Opinions, tips, win

A number of people have asked us what the secret is to winning our daily \$100 top opinion competition, so we've interviewed past winners and come up with a few tips:

1. <!--[if !supportLists]--> <!--[endif]--> Make sure as many of your friends as possible have added the iThink application to their Facebook profile.
2. Write a really great, original, killer, possibly controversial but definitely unique opinion that everyone will find interesting to agree/disagree with. The most votes wins!
3. <!--[if !supportLists]--> <!--[endif]--> Submit your opinion within a few hours of the start of our contest, which begins every day at 12 midnight GMT (7 pm EDT)
4. <!--[if !supportLists]--> <!--[endif]--> Use the iThink "share" link to share the opinion with all of your friends. Be sure to promise to vote on their opinions so they can win next time.
5. <!--[if !supportLists]--> <!--[endif]--> Watch as your awesome opinion gains momentum and starts to move ahead of the other not so hot opinions.
6. <!--[if !supportLists]--> <!--[endif]--> Message your friends again to make sure they have all voted. Offer to treat them to a beer with your winnings!
7. <!--[if !supportLists]--> <!--[endif]--> Respond to any comments people make on the opinion's wall to keep the conversation lively and interesting.
8. <!--[if !supportLists]--> <!--[endif]--> Make sure the iThink box is at the top of your Facebook profile page so that any friends or strangers who wander by will see your opinion and vote on it.
9. <!--[if !supportLists]--> <!--[endif]--> As the deadline approaches and you are neck and neck with the competition, invite more of your friends, your teachers, your family, even complete strangers to add the iThink app (if they haven't

already) and vote for your killer opinion.

- 10. <!--[if !supportLists]-->If for some reason this strategy doesn't work, there's always tomorrow! And, of course, you could win \$50 just by voting on someone else's winning opinion!

Winners | iThink Contest on Facebook | 12/11

Published December 11, 2007 Facebook , Opinions , Voting , contest , iThink
0 Comments

Opinion with Most Votes: It's possible to have a platonic relationship with a member of the opposite sex.

Votes: 685 | 91% agreed

Winner: Paul Waters

Prize: \$100



Lucky Voter: Tammy Robinson-Bailey

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/10

Published December 10, 2007 1 0 Comments

Opinion with Most Votes: You are never too old to fall in love.

Votes: 454 | 97% agreed

Winner: Arno Goboyan

Prize: \$100



Lucky Voter: Selina Takerei

Prize: \$50



Click here to share an opinion with IThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Next Page »

About

Find out what the world is thinking. Express your opinion. Discover if your friends think like you do about dating, politics, fashion and more.

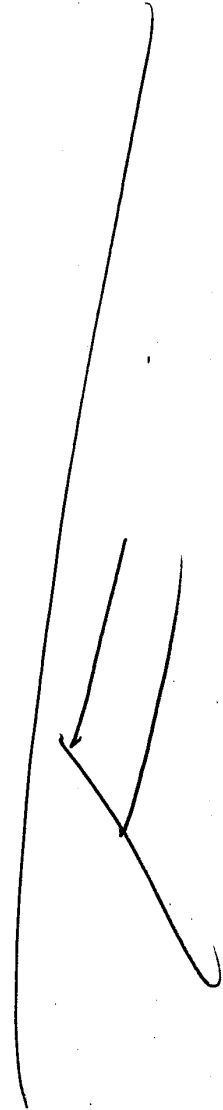
The iThink application was created by the team at Minekey, which has offices in Sunnyvale, New Delhi, and Kharagpur, India.

iThink is now available on Facebook and Friendster.

<http://ithinkapp.wordpress.com/about/>

12/19/2007

Exhibit F



IThINK.COM - Yahoo! Search Results

Page 1 of 1

Yahoo! My Yahoo! Mail

Welcome, Guest (Sign In) Help

YAHOO! SEARCH

[Web](#) | [Images](#) | [Video](#) | [Local](#) | **Directory** | [more »](#)

Directory Results

[« Complete Directory Results](#)

RELATED DIRECTORY CATEGORIES

1. [Internet Marketing Research](#)

Related Regional Categories for IThINK.COM

Copyright © 2007 Yahoo! All rights reserved. [Privacy](#) / [Legal](#) - [Submit Your Site](#)

<http://search.yahoo.com/search/dir?p=IThINK.COM&ei=UTF-8&y=Search&rd=r1&met...> 12/19/2007

Yahoo! My Yahoo! Mail Welcome, Guest [Sign In]

Directory Home Help

YAHOO! DIRECTORY

Search: the Web | the Directory | this category

Internet Marketing Research

[Email this page](#) [Suggest a Site](#)
[Advanced Search](#)

[Directory](#) > [Business and Economy](#) > [Business to Business](#) > [Marketing and Advertising](#) > [Internet](#) > [Market Research](#)

[Save to My Web](#)

SPONSOR LISTINGS [\(What's This?\)](#)

- [iResearch.com](#)
Online market research firm specializing in interactive questionnaire programming and setting related companies up with their own dedicated online focus group facilities.
www.iresearch.com/

SITE LISTINGS [By Popularity](#) | [Alphabetical](#) [\(What's This?\)](#) Sites 21 - 40 of 60

- [NetRaker](#)
Offers a suite of automated market research and usability tools.
www.netraker.com
- [SuperSurvey](#)
Offers online survey tools for design, distribution, and results tabulation, through a web-based interface.
www.supersurvey.com
- [byte level research](#)
Advises developers and executives on how to cut the fat from slow-loading web sites.
www.bytelevel.com
- [InSite Survey Systems](#)
Web-based survey system designed to help gather and tabulate visitor information and feedback securely.
www.insitesurveys.com
- [Itracks](#)
Provides Internet market research software and data collection services including online focus groups and surveys.
www.itracks.com
- [I Think Inc.](#)
Online market research services including web surveys, focus groups, and do it yourself surveys. Large panel available.
www.ithinkinc.com
- [AdRelevance](#)

SPONSOR RESULTS



Online Survey Tool

Powerful functionality. Complete customization. API.

www.keysurvey.com



Online Survey Tool

Professional Online Survey Tools: Download...

Apian.com/software



Create Online Surveys

Use Web Surveys to Make Informed Business Decisions.

www.cvent.com



Add Free Web Site Survey Tools

Enter in minutes. no software needed.

www.surveypopups.com



Online Survey Tool -Free

Don't pay to take surveys. Get paid for surveys with...

SurveyClub.com



Web-Based Survey Software

Complete survey solution for any platform featuring...

objectplanet.com

- Engaged in competitive data tracking of online advertising.
www.adrelevance.com
- **IResearch.com** [SPONSOR]
Online market research firm specializing in interactive questionnaire programming and setting related companies up with their own dedicated online focus group facilities.
www.iresearch.com
 - **Arab Advisors Group**
Provides strategic research and data on the Internet, telecommunication, and technology markets of the Middle East and North Africa.
www.arabadvisors.com
 - **eMarketer**
Provider of statistics and demographic data about Internet users, usage patterns, advertising, electronic commerce and market size, growth and geography.
www.e-land.com
 - **AllNetResearch**
Conducts custom and syndicated Internet commerce research.
www.allnetresearch.com
 - **MarketTools**
Provider of technology products and consulting services for conducting research online.
www.markettools.com
 - **Webjectives**
Evaluates web sites and strategies against stated business objectives.
www.webjectives.com
 - **Free Online Surveys.com**
Provides survey builder with the ability to create customer/employee satisfaction surveys, evaluation forms, and other online questionnaires.
www.freeonlinesurveys.com
 - **ClickIn**
Delivers the opinions, attitudes and preferences of the Internet community on important questions and issues.
www.ClickIn.com
 - **MeasureCast**
Provides Internet broadcasters, advertisers, and media buyers with next-day reports on streaming audience size and demographics information for evaluating and placing streaming media advertising.
www.measurecast.com
 - **Word of Net**
Offers a variety of reports to help determine site visibility at popular search engines, directories, and referring sites.
www.wordofnet.com



Online Survey
Quick & easy survey development. Instant reports.

www.vanguardsw.com

[See your message here...](#)

Internet Marketing Research in the Yahoo! Directory

Page 3 of 3

- **Insiteful Surveys**
Specializes in conducting online surveys and offering strategic recommendations.
www.insitefulsurveys.com
- **NetAuditNow**
An outsourced service providing web site visitor tracking reports. Analyses are custom-tailored to reveal how web sites and emarketing strategies can be improved.
www.netauditnow.com
- **A-152-Database.info**
Offers statistics for established web sites in a variety of categories to help webmasters research and build their own marketing plans.
www.a-152-database.info

[Prev](#) [1](#) [2](#) [3](#) [Next](#)

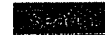
Internet Marketing Research

[Email this page](#) [Suggest a Site](#)
[Advanced Search](#)

[Directory](#) > [Business and Economy](#) > [Business to Business](#) > [Marketing and Advertising](#) >
[Internet](#) > [Market Research](#)

[Save to My Web](#)

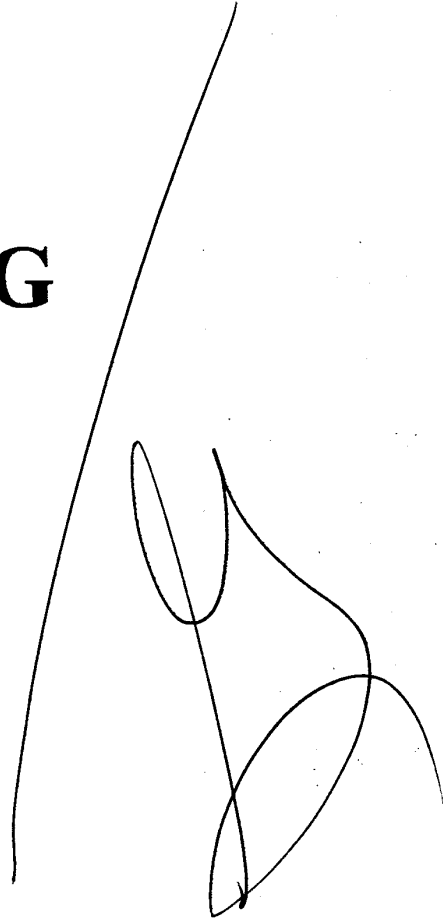
Search: the Web | the Directory | this category



Copyright © 2007 Yahoo! Inc. All rights reserved. [Privacy Policy](#) - [Terms of Service](#) - [Copyright/IP Policy](#)

 [Help us improve the Yahoo! Directory - Share your ideas](#)

Exhibit G



DANAMRAJ & YOUST, P.C.

ATTORNEYS AND COUNSELORS
INTELLECTUAL PROPERTY LAW AND RELATED MATTERS

SHREEN K. DANAMRAJ
LAWRENCE R. YOUST
KENNETH T. EMANUELSON

PREMIER PLACE, SUITE 1450
5910 NORTH CENTRAL EXPRESSWAY
DALLAS, TEXAS 75206
(214) 750-5666 (tel)
(214) 363-8177 (fax)

Direct Dial: (214) 363-4266
lawrence@dy-iplaw.com

March 9, 2007

FedEx and Regular Mail

Philip V. Patete
Chief Executive Officer
Internet Unlimited, LLC.
3101 South Ocean Drive
Suite 3102
Hollywood Beach, Florida 33019

Re: Trademark Infringement
Our File: 1386-5010

Dear Mr. Patete:

Danamraj & Youst, P.C. represents i.think inc. (ITI) in various intellectual property matters. As you know, ITI is a full service online research fielding company who pioneered web based surveys and specializes in both quantitative and qualitative research collection methods for advertising agencies, full service research companies and corporate end users. ITI owns a database of approximately 1.5 million respondents who have signed up with the company to answer surveys and participate in online consumer research. ITI operates a website at the domain name "ithinkinc.com," a copy of the home page of this website is attached hereto as Exhibit A. Our client has been using the I. THINK INC. mark to identify its services and as a trade name since at least as early as May, 1997. Additionally, ITI owns Texas Trademark Registration Nos. 57402 and 57403 for the I. THINK INC. mark, copies of which are attached as Exhibits B and C.

It has come to our attention that Internet Unlimited, LLC (IU) has obtained the domain name "ithink.com" and is using it to operate a website. It has also come to our attention that IU has recently updated the contents of this website, to now offer "Paid Surveys," "Online Surveys," "Surveys" and "Womens Surveys," a copy of the current home page of this website is attached hereto as Exhibit D. As a result of these recent updates, the public is likely to be deceived and has been deceived into believing that your website is sponsored by or affiliated with ITI. As your use of the ithink.com website is not under license from ITI, your actions constitute the misappropriation of ITI's registered trademarks. Accordingly, ITI hereby demands that IU immediately cease and desist from using the ithink.com domain name or using any other domain name or mark that is confusingly similar to the I. THINK INC. mark in association with market research or survey services.

In addition, it has come to our attention that you filed an application for federal trademark registration on November 7, 2006 (Serial Number 77/038,392) for ITHINK.COM. In this application, you have declared that IU is using ITHINK.COM in commerce in connection with "Business research and surveys," "Conducting business and market research surveys," "Conducting business research and surveys" and "Conducting on-line business management research surveys." This admission directly supports my client's contention of trademark infringement. Further, in your application, you have declared that IU has been using

Philip V. Patete
March 9, 2007
Page 2

ITHINK.COM in commerce in connection with "Business research and surveys," "Conducting business and market research surveys," "Conducting business research and surveys" and "Conducting on-line business management research surveys" since at least as early as May 4, 1994. The itthink.com website, however, has only recently included content related to surveys, a copy of the home page of this website dated April 23, 2006 is attached hereto as Exhibit E. Accordingly, the assertions made by IU and particularly by Philip V. Patete as to "first use anywhere date" and "first use in commerce date" for these services are not only willfully false and in violation of 18 U.S.C. 1001, but will also form at least part of the basis for ITI to oppose this registration.

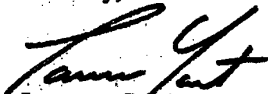
On behalf of ITI, we hereby demand that:

1. IU immediately cease and desist use of the "itthink.com" domain name;
2. IU assign the "itthink.com" domain name to ITI; and
3. IU withdraw application serial number 77/038,392 from consideration for registration.

While we prefer to resolve this situation amicably, if IU fails to comply with these demands, my client may be forced to take any and all available legal action including, but not limited to, filing suit against you asserting, among other claims, claims for trademark infringement and seeking the maximum amount of damages available to ITI under Texas and federal law.

Please contact the undersigned within seven days from the date of this letter, i.e., by March 16, 2007 to discuss your plans for immediate compliance.

Sincerely,



Lawrence R. Youst

March 27, 2007

RE: Your File: 1386-5010

Lawrence Youst
Danamraj & Youst, P.C.
Premier Place, Suite 1450
5910 North Central Expressway
Dallas, TX 72506

Dear Mr. Youst,

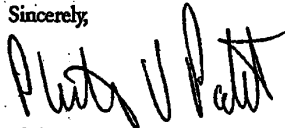
I am responding to your letter dated March 9th, 2007 as well as to the phone conversation we had on March 26th. As I said, I am not familiar with your client, ithink inc. or their business and have not found any Federal Trademark owned by them for ithink inc. My attorney and I have reviewed your letter, the information you provided as well as your demands. While we may have a difference of opinion on some of the points you raised, other circumstances will allow us to resolve this situation quickly and hopefully to your client's satisfaction.

Our business reasons for filing the Trademark application have changed and we have no intention of operating any sort of online survey site. In fact, the site referenced in your letter was a so-called "parked" or dummy site that was not controlled by our company. The ithink.com domain has been "un-parked" from this company and now sits at its domain registrar - Godaddy.com. Your client can rest assured that there will be no development of survey-related content for this domain.

We have also submitted a Request for Express Abandonment. In addition we have received notice last week that our application was not approved. Based on our conversation, I believe this will satisfy your client.

In regards to our discussion to purchasing the domains ithink.com and ithink.net, I am not yet ready to sell them at the price you offered. I will keep your offer in mind and suggest you or your client contact me in about a month to further discuss it.

Sincerely,



Philip V Patete, PhD

3101 SOUTH OCEAN DRIVE
SUITE 3102
HOLLYWOOD BEACH, FL 33019

PATTON BOGGS
ATTORNEYS AT LAW

2001 Ross Avenue
Suite 3000
Dallas, TX 75201-8001
214-758-1500

Facsimile 214-758-1550
www.pattonboggs.com

November 8, 2007

Lawrence R. Youst
214-758-3414
lyoust@pattonboggs.com

FedEx and Regular Mail

Philip V. Patete
Chief Executive Officer
Internet Unlimited, LLC.
3101 South Ocean Drive
Suite 3102
Hollywood Beach, Florida 33019

Re: Trademark Infringement
Patton Boggs Ref.: 026122.0102

Dear Mr. Patete:

Since our last communication, I have joined the law firm of Patton Boggs LLP who is now counsel for i.think inc. (ITI) in its intellectual property matters. As you know from my letter of March 9, 2007, ITI is a full service online research fielding company who pioneered web based surveys and specializes in both quantitative and qualitative research collection methods for advertising agencies, full service research companies and corporate end users. ITI owns a database of approximately 1.5 million respondents who have signed up with the company to answer surveys and participate in online consumer research. ITI operates a website at the domain name "ithinkinc.com," and has been using the I.THINK INC. mark to identify its services and as a trade name since at least as early as May, 1997. Additionally, ITI owns Texas Trademark Registration Nos. 57402 and 57403 for the I.THINK INC. mark.

Inconsistent with your letter of March 27, 2007 in which you state that my "client can rest assured that there will be no development of survey-related content," Internet Unlimited, LLC (IU) is again using the Ithink.com domain in an infringing manner. Specifically, we have recently reviewed the contents of the Ithink.com website and have identified offerings including "Paid Surveys," "Online Surveys" and "Surveys." Copies of various versions of the current home page of the Ithink.com website are attached hereto as Exhibit A with this content circled. As a result of this content, the public is likely to be deceived and has been deceived into believing that the Ithink.com website is sponsored by or affiliated with ITI. In fact, ITI has recently received several misdirected complaints relating to surveys or survey related services that were initiated at the Ithink.com website.

As IU's use of the Ithink.com website is a misappropriation of ITI's registered trademarks and is currently causing confusion in the marketplace to ITI's detriment, ITI hereby demands that IU immediately cease and desist from using the Ithink.com domain name or using any other domain name or mark that is

451014

Washington DC | Northern Virginia | New Jersey | New York | Dallas | Denver | Anchorage | Doha, Qatar



Philip V. Patete
November 8, 2007
Page 2

confusingly similar to the I.THINK INC. mark in association with market research or survey services.

On behalf of ITI, we hereby demand that:

1. IU immediately cease and desist use of the "ithink.com" domain name; and
2. IU assigns the "ithink.com" domain name to ITI.

While we prefer to resolve this situation amicably, if IU fails to comply with these demands, my client may be forced to take any and all available legal action including, but not limited to, filing suit against IU asserting, among other claims, claims for trademark infringement and seeking the maximum amount of damages available to ITI under Texas and federal law.

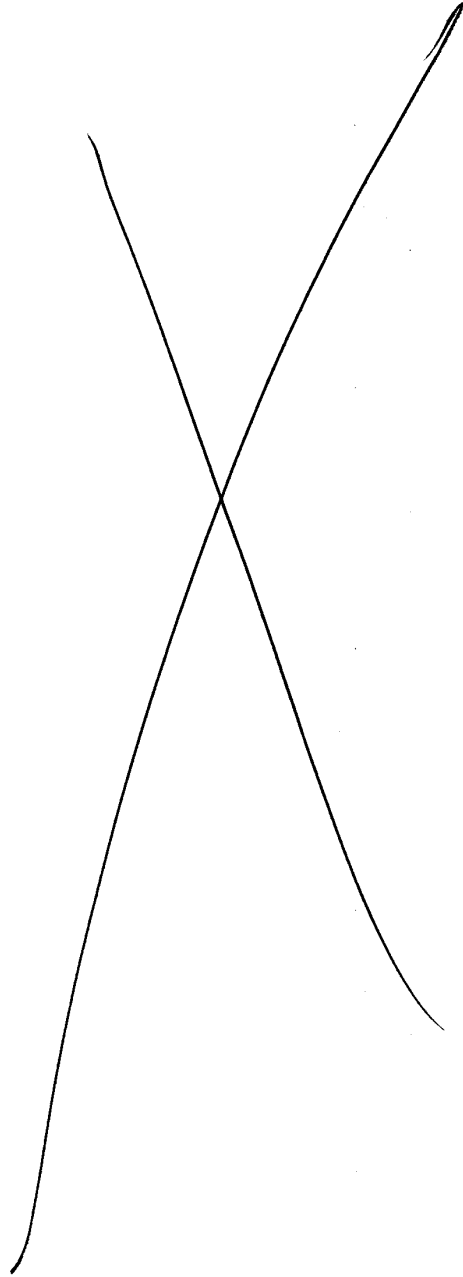
Please contact the undersigned within seven days from the date of this letter, i.e., by **November 14, 2007** to discuss your plans for immediate compliance.

Sincerely,

Lawrence R. Youst

cc: Beth Mack

451014



PATTON BOGGS^{LLP}
ATTORNEYS AT LAW

2001 Ross Avenue
Suite 3000
Dallas, TX 75201-8001
214-758-1500

Facsimile 214-758-1550
www.pattonboggs.com

January 8, 2008

Lawrence R. Youst
214-758-3414
lyoust@pattonboggs.com

FedEx and Regular Mail

Delip Andra
440 N Wolfe Rd.
Sunnyvale, California 94085

Re: Trademark Infringement
Patton Boggs Ref.: 026122.0103

Dear Mr. Andra:

Patton Boggs LLP represents i.think inc. (ITI) in various intellectual property matters. As you know, ITI is a full service online research fielding company who pioneered web based surveys and specializes in both quantitative and qualitative research collection methods for advertising agencies, full service research companies and corporate end users. ITI owns a database of approximately 1.5 million respondents who have signed up with the company to answer surveys and participate in online consumer research. ITI operates a website at the domain name "ithinkinc.com," a copy of the home page of this website is attached hereto as Exhibit A. Our client has been using the I.THINK INC mark to identify its services and as a trade name since at least as early as May, 1997. Additionally, ITI owns Federal Trademark Registration No. 3,355,268 and Texas Trademark Registration Nos. 57402 and 57403 for the I.THINK INC mark, copies of which are attached as Exhibits B, C and D.

It has come to our attention you and/or MineKey (hereinafter collectively referenced to as "you") has obtained the domain names "ithink.com" and "ithink.net." It has also come to our attention that you are conducting online "opinion polls" on these domains and using a trademark that is confusingly similar to the I.THINK INC mark in association with your "opinions polls," representative pages from these domains are attached hereto as Exhibit E. In addition, a search for ithink.com on Yahoo! Search results in a link to [Internet Marketing Research](#), which further establishes that ithink.com is associating itself with internet marketing research as well as to ITI, representative pages from Yahoo! Search and Yahoo! Directory are attached hereto as Exhibit F.

As a result of the content being presented on the ithink.com and ithink.net websites and the association you are creating between ithink.com and internet marketing research, the public is likely to be deceived and has been deceived into believing that your websites are sponsored by or affiliated with ITI. As your use of the ithink.com and ithink.net websites are not under license from ITI, your actions constitute the misappropriation of ITI's registered trademarks. Furthermore, you are intentionally trading on the

457587



Delip Andra
January 8, 2008
Page 2

goodwill of ITI by using a trademark that is confusingly similar to the I.THINK INC mark. Accordingly, ITI hereby demands that you immediately cease and desist from using the itthink.com and itthink.net domain names and using any mark that is confusingly similar to the I.THINK INC mark in association with online market research or online opinion polls.

In addition, we hereby put you on notice that we contacted the prior owner of these websites on several occasions regarding its misappropriation of ITI's registered trademarks, a copy of two letters from me to Internet Unlimited, LLC (hereinafter "IU") and a copy of one letter from Philip V. Patete, CEO of IU to me is attached hereto as Exhibit G. In each instance when we contacted IU, it promptly complied with our demands without the need for further legal action.

ITI is adamant about protecting its rights and will not tolerate continued misappropriation of ITI's registered trademarks. On behalf of ITI, we hereby demand that:

1. You immediately cease and desist use of the itthink.com and itthink.net domain names;
2. You assign the itthink.com and itthink.net domain names to ITI; and
3. You immediately cease and desist use of any mark that is confusing similar to the I.THINK INC mark.

While we prefer to resolve this situation amicably, if you fail to comply with these demands, my client may be forced to take any and all available legal action including, but not limited to, filing suit against you asserting, among other claims, claims for trademark infringement and seeking preliminary and permanent injunctions, money damages including treble damages, defendant's profits, attorneys' fees and transfer of the itthink.com and itthink.net domain names to ITI as available to ITI under Federal law, Texas law and ICANN policy.

Please contact the undersigned within ten days from the date of this letter, i.e., by **January 18, 2008** to discuss your plans for immediate compliance.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence R. Youst".

Lawrence R. Youst

cc: Beth Mack

457587

From: Origin ID: RBDA (214)758-3414
Lawrence Youst
Patton Boggs
2001 Ross Ave.

Dallas, TX 75201



Ship Date: 08JAN08
ActWgt: 1 LB
System#: 8992805/INET7091
Account#: S *****

Delivery Address Bar Code

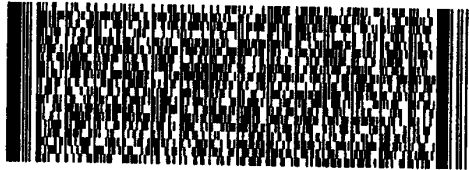


Ref # 026122.0103
Invoice #
PO #
Dept #

SHIP TO: (510)894-1968 **BILL SENDER**
Delip Andra

440 N WOLFE RD

SUNNYVALE, CA 940853869

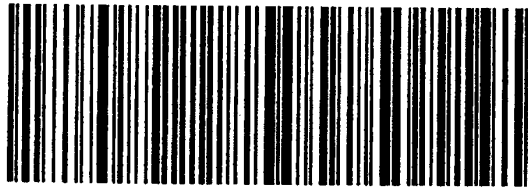


TRK# 7988 4708 9356
0201

WED - 09JAN A2
PRIORITY OVERNIGHT

A5-COAA

SJC
CA-US
94085



Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Exhibit A



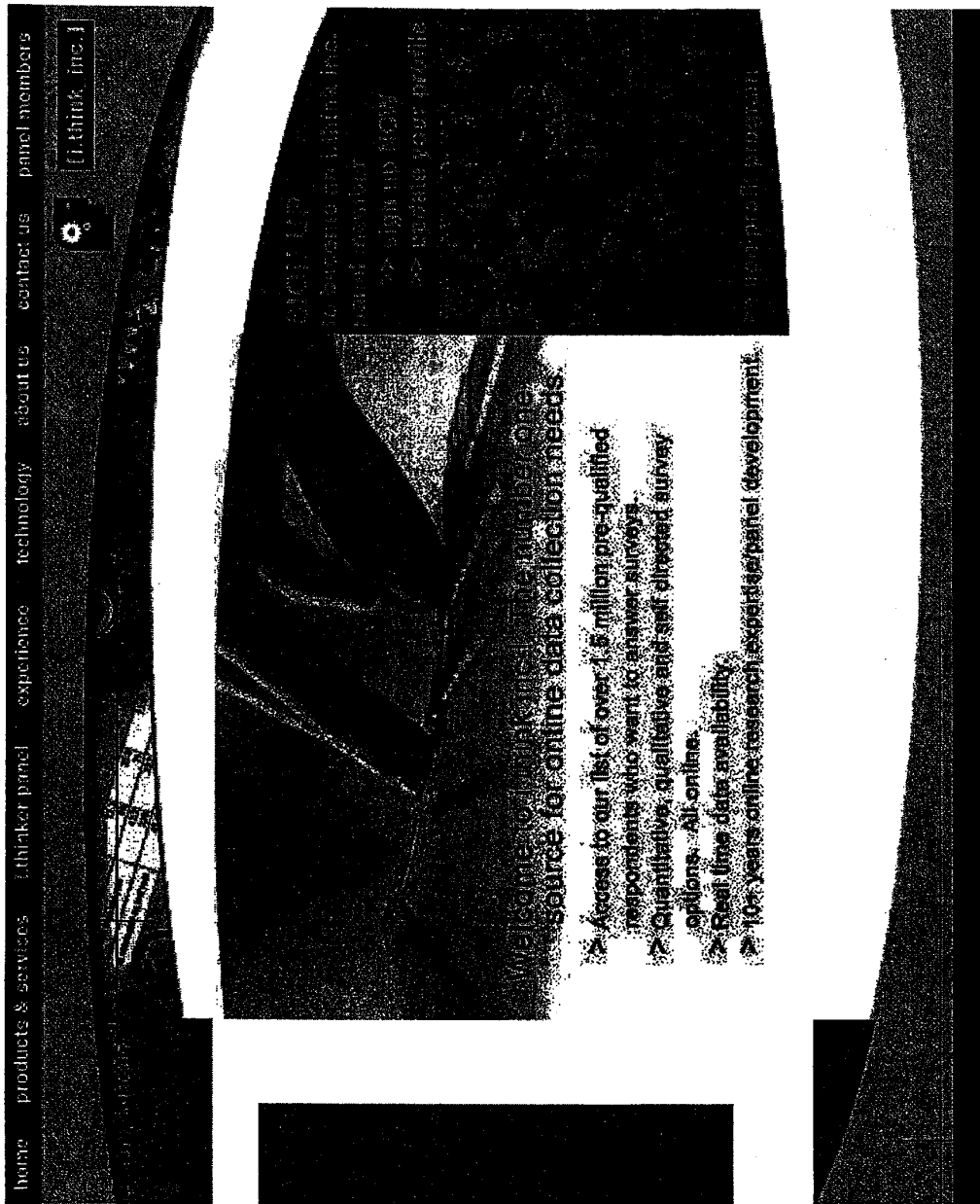
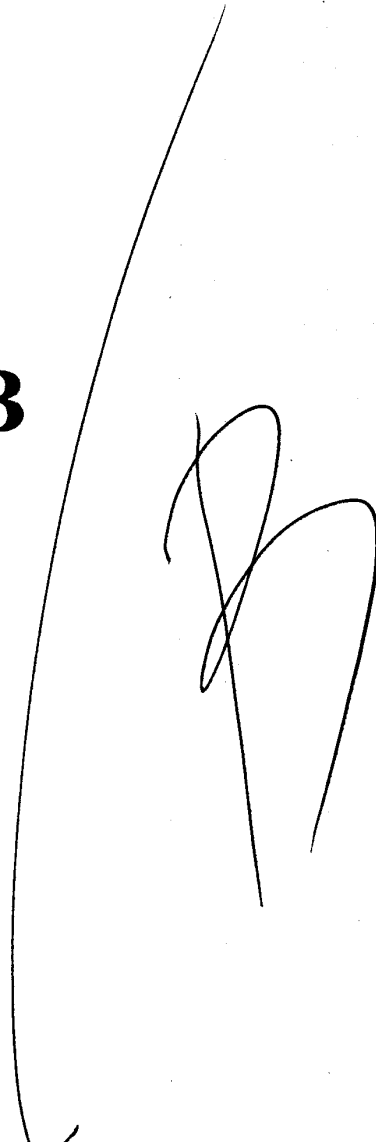


Exhibit B

A large, handwritten signature or scribble in black ink, consisting of several overlapping loops and a long vertical stroke on the left side.

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,355,268

Registered Dec. 18, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

i.think inc

ITHINK INC (TEXAS CORPORATION)
2811 MCKINNEY SUITE 350 LB 112
DALLAS, TX 75204

FIRST USE 5-1-1997; IN COMMERCE 5-1-1997.

FOR: MARKET RESEARCH CONSULTATION;
MARKET RESEARCH SERVICES; MARKET RE-
SEARCH STUDIES; BUSINESS RESEARCH; BUSI-
NESS RESEARCH AND SURVEYS; BUSINESS
RESEARCH USING FOCUS GROUPS; CONDUCT-
ING BUSINESS AND MARKET RESEARCH SUR-
VEYS; CONDUCTING BUSINESS RESEARCH AND
SURVEYS; CONDUCTING ON-LINE BUSINESS
MANAGEMENT RESEARCH SURVEYS; CONSU-
MER RESEARCH; MARKET RESEARCH; MARKET
OPINION POLLING STUDIES; PUBLIC OPINION
SURVEYS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

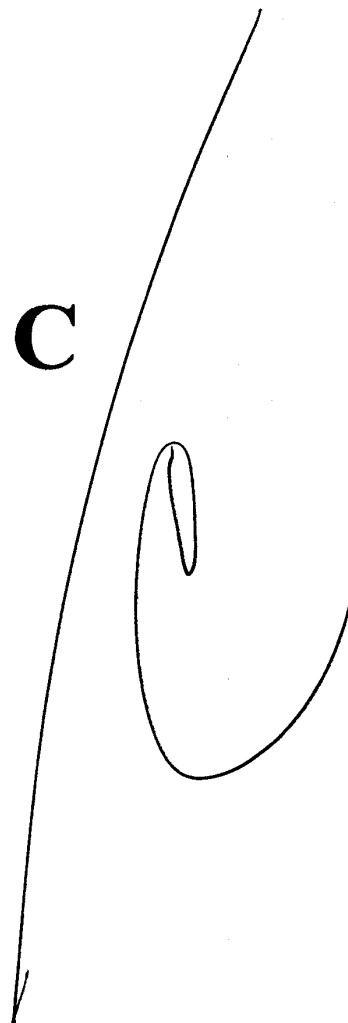
THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "INC" , APART FROM THE MARK
AS SHOWN.

SER. NO. 77-127,264, FILED 3-9-2007.

BONNIE LUKEN, EXAMINING ATTORNEY

Exhibit C





The State of Texas

SECRETARY OF STATE

CERTIFICATE OF TRADEMARK OR SERVICE MARK REGISTRATION

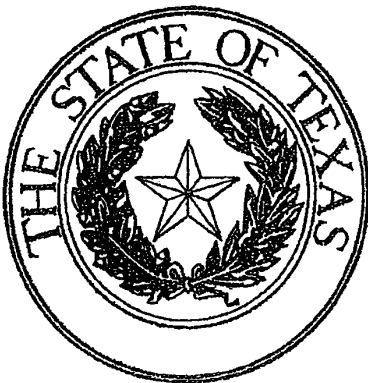
FOR

I. THINK INC.

REGISTRATION NUMBER 57402

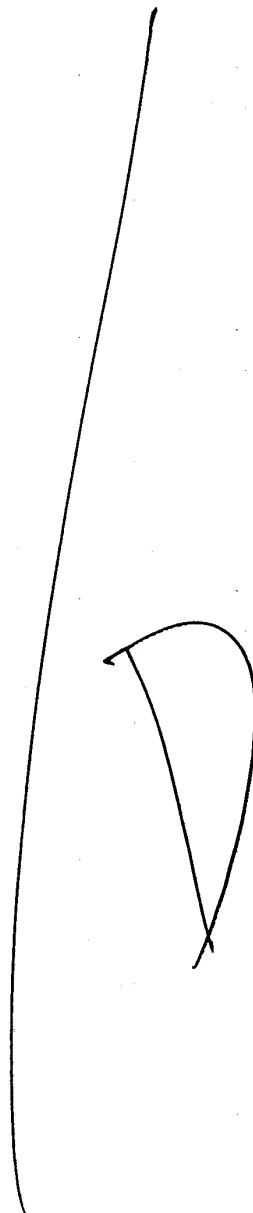
The undersigned, as Secretary of State of Texas, by virtue of the authority vested in the Secretary by CHAPTER 16, TEXAS BUSINESS AND COMMERCE CODE hereby issues this Certificate of Trademark or Service Mark Registration and attaches hereto a copy of the application for registration. Such registration is effective for a term of ten years from the date of registration of application shown below.

DATED: December 27, 1997



Alberto R. Gonzales
Secretary of State

Exhibit D





The State of Texas

SECRETARY OF STATE

CERTIFICATE OF TRADEMARK OR SERVICE MARK REGISTRATION

FOR

I. THINK INC.

REGISTRATION NUMBER 57403

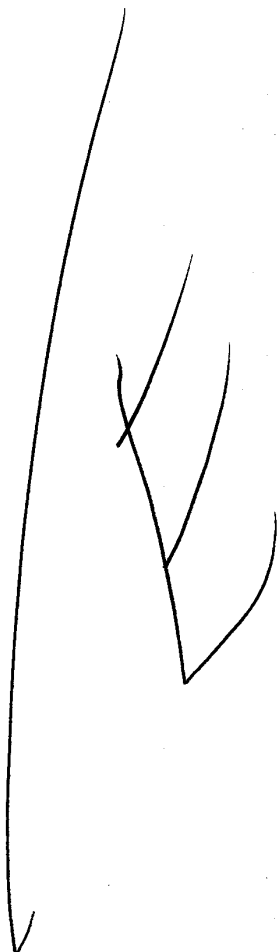
The undersigned, as Secretary of State of Texas, by virtue of the authority vested in the Secretary by CHAPTER 16, TEXAS BUSINESS AND COMMERCE CODE hereby issues this Certificate of Trademark or Service Mark Registration and attaches hereto a copy of the application for registration. Such registration is effective for a term of ten years from the date of registration of application shown below.

DATED: December 27, 1997



Alberto R. Gonzales
Secretary of State

Exhibit E



Contest

Win up to \$100 just for expressing your opinion on **Facebook** with iThink!

Two ways to win: If the opinion you express is voted most popular by the iThink Facebook community in any given 24-hour period, you will be awarded \$100. In addition, one lucky winner will be chosen from the pool of everyone who agreed/disagreed with that opinion and awarded \$50. Two new winners every day!

Contests start and end every day at 12 midnight GMT (4 pm PDT).

So start expressing those quality thoughts and make sure you invite all your friends to vote for your opinion. If you are not already using the iThink application, add it now by clicking here.

Rules and Regulations

- The iThink Opinion of the Day will be chosen by the iThink community based solely on the largest number of iThink users who have "agreed" or "disagreed" with a particular opinion during the daily 24-hour contest period.
- The "Lucky Voter" winner will be chosen at random from among all users who agreed or disagreed with the Most Popular opinion during the 24-hour daily contest period.
- Anybody who is a Facebook User and has added the iThink application is eligible to enter.
- Participants may submit as many opinions as they like
- iThink application users may only vote once for each opinion
- Contests start and end daily at 12 midnight GMT (4 pm PDT)
- Any user who does not abide by these rules and regulations may be subject to elimination from the contest.
- Prizes are payable by check or through Paypal.com. Prize winners are solely responsible for any taxes on the prize. Prizes are non-transferable. By participating, Entrants agree to these Official Rules, which are final and binding in all respects. Unclaimed prizes will not be awarded. Winners of all prizes will be contacted with a Notification Message to their Facebook profile. The Notification Message will be sent within two days immediately following the end of each contest. A prize will be considered unclaimed if a response is not received to the Notification Message within 10 days of when the Notification Message is sent. The response from the winner must include either the winner's full mailing address (if the winner would like the payment

in the form of a check) or the email address which they would like the Paypal payment sent to (if the winner would like the payment sent through Paypal).

- If for any reason the Contest is not capable of running as planned, including infection by computer virus, bugs, tampering, unauthorized intervention, fraud, technical failures, or any other causes which corrupt or affect the administration, security, fairness, integrity or proper conduct of the Contest, Sponsor reserves the right, at its sole discretion, to cancel, modify or terminate the Contest or any part of the Contest.

■

Winners | iThink Contest on Facebook | 12/18

Published December 18, 2007 1 0 Comments

Opinion with most Votes: We take friendships for granted all too often.

Votes: 1,007 | 91% agreed

Winner: Mark Ulasowski

Prize: \$100



Lucky Voter: Michael Rohler

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/17

Published December 17, 2007 1 0 Comments

Opinion with most Votes: Its better to stay single than marrying the wrong person.

Votes: 1,837 | 96% agreed

Winner: Peggy Peiyi

Prize: \$100



Lucky Voter: Sue Harries

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/16

Published December 16, 2007 1 0 Comments

Opinion with most Votes: I would never lie to my children about Santa.

Votes: 1,133 | 26% agreed

Winner: Katie Noel

Prize: \$100



Lucky Voter: Damian Kenneally

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/15

Published December 15, 2007 1 0 Comments

Opinion with most Votes: Be a Christian, be a Muslim, be whatever you want. But before all that... be a good human.

Votes: 1,376 | 96% agreed

Winner: Eliyas Mohd

Prize: \$100



Lucky Voter: Dave Hewitt

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/14

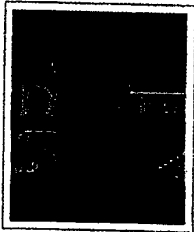
Published December 14, 2007 1 0 Comments

Opinion with Most Votes: Men think about sex more often than women.

Votes: 1,406 | 69% agreed

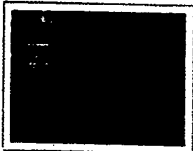
Winner: Dat Q Vu

Prize: \$100



Lucky Voter: Emmanuel Blavier

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/13

Published December 13, 2007 1 0 Comments

Opinion with Most Votes: It is easier to forgive than to forget.

Votes: 1,820 | 86% agreed

Winner: Nura Johan

Prize: \$100



Lucky Voter: Hayley Zatzkis

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/12

Published December 12, 2007 1 0 Comments

Opinion with Most Votes: A few good friends is better than a whole lot of friends you hardly even know.

Votes: 516 | 99% agreed

Winner: Luke Cavalier McKenna

Prize: \$100



Lucky Voter: Thea Backlar

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

How to Win the \$100 iThink Opinion of the Day Contest

Published December 11, 2007 1 0 Comments

Tags: contest, Opinions, tips, win

A number of people have asked us what the secret is to winning our daily \$100 top opinion competition, so we've interviewed past winners and come up with a few tips:

1. <!--[if !supportLists]--><!--[endif]-->Make sure as many of your friends as possible have added the iThink application to their Facebook profile.
2. Write a really great, original, killer, possibly controversial but definitely unique opinion that everyone will find interesting to agree/disagree with. The most votes wins!
3. <!--[if !supportLists]--><!--[endif]-->Submit your opinion within a few hours of the start of our contest, which begins every day at 12 midnight GMT (7 pm EDT)
4. <!--[if !supportLists]-->Use the iThink "share" link to share the opinion with all of your friends. Be sure to promise to vote on their opinions so they can win next time.
5. <!--[if !supportLists]-->Watch as your awesome opinion gains momentum and starts to move ahead of the other not so hot opinions.
6. <!--[if !supportLists]-->Message your friends again to make sure they have all voted. Offer to treat them to a beer with your winnings!
7. <!--[if !supportLists]-->Respond to any comments people make on the opinion's wall to keep the conversation lively and interesting.
8. <!--[if !supportLists]--><!--[endif]-->Make sure the iThink box is at the top of your Facebook profile page so that any friends or strangers who wander by will see your opinion and vote on it.
9. <!--[if !supportLists]-->As the deadline approaches and you are neck and neck with the competition, invite more of your friends, your teachers, your family, even complete strangers to add the iThink app (if they haven't

already) and vote for your killer opinion.

- 10. <!--[if !supportLists]-->If for some reason this strategy doesn't work, there's always tomorrow! And, of course, you could win \$50 just by voting on someone else's winning opinion!

Winners | iThink Contest on Facebook | 12/11

Published December 11, 2007 Facebook , Opinions , Voting , contest , iThink
0 Comments

Opinion with Most Votes: It's possible to have a platonic relationship with a member of the opposite sex.

Votes: 685 | 91% agreed

Winner: Paul Waters

Prize: \$100



Lucky Voter: Tammy Robinson-Bailey

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

Winners | iThink Contest on Facebook | 12/10

Published December 10, 2007 1 0 Comments

Opinion with Most Votes: You are never too old to fall in love.

Votes: 454 | 97% agreed

Winner: Arno Goboyan

Prize: \$100



Lucky Voter: Selina Takerei

Prize: \$50



Click here to share an opinion with iThink, agree or disagree on any other, and automatically become eligible to win one of the daily prizes.

[Next Page »](#)

About

Find out what the world is thinking. Express your opinion. Discover if your friends think like you do about dating, politics, fashion and more.

The iThink application was created by the team at Minekey, which has offices in Sunnyvale, New Delhi, and Kharagpur, India.

iThink is now available on Facebook and Friendster.

■

Exhibit F



Yahoo! My Yahoo! Mail

Welcome, Guest [Sign In] Help

Web | Images | Video | Local | Directory | more »
YAHOO! SEARCH ITHINK.COM

Directory Results

[« Complete Directory Results](#)

RELATED DIRECTORY CATEGORIES

1. [Internet Marketing Research](#)

Related Regional Categories for ITHINK.COM

ITHINK.COM

Copyright © 2007 Yahoo! All rights reserved. [Privacy](#) / [Legal](#) - [Submit Your Site](#)

Yahoo! My Yahoo! Mail Welcome, Guest [Sign In]

Directory Home Help

YAHOO! DIRECTORY

Search: the Web | the Directory | this category



Internet Marketing Research

[Email this page](#) [Suggest a Site](#)
[Advanced Search](#)

[Directory](#) > [Business and Economy](#) > [Business to Business](#) > [Marketing and Advertising](#) >
[Internet](#) > [Market Research](#)

[Save to My Web](#)

SPONSOR LISTINGS [\(What's This?\)](#)

- [iResearch.com](#)
Online market research firm specializing in interactive questionnaire programming and setting related companies up with their own dedicated online focus group facilities.
www.iresearch.com/

SITE LISTINGS [By Popularity](#) | [Alphabetical](#) [\(What's This?\)](#) Sites 21 - 40 of 60

- [NetRaker](#)
Offers a suite of automated market research and usability tools.
www.netraker.com
- [SuperSurvey](#)
Offers online survey tools for design, distribution, and results tabulation, through a web-based interface.
www.supersurvey.com
- [byte level research](#)
Advises developers and executives on how to cut the fat from slow-loading web sites.
www.bytelevel.com
- [InSite Survey Systems](#)
Web-based survey system designed to help gather and tabulate visitor information and feedback securely.
www.insitesurveys.com
- [itracks](#)
Provides Internet market research software and data collection services including online focus groups and surveys.
www.itracks.com
- [I Think Inc.](#)
Online market research services including web surveys, focus groups, and do it yourself surveys. Large panel available.
www.ithinkinc.com
- [AdRelevance](#)

SPONSOR RESULTS



[Online Survey Tool](#)

Powerful functionality. Complete customization. API.

www.keysurvey.com



[Online Survey Tool](#)

Professional Online Survey Tools: Download...

Apian.com/software



[Create Online Surveys](#)

Use Web Surveys to Make Informed Business Decisions.

www.cvent.com



[Add Free Web Site Survey Tools](#)

Enter in minutes. no software needed.

www.surveypopups.com



[Online Survey Tool -Free](#)

Don't pay to take surveys- Get paid for surveys with...

SurveyClub.com



[Web-Based Survey Software](#)

Complete survey solution for any platform featuring...

objectplanet.com

Engaged in competitive data tracking of online advertising.
www.adrelevance.com

- **IResearch.com** [SPONSOR]
Online market research firm specializing in interactive questionnaire programming and setting related companies up with their own dedicated online focus group facilities.
www.iresearch.com
- **Arab Advisors Group**
Provides strategic research and data on the Internet, telecommunication, and technology markets of the Middle East and North Africa.
www.arabadvisors.com
- **eMarketer**
Provider of statistics and demographic data about Internet users, usage patterns, advertising, electronic commerce and market size, growth and geography.
www.e-land.com
- **AllNetResearch**
Conducts custom and syndicated Internet commerce research.
www.allnetresearch.com
- **MarketTools**
Provider of technology products and consulting services for conducting research online.
www.markettools.com
- **Webjectives**
Evaluates web sites and strategies against stated business objectives.
www.webjectives.com
- **Free Online Surveys.com**
Provides survey builder with the ability to create customer/employee satisfaction surveys, evaluation forms, and other online questionnaires.
www.freeonlinesurveys.com
- **ClickIn**
Delivers the opinions, attitudes and preferences of the Internet community on important questions and issues.
www.ClickIn.com
- **MeasureCast**
Provides Internet broadcasters, advertisers, and media buyers with next-day reports on streaming audience size and demographics information for evaluating and placing streaming media advertising.
www.measurecast.com
- **Word of Net**
Offers a variety of reports to help determine site visibility at popular search engines, directories, and referring sites.
www.wordofnet.com



Online Survey
Quick & easy survey development. Instant reports.

www.vanguardsw.com

[See your message here...](#)

- **Insiteful Surveys**
Specializes in conducting online surveys and offering strategic recommendations.
www.insitefulsurveys.com
- **NetAuditNow**
An outsourced service providing web site visitor tracking reports. Analyses are custom-tailored to reveal how web sites and emarketing strategies can be improved.
www.netauditnow.com
- **A-152-Database.info**
Offers statistics for established web sites in a variety of categories to help webmasters research and build their own marketing plans.
www.a-152-database.info

[Prev](#) [1](#) [2](#) [3](#) [Next](#)

Internet Marketing Research

[Email this page](#) [Suggest a Site](#)
[Advanced Search](#)

[Directory](#) > [Business and Economy](#) > [Business to Business](#) > [Marketing and Advertising](#) >
[Internet](#) > [Market Research](#)

[Save to My Web](#)

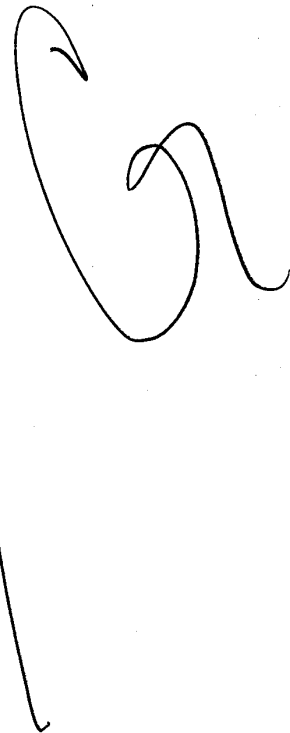
Search: the Web | the Directory | this category



Copyright © 2007 Yahoo! Inc. All rights reserved. [Privacy Policy](#) - [Terms of Service](#) - [Copyright/IP Policy](#)

Help us improve the Yahoo! Directory - [Share your ideas](#)

Exhibit G

A large, handwritten scribble or signature in black ink, consisting of several loops and a long vertical stroke extending downwards.

DANAMRAJ & YOUST, P.C.

ATTORNEYS AND COUNSELORS
INTELLECTUAL PROPERTY LAW AND RELATED MATTERS

SHREEN K. DANAMRAJ
LAWRENCE R. YOUST
KENNETH T. EMANUELSON

PREMIER PLACE, SUITE 1450
5910 NORTH CENTRAL EXPRESSWAY
DALLAS, TEXAS 75206
(214) 750-5666 (tel)
(214) 363-8177 (fax)

Direct Dial: (214) 363-4266
lawrence@dy-iplaw.com

March 9, 2007

FedEx and Regular Mail

Philip V. Patete
Chief Executive Officer
Internet Unlimited, LLC.
3101 South Ocean Drive
Suite 3102
Hollywood Beach, Florida 33019

Re: Trademark Infringement
Our File: 1386-5010

Dear Mr. Patete:

Danamraj & Youst, P.C. represents i.think inc. (ITI) in various intellectual property matters. As you know, ITI is a full service online research fielding company who pioneered web based surveys and specializes in both quantitative and qualitative research collection methods for advertising agencies, full service research companies and corporate end users. ITI owns a database of approximately 1.5 million respondents who have signed up with the company to answer surveys and participate in online consumer research. ITI operates a website at the domain name "ithinkinc.com," a copy of the home page of this website is attached hereto as Exhibit A. Our client has been using the I. THINK INC. mark to identify its services and as a trade name since at least as early as May, 1997. Additionally, ITI owns Texas Trademark Registration Nos. 57402 and 57403 for the I. THINK INC. mark, copies of which are attached as Exhibits B and C.

It has come to our attention that Internet Unlimited, LLC (IU) has obtained the domain name "ithink.com" and is using it to operate a website. It has also come to our attention that IU has recently updated the contents of this website, to now offer "Paid Surveys," "Online Surveys," "Surveys" and "Womens Surveys," a copy of the current home page of this website is attached hereto as Exhibit D. As a result of these recent updates, the public is likely to be deceived and has been deceived into believing that your website is sponsored by or affiliated with ITI. As your use of the ithink.com website is not under license from ITI, your actions constitute the misappropriation of ITI's registered trademarks. Accordingly, ITI hereby demands that IU immediately cease and desist from using the ithink.com domain name or using any other domain name or mark that is confusingly similar to the I. THINK INC. mark in association with market research or survey services.

In addition, it has come to our attention that you filed an application for federal trademark registration on November 7, 2006 (Serial Number 77/038,392) for ITHINK.COM. In this application, you have declared that IU is using ITHINK.COM in commerce in connection with "Business research and surveys," "Conducting business and market research surveys," "Conducting business research and surveys" and "Conducting on-line business management research surveys." This admission directly supports my client's contention of trademark infringement. Further, in your application, you have declared that IU has been using

Philip V. Patete
March 9, 2007
Page 2

ITHINK.COM in commerce in connection with "Business research and surveys," "Conducting business and market research surveys," "Conducting business research and surveys" and "Conducting on-line business management research surveys" since at least as early as May 4, 1994. The itthink.com website, however, has only recently included content related to surveys, a copy of the home page of this website dated April 23, 2006 is attached hereto as Exhibit E. Accordingly, the assertions made by IU and particularly by Philip V. Patete as to "first use anywhere date" and "first use in commerce date" for these services are not only willfully false and in violation of 18 U.S.C. 1001, but will also form at least part of the basis for ITI to oppose this registration.

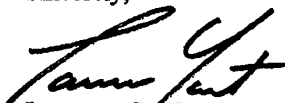
On behalf of ITI, we hereby demand that:

1. IU immediately cease and desist use of the "itthink.com" domain name;
2. IU assign the "itthink.com" domain name to ITI; and
3. IU withdraw application serial number 77/038,392 from consideration for registration.

While we prefer to resolve this situation amicably, if IU fails to comply with these demands, my client may be forced to take any and all available legal action including, but not limited to, filing suit against you asserting, among other claims, claims for trademark infringement and seeking the maximum amount of damages available to ITI under Texas and federal law.

Please contact the undersigned within seven days from the date of this letter, i.e., by March 16, 2007 to discuss your plans for immediate compliance.

Sincerely,


Lawrence B. Youst

March 27, 2007

RE: Your File: 1386-5010

Lawrence Youst
Danamraj & Youst, P.C.
Premier Place, Suite 1450
5910 North Central Expressway
Dallas, TX 72506

Dear Mr. Youst,

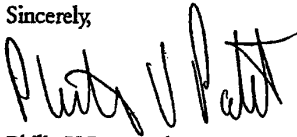
I am responding to your letter dated March 9th, 2007 as well as to the phone conversation we had on March 26th. As I said, I am not familiar with your client, ithink inc. or their business and have not found any Federal Trademark owned by them for ithink inc. My attorney and I have reviewed your letter, the information you provided as well as your demands. While we may have a difference of opinion on some of the points you raised, other circumstances will allow us to resolve this situation quickly and hopefully to your client's satisfaction.

Our business reasons for filing the Trademark application have changed and we have no intention of operating any sort of online survey site. In fact, the site referenced in your letter was a so-called "parked" or dummy site that was not controlled by our company. The ithink.com domain has been "un-parked" from this company and now sits at its domain registrar - Godaddy.com. Your client can rest assured that there will be no development of survey-related content for this domain.

We have also submitted a Request for Express Abandonment. In addition we have received notice last week that our application was not approved. Based on our conversation, I believe this will satisfy your client.

In regards to our discussion to purchasing the domains ithink.com and ithink.net, I am not yet ready to sell them at the price you offered. I will keep your offer in mind and suggest you or your client contact me in about a month to further discuss it.

Sincerely,



Philip V Patete, PhD

3101 SOUTH OCEAN DRIVE
SUITE 3102
HOLLYWOOD BEACH, FL 33019



2001 Ross Avenue
Suite 3000
Dallas, TX 75201-8001
214-758-1500
Facsimile 214-758-1550
www.pattonboggs.com

November 8, 2007

Lawrence R. Youst
214-758-3414
lyoust@pattonboggs.com

FedEx and Regular Mail

Philip V. Patete
Chief Executive Officer
Internet Unlimited, LLC.
3101 South Ocean Drive
Suite 3102
Hollywood Beach, Florida 33019

Re: Trademark Infringement
Patton Boggs Ref.: 026122.0102

Dear Mr. Patete:

Since our last communication, I have joined the law firm of Patton Boggs LLP who is now counsel for i.think inc. (ITI) in its intellectual property matters. As you know from my letter of March 9, 2007, ITI is a full service online research fielding company who pioneered web based surveys and specializes in both quantitative and qualitative research collection methods for advertising agencies, full service research companies and corporate end users. ITI owns a database of approximately 1.5 million respondents who have signed up with the company to answer surveys and participate in online consumer research. ITI operates a website at the domain name "ithinkinc.com," and has been using the I.THINK INC. mark to identify its services and as a trade name since at least as early as May, 1997. Additionally, ITI owns Texas Trademark Registration Nos. 57402 and 57403 for the I.THINK INC. mark.

Inconsistent with your letter of March 27, 2007 in which you state that my "client can rest assured that there will be no development of survey-related content," Internet Unlimited, LLC (IU) is again using the Ithink.com domain in an infringing manner. Specifically, we have recently reviewed the contents of the ithink.com website and have identified offerings including "Paid Surveys," "Online Surveys" and "Surveys." Copies of various versions of the current home page of the ithink.com website are attached hereto as Exhibit A with this content circled. As a result of this content, the public is likely to be deceived and has been deceived into believing that the ithink.com website is sponsored by or affiliated with ITI. In fact, ITI has recently received several misdirected complaints relating to surveys or survey related services that were initiated at the ithink.com website.

As IU's use of the ithink.com website is a misappropriation of ITI's registered trademarks and is currently causing confusion in the marketplace to ITI's detriment, ITI hereby demands that IU immediately cease and desist from using the ithink.com domain name or using any other domain name or mark that is

451014



Philip V. Patete
November 8, 2007
Page 2

confusingly similar to the I.THINK INC. mark in association with market research or survey services.

On behalf of ITI, we hereby demand that:

1. IU immediately cease and desist use of the "ithink.com" domain name; and
2. IU assigns the "ithink.com" domain name to ITI.

While we prefer to resolve this situation amicably, if IU fails to comply with these demands, my client may be forced to take any and all available legal action including, but not limited to, filing suit against IU asserting, among other claims, claims for trademark infringement and seeking the maximum amount of damages available to ITI under Texas and federal law.

Please contact the undersigned within seven days from the date of this letter, i.e., by **November 14, 2007** to discuss your plans for immediate compliance.

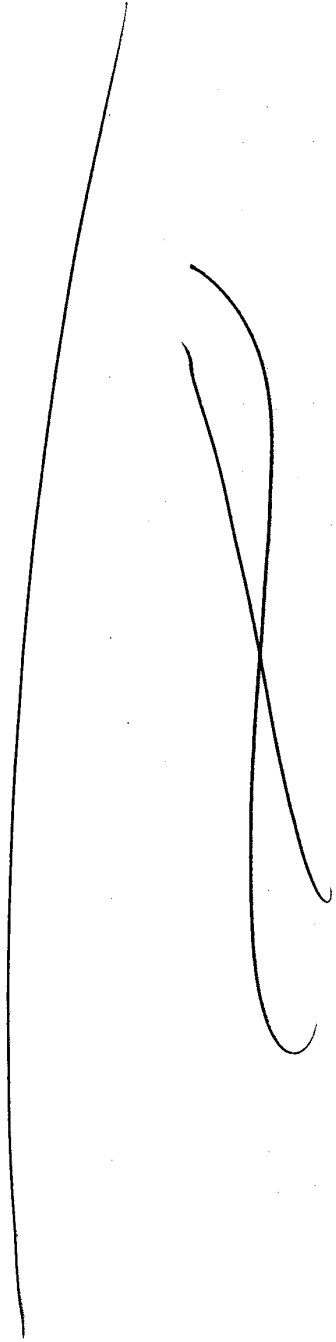
Sincerely,

A handwritten signature in cursive script, appearing to read 'Lawrence R. Youst', written over a horizontal line.

Lawrence R. Youst

cc: Beth Mack

451014

A large, handwritten scribble or signature in black ink, consisting of several overlapping, curved lines that form a vertical, somewhat abstract shape on the right side of the page.

FENWICK & WEST LLP

555 CALIFORNIA STREET, 12TH FLOOR SAN FRANCISCO, CA 94104
TEL 415.875.2300 FAX 415.281.1350 WWW.FENWICK.COM

January 18, 2008

R.J. HEHER

EMAIL RJHEHER@FENWICK.COM
DIRECT DIAL (415) 875-2329

**VIA FEDERAL EXPRESS
VIA FACSIMILE 214-758-1550**

Lawrence R. Youst
Patton Boggs LLP
2001 Ross Avenue, Suite 300
Dallas, TX 75201-8001

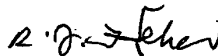
Re: Minekey, Inc. and itthink.com

Dear Mr. Youst:

We represent Minekey, Inc. in connection with trademark matters. Yesterday, your letter of January 8, 2008 to Delip Andra was referred to us by Minekey for investigation and response. Once we have completed our investigation we will respond to your letter.

Very truly yours,

FENWICK & WEST LLP



R.J. Heher

cc: Minekey, Inc.