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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91223796
Party	Defendant EpicStone Group, INC.
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Date	07/11/2016
Attachments	Motion in Opposition to Summary Judgment THIS.compressed.pdf(4251464 bytes ) AFFIDAIVT-JOSE-BARRETO.compressed-1-100.pdf(588055 bytes ) AFFIDAIVT-JOSE-BARRETO.compressed-100-200.pdf(235956 bytes ) AFFIDAIVT-JOSE-BARRETO.compressed-200-280.pdf(5607820 bytes ) AFFIDAIVT-JOSE-BARRETO.compressed-281-300.pdf(4839941 bytes ) AFFIDAIVT-JOSE-BARRETO.compressed-301-360.pdf(5456467 bytes ) AFFIDAIVT-JOSE-BARRETO.compressed-361-400.pdf(665563 bytes ) AFFIDAIVT-JOSE-BARRETO.compressed-400-422.pdf(3306847 bytes ) AFFIDAIVT-JOSE-BARRETO.compressed-423-444.pdf(3191721 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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DISNEY ENTERPRISE, INC.

Opposition No: 91223796

Opposer

Mark: THE MOANA

Serial No: 86416943

Filed: October 7, 2014

V

EPICSTONE GROUP, INC.

Applicant

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**MOTION IN OPPOSITION TO SUMMARY JUDGMENT**

COMES NOW Applicant, EPICSTONE GROUP, INC., by and through undersigned counsel, and files its Motion in Opposition to Motion to Dismiss, and in support hereof states:

1. On October 7, 2014, Applicant EPICSTONE GROUP, INC. filed its Application No. 86453720 for THE MOANA covering goods in Class 28.
2. On October 20, 2014, Opposer issued its first press release to the public via Twitter stating that they were going to release a film entitled DISNEY MOANA.
3. On November 13, 2014, Opposer, allegedly unaware of Opposer's THE MOANA, filed its own Applications for the mark DISNEY MOANA.
4. According to DISNEY, they did not learn of Opposer's THE MOANA mark until December of 2014.
5. This would indicate that DISNEY conducted no trademark search on USPTO.GOV or elsewhere prior to filing which would have alerted it to Applicant's application and/or use of

THE MOANA. *See International Star Class Yacht Racing Association v. Tommy Hilfiger U.S.A.*, 80 F.3d 749, 753-54 (2d Cir. 1996)..

6. Further, it is clear from the Tweet that was sent to the public on October 20, 2014 announcing the DISNEY MOANA film thirteen (13) days after Applicant's application was filed, that Opposer either knew, or should have known, of Applicant's mark and quickly took actions to intimate a bona fide intent to use DISNEY MOANA.

### **SUMMARY JUDGMENT STANDARD**

A fact is genuinely in dispute if the evidence of record is such that a reasonable fact finder could return a verdict in favor of the nonmoving party. *See Lloyd's Food Products Inc. v. Eli's Inc.*, 987 F.2d 766, 25 USPQ2d 2027 (Fed. Cir. 1993).

The nonmoving party must be given the benefit of all reasonable doubt as to whether genuine issues of material fact exist, and the evidentiary record on summary judgment, and all inferences to be drawn from the undisputed facts, must be viewed in the light most favorable to the nonmoving party. *See Opryland USA, Inc. v. Great American Music Show, Inc.*, 970 F.2d 847, 23 USPQ2d 1471 (Fed. Cir. 1992); *Olde Tyme Foods Inc. v. Roundy's Inc.*, 961 F.2d 200, 22 USPQ2d 1542 (Fed. Cir. 1992).

As a general rule, the factual question of intent is particularly unsuited to disposition on summary judgment. *See Copelands' Enterprises, Inc. v. CNV, Inc.*, 945 F.2d 1563, 20 USPQ2d 1295 (Fed. Cir. 1991).

The standard for Summary Judgment is when there are no genuine disputes as to material, thus leaving the case to be resolved as a matter of law. *See Fed. R. Civ. P. 56(c)*. The purpose of summary judgment is one of judicial economy where more evidence than is already

available in connection with the summary judgment motion could not reasonably be expected to change the result. *Pure Gold, Inc. v. Syntex (U.S.A.), Inc.*, 739 F.2d 624, 626 (Fed. Cir. 1984).

A party moving for summary judgment has the burden of demonstrating the absence of any genuine dispute as to material fact, and that it is entitled to judgment as a matter of law. See *Celotex Corp. v. Catrett*, 477 U.S. 317, 323 (1986).

The evidence must be viewed in a light most favorable to the non-movant, and all justifiable inferences are to be drawn in the non-movant's favor. See *Lloyd's Food Products Inc. v. Eli's Inc.*, 987 F.2d 766, 25 USPQ2d 2027 (Fed. Cir. 1993).

#### **APPLICANT'S USE AND REGISTRATION OF THE MOANA**

7. Prior to Opposer's alleged use and alleged public recognition, Applicant took significant actions in connection with his use of the mark. See Applicant's sworn Affidavit attached hereto as **Exhibit A**.

8. Applicant states that "I sold a doll in New York City in 2015" (Jose Barreto Draft Deposition) at (22:25-23:2). "I think I sold around one or two. It was a little prototype I created." (Id. at 23:4-5). When asked where he obtained prototype dolls Applicant states "I bought – a company, a wholesaler called Ramco in Hialeah, Florida, and they are a retails/wholesaler. But they purchase their toys from a California company called Jide toys and \_\_ but I bought the beginning one from Ramco." (Id. at 23:15-20).

9. This in addition to the fact that Applicant was first to use and apply to register the mark.

10. With respect to Opposer's claim concerning Applicant's intent to use the goods covered by his marks, the Affidavit of Applicant shows that he had the will and ability to make use of the marks for the goods. See *Pixel Instruments Corp. v. Sweven Corp.*, No. 97136, 1999 T.T.A.B. LEXIS 715 (T.T.A.B. Dec. 30, 1999) , denying summary judgment where the evidence showed



that applicant's creation of an advertising brochure and graphic design efforts two months after its filing date was sufficiently contemporaneous to the filing date to indicate a bona fide intent to use the mark. *The Wet Seal, Inc. v. FD Mgmt., Inc.*, 82 U.S.P.Q.2d 1629, 1633 (T.T.A.B. 2007) "Contrary to opposer's contention, an application will not be deemed void for lack of a bona fide intention to use absent proof of fraud, or proof of a lack of bona fide intention to use the mark on all of the goods identified in the application, not just some of them." *Grand Canyon W. Ranch, LLC v. Hualapai Tribe*, 78 U.S.P.Q.2d 1696, 1697 (T.T.A.B. 2006) – deleting some of the goods on a use based application where us on some but not all goods.

**OPPOSER'S ALLEGED USE AND RECOGNITION IN "DISNEY'S MOANA"**

11. Opposer also claims that it was the one with the bona fide intent to use its DISNEY'S MOANA mark. The evidence does not bear this out.

12. Applicant was the first to apply for and use the mark.

13. Opposer had a mere thought or consideration to use the mark, though it claims that it had wide "analogous" public recognition.

14. Opposer's own evidence shows that it did not have public recognition in its DISNEY MOANA trademark prior to Applicant's adoption, filing and use of the mark.

15. Opposer claims that "Opposer has priority based on its prior common law use analogous to trademark use of Opposer's MOANA Marks in commerce in connection with Opposer's film and other merchandise before the filing date of the opposed Application Serial No.86416943 and any date of first use that may be alleged by Applicant"

16. Indeed, any claimed "public recognition" of Opposer's mark prior to Applicant's adoption, filing and use is belied by the discovery provided by Opposer showing no actual use by Opposer, but rather certain speculative leaks that Opposer might adopt the MOANA mark, or

even some wholly different mark. See **Exhibit B** showing no “likes” on the “analogous” uses claimed by Opposer.

17. Rather than “worldwide recognition” the web pages cited by Opposer show that the public, other than a limited few speculators, were not aware of Opposer’s considered use of MOANA.

18. Similar documents uncovered by Applicant, but not disclosed by Opposer, show that Opposer Disney had merely considered using the MOANA mark, and had actually considered changing the name given a third-party use of the mark in Italy by a pornographic star. See **Exhibit C**.

19. Indeed, Opposer was merely considering whether to use its DISNEY MOANA mark and was considering various titles which were different than DISNEY MOANA, including “SPIRITED”. See **Exhibit D**.

20. Opposer Disney is attempting to improperly commingle its fame with that of a mark it had not yet gained a bona fide intention to use.

21. The documents provided to date by Disney show no bona fide intention to use the mark prior to Applicant’s adoption, application for and use of the mark.

22. What Opposer is attempting to do is secure protection for a mark it may or may not have used by citing the company’s own fame.

23. Illustrative of this issue is the fact that for the first time ever Disney has announced the name of movies it actually intends to use for the next four (4) years in the future, to cover up for not having a bona fide intention to use the subject mark, failing to apply for it, and failing to use it. It is settled law that Section 7(c) of the Trademark Act provides an intent-to-use applicant with superior rights over anyone adopting a mark after applicant’s filing date, contingent upon

applicant's ultimate registration of the mark. *Zirco Corporation v. American Telephone and Telegraph Company*, 21 USPQ2d 1542 (TTAB 1991).

### **OPPOSER'S AVOIDANCE OF DISCOVERY**

24. Applicant in good faith sought to take the deposition of the corporate representative of Opposer. See the attached Affidavit of Applicant as **EXHIBIT A**.

25. Opposer repeatedly stated that discovery was "continuing" and that a deposition was premature until Opposer had produced all documents.

26. Mere days prior to the Scheduled deposition of Opposer Disney, Opposer changed its designation of the person with the most knowledge of the MOANA mark.

27. Two days prior to the confirmed deposition, Opposer filed its Motion for Summary Judgment and claimed that a deposition of Opposer was no longer relevant in this matter.

28. Applicant had already confirmed a location, a court reporter, had sent a subpoena to Opposer's witness, had rented a hotel, and obtain a rental vehicle. See **Exhibit E**

29. The deposition was to show that Opposer Disney had made no use of the MOANA mark prior to Applicant's adoption, filing and use of the mark. See *Otto Roth & Company, Inc. v. Universal Foods Corporation*, 640 F.2d 1317, 209 USPQ 40, 43 (CCPA 1981) ("the opposer must prove he has proprietary rights in the term he relies upon to demonstrate likelihood of confusion as to source, whether by ownership of a registration, prior use of a technical "trademark," prior use in advertising, prior use as a trade name, or whatever other type of use may have developed a trade identity.").

Respectfully submitted,

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305-590-8909  
Attorney for:  
EpicStone Group, Inc.

### **ELECTRONIC MAILING CERTIFICATE**

I hereby certify that the foregoing Motion is being submitted electronically through the Electronic System for the Trademark Trial and Appeal Board (“ESTTA”) and by first class mail and email to [david.kelly@kelly-ip.com](mailto:david.kelly@kelly-ip.com), [linda.mcleod@kelly-ip.com](mailto:linda.mcleod@kelly-ip.com), [lindsay.allen@kelly-ip.com](mailto:lindsay.allen@kelly-ip.com), and [Jason.joyal@kelly-ip.com](mailto:Jason.joyal@kelly-ip.com) on this 11th day of July, 2016

By: /Michael D. Stewart  
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Attorney for: EpicStone Group, Inc.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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DISNEY ENTERPRISE, INC.

Opposition No: 9123796

Opposer

Mark: THE MOANA

Serial No: 86416943

Filed: October 7, 2014

V

EPICSTONE GROUP, INC.

Applicant

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AFFIDAVIT OF JOSE BARRETO

STATE OF FLORIDA

)

COUNTY OF MIAMI-DADE

)

SS.

)

BEFORE ME, the undersigned officer, duly authorized to take acknowledgments and administer oaths, personally appeared JOSE BARRETO, who, after having been first by me duly cautioned and sworn, upon oath states: That I, Jose Barreto have the capabilities, willingness, and ability to manufacture, license, and distribute the goods regarding my intent to use application based on my past experiences in creating, sales, and marketing. I have always been an entrepreneur with an objective state of mind; Since as early as 1992, I have owned several CORPORATIONS; Advanced Pulmonary Home Care (company sold to investors), Advanced Compression Therapy (voluntary dissolved due to changes in the industry for the medical product), JB Universal Enterprises (voluntary dissolved

## EXHIBIT A1

due to unfortunate family situations), LightStream Medical Supplies (had hundreds of sales also had a company catalog with over 10,000 medical products, company sold to investors), Epic Stone Group (current mailing address 1825 Ponce Deleon Blvd., #414, Coral Gables 33134), LaStar Capital Group (current and physical address 1800 W. 68<sup>th</sup> Street, Suite 118, Hialeah, FL 33014) , DBA's like Sports Memories (expired), Historic Moments (expired) Lightstone Group (current), Lightstream Partners (current). In 1995, I traveled to the City of Chicago and purchased the Chicago Bulls Locker from the old Chicago Stadium and created and manufactured a historic plaque "Remember the Roar". The locker purchased was cut in to 2000 pieces and then the pieces were manufactured to fit a limited edition lithograph and then marketed, distributed, and sold hundreds. The Historic plaque was place on consignment in the new Bulls Stadium. I have EBAY account with over 1,500 Positive feedbacks in which I have been selling goods since as early as 2001 (selling agreement). CURRENT WEBSITES; Duabilivingmagazine.com (lifestyle of Dubai), Brushybrush.com (current animation and blog in the nature of dental hygiene) , Worldresortsoflasvegas.com (promotional for city life and hotels), Dieforanewyear.com (promotional for screenplay). I produced a short Film titled "RITUAL", COPYRIGHT REGISTRATIONS; which includes Animation Characters with storyboard, screenplays, and a building design; BigBlue (building design) , BillytheBrush (animation, name change to Brushybrush.com, 60 seconds youtube clip, with dental blogs, and developed book marker for kids), Groom Lake (treatment "Lonely preteen brothers from a Midwestern family accidentally discover an alien family held hostage in a secret military base and try to free them"), Hellisian Alien (Animation, with storyboard), Joey the Manatee (Animation, with storyboard), Liability (treatment, "A general laborer files an exaggerated medical claim, but clumsy Private Investigators try to

## EXHIBIT A1

## EXHIBIT A2

disprove it” ), Liability synopsis (treatment), New Year’s (screenplay, A disgruntled cop discovers a terrorist plot to blow up Times Square on New Year’s Eve” ), New Year’s Eve (screenplay) , New York2000 (treatment), New York 2000 (2) (treatment), New York 2000 (3) (treatment), Webhead (Animation, with storyboard), Swoop (Animation, with storyboard), Video Cop (Animation), Historic Moments (Lithograph design). Provisional Patents “The Fringer”, and “Strollpen” REGISTERED STATE TRADEMARKS; Open House, Juiced, All World Miami Resorts & Spa (services), Orlando 2012 (clothing), Miami 2012 (clothing), Lincoln Road (clothing), Miami Is Wild (clothing), Courthouse Real Estate Properties (service), Ocean Drive (beach towels), Royal Trifecta (clothing), New York 2012 (clothing), New York, 2013 (clothing), New York 2015 (clothing). REGISTERED US TRADEMARKS; Dubai Living (Produced magazine, website), Dubai (produced magazine), The Independence Day (produced goods/ with sales), Battle Angel 009 (in 2006 commissioned game coder Ed Walker to design Video Game/ with sales), Battle Angel 028 (produced Action Figure with sales). US ITU’s Applications, 20,000, 000 Leagues Under the Sea (sketch, source identifier, business plan) Red Riding Hood (sketch, source identifier , Skully Island, (sketch, source identifier) , The Little Prince (sketch source identifier), Beast of Burden (sketch, source identifier, The Independence Day , The Moana (prototype doll, source identifier), The Million Dollar Man, The Billion Dollar Man (documentation), The Trillion Dollar Man Man, Resorts of Las Vegas (website): US ABANDON TRADEMARKS; Green Lantern (my application Opposed, I produced video game for 3 year olds (exhibit) and was in the process of creating walkie talkies until a successful and good faith agreement between both parties) exhibit, Davinci Bible Code Movie (over 150 formative filings with Davinci, abandon due to researching on trademarking film titles ), Apocalypto ( created a short documentary, I abandon due to researching the ability to trademark

## EXHIBIT A2

## EXHIBIT A3

a film title & successfully assigned after inter parties agreement), Neverland Ranch (abandon after respecting examine attorney decision on famous marks or places of famous people), The Scalped ( one formative mark filed, abandon due to shift in business venture , SpaceXOne ( mark was available for registration when I filed, I abandon due to shift in business venture), Norms of the North and South (My application was opposed, over 200 formative marks with the words “North & South” when I filed, created on paper a board game expression, my application was opposed, then abandon after a good faith successful agreement with inter parties), The ALF (my application was opposed, over 9 formative registered marks when I filed, Opposer made reference to ALF from Alien Productions in which its application was abandon when I filed, I had created sketch of elderly man to make a plush toy), GLAAM (abandon due to a shift in business venue), Grachi ( abandon due to a shift in business venue), The Ugly Betty (available for registration, created a doll, abandon due to successful inner party settlement), AREA 51 (created mold of a military base and duffle bags, abandon due prior registrations). All my filed trademark applications where for marks which were not registered in the class, the marks had formative filed marks registered, the marks were abandon, the marks were merely descriptive, the marks were geographic in nature, the marks were in the Public Domain, the marks were generic, and I believed the marks were not famous enough to receive market penetration due to other formative registrations already registered and upon information and belief that the marks were freely available for use by anyone with a bona-fide intent to use the mark like Disney does especially from the Puplic Domain. See Exhibit, P

1. On October 7, 2014, I, the Applicant EPICSTONE GROUP, INC. filed a Bona-Fide Intent Application No. 86416943 for THE MOANA covering goods in Class 28. The goods in my application are goods that I have an intent to use that are offered by my vendor RAMCO and



I knew before my filing date that RAMCO, carries over 4000 products including toys and playthings. Also my other vendor Jide Trading which has over 700 toys and playthings has allowed me to relabel their products with my brand. Also vendors KB Toys has over 700 toys and playthings, and Regent over 500 toys and playthings. (See exhibit A, Depo Pages 94-12:23, pp 79-80 12:10-11

2. On October 20, 2014, DISNEY ENTERPRISES, INC. (“Opposer”) issued its first Official Press Release to the public via Twitter stating that they were going to release a film entitled DISNEY MOANA ( follows the adventure of a Polynesian teenager).

3. Here we go again, for years, Disney Enterprises, have demonstrated a pattern of filing trademark applications based on book titles from the PUBLIC DOMAIN and monopolizing them moreover attacking whoever tries to also file a trademark based on Public Domain. Many of your classic DISNEY films were based on PUBLIC DOMAIN works. Much of the success of DISNEY Corporation is a result of building upon the great works of past authors (EXHIBIT). DISNEY’S empire was created in large part from the PUBLIC DOMAIN, and it has ensured that no other future competitors could not re-use their material by manipulating the PUBLIC DOMAIN system that they have taken advantage of so many years. Now again Disney builds on another great work from 1926 by Director Robert J Flaherty’s titled “MOANA” (follows adventures and customs of Polynesian people). See Exhibit B, C, O

## **DISNEY MOVIES BASED ON PUBLIC DOMAIN**

1. **The Adventures of Huck Finn** by Mark Twain (1885)

*Revenue = \$24.1 million (1993 film)*

2. **The Adventures of Tom Sawyer** by Mark Twain (1876)

*Revenue = \$23.9 million (1995 film **Tom and Huck**)*

3. **Aladdin** from a folk tale in One Thousand and One Nights (1706)

*Revenue = \$504 million (1992)*

4. **Alice in Wonderland** by Lewis Carroll (1865)

*Revenue = \$1.02 billion (2010 version) + \$?? original revenue unknown (1951)*

5. **Around the World in 80 Days** by Jules Verne (1873)

*Revenue = \$72.2 million (2004 film)*

6. **Atlantis** from the legend of Atlantis (originated as the Socratic Dialogues "Timaeus" & "Critias" by Plato ~360 BC.)

*Revenue = \$?? million (2001 film)*

7. **Beauty and the Beast** by G-S Barbot de Villeneuve (1755)

*Revenue = \$425 million (1991)*

8. **Bug's Life** from Aesop's Fables

*Revenue = \$363.4 million (1998)*

9. **Cinderella** from the Charles Perrault folk tale (Grimm's Fairy Tails) (1697)

*Revenue = \$85 million (1950)*

10. **Chicken Little** from the folk tale

*Revenue = \$314.4 million (2005)*

11. **Christmas Carol** from Charles Dickens (1843)

*Revenue = \$325.3 million (just 2009 film)*

12. **Fantasia** (1940) scored and based upon Bach, Tchaikovsky, Beethoven & other classical compositions (however, "The Rite Of Spring" was licensed in original film)

*Revenue = \$83.3 million (1940) (22nd highest-grossing film of all time as adjusted for inflation) + \$90.9 million (1999—**Fantasia 2000**)*

13. **Frozen** from Hans Christian Anderson's Ice Queen (1845)

*Revenue = \$810.3 million (2013)*

14. **Hercules** from the Greek myth

*Revenue = \$252.7 million (1997 film only)*

15. **In Search of the Castaways** based on Jules Verne novel (1868)

*Revenue = \$21.7 million (1962)*

16. **John Carter** based on **A Princess of Mars** by Edgar Rice Burroughs (1917)

*Revenue = \$284 million (2012)*

17. **The Jungle Book** by Rudyard Kipling (1894 copyright, movie released just one year after copyright expired)

*Revenue = \$205.8 million (1967—30th highest grossing film with inflation) + \$43 million (1994 live action version)*

**17 (A) The Jungle Book 2016**

18. **Kidnapped** by Robert Louis Stevenson (1886)

*Revenue = \$?? million (1960 film)*

19. **Little Mermaid** by Hans Christian Anderson (1837)

*Revenue = \$211.3 million (1989)*

20. **Lt. Robin Crusoe U.S.N.** (1966) based on **Robinson Crusoe** by Daniel Defoe (1719)

*Revenue = \$22.5 million*

21. **Mulan** (1998) from the Chinese Legend of Hua Mulan

*Revenue = \$304.3 million*

22. **Oliver & Company** based on **Oliver Twist** by Charles Dickens (1839)

*Revenue = \$74 million (1988)*

23. **Peter Pan** by J.M. Barrie (1904)

*Revenue = \$109.9 million (2002 sequel Return to Neverland) [When original 1953 film was made it seems like the book was still under copyright.]*

24. **Pinocchio** by Carlo Collodi (1883)

*Revenue = \$84.3 million (1940—39th highest grossing box office gross as adjusted for inflation)*

25. **Pocahontas** from the life and legend of Pocahontas

*Revenue = \$346 million (1995)*

26. **Princess and the Frog** from the Brothers Grimm folk tale The Frog Prince

*Revenue = \$267 million (2009)*

27. **Return to Oz** from L. Frank Baum's books

*Revenue = \$?? [1985 -When original Oz film made it was under copyright. Disney seems to have purchased rights to all the books. But when Return to Oz was made it had entered the public domain.]*

28. **Rob Roy the Highland Rogue** based on the **Rob Roy** by Sir Walter Scott (1817)

*Revenue = \$?? (1953)*

29. **Robin Hood** from the English folk tales

*Revenue = \$87 million (1973 film)*

30. **Sorcerer's Apprentice** from the poem by Johann Goethe (1797)

*Revenue = \$236.9 million (2010 film)*

31. **Snow White** from the Brothers Grimm folk tale (1857)

*Revenue = \$416 million (10th highest grossing film as adjusted for inflation)*

32. **Sleeping Beauty** from the Charles Perrault folk tale (1697) (also with music/characters from Tchaikovsky's 1890 ballet)

*Revenue = \$51.6 million (1959) (31st highest grossing film as adjusted for inflation)*

33. **Swiss Family Robinson** by Johann David Wyss (1812)

*Revenue = \$40 million (1960) (83d highest grossing film as adjusted)*

34. **Tangled** from the Brothers' Grimm fairy tale Rapunzel (1812)

*Revenue = \$591.8 million*

35. **Tarzan** from **Tarzan of the Apes** by Edgar Rice Burroughs (1914)

*Revenue = \$448.2 million (1999)*

36. **The Adventures of Ichabod and Mr. Toad** based on the **Legend of Sleepy Hollow** by Washington Irving (1820) and **Wind in the Willows** by Kenneth Grahame (1908)

*Revenue = \$?? (1949)*

37. **The Hunchback of Notre Dame** from Victor Hugo's Book (1831)

*Revenue = \$325.4 million (1996)*

38. **The Lion King** from Hamlet (1603) and a 1960s Japanese animated series called "Kimba the White Lion"

*Revenue = \$987.5 million (1994)*

39. **Three Musketeers** by Alexandre Dumas (1844)

*Revenue = \$53.9 million (just 1993 film)*

40. **The Reluctant Dragon** based on the story by Kenneth Grahame (1898).

*Revenue = \$?? (1941 )*

41. **The Sword in the Stone** from the Arthurian Legends

*Revenue = \$22.2 million (just 1963 film)*

42. **Treasure Island** and **Treasure Planet** based upon by Robert Louis Stevenson (1883)

*Revenue = \$109.6 million (Treasure Planet) + \$34.4 million (1996 Muppet Treasure Island) + \$?? (1950 Treasure Island)*

**43. 20,000 Leagues Under the Sea** by Jules Verne (1870)

*Revenue = \$28.2 million (just 1954 film)*

**44. White Fang** by Jack London (1906)

*Revenue = \$34.8 million (just 1991 film) + \$8.8 million (1994 sequel)*

**DISNEY'S LIVE TRADEMARKS BASED ON PUBLIC DOMAIN WORKS**

Alice in Wonderland (Application No. 77978876)  
Beauty and the Beast (Application No. 76484026)  
Bug's Life (Application No. 75355663)  
Cinderella (Application No. 77130148)  
Chicken Little (Application No. 78977048)  
Little Mermaid (Application No. 85228264)  
Mulan (Application No. 75978699)  
Return to Neverland (Application No. 76360792)  
Pinocchio (Application No. 71295828)  
Pocahontas (Application No. 74565524)  
Snow White (Application No. 75544254)  
Sleeping Beauty (Application No. 75543891)  
Tangled (Application No. 77933839)  
Rapunzel (Application No. 77742671)  
The Jungle Book (Application No. 86828803)  
Treasure Planet (Application No. 76265760)  
Mr. Toad (Application No. 78305050)

There are also dead Trademark applications which I won't list here.

**DISNEY'S TRADEMARK OPPOSITIONS BASED PUBLIC DOMAIN WORKS;**

(See, Disney Enterprise, Inc. v. BKN International AG, Opposition no. 91181048 Involving Application No. 78908171 for ALICE IN WONDERLAND (See, Disney Enterprise, Inc. v. Hunter, Opposition No. 91187114 Involving Application No. 78962014 for PINOCCHIO IN THE HOOD (See, Disney Enterprise, Inc. v. Heckenberg, Opposition No. 91204934 involving Application No. 85191238 for BAMBI ON ICE (See, Disney Enterprise, Inc. v. Guner, Opposition No. 91204272 involving Application No. 79075688 for BAMBI SINCE 1974(See, Disney Enterprise, Inc. v. Herman, Opposition No. 91222235 involving Application No. 86440461 for BEAUTY AND THE BEAST (See, Disney Enterprise, Inc. v. DQ Entertainment, Opposition No. 91211880 involving Application No. 85484419 for THE JUNGLE BOOK See, Disney Enterprise, Inc v. Puma, Opposition No. 91213654 involving Application No. 77625073 for PINOCCHIO See, Disney Enterprise, Inc. v. Lee, Opposition No. 91220003 involving Application No. 78440050 for LION KING See, Disney Enterprise, Inc. v. Theodorou, Opposition No. 91225945 involving Application No. 86547798 for ZOMBIE CINDERELLA See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc. involving Application No. 77645931 for LITTLE MERMAID(See, Disney Enterprise, Inc. v. BKN International, involving Application No. 77066699 for JUNGLE BOOK RIKI-TIKI-TAVI TO THE RESCUE (See, Disney Enterprise, Inc. v. American Blanching Company, involving Application No. 75543711 for WALT DISNEYS CINCERELLA (See, Disney Enterprise, Inc. v. Splash of Hollywood, involving Application No. 78697814 for BEAUTY WITHIN THE BEAST (See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc., involving Application No. 77736813 for JUNIOR ELF FAIRYTALE PRINCESS (See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc., involving Application No. 86533016 for TEEN TINKER BELL (See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc., involving Application No. 86078938 for TEENAGE PRINCESS (See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc., involving Application No. 86533005 TEEN SLEEPING BEAUTY (See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc., involving Application No. 86533005 TEEN PINOCCHIO (See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc., involving Application No. 86533022 TEEN SNOW WHITE (See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc., involving Application No. 86533027 TEEN CINDERELLA (See, Disney Enterprise, Inc. v. Urban Asian Produce, LLC, involving Application No. 85600187 for MULAN (See, Disney Enterprise, Inc. v. Liberman, involving Application No. 85380348 for SLEEPIN BEAUTY (See, Disney Enterprise, Inc. v. Solmon, involving Application No. 86390789 for FAIRYTALE WEDDING (See, Disney Enterprise, Inc. v. Mclane, involving Application No. 86683349 for MULAN V BEAUTY (See, Disney Enterprise, Inc. v. Herman, involving Application No. 86440461 for BEAUTY AND THE BEAST (See, Disney Enterprise, Inc. v. Berg, involving Application No. 86208173 for CINDERELLA

See Ehibit, Forbes, Priceconomics, Oppositions

3. On November 13, 2014, (36 days after my application) Opposer filed nine (9) Bona-Fide Intent Applications for the mark DISNEY MOANA with over 400 products;



## EXHIBIT A12

IC 016. US 002 005 022 023 029 037 038 050. G & S: Series of fiction books; graphic novels; comic books; children's activity books; picture books; calendars; greeting cards; posters; stationery; postcards; stickers; decals; art prints; crayons; markers; pencils; colored pencils; ball point pens; decorative paper centerpieces; gift wrapping paper; paper party decorations; printed invitations; trading cards; temporary tattoo transfers; paper napkins; plastic party bags

IC 024. US 042 050. G & S: Afghans; bath linen; bath towels; bed blankets; bed canopies; bed linen; bed sheets; bed skirts; bed spreads; blanket throws; calico; children's blankets; cloth coasters; cloth doilies; cloth flags; cloth pennants; comforters; crib bumpers; curtains; fabric flags; felt pennants; golf towels; hand towels; handkerchiefs; hooded towels; household linens; kitchen towels; pillow cases; pillow covers; plastic table covers; quilts; receiving blankets; silk blankets; table linen; textile napkins; textile place mats; textile tablecloths; throws; towels; washcloths; woolen blankets

IC 041. US 100 101 107. G & S: Presentation, distribution, and rental of motion picture films, television, and radio programs; providing websites featuring a variety of general interest entertainment information relating to motion picture films and television programs; providing online computer games

IC 020. US 002 013 022 025 032 050. G & S: Cushions; decorative glitter; decorative mobiles; figurines and statuettes made of plaster; figurines and statuettes made of plastic; figurines and statuettes made of wax; figurines and statuettes made of wood; flagpoles; furniture; gift package decorations made of plastic; hand fans; key fobs not of metal; mattresses; mirrors; non-Christmas ornaments made of plaster, plastic, wax or wood; party ornaments of plastic; picture frames; plastic banners; pillows; plastic flags; plastic cake decorations; plastic name badges; plastic novelty license plates; plastic pennants; plastic tissue box covers; sleeping bags; wind chimes;

IC 021. US 002 013 023 029 030 033 040 050. G & S: Bakeware; beverage ware; beverage glassware; bowls; brooms; busts of ceramic, crystal, china, terra cotta, earthenware, porcelain or glass; cake pans; cake molds; candle holders not of precious metal; candle snuffers; candlesticks; canteens; coasters not of paper and not being table linen; cookie jars; cookie cutters; cork screws; cups; decorating bags for confectioners; decorative crystal prisms; decorative glass not for building; decorative plates; dinnerware; dishes; figurines made of ceramic, china, crystal, earthenware, glass, or porcelain; hair brushes; hair combs; heat-insulated vessels; household containers for food and beverages; insulating sleeve holders for beverage containers; kettles; lunch boxes; lunch kits comprising lunch boxes and insulated beverage containers for domestic use; mugs; napkin holders; napkin rings not of precious metals; non-metallic trays for domestic purposes; pie pans; pie servers; plates; portable coolers; servingware for serving food; sports bottles sold empty; soap dishes; tea pots; tea sets; thermal insulated containers for food or beverage; toothbrushes; trivets; vacuum bottles; waste baskets; drinking straws; barbecue mitts; oven mitts; pot holders.

IC 018. US 001 002 003 022 041. G & S: All purpose carrying bags; all purpose sport bags; baby backpacks; backpacks; beach bags; book bags; calling card cases; coin purses; diaper bags; duffel bags; fanny packs; gym bags; handbags; knapsacks; key cases; leather key chains; luggage tags; luggage; overnight bags; purses; satchels; shopping bags made of leather, mesh or textile; tote bags; umbrellas; waist packs; wallets, all of the foregoing related to an animated film.

IC 030. US 046. G & S: Bakery goods; biscuits; breakfast cereals and preparations made from cereal, namely, ready to eat, cereal derived food bars; oatmeal; brownie and cake mixes; candy; cereal-based snack foods; confectionery chips for baking; chewing gum; cocoa; cookie mixes; corn chips; muffin bars; pancakes; pancake mixes and syrup; pies; popcorn; pretzels; puddings; rice; sugar and sugar substitutes; tortilla chips; waffles, all of the foregoing related to an animated film

IC 009. US 021 023 026 036 038. G & S: Apparatus for recording, transmission or reproduction of sound or images; pre-recorded optical and magneto-optical discs, CDs and DVDs all featuring music, stories, dramatic performances, non-dramatic performances, learning activities for children, and games; audio books featuring fiction; audio books featuring non-fiction; audio recordings featuring music, stories, dramatic performances, non-dramatic performances, learning activities for children, and games; downloadable ringtones and sound recordings featuring music and other sounds, all for wireless communications devices; audio and visual recordings featuring live-action entertainment, animated entertainment, music, stories, and games for children; musical recordings; video game software; computer game software; computer software featuring learning activities for children; encoded electronic chip cards containing musical recordings; computer hardware and

peripheral devices; mouse pads; wrist and arm rests for use with computers; calculators; electrical and optical cables; electronic personal organizers; personal digital assistants; camcorders; cameras; digital cameras; optical and magneto-optical disc players and recorders for audio, video and computer data; radios; television sets; audio speakers; headphones; earphones; walkie-talkies; pagers; telephones; videophones; headsets for cellular telephones; adapters for cellular telephones; batteries for cellular telephones; cellular telephone cases; face plates for cellular telephones; eyeglasses; sunglasses; eyeglass and sunglass cases; binoculars; decorative magnets; graduated rulers; microphones

IC 014. US 002 027 028 050. G & S: Clocks; jewelry; jewelry boxes; jewelry cases; key rings of precious metals; non-monetary coins; watches; watch bands.

4. Since 2010, Disney has allowed over 700 US Trademark applications to go Abandon or Cancelled. See Exhibit D

4. Due to Bad Faith intentions by the Opposer which will be discussed below they called off the Depositions of their client Disney after it was agreed by both attorneys and moreover a Subpoena was issued for the deposition of Jennifer Lewis for June 15, 2016 in Burbank, California. Ms. Lewis would have to answer the authenticity of Disney's Intent to Use Applications on over 400 products to see if they would even have standing to bring this motion based on Opposer's current state of ITU's.

4. Further, it is clear from the Tweet that was sent to the public on October 20, 2014 announcing the DISNEY MOANA film thirteen (13) days after my application was filed, that DISNEY either knew, or should have known, of my mark and quickly took actions to intimate a bona fide intent to use DISNEY MOANA.

5. Opposer's own discovery evidence shows that it did not develop any public recognition in its DISNEY MOANA trademark as it claims, but rather is using its own fame as a company in an attempt to subvert my rights in the THE MOANA trademark.

6. I, on the other hand I have been willing and able by taking significant concrete steps towards planning the use of “THE MOANA” mark both prior to filing and immediately thereafter, as indicated below. See Exhibit Depo pages 23 11:14-15, pp24 11:15-16, pp25 11:16-18, pp 27 11:19, pp28 11:20, pp 29 11:21, pp 30 11:22, pp35 11:27, pp37 11:29, pp 61 11:52-57, pp71 12:02, Page 111,

4 Q. Can you only buy the dolls by the 12:40  
5 case? 12:40  
6 A. No. I've purchased them individual, 12:40  
7 you know. 12:40  
8 Q. So was this the first time you 12:40  
9 purchased those prototypes, this receipt? 12:40  
10 A. No, no, no. 12:40  
11 Remember, when I went to the Toy Fair 12:40  
12 in New York City in 2015 I had already had The 12:40  
13 Moana dolls in 2014, you know, so I bought them 12:40  
14 before this.

8. For many years I have purchased toy products as prototypes from wholesale distributor Ramco Trading, Inc. RAMCO carries over 4000 thousands of products, including toys, clothing and household goods, and same products under different labels in a massive wholesale warehouse in Miami, FL. See Exhibit A , Depo pp 23 11:15, pp24 11:15-16, pp29 11:21, pp79,12:09-11, pp102-103 12:32-33, pp103 12:33, pp108 12:37-38, pp109 12:38, pp110 12:39, pp111 12:40 .

9. On November 9, 2013, prior to my THE MOANA filing date of October 7, 2014, I visited Ramco Trading and purchased several prototype toys, including different dolls, which I

would later describe in my deposition as the Prototype “THE MOANA” dolls, which I purchased for re-labeling with my “THE MOANA” mark and using this prototype as a source indicator. See Exhibit A pp 79-80 12:10, pp102 12:32, pp 111 12:40, pp103 12:33,

10. Prior to filing my application for THE MOANA I researched the USPTO whether the mark was available for use in Class 28 and though there were other MOANA-formative marks, none I believe would conflict with my filing. At that time there was no DISNEY MOANA applications.

11. On November 30, 2014, twenty-three days after filing “THE MOANA” application, I purchased a ticket to New York leaving on February 14, 2015, and returning on February 19, 2015 to attend the “Toy Fair 2015”.

12. Between December 2014 and January 2015, I researched different ways to package and label “THE MOANA” dolls and other products for test runs and promotions in view of the upcoming February 2015 Toy Fair.

13. On February 11, 2015, I commissioned a company called Graphic Design to create “THE MOANA” labels for my prototype “THE MOANA” doll. See **Exhibit A**, DEPO pp 24-25 11:16-17, pp 94-95 12:23-24, pp115 12:45, pp 116 12:45-46, pp117-118 12:46-47, pp 118-119 12:47-48, pp120 1249-50, pp121-123 1250-51

14. I went to the toy fair with the intention of discussing manufacturing and licensing of “THE MOANA”. I brought my THE MOANA prototype dolls with me to New York to make a test runs and made two sales of the dolls to street vendors named Souma and John. During discovery I sent Opposer original pictures of “THE MOANA” prototype dolls with original mega-data displayed on the vendors cart as they left the dolls on cart to promote the brand for me. Opposer has agreed that Photographs, Toy Fair Expo Tags, copies or receipts, Jide trading catalog, K Toyys and Regent Product webpages, Jide Trading invoices, Smart graphic invoice, Copy of Ramco receipts, Las Vegas Expo 2016, emails between Jose Barreto and Jide Trading OKK Toys documents are true. See Opposer exhibit 97-109.

15. On February 14, 2015, I registered at the New York Toy Fair under my DBA Lightstream Partners and received my name tag and “Exhibitor Toy Fair 2015 Guide”. The guide includes all workshops, exhibitors, and rules regulations. One of the rules strictly says “Unauthorized solicitation on the premises by non-exhibiting manufactures and /or suppliers is strictly prohibited”. See **Exhibit D,E**

16. Now aware of the strict policy for attendees I did not mention “THE MOANA” to any exhibitor but I did speak with Roger of EXTREME 3DPrinting concerning technology and the cost of manufacturing molds. (Exhibit)

16. I also spoke to Tim Davis from a business Development Company Intertek and Toy Safety SGS about what they are capable of providing for my business and products.

17. During the Toy Fair I attended workshops held by attorneys which spoke on inventions, manufacturing, and how to license my products. **See Exhibit G**
  
18. On April 15, of 2015, Opposer files "Request to Extend Time to Oppose" the mark "THE MOANA" and at that point I ceased marketing THE MOANA" Depo pp 49 11:41 .
  
19. On July 14, 2015, Opposer files "60 Day Request for Extension of Time to Oppose Upon Consent".
  
20. On September 14, 2015, Opposer files an Opposition against my "THE MOANA" mark.
  
21. However, during the fall of 2015 I registered as a buyer of toys and products with Jide Trading and OKKTOYS. I purchased products from Jide Trading and made an agreement with the company that I was allowed to label over 700 toy products with my own trademarks/brands which are included in my Intent to use Application. **See exhibit H, I**
  
20. Additionally, I also registered and attended the Toy Fair 2016 and sold more products in the street of New York.
  
21. With respect to the subject opposition, I want to take the deposition of the representative of Disney to show that they had no prior common law use analogous to the trademark use of the "Disney Moana" to even make a claim on my application. Also during a break in my May 17, 2016 deposition, I witnessed Attorney Michael D. Stewart and Attorney Linda McLeod

speaking, and I heard Linda McLeod say “for the Disney Deposition that Kelly IP’s Attorneys Jason and Kelly would be flying to California for Disney Deposition”.

22. I had wanted to take the deposition earlier but Opposer claimed that it was premature as their discovery was “ongoing”, even after my deposition when counsel for Opposer stated that it would be premature to hold Opposer’s deposition until after they had provided all of their written discovery and my attorney Michael D Stewart was a witness.

23. Opposer continued its bad faith practices by purposely summiting to my attorney my Deposition transcripts that they ordered in May 2016 from TSG Reporting with over 100 pages missing, 6,7,8, 16, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, through 56, 59 through 66, 71, 84 through 100, 102, 103, 110 through 120, 122 through 142, 144 through 165, 169, 170, 171, 180, 181, 183, through 218, 225 through 231, 234, 235, 236, 237- 243.

Why?

23. EpicStone Group Vs. Disney has another pending Opposition 91226096 ongoing in which. Discovery closes March 5, 2017.

22. Further, in Opposer’s Opposition number (4), “Disney claims since October 2013 there has been widespread media attention in national press, **EXPOSING MILLIONS** of consumers to the mark. Such extensive and repetitive media attention has had a substantial impact on the purchasing public, and has created an association in the minds of the potential purchasers between the MOANA mark.” is false and inaccurate. During Discovery Opposer provided all the

third party press releases wick contain minimal amount of likes and comments by Disney fans moreover not even the general public. The evidence clearly shows the “DISNEY MOANA” mark not even in the subject heading of a few of those Press releases. Disney’s own evidence that provided to Applicant will show the mark together “DISNEY MOANA” had no substantial public recognition, did not establish purchasing power, did not become popularized, vested, had no market penetration, had no created unique users, was not consistent and continuous, and had no sufficient clarity and repetition to create the required identification by a substantial portion of the general public in a population of over 325 million people living in US, and moreover **EXPOSING MILLIONS** to the “Disney Moana” mark before my filing date of October 7, 2014. SEE Exhibit, J, K

23. I also recently discovered evidence (without Disney Deposition) that even after Opposer claimed it had a bona fide intention to use DISNEY MOANA, it was still considering a name change to either “Spirited”, “Polenesian Princess”, or had board meeting to discuss different titles in the same way that they had changed their other film titles “Snow Queen” to “Frozen”, and “Rupenzel” to “Tangled”, See Exhibit .

25. Other recently discovered documents from CineEurope 2015, Disney’s Executive Lee Jury says “Moana is a tentative title”. Again we have to question the authenticity of Disney ITU applications and if it did or not have a bona fide intent to use DISNEY MOANA because evidence of the possibility of a title change due to the bad publicity of a famous pornographic



star named MOANA POZZI, and for this reason Opposer considered changing the name and a Deposition will seek those facts. SEE Exhibit, L

23. On June 2, 2016, we agreed with Opposer on a date for the deposition to be held on June 15, 2016, in Burbank, California.

23. I purchased plane tickets for my lawyer, rental car, hotel room, booked a court reporter, a deposition location, and spent countless hours and days researching and assisting my attorney For the deposition that Disney in good faith agreed upon via email's with Opposer's counsel. (exhibit) ticket, hotel

24. During my Deposition Opposer's Counsel seemed to mock and smile when I mentioned the fact that I have a storage shed where I keep my products but I guess she failed to remember that Walt Disney began his movie studio in a shed in a back yard. See Exhibit, M

It is only fair that the board allows me to compel for a discovery deposition to continue fact finding. I pray that I have shown enough material and genuine evidence and proven concrete plans of action to support my bona-fide intent of THE MOANA mark and allow for this case to go to trial.

FURTHER SAITH AFFIANT NOT.

Barreto  
AFFIANT

STATE OF FLORIDA )  
COUNTY OF Miami-Dade ) SS.

The foregoing instrument was acknowledged before me this 11 day of July, 2016, by Jose Barreto, who [is personally known to me *or* has produced H. DAVIS LIGHT as identification] and who, being duly sworn, deposes and says that the foregoing is true and correct.



[Signature]  
NOTARY PUBLIC, STATE  
OF FLORIDA  
\_\_\_\_\_ [name]

Commission no. and expires:  
\_\_\_\_\_

## EXHIBIT B0

12/2013 DISNEY Unofficial Press Releases based on Disney Discovery Documents

1. [Bleedingcool.com](http://bleedingcool.com) 12/13 "NO PUBLIC COMMENTS, NO LIKES, NO MARK "DISNEY MOANA" in SUBJECT HEADING" "Concept art and some story details for Epic, Mythic Animated Adventures Moana"
2. [Animationmagazine.com](http://animationmagazine.com) 12/13 , " 2 Comments, 170 likes, NO MARK "DISNEY MOANA" in SUBJECT HEADING" "New Info Arrives on Musker/Clements Moana"
3. "LexisNexis" 2013; NO COMMENTS, NO LIKES, NO MARK "DISNEY MOANA" ON SUBJECT HEADING"
4. [www.broadwayworld.com](http://www.broadwayworld.com)" 12/2013, "NO PUBLIC COMMENTS, NO LIKES, NO MARK "DISNEY MOANA" IN SUBJECT HEADING. "Disney Announces New Animated Feature Moana for 2018"
5. [www.huffingtonpost.com](http://www.huffingtonpost.com) 12/2013 "NO PUBLIC COMMENTS, NO LIKES, NO MARK "DISNEY MOANA" IN SUBJECT HEADING" "New Disney Film Moana in the works"
6. [www.hawaii-aloaha.com](http://www.hawaii-aloaha.com) 12/2013 "NO PUBLIC COMMENTS" "NO MARK "DISNEY MOANA" IN SUBJECT HEADING ,
7. [www.hawaiinewsnow.com](http://www.hawaiinewsnow.com) 12/2016 "NO PUBLIC COMMENTS, NO LIKES, NO MARK "DISNEY MOANA IN SUBJECT HEADING " "Disney announces new Polynesian Princes"
8. [www.waltdisneyconfessionspage.com](http://www.waltdisneyconfessionspage.com) 10/2013 "NO PUBLIC COMMENTS, 43 likes, NO MARK "DISNEY MOANA" or MOANA" in SUBJECT HEADING.
9. [www.movies.mxdwn.com](http://www.movies.mxdwn.com), 12/2013 , "1 COMMENT from Public, NO LIKES, NO "DISNEY MOANA" IN SUBJECT HEADING" "Aladdin and Princess and the Frog Creators Announce Disneys Moana for 2018"
10. [www.observationdeck.kinja.com](http://www.observationdeck.kinja.com) 12/2013 "16 COMMENTS", NO MARK "DISNEY MOANA" in SUBJECT HEADING" Disney Announces Moana set for a 2018 Release"
11. [www.thehollywoodnews.com](http://www.thehollywoodnews.com) 12/2013, 'NO PUBLIC COMMENTS, NO LIKES, NO MARK "DISNEY MOANA" in SUBJECT HEADING" "Disney Animated Film Moana Revealed".
12. [www.yahoo.com](http://www.yahoo.com) 12/2013, NO PUBLIC COMMENTS, NO LIKES" NO "DISNEY MOANA" or MOANA IN SUBJECT HEADING" "Is this Disney's Next New Princes or Not"
13. [www.movies.com](http://www.movies.com) 12/2013 3 COMMENTS . 132 likes, 23 tweets, NO MARK "DISNEY MOANA" IN SUBJECT HEADING "THE NEXT FROZEN Disney Moana for 2018"

## EXHIBIT B1

14. [www.perezhilton.com](http://www.perezhilton.com) 12/2016 NO PUBLIC COMMENTS, 772 likes, NO "MOANA" or "DISNEY MOANA" IN SUBJECT HEADING "Disney announces a new princess Find out the Royally Awesome News"

15. [News.moviefone.com](http://News.moviefone.com) 12/2017, "NO PUBLIC COMMENTS, NO LIKES, NO "DISNEY MOANA" IN SUBJECT HEADING", "Disney MOANA brings girl power to the big screen in 2018"

16. [www.bustle.com](http://www.bustle.com) 12/2013 "NO PUBLIC COMMENTS, NO LIKES, NO MARK "DISNEY MOANA" in the SUBJECT HEADING" Disney newest Princess of color is Moana, A Polynesian Adventurer and sounds Awesome"

17. [www.disneybymark.com](http://www.disneybymark.com) 12/17/2013, "NO PUBLIC COMMENTS, NO LIKES, NO MARK "DISNEY MOANA" IN SUBJECT HEADING"

### 10 /20/2014 AFTER APPLICANT'S FILING DATE

1. Forbes.com 10/20/2014, NO PUBLIC COMMENTS
2. [www.eu.com](http://www.eu.com) 10/20/2014, NO PUBLIC COMMENTS
3. Slashfilm.com 10/20/2014 NO PUBLIC COMMENTS
4. [www.variety.com](http://www.variety.com) 10/20/2014 NO PUBLIC COMMENTS
5. [www.thewrap.com](http://www.thewrap.com) 10/20/2014 NO PUBLIC COMMENTS
6. [www.herocomplex.com](http://www.herocomplex.com) 10/20 2014, No PUBLIC COMMENTS
7. [www.huffingtonpost.com](http://www.huffingtonpost.com) 10/20/2014 NO PUBLIC COMMENTS
8. [www.hollywoodreporter.com](http://www.hollywoodreporter.com) 10/20/2014 NO PUBLIC COMMENTS

Source URL: <http://www.hollywoodreporter.com/news/cineeuropa-disney-debuts-finest-hours-804929>

## CineEurope: Disney Debuts 'The Finest Hours' Trailer, 'Zootopia' Footage, Screens 'Ant-Man'

2:54 PM PDT 6/24/2015 by Alex Ritman

- 85
- 108
- 2



Marvel Studios  
'Ant-Man'

### But even the presenter said that he couldn't wait for 'Star Wars: The Force Awakens' to arrive.

*Star Wars: The Force Awakens* may have been the most hotly anticipated title at Disney's CineEurope presentation on Wednesday in Barcelona, but the studio still packed out its show with other memorable highlights from its upcoming slate.

For the seventh *Star Wars* episode, while no new footage was revealed, **J.J. Abrams** recorded a special message for the assembled exhibitors before introducing a video incorporating clips from the trailers, plus news clips encapsulating the building excitement.

"December 18 can't get here soon enough," said Disney's executive vp theatrical sales and distribution, **Dave Hollis**.

Other major titles in the presentation included upcoming new IP from Disney Animation Studios, *Zootropolis* (known as *Zootopia* in the U.S.), of which several unfinished extended scenes were shown.

{ "nid": 804566, "type": "news", "title": "Paul Rudd and Marvel's Kevin Feige Reveal 'Ant-Man's' Saga, from Director Shuffle to Screenplay Surgery to Studio's 'Phase Three' Plans", "path": "http://www.hollywoodreporter.com/features/ant-man-saga-paul-rudd-804566", "relative-path": "/features/ant-man-saga-paul-rudd-804566" }

"It's a world created for and designed by animals," said Disney's EMEA and U.K. studio marketing vp **Lee Jury**, who introduced several of the film's characters and settings.

For the Polynesia-based animation *Moana* (which Jury said was just a "tentative" name), due out towards the end of 2016, footage of the main character was shown. "It's a coming-of-age story," he added.



In Pixar's slate, among the two new IPs was *The Good Dinosaur*, that — according to Disney's head of EMEA and U.K. studio distribution **Tony Chambers** — asks the question: "what if the asteroid that hit Earth 60 million years ago actually missed."

A teaser trailer was unveiled, followed by extended footage of the film's main characters Arlo — a young Apatosaurus — and Spot, a young caveman. "We have a myriad of wonderful and memorable characters," added Chambers, adding that the technology used "pushed the boundaries of high definition photo realism."

**Jon Favreau** offered some words from the set of *The Jungle Book*, which he said was a combination of the "best of animation, live action and motion capture."

For naval rescue drama *The Finest Hours*, the audience was treated to the debut of its first trailer, which Jury said captured one of the most "heroic rescues in maritime history."

Behind the scenes footage and film clips were shown of *Alice Through The Looking Glass*, the sequel to the \$1 billion-earning film. Although **Tim Burton** is now acting as producer with *The Muppet's* director **James Bobin** at the helm, Chambers said that Burton "was deeply involved," describing him as an "ambassador to Underland."

In a video, star **Mia Wasikowska** said that "James [Bobin] had taken the world that Burton had created and made it his own."

On the Marvel side of things, extensive details were provided for *Captain America: Civil War*, currently shooting in Atlanta, with co-director **Joe Russo** stating that the story revolved around "collateral damage" after action by the Avengers results in the loss of life.

The video also highlighted the on-screen friction between Captain America and Iron-Man.

"The name Civil War implies there are sides," said **Robert Downey Jr.**

With production on *Doctor Strange* commencing soon, no footage was available of the upcoming new superhero IP, but artist impressions of **Benedict Cumberbatch** in the lead role were offered. In a video message, producer **Kevin Feige** said that the actor was perfect for the role, offering a "complicated emotional structure."

Disney's presentation concluded with a full — though unfinished — screening of *Ant-Man*, due to have its world premiere in Los Angeles next week.

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"/news/cineeuropa-2015-can-barcelona-make-802625" }
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#### Links:

[1] [http://pinterest.com/pin/create/button/?url=www.hollywoodreporter.com/news/cineeuropa-disney-debuts-finest-hours-804929&media=http://www.hollywoodreporter.com/sites/default/files/imagecache/news\\_landscape/2015/06/antman\\_anthill.jpg&description=CineEurope: Disney Debuts &#039;The Finest Hours&#039; Trailer, &#039;Zootopia&#039; Footage, Screens &#039;Ant-Man&#039;](http://pinterest.com/pin/create/button/?url=www.hollywoodreporter.com/news/cineeuropa-disney-debuts-finest-hours-804929&media=http://www.hollywoodreporter.com/sites/default/files/imagecache/news_landscape/2015/06/antman_anthill.jpg&description=CineEurope: Disney Debuts &#039;The Finest Hours&#039; Trailer, &#039;Zootopia&#039; Footage, Screens &#039;Ant-Man&#039;)

Search

## A SNEAK PEEK ON 'MOANA'.

[Originally made by Sapphire Rainymist, with inputs from Sarah Diamondswirls.]

(This is the important post we were keeping a secret until now. We have worked on it for the past few days, actually. )

Hey guys, **Sapphire Rainymist** and **Sarah Diamondswirls** here! (Our first post together!) We are here with a new post about Disney's next Disney Princess movie:



Moana will be released around 2017-2018.

It might sound like it's a movie similar to Pocahontas, but instead of the story happening in Native America, it's in a group of islands at the Southern Pacific Ocean. Moana is set to be released around 2017, but with Frozen's recent success, it's no wonder that fans are clamoring for the details of this movie already.

## EXHIBIT D1

Moana is an animated musical comedy movie that will be released around 2017-2018 (Rumors say that it will be released around March 9, 2018.) It is described as “A mythic adventure set around 2000 years ago and across a series of islands in the South Pacific.” Moana is also one of the only two princesses to come from a fairly minor place (Polynesia). The other is Ariel who lives somewhere near the Atlantic Ocean.

There is also a rumor that the name “Moana” is changed to “Spirited”, following the theme of Tangled, Brave and Frozen. Rapunzel, The Bear and the Bow and The Snow Queen were the original titles for Tangled, Brave and Frozen, respectively. This theory is followed to gain a larger number of male audiences. Like, a boy wouldn't be as interested in a movie called The Snow Queen as he would be in something called Frozen. This rumor has not been confirmed by Disney Officials just yet.

Only one piece of Moana concept art has been seen online so far, but it was quickly by Disney on the grounds that it wasn't an official release. Still, that was all fans needed to inspire their own Moana fanworks. [Tumblr](#) is already alive with people drawing their own interpretations of the Polynesian princess, from cute, ukulele-playing girly-girl to tough, muscular sailor.





The 'leaked picture', which apparently is the concept art for Moana.

Despite Disney's denial for the fact that that the leaked concept art for Moana (*picture above*) is official, it is strongly believed that it rightfully belongs to Disney, as previously Disney had denied the leaked art for Frozen, but later released it.



An early sketch and concept art of Queen Elsa of Arendelle.



An early sketch and concept art of Princess Anna of Arendelle.





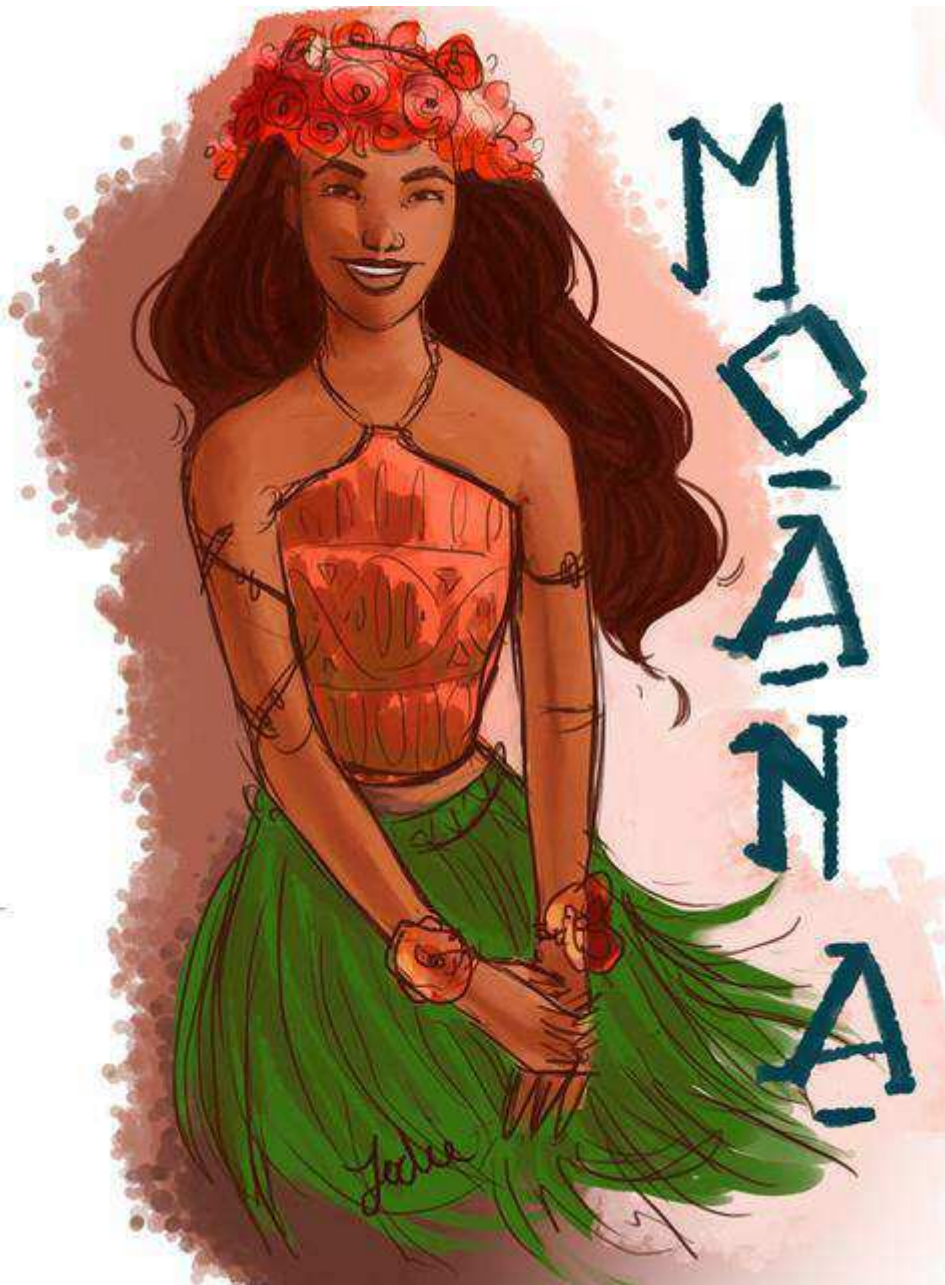
The final concept art of Elsa, Anna, Kristoff and Sven.

## EXHIBIT D6

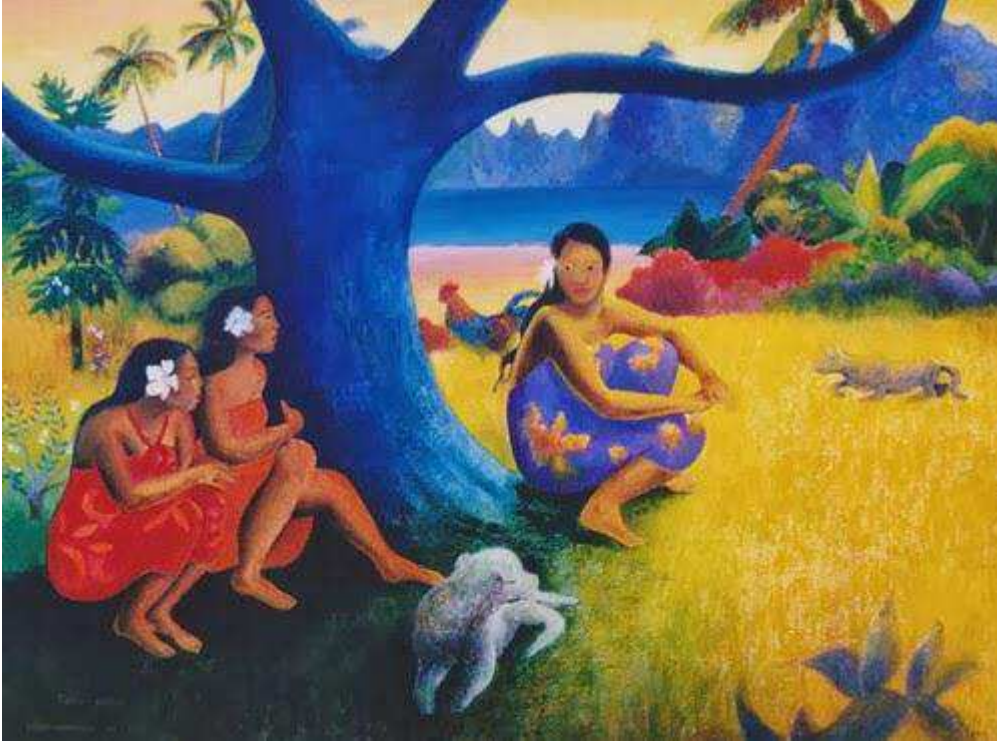
Aside from the 'leaked' concept art and Sarah's fan art (See below), there are many other art that people say, is what Moana would look like.



This concept art shows Moana splashing around in a pool of water.



This fan art shows a colored sketch of Moana.



This painting shows a scene from Polynesia, and three girls, one possibly being Moana.

If sources are to be believed, then the Polynesia situated film's lead character, Moana, would be similar to some other Disney Princess, particularly Mulan from **Mulan** (1998) and Merida from **Brave** (2012). Moana could be the next good role model for little girls.





A still from Disney Pixar's Brave (2012)

*Moana would be directed by the John Musker and Ron Clements, the makers of beloved Disney movies Aladdin, The Little Mermaid, and The Princess and The Frog. This would be the directors' first full CG animated film. Rumors initially speculated that the animation style of "Moana" would resemble the hand-drawn/digital blend used in Disney's Oscar nominated short 'Paperman' but Musker told Indiewire that "it's far too early to apply the Paperman hybrid technique to a feature" stating that the technique still has many complications (including color use) to sort out before it can be used for a full-length film.*





A scene from Paperman

**Plot:** The main character is Moana Waialiki, a sea voyaging enthusiast, and the only daughter of a chief in a long line of navigators. When her family needs her help, she sets off on an epic journey. The film will also include Demi-gods and spirits taken from really mythology (Possibly Greek or Roman), much like Disney's **Hercules**.

**Controversies:** As stated above, people suggest that the supposed 'concept art' is how Moana would look like. Disney didn't confirm this, but someone eventually found out that there was a concept art that was signed by an official Disney artist, and it is the same piece which Disney denied as a Moana concept art.

Moana would be Disney's first black CG princess, and the fifth princess that is not white, the first being Jasmine (Aladdin), the second being Pocahontas (Pocahontas), the third being Mulan (Mulan) and the fourth being Tiana (The Princess and The Frog), after a series of white ones of white ones like Rapunzel (Tangled), Merida (Brave), Elsa and Anna (Frozen). With four years to go until Moana is released, some of its target audience haven't even been *born* yet, but that doesn't mean it isn't already bringing happiness to the hearts of Disney fans. As one teenage girl wrote on her Tumblr blog:

“as a person of polynesian descent, i got extremely excited when disney's moana was announced and didn't really know *why* and then i realised **THIS** is what representation feels like.”

We can hope that Moana would be brave, head-strong and fearless, meeting peoples' demands. As we already mentioned, a lot of people are already creating a lot of Moana fan-art, inspired by the concept art.



Moana fan-art, by Sarah Diamondswirls

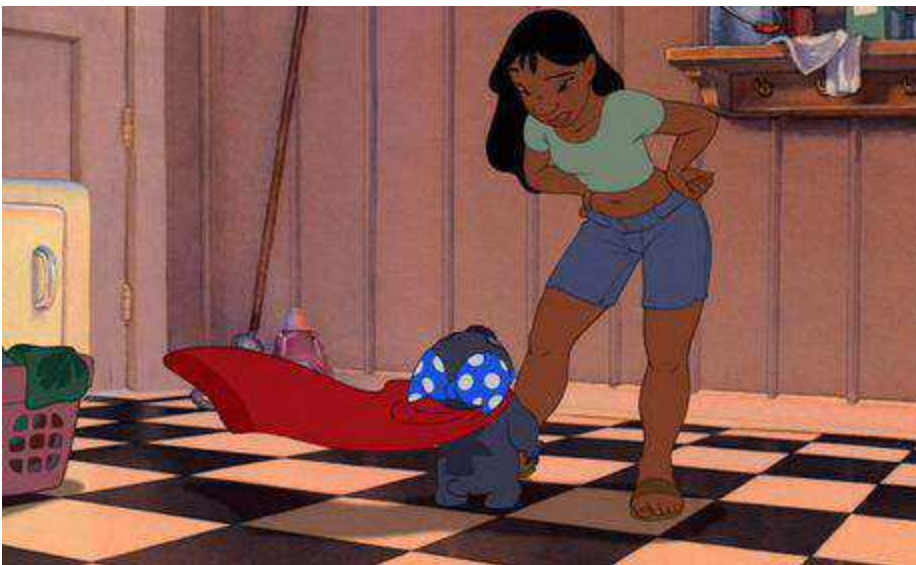
“Above is the picture of Moana I (Sarah Diamondswirls) drew. It is inspired by the Moana concept art, and is how I imagine Moana to be. There are quite a few people out there making Moana fan-art, and I am proud to be one of them.”

Moana also has a similarity to Disney’s “Lilo and Stitch”. They both live in tropical places, wear similar outfits, and possibly, both dance the hula. Both of them aren’t white, too. But there are still differences, one being their places. Moana is in Polynesia, and Lilo is in Hawaii. It seems that Polynesia has adopted Hawaiian customs.



A hula dancing scene in Disney's 'Lilo and Stitch'.

Plus, some people predict that Moana will end up looking like Lilo's sister, Nani Pelekai.



Lilo's sister scolding Stitch.

So, guys, how did you find this post? Me (Sapphire) and Sarah tried to make this post interesting. We hope you like it!

### Did you like our post?

- Absolutely! It is amazing!
- It's good.
- It's just average.
- It's not so good...
- I don't like it.
- \*Yawn\* Boring....
- Sorry, I don't get it.

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Any thoughts? Tell us in a comment, below!

~Sapphire Rainymist & Sarah Diamondswirls



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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

DISNEY ENTERPRISES, INC.,  Opposer  v.  EPICSTONE GROUP, INC.,  Applicant.	Opposition No.: 91223796  Mark: THE MOANA Serial No.: 86416943 Filed: October 7, 2014
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**APPLICANT’S NOTICE TO TAKE DEPOSITION OF  
OPPOSER’S PURSUANT TO FED. R. CIV. P. 30(b)(6)**

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 30(b)(6), Epicstone Group, Inc.. (“Applicant”) will take the deposition upon oral examination of Opposer, Disney Enterprises, Inc. (“Opposer”), by and through the owners, officers, directors, agents, or other persons designated as being competent to testify on its behalf with respect to the matters set forth in the attached Schedule A, before a Notary Public or another person qualified by law to administer oaths. For purposes of Schedule A attached to this notice, Applicant incorporates by reference the definitions set forth in Applicant’s First Set of Interrogatories to Opposer.

The deposition will commence at 10:00 a.m. on June 15, 2016, at 3500 West Olive 3<sup>rd</sup> Floor, Burbank, CA 91505.

The deposition will continue from day-to-day until completed, and will be recorded. You are invited to attend and cross-examine.

**EXHIBIT E1**

Dated: 6/2/16

Respectfully submitted,

By: /Michael D. Stewart  
Michael D. Stewart, Esq.  
200 SE 1<sup>st</sup> St., Suite 7-1  
Miami, Florida 33131  
[ms@themiamilaw.com](mailto:ms@themiamilaw.com)  
305-590-8909  
Attorney for:  
EpicStone Group, Inc.



**SCHEDULE A**

1. Opposer's responses to Applicant's First Set of Interrogatories.
2. Opposer's responses to Applicant's First Set of Requests for Production of Documents and Things.
3. Information concerning Opposer's social media accounts, consumers, and audience.
4. Information concerning green lighting films by Opposer.
5. Information on exhibitions, meetings, announcements, and presentations concerning Opposer's Mark.
6. Information on Opposer's parks, studios, media networks, products and Disney interactive.
7. Opposer's responses to First Set of Requests for Admissions.
8. The facts related to the allegations and denials in Opposer's Answer to Applicant's Notice of Opposition, including all affirmative defenses and attachments mentioned therein.
9. The documents produced by Opposer in this proceeding.
10. Information on Opposer's Application and all statements and signatures made therein.
11. Opposer's selection and adoption of Applicant's Mark, including, but not limited to, the date of selection, and any searches, studies, research, investigations, and opinions referring or relating to Applicant's conception, selection, adoption, and clearance of Applicant's Mark.
12. Opposer's business and its past, present, and intended business activities.
13. Opposer's past, present, and intended goods and services offered in connection with Applicant's Mark.
14. Opposer's past, present, and intended advertising, marketing, promotion, and offering for sale of Opposer's Goods in connection with Opposer's Mark before October 7, 2014.



## EXHIBIT E3

15. Opposer's past, present, and intended manufacturer, distribution and sale of Opposer's Goods in connection with Opposer's Mark.
16. The nature and identity of the past, present, and intended customers for Opposer's Goods offered or intended to be offered in connection with Opposer's Mark.
17. Information on Opposer's alleged use and bona fide intent to use Applicant's Mark.
18. Information on agreements between Opposer and any third parties concerning Opposer's Mark and Opposer's Goods, and/or the sponsorship, endorsement, marketing, promotion, sale, or offering for sale of goods or services in connection with Opposer's Mark.
19. Information concerning all manufacturers, sellers, retailers, vendors, distributors, and advertising and marketing entities involved in the manufacture, sale, offering, display, advertising, and/or marketing of Opposer's Goods and the types of goods covered by the Opposer applications.
20. Information concerning all packaging, labels, stickers, information sheets, product descriptions, invoices, bills, and receipts for Opposer's Goods.
21. Information concerning all business plans (including revenue projections and licensing plans), marketing plans, and advertising plans in connection with Opposer's Mark and Opposer's Goods.
22. Information on Opposer's awareness of any third-party marks comprised of or containing MOANA that are used in connection with any of the goods identified in Opposer's Applications.
23. Information on Opposer's Instances of confusion, mistake, or deception between, on the one hand, Applicant, Applicant's Goods, or its use or registration of Applicant's Mark, and on the other hand, Opposer, Opposer's Goods and Services, and/or its use and registration of Opposer's Name and Mark.

## EXHIBIT E4

24. Inquiries or comments about the relationship between, on the one hand, Applicant, Applicant's Goods and Services, or its use or registration of Applicant's Mark and, on the other hand, Opposer, Opposer's Goods and Services, and/or Opposer's Name and Mark.
25. Any communications, inquiries, or comments to or from any person or entity referring or relating to Applicant's, Applicant's Name and Mark, or Applicant's's Goods and Services.
26. Opposer's actions and/or investigatory steps undertaken to respond to Applicant's discovery requests including, but not limited to, the systems and files (both paper and electronic) searched and the person(s) involved.
27. Opposer's abilities to investigate, search, identify, and assemble sources of potentially responsive information, both print and electronic, relative to the Applicant's discovery requests, including both current and legacy information sources.
28. Opposer's annual sales, revenues, and business and advertising expenditures in connection with Opposer's Mark and Opposer's Goods.
29. The number or units of products sold under Opposer's Mark, and the dates and time periods of such sales before October 7, 2014.
30. Opposer's knowledge and/or awareness of Applicant's, Applicant's business activities, Applicant's Name and Mark, and Applicant's Goods and Services identified in the Notice of Opposition.
31. Information concerning Opposer's, officers, directors and related companies, and the nature of its business.
32. Judicial and administrative proceedings in any forum, including but not limited to federal court, state court, government agency, or consumer organization that involve, concern, or relate to Opposer's, Opposer's Goods, and/or Marvel, Lucasfilm and all other entities related to Disney.

## EXHIBIT E4

33. Information concerning Opposer and/or Opposer's employees, directors, officers, agents and related companies' filing trademark applications with the United States Patent and Trademark Office ("USPTO").
34. Opposer's relationship with any licensee and licensors.
35. Information concerning all trademark applications filed with the USPTO owned by Disney (including Marvel, LucasFilm, Miramax Films, Pixar Studios, Disney ABC, ABC Owned Television Stations, etc...), and any other entity owned, operated, or controlled by Disney, including but not limited to statements and signatures made in such applications, the marks covered by such applications, the goods and services covered by such applications, any alleged use or bona fide intent to use marks covered by such applications, and legal proceedings and settlements related to the foregoing.
36. Information concerning Disney's background on public domain works, films and trademark filings.

**CERTIFICATE OF  
SERVICE**

I certify that a true and accurate copy of the foregoing Notice of Deposition was served by first class mail, postage prepaid, on this 2nd<sup>day</sup> of June 2016, upon counsel for Applicant at the following address of record: Jason M. Joyal; 1919 M Street, N.W., Suite 610, Washington, D.C. 20036.

By: /Michael D. Stewart  
Michael D. Stewart, Esq.  
200 SE 1<sup>st</sup> St., Suite 7-1  
Miami, Florida 33131  
[ms@themiamilaw.com](mailto:ms@themiamilaw.com)  
305-590-8909  
Attorney for: EpicStone Group, Inc.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

DISNEY ENTERPRISES, INC.,  Opposer  v.  EPICSTONE GROUP, INC.,  Applicant.	Opposition No.: 91223796  Mark: THE MOANA Serial No.: 86416943 Filed: October 7, 2014
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The deposition will be taken before a Notary Public or another person qualified by law to administer oaths. The deposition(s) will continue from day-to-day until completed, and will be recorded. You are invited to attend and cross-examine.

Dated: 6/2/16

Respectfully submitted,

By: /Michael D. Stewart  
Michael D. Stewart, Esq.  
200 SE 1<sup>st</sup> St., Suite 7-1  
Miami, Florida 33131  
[ms@themiamilaw.com](mailto:ms@themiamilaw.com)  
305-590-8909  
Attorney for:  
EpicStone Group, Inc.

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By: /Michael D. Stewart  
Michael D. Stewart, Esq.  
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Miami, Florida 33131  
[ms@themiamilaw.com](mailto:ms@themiamilaw.com)  
305-590-8909  
Attorney for: EpicStone Group, Inc.

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**Ship To**  
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Item	Description	Quantity	End Date	Rate	Amount
Stickers Full Col...	Stickers Full Color laminated   8 sticker 3x6	1		15.00	15.00T
Stickers Full Color	Stickers full color   8 sticker 3x4	1		15.00	15.00T
Stickers Cut Full...	Vinyl Cut Foul Color 15 sticker 2x2	1		15.00	15.00T
Graphic Design ...	Graphic Design and Layout	1		20.00	20.00
	Sales Tax			7.00%	3.15

THE MOSNA

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Inv #: 000001  
Approved Online  
Total: 68.15  
11:49:12  
02/11/2015

**TERMS & CONDITIONS**  
1- 75% down payment required, and 25% final payment when job is completed.  
2- Goods and services sold are not returnable or refundable.  
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<b>Total</b>	\$68.15
<b>Payments/Credits</b>	-\$68.15
<b>Balance Due</b>	\$0.00

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 Jose Barreto

**SALES REP**  
 YACEL GLEZ

ACTIVITY	QTY	RATE	AMOUNT
<b>Sticker lam &amp; Cut Full Color</b> 8 Sticker 3x6 THE INDEPENDENCE DAY lam & Cut Full Color	1	15.00	15.00T
<b>Sticker lam &amp; Cut Full Color</b> 8 Sticker 2x7 BATTLE ANGEL lam & Cut Full Color	1	15.00	15.00T
<b>Sticker lam &amp; Cut Full Color</b> 16 Sticker 2x2 THE MOANA lam & Cut Full Color	1	15.00	15.00T

Customer Name \_\_\_\_\_

Signature Acceptance \_\_\_\_\_

SUBTOTAL 45.00  
 TAX (7%) 3.15  
 TOTAL 48.15  
 PAYMENT 48.15

**TOTAL DUE \$0.00**

XXXXXXXXXXXXXXXXXXXX  
 VISA  
 Total: \$ 48.15  
 10/21/15  
 Inv #: 0000083  
 Approval: Online  
 Entry Method: Shipped  
 13-04-08  
 Appro Code: 021012

Customer Copy  
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Jose Barreto

SHIP TO  
Jose Barreto

INVOICE 5594

DATE 12/07/2015 TERMS Net 15

DUE DATE 12/17/2015

	QTY	RATE	AMOUNT
Sticker lam & Cut Full Color 16 Sticker 2x2 THE MOANA lam & Cut Full Color	1	15.00	15.00T
Graphic Design and Layout MATCH COLOR - PINK -	1	20.00	20.00
<i>Customer Name</i> _____		SUBTOTAL	35.00
<i>Signature Acceptance</i> _____		TAX (7%)	1.05
		TOTAL	36.05
		PAYMENT	36.05
		<b>TOTAL DUE</b>	<b>\$36.00</b>

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Opposition No. 91223796  
Disney Enterprises, Inc. v. EpicStone Group, Inc.  
Deposition of EpicStone Group, Inc.  
Opposer's Deposition Exhibit No. 16





*The  
Moana*

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Moana*



**BATTLE ANGEL**

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**BATTLE ANGEL**

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DAY***

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DAY***

EXHIBIT F7

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MID: 5074 Store: 1119 Term: 0001  
REF#: 00000020  
Batch #: 024 RRN: 534821208060  
12/14/15 16:22:41  
Trans ID: 385348769615172  
APPR CODE: 014476  
VISA Chip  
\*\*\*\*\*0410 \*\*/\*\*

AMOUNT \$42.80

APPROVED

Visa Credit  
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TVR: 00 80 00 00 00

TURN IN

RAMCO ASIAMERICA IMPORT  
16500 NW 49TH AVE  
HIALEAH, FL 33014  
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01 CLERK01 000000  
4@ 1.50  
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1@ 1.00  
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DEPT. 14  
1@ 3.00  
DEPT. 14  
1@ 4.50  
DEPT. 14  
MDSE ST  
TAX1

ITEMS 520  
CASH \$88.81

(786) 399 2515  
SALES ARE FINAL  
NO RETURN NO EXCHANGE

RAMCO ASIAMERICA IMPORT EXPORT  
16500 NW 49TH AVE  
HIALEAH, FL 33014  
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Merchant ID: 878827004616617  
Record Num.: 0033

Sale

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Total: \$ 39.59  
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Inv#: 000033 Appr Code: 009003  
Apprvd: Online Batch#: 000005  
TRN Ref #: MPL0932YR1109

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01 CLERK01 000000

4@ 3.00  
DEPT 10  
6@ 1.00  
DEPT 10  
9@ 2.00  
DEPT 10  
2@ 0.50  
DEPT 10  
MDSE ST  
TAX1

ITEMS 210  
CASH \$39.59

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SALE

MID: 5074 Store: 1119 Term: 0001  
REF#: 00000007  
Batch #: 018 RRN: 534218400006  
12/08/15 13:05:21  
Trans ID: 465342651215280  
APPR CODE: 008579  
VISA Chip  
\*\*\*\*\*0410 \*\*/\*\*

AMOUNT \$88.81

APPROVED

Visa Credit  
AID: A0000000031010  
TVR: 00 80 00 80 00  
13:18 00

RAMCO ASIAMERICA IMPORT EXPORT  
16500 NW 49TH AVE  
HIALEAH, FL 33014  
7863992515

Merchant ID: 878827004616617  
Record Num.: 0004

Sale

XXXXXXXXXXXX0410 Exp: XX/XX  
VISA Entry: Swiped  
Total: \$ 28.89  
10/13/15 17:14  
Inv#: 000004 Appr Code: 013614  
Apprvd: Online Batch#: 000744  
TRN Ref #: 585286550349290  
Validation Code: 6KNB

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

---

DISNEY ENTERPRISE, INC.

Opposer

v

Opposition No: 9123796

Mark: THE MOANA

Serial No: 86416943

Filed: October 7, 2014

EPICSTONE GROUP, INC.

Applicant

---

AFFIDAVIT OF JOSE BARRETO

STATE OF FLORIDA

)

COUNTY OF MIAMI-DADE

)

SS.

BEFORE ME, the undersigned officer, duly authorized to take acknowledgments and administer oaths, personally appeared JOSE BARRETO, who, after having been first by me duly cautioned and sworn, upon oath states: That I, Jose Barreto have the capabilities, willingness, and ability to manufacture, license, and distribute the goods regarding my intent to use application based on my past experiences in creating, sales, and marketing. I have always been an entrepreneur with an objective state of mind;

Since as early as 1992, I have owned several CORPORATIONS; Advanced Pulmonary Home Care (company sold to investors), Advanced Compression Therapy (voluntary dissolved due to changes in the industry for the medical product), JB Universal Enterprises (voluntary dissolved



due to unfortunate family situations), LightStream Medical Supplies (had hundreds of sales also had a company catalog with over 10,000 medical products, company sold to investors), Epic Stone Group (current mailing address 1825 Ponce Deleon Blvd., #414, Coral Gables 33134), LaStar Capital Group (current and physical address 1800 W. 68<sup>th</sup> Street, Suite 118, Hialeah, FL 33014) , DBA's like Sports Memories (expired), Historic Moments (expired) Lightstone Group (current), Lightstream Partners (current). In 1995, I traveled to the City of Chicago and purchased the Chicago Bulls Locker from the old Chicago Stadium and created and manufactured a historic plaque "Remember the Roar". The locker purchased was cut in to 2000 pieces and then the pieces were manufactured to fit a limited edition lithograph and then marketed, distributed, and sold hundreds. The Historic plaque was place on consignment in the new Bulls Stadium. I have EBAY account with over 1,500 Positive feedbacks in which I have been selling goods since as early as 2001 (selling agreement). CURRENT WEBSITES; Duabilivingmagazine.com (lifestyle of Dubai), Brushybrush.com (current animation and blog in the nature of dental hygiene) , Worldresortsoflasvegas.com (promotional for city life and hotels), Dieforanewyear.com (promotional for screenplay). I produced a short Film titled "RITUAL", COPYRIGHT REGISTRATIONS; which includes Animation Characters with storyboard, screenplays, and a building design; BigBlue (building design) , BillytheBrush (animation, name change to Brushybrush.com, 60 seconds youtube clip, with dental blogs, and developed book marker for kids), Groom Lake (treatment "Lonely preteen brothers from a Midwestern family accidentally discover an alien family held hostage in a secret military base and try to free them"), Hellisian Alien (Animation, with storyboard), Joey the Manatee (Animation, with storyboard), Liability (treatment, "A general laborer files an exaggerated medical claim, but clumsy Private Investigators try to



disprove it” ), Liability synopsis (treatment), New Year’s (screenplay, A disgruntled cop discovers a terrorist plot to blow up Times Square on New Year’s Eve” ), New Year’s Eve (screenplay) , New York2000 (treatment), New York 2000 (2) (treatment), New York 2000 (3) (treatment), Webhead (Animation, with storyboard), Swoop (Animation, with storyboard), Video Cop (Animation), Historic Moments (Lithograph design). Provisional Patents “The Fringer”, and “Strollpen” REGISTERED STATE TRADEMARKS; Open House, Juiced, All World Miami Resorts & Spa (services), Orlando 2012 (clothing), Miami 2012 (clothing), Lincoln Road (clothing), Miami Is Wild (clothing), Courthouse Real Estate Properties (service), Ocean Drive (beach towels), Royal Trifecta (clothing), New York 2012 (clothing), New York, 2013 (clothing), New York 2015 (clothing). REGISTERED US TRADEMARKS; Dubai Living (Produced magazine, website), Dubai (produced magazine), The Independence Day (produced goods/ with sales), Battle Angel 009 (in 2006 commissioned game coder Ed Walker to design Video Game/ with sales), Battle Angel 028 (produced Action Figure with sales). US ITU’s Applications, 20,000, 000 Leagues Under the Sea (sketch, source identifier, business plan) Red Riding Hood (sketch, source identifier , Skully Island, (sketch, source identifier) , The Little Prince (sketch source identifier), Beast of Burden (sketch, source identifier, The Independence Day , The Moana (prototype doll, source identifier), The Million Dollar Man, The Billion Dollar Man (documentation), The Trillion Dollar Man Man, Resorts of Las Vegas (website): US ABANDON TRADEMARKS; Green Lantern (my application Opposed, I produced video game for 3 year olds (exhibit) and was in the process of creating walkie talkies until a successful and good faith agreement between both parties) exhibit, Davinci Bible Code Movie (over 150 formative filings with Davinci, abandon due to researching on trademarking film titles ), Apocalypto ( created a short documentary, I abandon due to researching the ability to trademark

a film title & successfully assigned after inter parties agreement), Neverland Ranch (abandon after respecting examine attorney decision on famous marks or places of famous people), The Scalped ( one formative mark filed, abandon due to shift in business venture , SpaceXOne ( mark was available for registration when I filed, I abandon due to shift in business venture), Norms of the North and South (My application was opposed, over 200 formative marks with the words “North & South” when I filed, created on paper a board game expression, my application was opposed, then abandon after a good faith successful agreement with inter parties), The ALF (my application was opposed, over 9 formative registered marks when I filed, Opposer made reference to ALF from Alien Productions in which its application was abandon when I filed, I had created sketch of elderly man to make a plush toy), GLAAM (abandon due to a shift in business venue), Grachi ( abandon due to a shift in business venue), The Ugly Betty (available for registration, created a doll, abandon due to successful inner party settlement), AREA 51 (created mold of a military base and duffle bags, abandon due prior registrations). All my filed trademark applications where for marks which were not registered in the class, the marks had formative filed marks registered, the marks were abandon, the marks were merely descriptive, the marks were geographic in nature, the marks were in the Public Domain, the marks were generic, and I believed the marks were not famous enough to receive market penetration due to other formative registrations already registered and upon information and belief that the marks were freely available for use by anyone with a bona-fide intent to use the mark like Disney does especially from the Puplic Domain. **See Exhibit, P**

1. On October 7, 2014, I, the Applicant EPICSTONE GROUP, INC. filed a Bona-Fide Intent Application No. 86416943 for THE MOANA covering goods in Class 28. The goods in my application are goods that I have an intent to use that are offered by my vendor RAMCO and

I knew before my filing date that RAMCO, carries over 4000 products including toys and playthings. Also my other vendor Jide Trading which has over 700 toys and playthings has allowed me to relabel their products with my brand. Also vendors KB Toys has over 700 toys and playthings, and Regent over 500 toys and playthings. (See exhibit A, Depo Pages 94-12:23, pp 79-80 12:10-11

2. On October 20, 2014, DISNEY ENTERPRISES, INC. (“Opposer”) issued its first Official Press Release to the public via Twitter stating that they were going to release a film entitled DISNEY MOANA ( follows the adventure of a Polynesian teenager).

3. Here we go again, for years, Disney Enterprises, have demonstrated a pattern of filing trademark applications based on book titles from the PUBLIC DOMAIN and monopolizing them moreover attacking whoever tries to also file a trademark based on Public Domain. Many of your classic DISNEY films were based on PUBLIC DOMAIN works. Much of the success of DISNEY Corporation is a result of building upon the great works of past authors (EXHIBIT). DISNEY’S empire was created in large part from the PUBLIC DOMAIN, and it has ensured that no other future competitors could not re-use their material by manipulating the PUBLIC DOMAIN system that they have taken advantage of so many years. Now again Disney builds on another great work from 1926 by Director Robert J Flaherty’s titled “MOANA” (follows adventures and customs of Polynesian people). See Exhibit B, C, O

## **DISNEY MOVIES BASED ON PUBLIC DOMAIN**

1. **The Adventures of Huck Finn** by Mark Twain (1885)

*Revenue = \$24.1 million (1993 film)*

**2. The Adventures of Tom Sawyer** by Mark Twain (1876)

*Revenue = \$23.9 million (1995 film **Tom and Huck**)*

**3. Aladdin** from a folk tale in One Thousand and One Nights (1706)

*Revenue = \$504 million (1992)*

**4. Alice in Wonderland** by Lewis Carroll (1865)

*Revenue = \$1.02 billion (2010 version) + \$?? original revenue unknown (1951)*

**5. Around the World in 80 Days** by Jules Verne (1873)

*Revenue = \$72.2 million (2004 film)*

**6. Atlantis** from the legend of Atlantis (originated as the Socratic Dialogues "Timaeus" & "Critias" by Plato ~360 BC.)

*Revenue = \$?? million (2001 film)*

**7. Beauty and the Beast** by G-S Barbot de Villeneuve (1755)

*Revenue = \$425 million (1991)*

**8. Bug's Life** from Aesop's Fables

*Revenue = \$363.4 million (1998)*

**9. Cinderella** from the Charles Perrault folk tale (Grimm's Fairy Tails) (1697)

*Revenue = \$85 million (1950)*

10. **Chicken Little** from the folk tale

*Revenue = \$314.4 million (2005)*

11. **Christmas Carol** from Charles Dickens (1843)

*Revenue = \$325.3 million (just 2009 film)*

12. **Fantasia** (1940) scored and based upon Bach, Tchaikovsky, Beethoven & other classical compositions (however, "The Rite Of Spring" was licensed in original film)

*Revenue = \$83.3 million (1940) (22nd highest-grossing film of all time as adjusted for inflation) + \$90.9 million (1999—**Fantasia 2000**)*

13. **Frozen** from Hans Christian Anderson's Ice Queen (1845)

*Revenue = \$810.3 million (2013)*

14. **Hercules** from the Greek myth

*Revenue = \$252.7 million (1997 film only)*

15. **In Search of the Castaways** based on Jules Verne novel (1868)

*Revenue = \$21.7 million (1962)*

16. **John Carter** based on **A Princess of Mars** by Edgar Rice Burroughs (1917)

*Revenue = \$284 million (2012)*

17. **The Jungle Book** by Rudyard Kipling (1894 copyright, movie released just one year after copyright expired)

*Revenue = \$205.8 million (1967—30th highest grossing film with inflation) + \$43 million (1994 live action version)*

**17 (A) The Jungle Book 2016**

18. **Kidnapped** by Robert Louis Stevenson (1886)

*Revenue = \$?? million (1960 film)*

19. **Little Mermaid** by Hans Christian Anderson (1837)

*Revenue = \$211.3 million (1989)*

20. **Lt. Robin Crusoe U.S.N.** (1966) based on **Robinson Crusoe** by Daniel Defoe (1719)

*Revenue = \$22.5 million*

21. **Mulan** (1998) from the Chinese Legend of Hua Mulan

*Revenue = \$304.3 million*

22. **Oliver & Company** based on **Oliver Twist** by Charles Dickens (1839)

*Revenue = \$74 million (1988)*

23. **Peter Pan** by J.M. Barrie (1904)

*Revenue = \$109.9 million (2002 sequel Return to Neverland) [When original 1953 film was made it seems like the book was still under copyright.]*

24. **Pinocchio** by Carlo Collodi (1883)

*Revenue = \$84.3 million (1940—39th highest grossing box office gross as adjusted for inflation)*

25. **Pocahontas** from the life and legend of Pocahontas

*Revenue = \$346 million (1995)*

26. **Princess and the Frog** from the Brothers Grimm folk tale The Frog Prince

*Revenue = \$267 million (2009)*

27. **Return to Oz** from L. Frank Baum's books

*Revenue = \$?? [1985 -When original Oz film made it was under copyright. Disney seems to have purchased rights to all the books. But when Return to Oz was made it had entered the public domain.]*

28. **Rob Roy the Highland Rogue** based on the **Rob Roy** by Sir Walter Scott (1817)

*Revenue = \$?? (1953)*

29. **Robin Hood** from the English folk tales

*Revenue = \$87 million (1973 film)*

30. **Sorcerer's Apprentice** from the poem by Johann Goethe (1797)

*Revenue = \$236.9 million (2010 film)*

31. **Snow White** from the Brothers Grimm folk tale (1857)

*Revenue = \$416 million (10th highest grossing film as adjusted for inflation)*

32. **Sleeping Beauty** from the Charles Perrault folk tale (1697) (also with music/characters from Tchaikovsky's 1890 ballet)

*Revenue = \$51.6 million (1959) (31st highest grossing film as adjusted for inflation)*

33. **Swiss Family Robinson** by Johann David Wyss (1812)

*Revenue = \$40 million (1960) (83d highest grossing film as adjusted)*

34. **Tangled** from the Brothers' Grimm fairy tale Rapunzel (1812)

*Revenue = \$591.8 million*

35. **Tarzan** from **Tarzan of the Apes** by Edgar Rice Burroughs (1914)

*Revenue = \$448.2 million (1999)*

36. **The Adventures of Ichabod and Mr. Toad** based on the **Legend of Sleepy Hollow** by Washington Irving (1820) and **Wind in the Willows** by Kenneth Grahame (1908)

*Revenue = \$?? (1949)*

37. **The Hunchback of Notre Dame** from Victor Hugo's Book (1831)

*Revenue = \$325.4 million (1996)*

38. **The Lion King** from Hamlet (1603) and a 1960s Japanese animated series called "Kimba the White Lion"

*Revenue = \$987.5 million (1994)*

39. **Three Musketeers** by Alexandre Dumas (1844)

*Revenue = \$53.9 million (just 1993 film)*

40. **The Reluctant Dragon** based on the story by Kenneth Grahame (1898).

*Revenue = \$?? (1941 )*

41. **The Sword in the Stone** from the Arthurian Legends

*Revenue = \$22.2 million (just 1963 film)*

42. **Treasure Island** and **Treasure Planet** based upon by Robert Louis Stevenson (1883)



*Revenue = \$109.6 million (Treasure Planet) + \$34.4 million (1996 Muppet Treasure Island) + \$?? (1950 Treasure Island)*

43. **20,000 Leagues Under the Sea** by Jules Verne (1870)

*Revenue = \$28.2 million (just 1954 film)*

44. **White Fang** by Jack London (1906)

*Revenue = \$34.8 million (just 1991 film) + \$8.8 million (1994 sequel)*

#### **DISNEY'S LIVE TRADEMARKS BASED ON PUBLIC DOMAIN WORKS**

Alice in Wonderland (Application No. 77978876)  
Beauty and the Beast (Application No. 76484026)  
Bug's Life (Application No. 75355663)  
Cinderella (Application No. 77130148)  
Chicken Little (Application No. 78977048)  
Little Mermaid (Application No. 85228264)  
Mulan (Application No. 75978699)  
Return to Neverland (Application No. 76360792)  
Pinocchio (Application No. 71295828)  
Pocahontas (Application No. 74565524)  
Snow White (Application No. 75544254)  
Sleeping Beauty (Application No. 75543891)  
Tangled (Application No. 77933839)  
Rapunzel (Application No. 77742671)  
The Jungle Book (Application No. 86828803)  
Treasure Planet (Application No. 76265760)  
Mr. Toad (Application No. 78305050)

There are also dead Trademark applications which I won't list here.

## **DISNEY'S TRADEMARK OPPOSITIONS BASED PUBLIC DOMAIN WORKS;**

(See, Disney Enterprise, Inc. v. BKN International AG, Opposition no. 91181048 Involving Application No. 78908171 for ALICE IN WONDERLAND (See, Disney Enterprise, Inc. v. Hunter, Opposition No. 91187114 Involving Application No. 78962014 for PINOCCHIO IN THE HOOD (See, Disney Enterprise, Inc. v. Heckenberg, Opposition No. 91204934 involving Application No. 85191238 for BAMBI ON ICE (See, Disney Enterprise, Inc. v. Guner, Opposition No. 91204272 involving Application No. 79075688 for BAMBI SINCE 1974(See, Disney Enterprise, Inc. v. Herman, Opposition No. 91222235 involving Application No. 86440461 for BEAUTY AND THE BEAST (See, Disney Enterprise, Inc. v. DQ Entertainment, Opposition No. 91211880 involving Application No. 85484419 for THE JUNGLE BOOK See, Disney Enterprise, Inc v. Puma, Opposition No. 91213654 involving Application No. 77625073 for PINOCCHIO See, Disney Enterprise, Inc. v. Lee, Opposition No. 91220003 involving Application No. 78440050 for LION KING See, Disney Enterprise, Inc. v. Theodorou, Opposition No. 91225945 involving Application No. 86547798 for ZOMBIE CINDERELLA See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc. involving Application No. 77645931 for LITTLE MERMAID(See, Disney Enterprise, Inc. v. BKN International, involving Application No. 77066699 for JUNGLE BOOK RIKI-TIKI-TAVI TO THE RESCUE (See, Disney Enterprise, Inc. v. American Blanching Company, involving Application No. 75543711 for WALT DISNEYS CINCERELLA (See, Disney Enterprise, Inc. v. Splash of Hollywood, involving Application No. 78697814 for BEAUTY WITHIN THE BEAST (See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc., involving Application No. 77736813 for JUNIOR ELF FAIRYTALE PRINCESS (See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc., involving Application No. 86533016 for TEEN TINKER BELL (See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc., involving Application No. 86078938 for TEENAGE PRINCESS (See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc., involving Application No. 86533005 TEEN SLEEPING BEAUTY (See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc., involving Application No. 86533005 TEEN PINOCCHIO (See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc., involving Application No. 86533022 TEEN SNOW WHITE (See, Disney Enterprise, Inc. v. United Trademark Holdings, Inc., involving Application No. 86533027 TEEN CINDERELLA (See, Disney Enterprise, Inc. v. Urban Asian Produce, LLC, involving Application No. 85600187 for MULAN (See, Disney Enterprise, Inc. v. Liberman, involving Application No. 85380348 for SLEEPIN BEAUTY (See, Disney Enterprise, Inc. v. Solmon, involving Application No. 86390789 for FAIRYTALE WEDDING (See, Disney Enterprise, Inc. v. Mclane, involving Application No. 86683349 for MULAN V BEAUTY (See, Disney Enterprise, Inc. v. Herman, involving Application No. 86440461 for BEAUTY AND THE BEAST (See, Disney Enterprise, Inc. v. Berg, involving Application No. 86208173 for CINDERELLA

See Ehibit, Forbes, Priceconomics, Oppositions

3. On November 13, 2014, (36 days after my application) Opposer filed nine (9) Bona-Fide Intent Applications for the mark DISNEY MOANA with over 400 products;

IC 016. US 002 005 022 023 029 037 038 050. G & S: Series of fiction books; graphic novels; comic books; children's activity books; picture books; calendars; greeting cards; posters; stationery; postcards; stickers; decals; art prints; crayons; markers; pencils; colored pencils; ball point pens; decorative paper centerpieces; gift wrapping paper; paper party decorations; printed invitations; trading cards; temporary tattoo transfers; paper napkins; plastic party bags

IC 024. US 042 050. G & S: Afghans; bath linen; bath towels; bed blankets; bed canopies; bed linen; bed sheets; bed skirts; bed spreads; blanket throws; calico; children's blankets; cloth coasters; cloth doilies; cloth flags; cloth pennants; comforters; crib bumpers; curtains; fabric flags; felt pennants; golf towels; hand towels; handkerchiefs; hooded towels; household linens; kitchen towels; pillow cases; pillow covers; plastic table covers; quilts; receiving blankets; silk blankets; table linen; textile napkins; textile place mats; textile tablecloths; throws; towels; washcloths; woolen blankets

IC 041. US 100 101 107. G & S: Presentation, distribution, and rental of motion picture films, television, and radio programs; providing websites featuring a variety of general interest entertainment information relating to motion picture films and television programs; providing online computer games

IC 020. US 002 013 022 025 032 050. G & S: Cushions; decorative glitter; decorative mobiles; figurines and statuettes made of plaster; figurines and statuettes made of plastic; figurines and statuettes made of wax; figurines and statuettes made of wood; flagpoles; furniture; gift package decorations made of plastic; hand fans; key fobs not of metal; mattresses; mirrors; non-Christmas ornaments made of plaster, plastic, wax or wood; party ornaments of plastic; picture frames; plastic banners; pillows; plastic flags; plastic cake decorations; plastic name badges; plastic novelty license plates; plastic pennants; plastic tissue box covers; sleeping bags; wind chimes;

IC 021. US 002 013 023 029 030 033 040 050. G & S: Bakeware; beverage ware; beverage glassware; bowls; brooms; busts of ceramic, crystal, china, terra cotta, earthenware, porcelain or glass; cake pans; cake molds; candle holders not of precious metal; candle snuffers; candlesticks; canteens; coasters not of paper and not being table linen; cookie jars; cookie cutters; cork screws; cups; decorating bags for confectioners; decorative crystal prisms; decorative glass not for building; decorative plates; dinnerware; dishes; figurines made of ceramic, china, crystal, earthenware, glass, or porcelain; hair brushes; hair combs; heat-insulated vessels; household containers for food and beverages; insulating sleeve holders for beverage containers; kettles; lunch boxes; lunch kits comprising lunch boxes and insulated beverage containers for domestic use; mugs; napkin holders; napkin rings not of precious metals; non-metallic trays for domestic purposes; pie pans; pie servers; plates; portable coolers; servingware for serving food; sports bottles sold empty; soap dishes; tea pots; tea sets; thermal insulated containers for food or beverage; toothbrushes; trivets; vacuum bottles; waste baskets; drinking straws; barbecue mitts; oven mitts; pot holders.

IC 018. US 001 002 003 022 041. G & S: All purpose carrying bags; all purpose sport bags; baby backpacks; backpacks; beach bags; book bags; calling card cases; coin purses; diaper bags; duffel bags; fanny packs; gym bags; handbags; knapsacks; key cases; leather key chains; luggage tags; luggage; overnight bags; purses; satchels; shopping bags made of leather, mesh or textile; tote bags; umbrellas; waist packs; wallets, all of the foregoing related to an animated film.

IC 030. US 046. G & S: Bakery goods; biscuits; breakfast cereals and preparations made from cereal, namely, ready to eat, cereal derived food bars; oatmeal; brownie and cake mixes; candy; cereal-based snack foods; confectionery chips for baking; chewing gum; cocoa; cookie mixes; corn chips; muffin bars; pancakes; pancake mixes and syrup; pies; popcorn; pretzels; puddings; rice; sugar and sugar substitutes; tortilla chips; waffles, all of the foregoing related to an animated film

IC 009. US 021 023 026 036 038. G & S: Apparatus for recording, transmission or reproduction of sound or images; pre-recorded optical and magneto-optical discs, CDs and DVDs all featuring music, stories, dramatic performances, non-dramatic performances, learning activities for children, and games; audio books featuring fiction; audio books featuring non-fiction; audio recordings featuring music, stories, dramatic performances, non-dramatic performances, learning activities for children, and games; downloadable ringtones and sound recordings featuring music and other sounds, all for wireless communications devices; audio and visual recordings featuring live-action entertainment, animated entertainment, music, stories, and games for children; musical recordings; video game software; computer game software; computer software featuring learning activities for children; encoded electronic chip cards containing musical recordings; computer hardware and

peripheral devices; mouse pads; wrist and arm rests for use with computers; calculators; electrical and optical cables; electronic personal organizers; personal digital assistants; camcorders; cameras; digital cameras; optical and magneto-optical disc players and recorders for audio, video and computer data; radios; television sets; audio speakers; headphones; earphones; walkie-talkies; pagers; telephones; videophones; headsets for cellular telephones; adapters for cellular telephones; batteries for cellular telephones; cellular telephone cases; face plates for cellular telephones; eyeglasses; sunglasses; eyeglass and sunglass cases; binoculars; decorative magnets; graduated rulers; microphones

IC 014. US 002 027 028 050. G & S: Clocks; jewelry; jewelry boxes; jewelry cases; key rings of precious metals; non-monetary coins; watches; watch bands.

4. Since 2010, Disney has allowed over 700 US Trademark applications to go Abandon or Cancelled. See Exhibit D

4. Due to Bad Faith intentions by the Opposer which will be discussed below they called off the Depositions of their client Disney after it was agreed by both attorneys and moreover a Subpoena was issued for the deposition of Jennifer Lewis for June 15, 2016 in Burbank, California. Ms. Lewis would have to answer the authenticity of Disney's Intent to Use Applications on over 400 products to see if they would even have standing to bring this motion based on Opposer's current state of ITU's.

4. Further, it is clear from the Tweet that was sent to the public on October 20, 2014 announcing the DISNEY MOANA film thirteen (13) days after my application was filed, that DISNEY either knew, or should have known, of my mark and quickly took actions to intimate a bona fide intent to use DISNEY MOANA.

5. Opposer's own discovery evidence shows that it did not develop any public recognition in its DISNEY MOANA trademark as it claims, but rather is using its own fame as a company in an attempt to subvert my rights in the THE MOANA trademark.

6. I, on the other hand I have been willing and able by taking significant concrete steps towards planning the use of “THE MOANA” mark both prior to filing and immediately thereafter, as indicated below. See Exhibit Depo pages 23 11:14-15, pp24 11:15-16, pp25 11:16-18, pp 27 11:19, pp28 11:20, pp 29 11:21, pp 30 11:22, pp35 11:27, pp37 11:29, pp 61 11:52-57, pp71 12:02, Page 111,

4 Q. Can you only buy the dolls by the 12:40

5 case? 12:40

6 A. No. I've purchased them individual, 12:40

7 you know. 12:40

8 Q. So was this the first time you 12:40

9 purchased those prototypes, this receipt? 12:40

10 A. No, no, no. 12:40

11 Remember, when I went to the Toy Fair 12:40

12 in New York City in 2015 I had already had The 12:40

13 Moana dolls in 2014, you know, so I bought them 12:40

14 before this.

8. For many years I have purchased toy products as prototypes from wholesale distributor Ramco Trading, Inc. RAMCO carries over 4000 thousands of products, including toys, clothing and household goods, and same products under different labels in a massive wholesale warehouse in Miami, FL. See Exhibit A , Depo pp 23 11:15, pp24 11:15-16, pp29 11:21, pp79,12:09-11, pp102-103 12:32-33, pp103 12:33, pp108 12:37-38, pp109 12:38, pp110 12:39, pp111 12:40 .

9. On November 9, 2013, prior to my THE MOANA filing date of October 7, 2014, I visited Ramco Trading and purchased several prototype toys, including different dolls, which I

would later describe in my deposition as the Prototype “THE MOANA” dolls, which I purchased for re-labeling with my “THE MOANA” mark and using this prototype as a source indicator. See Exhibit A pp 79-80 12:10, pp102 12:32, pp 111 12:40, pp103 12:33,

10. Prior to filing my application for THE MOANA I researched the USPTO whether the mark was available for use in Class 28 and though there were other MOANA-formative marks, none I believe would conflict with my filing. At that time there was no DISNEY MOANA applications.

11. On November 30, 2014, twenty-three days after filing “THE MOANA” application, I purchased a ticket to New York leaving on February 14, 2015, and returning on February 19, 2015 to attend the “Toy Fair 2015”.

12. Between December 2014 and January 2015, I researched different ways to package and label “THE MOANA” dolls and other products for test runs and promotions in view of the upcoming February 2015 Toy Fair.

13. On February 11, 2015, I commissioned a company called Graphic Design to create “THE MOANA” labels for my prototype “THE MOANA” doll. See **Exhibit A**, DEPO pp 24-25 11:16-17, pp 94-95 12:23-24, pp115 12:45, pp 116 12:45-46, pp117-118 12:46-47, pp 118-119 12:47-48, pp120 1249-50, pp121-123 1250-51

14. I went to the toy fair with the intention of discussing manufacturing and licensing of “THE MOANA”. I brought my THE MOANA prototype dolls with me to New York to make a test runs and made two sales of the dolls to street vendors named Souma and John. During discovery I sent Opposer original pictures of “THE MOANA” prototype dolls with original mega-data displayed on the vendors cart as they left the dolls on cart to promote the brand for me. Opposer has agreed that Photographs, Toy Fair Expo Tags, copies or receipts, Jide trading catalog, K Toyys and Regent Product webpages, Jide Trading invoices, Smart graphic invoice, Copy of Ramco receipts, Las Vegas Expo 2016, emails between Jose Barreto and Jide Trading OKK Toys documents are true. See Opposer exhibit 97-109.

15. On February 14, 2015, I registered at the New York Toy Fair under my DBA Lightstream Partners and received my name tag and “Exhibitor Toy Fair 2015 Guide”. The guide includes all workshops, exhibitors, and rules regulations. One of the rules strictly says “Unauthorized solicitation on the premises by non-exhibiting manufactures and /or suppliers is strictly prohibited”. See **Exhibit D,E**

16. Now aware of the strict policy for attendees I did not mention “THE MOANA” to any exhibitor but I did speak with Roger of EXTREME 3DPrinting concerning technology and the cost of manufacturing molds. (Exhibit)

16. I also spoke to Tim Davis from a business Development Company Intertek and Toy Safety SGS about what they are capable of providing for my business and products.

17. During the Toy Fair I attended workshops held by attorneys which spoke on inventions, manufacturing, and how to license my products. **See Exhibit G**

18. On April 15, of 2015, Opposer files "Request to Extend Time to Oppose" the mark "THE MOANA" and at that point I ceased marketing THE MOANA" Depo pp 49 11:41 .

19. On July 14, 2015, Opposer files "60 Day Request for Extension of Time to Oppose Upon Consent".

20. On September 14, 2015, Opposer files an Opposition against my "THE MOANA" mark.

21. However, during the fall of 2015 I registered as a buyer of toys and products with Jide Trading and OKKTOYS. I purchased products from Jide Trading and made an agreement with the company that I was allowed to label over 700 toy products with my own trademarks/brands which are included in my Intent to use Application. **See exhibit H, I**

20. Additionally, I also registered and attended the Toy Fair 2016 and sold more products in the street of New York.

21. With respect to the subject opposition, I want to take the deposition of the representative of Disney to show that they had no prior common law use analogous to the trademark use of the "Disney Moana" to even make a claim on my application. Also during a break in my May 17, 2016 deposition, I witnessed Attorney Michael D. Stewart and Attorney Linda McLeod



speaking, and I heard Linda McLeod say “for the Disney Deposition that Kelly IP’s Attorneys Jason and Kelly would be flying to California for Disney Deposition”.

22. I had wanted to take the deposition earlier but Opposer claimed that it was premature as their discovery was “ongoing”, even after my deposition when counsel for Opposer stated that it would be premature to hold Opposer’s deposition until after they had provided all of their written discovery and my attorney Michael D Stewart was a witness.

23. Opposer continued its bad faith practices by purposely summiting to my attorney my Deposition transcripts that they ordered in May 2016 from TSG Reporting with over 100 pages missing, 6,7,8, 16, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, through 56, 59 through 66, 71, 84 through 100, 102, 103, 110 through 120, 122 through 142, 144 through 165, 169, 170, 171, 180, 181, 183, through 218, 225 through 231, 234, 235, 236, 237- 243.

Why?

23. EpicStone Group Vs. Disney has another pending Opposition 91226096 ongoing in which. Discovery closes March 5, 2017.

22. Further, in Opposer’s Opposition number (4), “Disney claims since October 2013 there has been widespread media attention in national press, **EXPOSING MILLIONS** of consumers to the mark. Such extensive and repetitive media attention has had a substantial impact on the purchasing public, and has created an association in the minds of the potential purchasers between the MOANA mark.” is false and inaccurate. During Discovery Opposer provided all the

third party press releases which contain minimal amount of likes and comments by Disney fans moreover not even the general public. The evidence clearly shows the “DISNEY MOANA” mark not even in the subject heading of a few of those Press releases. Disney’s own evidence that provided to Applicant will show the mark together “DISNEY MOANA” had no substantial public recognition, did not establish purchasing power, did not become popularized, vested, had no market penetration, had no created unique users, was not consistent and continuous, and had no sufficient clarity and repetition to create the required identification by a substantial portion of the general public in a population of over 325 million people living in US, and moreover **EXPOSING MILLIONS** to the “Disney Moana” mark before my filing date of October 7, 2014. SEE Exhibit, J, K

23. I also recently discovered evidence (without Disney Deposition) that even after Opposer claimed it had a bona fide intention to use DISNEY MOANA, it was still considering a name change to either “Spirited”, “Polenesian Princess”, or had board meeting to discuss different titles in the same way that they had changed their other film titles “Snow Queen” to “Frozen”, and “Rupenzel” to “Tangled”, See Exhibit .

25. Other recently discovered documents from CineEurope 2015, Disney’s Executive Lee Jury says “Moana is a tentative title”. Again we have to question the authenticity of Disney ITU applications and if it did or not have a bona fide intent to use DISNEY MOANA because evidence of the possibility of a title change due to the bad publicity of a famous pornographic

star named MOANA POZZI, and for this reason Opposer considered changing the name and a Deposition will seek those facts. SEE Exhibit, L

23. On June 2, 2016, we agreed with Opposer on a date for the deposition to be held on June 15, 2016, in Burbank, California.

23. I purchased plane tickets for my lawyer, rental car, hotel room, booked a court reporter, a deposition location, and spent countless hours and days researching and assisting my attorney For the deposition that Disney in good faith agreed upon via email's with Opposer's counsel. (exhibit) ticket, hotel

24. During my Deposition Opposer's Counsel seemed to mock and smile when I mentioned the fact that I have a storage shed where I keep my products but I guess she failed to remember that Walt Disney began his movie studio in a shed in a back yard. See Exhibit, M

It is only fair that the board allows me to compel for a discovery deposition to continue fact finding. I pray that I have shown enough material and genuine evidence and proven concrete plans of action to support my bona-fide intent of THE MOANA mark and allow for this case to go to trial.



**EXHIBIT A0**

Rough Draft

Page 1

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           J O S E   B A R R E T O,           called as a  
3           witness, having been duly sworn by the                   10:45  
4           Notary Public, was examined and testified as               10:45  
5           follows:   10:45

6           EXAMINATION BY    10:45

7           MS. McLEOD:   10:45

8           Q.        Can you state your name, please.               10:52

9           A.        Jose Barreto.                                    10:52

10          Q.        Can you spell that for the record.             10:52

11          A.        J-o-s-e, B as in boy, a-r-r-e-t-o.             10:52

12          Q.        Can you state your address.                   10:52

13          A.        8201 Southwest 13th Terrace, Miami,  
14          Florida, 33144.    10:52

15          Q.        Do you have any other mailing                 10:52  
16          addresses?    10:52

17          A.        I have a -- yes. My corporation, 1825         10:52  
18          Ponce de Leon Boulevard, suite -- I mean just           10:52  
19          the number 414, Coral Gables, Florida, 33134, I         10:52  
20          believe.   10:52

21          Q.        Is that a mailing address or a                 10:52  
22          physical office location?                                 10:52

23          A.        It's a store where it handles my mail         10:52  
24          for my corporation.                                        10:52

25          Q.        Like a UPS store?                                 10:52

# EXHIBIT A1

Rough Draft

Page 2

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     Yeah, you're correct. Uh-huh.           10:52

3           Q.     Have you been deposed before?           10:52

4           A.     Yes.           10:52

5           Q.     When were you deposed?           10:52

6           A.     A couple of years ago.           10:53

7           Q.     What was the case that you were           10:53

8           deposed in?           10:53

9           A.     It was a personal injury claim.           10:53

10          Q.     Have you been deposed in any other           10:53

11          cases?           10:53

12          A.     No.           10:53

13          Q.     I just want to remind you to say           10:53

14          audible answers so the court reporter can take           10:53

15          them down clearly. And you can take a break           10:53

16          when you want --           10:53

17          A.     Okay.           10:53

18          Q.     -- just let the court reporter or           10:53

19          attorney know.           10:53

20                   And are you feeling well today?           10:53

21          A.     Yes.           10:53

22          Q.     Are you taking any medications or           10:53

23          anything that might interfere with your           10:53

24          testimony?           10:53

25          A.     No.           10:53

**EXHIBIT A2**

Rough Draft

Page 3

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     If I ask you a question and you don't           10:53

3 understand it, please feel free to ask me for a           10:53

4 clarification.           10:53

5           A.     Okay.           10:53

6                     (WHOSE                     Exhibits           10:53

7 NO                     , DESCR                     marked for           10:53

8 identification, as of this date.)           10:53

9           Q.     I'm going to hand you what's marked as           10:53

10 Exhibit 1.           10:53

11                     Have you seen these documents before?           10:53

12                     (Witness looks at document.)           10:53

13           A.     Yes.           10:53

14           Q.     These are the notices of deposition           10:53

15 that we served on your counsel, Mr. Stewart.           10:53

16                     I believe we have a stipulation that           10:54

17 he'll testify concurrently in his individual           10:54

18 capacity and then as the owner/officer of           10:54

19 EpicStone; is that right?           10:54

20           A.     Sure.           10:54

21           Q.     What did you do to prepare for the           10:54

22 deposition today?           10:54

23           A.     I just put a couple of folders           10:54

24 together here so I could -- just in case you           10:54

25 asked me questions I could go back and -- you           10:54

**EXHIBIT A3**

Rough Draft

Page 4

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           know, go back to my discovery stuff so I can           10:54

3           remember correctly.           10:54

4           Q.       Are these all the documents that you           10:54

5           looked at, did you produce all those in this           10:54

6           case already?           10:54

7           A.       I would have to think about it a           10:54

8           little bit because it's a lot of documents.           10:54

9           Q.       Can you think of any documents right           10:54

10          now that you did not produce?           10:54

11          A.       Give me 60 seconds so I can just           10:55

12          recollect here.           10:55

13          Q.       Okay.           10:55

14                   (Witness looks at document.)           10:55

15          A.       My trademarks. I mean I don't think           10:55

16          I've produced any of my -- my Facebook history,           10:55

17          my state trademarks, my domains, my uspto.gov           10:55

18          trademarks. Extra information from the Toy Fair           10:55

19          in 2016.           10:55

20                   There might be more Moana porn videos           10:55

21          that I discovered. And more Moana books that I           10:56

22          discovered recently. And more eBay Moana items           10:56

23          on eBay that I discovered lately, I believe in           10:56

24          the last couple of days that I researched.           10:56

25                   MS. McLEOD: Well, to the extent those           10:56



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           are responsive to our discovery we're going           10:56

3           to ask you to serve a copy on us so that we           10:56

4           can have a full opportunity to look at those           10:56

5           things.           10:56

6                       THE WITNESS:    Sure.           10:56

7           Q.        So did you meet with anyone in           10:56

8           preparation for your deposition today?           10:56

9           A.        I went by Michael's office yesterday.           10:56

10          Q.        And how long did you meet?           10:56

11          A.        I would say 30 minutes, 40 minutes.           10:56

12          We had some lunch.           10:56

13          Q.        So I want to get into your background           10:56

14          a little bit.           10:56

15          A.        Okay.           10:56

16          Q.        Do you have a bachelor's degree or a           10:56

17          college degree?           10:56

18          A.        No.           10:56

19          Q.        No.           10:56

20                       Did you attend any university?           10:56

21          A.        No.           10:56

22          Q.        Where are you currently employed?           10:56

23          A.        I work for the division of Homeland           10:56

24          Security, Miami International Airport.           10:56

25          Q.        How long have you worked there?           10:57

**EXHIBIT A5**

Rough Draft

Page 6

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     I've worked there since 2002.                   10:57

3           Q.     Have you worked anywhere else?               10:57

4           A.     I have a real estate license with Icon         10:57

5     Real Estate Consultants.                                   10:57

6           Q.     For what company is that do you work?       10:57

7           A.     It's called Icon Real Estate                   10:57

8     Consultants.   10:57

9           Q.     Is that your company or --                   10:57

10          A.     No, no, no, no, it's with a legal             10:57

11     firm. They have a real estate business here for         10:57

12     many years.   10:57

13          Q.     So what are your responsibilities at           10:57

14     the Homeland Security?                                     10:57

15          A.     I was a supervisor for 12 years. My            10:57

16     responsibilities was to make sure that no                 10:57

17     prohibited item got on aircrafts and the flying         10:57

18     public was safe on the airplane.                           10:57

19          Q.     Where were you employed before that?         10:57

20          A.     Before that I worked for -- I worked           10:57

21     for mobile homes, selling mobile homes, like I            10:57

22     would say 15 years ago. Selling mobile homes,             10:57

23     and before that I worked for Dade County                   10:57

24     Aviation Department.                                       10:57

25          Q.     Have you ever worked for a film                10:57

# EXHIBIT A6

Rough Draft

Page 7

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*  
2 company? 10:58  
3 A. No. 10:58  
4 Q. Have you ever worked for a toy 10:58  
5 manufacturer? 10:58  
6 A. No. 10:58  
7 Q. Have you ever worked for a toy 10:58  
8 wholesaler? 10:58  
9 A. No. 10:58  
10 Q. Have you ever worked for a toy design 10:58  
11 company? 10:58  
12 A. No. 10:58  
13 Q. You mentioned a Post Office box for 10:58  
14 your businesses, is that EpicStone? 10:58  
15 A. Yes. EpicStone and my name -- and my 10:58  
16 personal Jose Barreto. And I think my two 10:58  
17 d/b/a's, which is... 10:58  
18 (Witness looks at document.) 10:58  
19 A. Lightstone. Yeah, Lightstone Group 10:58  
20 and Lightstream Partners also have those P.O. 10:58  
21 boxes. 10:58  
22 And I have another corporation called 10:58  
23 LaStar Capital Group. And their address is 1800 10:59  
24 West 68th Street, Suite 118, Hialeah Florida, 10:59  
25 33014. 10:59

**EXHIBIT A7**

Rough Draft

Page 8

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     Are you the sole owner of all those           10:59

3           companies you just listed?                           10:59

4           A.     Yes.   10:59

5           Q.     Do you have any employees for               10:59

6           EpicStone?   10:59

7           A.     No.   10:59

8           Q.     What about the other companies, any           10:59

9           employees?   10:59

10          A.     No.   10:59

11          Q.     Is EpicStone a registered Florida           10:59

12          company?   10:59

13          A.     Yes.   10:59

14          Q.     Did you file those papers yourself?           10:59

15          A.     No.   10:59

16          Q.     Who filed them for you?                     10:59

17          A.     My accountant, Albert Corey,.               10:59

18          Q.     When was EpicStone formed?                 10:59

19          A.     2014.   Approximately 2014, beginning       10:59

20          of 2014 -- or 2013 because I reported the taxes,   10:59

21          so...   10:59

22                               (Witness looks at document.)   10:59

23          A.     Albert Corey, by the way, is the one           10:59

24          that registered.  He's an accountant and he is       11:00

25          a...   11:00

1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	Q. Is Lightstone a registered Florida	11:00
3	company?	11:00
4	A. No, it's a fictitious name doing	11:00
5	business as.	11:00
6	Q. Lasiter (sic) Corporation?	11:00
7	A. LaStar is a corporation, yeah.	11:00
8	Lightstone Group is a fictitious	11:00
9	name -- Lightstream Partners is a fictitious	11:00
10	name, owner is Lightstone Group.	11:00
11	Q. Did you file the corporate papers for	11:00
12	Lightstone and Lightstream, was that d/b/a	11:00
13	papers?	11:00
14	A. I believe I did those, yes.	11:01
15	Q. You mentioned tax returns that you	11:01
16	filed for EpicStone.	11:01
17	How many years have you filed tax	11:01
18	returns?	11:01
19	A. Annual -- I believe 2014, 2015, and...	11:01
20	(Witness looks at document.)	11:01
21	A. Wait a second.	11:01
22	Correction, I believe I opened the	11:01
23	corporation in 2010 or '11 because I have annual	11:01
24	reports dating back to then. So I would assume	11:01
25	I filed taxes every year. So, you know, 2011,	11:01

**EXHIBIT A9**

Rough Draft

Page 10

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2       '12, '13, '14, '15, and obviously not yet '16.           11:01

3           Q.     And do you file those taxes as a           11:01

4       separate corporate tax filing?           11:01

5           A.     Yes.           11:01

6           Q.     Can you tell me the amounts that you           11:01

7       have declared on there for income for EpicStone.   11:01

8           A.     I can't remember. I can't recall.           11:01

9           Q.     So you can't recall for 2010?           11:01

10          A.     (Shaking head.)           11:01

11          Q.     2014?           11:01

12          A.     Under 100,000, yeah.           11:02

13          Q.     So for 2015, that's pretty recent, was   11:02

14       it 10,000, 5,000?           11:02

15          A.     There might have been loss, not gain.   11:02

16          Q.     Oh, okay.           11:02

17          A.     It might have been a loss, not gain,   11:02

18       yeah.           11:02

19          Q.     So you don't remember last years,   11:02

20       whether it was a loss or gain?           11:02

21          A.     No.           11:02

22          Q.     Did you prepare those yourself?       11:02

23          A.     Albert did.           11:02

24          Q.     Albert?           11:02

25          A.     Albert Corey, accountant.           11:02

# EXHIBIT A10

Rough Draft

Page 11

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     How do you spell his name again?           11:02

3                     (Witness looks at document.)           11:02

4           A.     A-l-b-e-r-t, Corey is C-o-r-e-y.           11:02

5           Q.     What about 2014, do you remember what       11:02

6     your tax income might have been filed for that       11:02

7     year?   11:02

8           A.     I can't remember.                           11:02

9           Q.     Do you think it was a lot?                   11:02

10          A.     I can't remember whether it was a loss       11:03

11     or a gain. I don't know.                               11:03

12          Q.     What about for Lightstream and             11:03

13     Lightstone, do you --                                   11:03

14                     That's a d/b/a, right?                   11:03

15          A.     Yes, d/b/a.                                   11:03

16          Q.     So are you required to file tax papers       11:03

17     for those?   11:03

18          A.     No.   11:03

19          Q.     Did you have any income for the past       11:03

20     five years under Lightstream?                           11:03

21          A.     No.   11:03

22          Q.     What about Lightstone?                       11:03

23          A.     No.   11:03

24          Q.     Any income for the last five years?       11:03

25          A.     No.   11:03



# EXHIBIT A11

Rough Draft

Page 12

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     Did you have any income under LaStar           11:03

3           for the last five years or since it's been           11:03

4           created?   11:03

5           A.     Yes.   11:03

6           Q.     What income have you had?                   11:03

7           A.     The amount?                                    11:03

8           Q.     Yes.   11:03

9           A.     Probably --                                    11:03

10          Q.     For 2015 what was your income for the       11:03

11          LaStar company?                                    11:03

12                           (Witness looks at document.)       11:03

13          A.     2015 and 2016...                            11:04

14                           (Witness looks at document.)       11:04

15          A.     I can't remember if it was a gain or a       11:04

16          loss.   11:04

17          Q.     Okay.                                        11:04

18          A.     I'm going to provide it for you, but I       11:04

19          don't have that information right now with me.       11:04

20          Q.     Okay.    So does EpicStone have a Web       11:04

21          site?   11:04

22          A.     No.   11:04

23                           A domain, but no Web site.       11:04

24          Q.     Is the domain operational?                 11:04

25          A.     No.   11:04

# EXHIBIT A12

Rough Draft

Page 13

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     There's no content on the domain?           11:04

3           A.     No.   11:04

4           Q.     Does EpicStone have any social media       11:04

5           accounts?   11:04

6           A.     No.   11:04

7           Q.     No Facebook?                               11:04

8           A.     No.   11:04

9           Q.     No LinkedIn?                               11:04

10          A.     No.   11:04

11          Q.     No Instagram?                             11:04

12          A.     No.   11:05

13          Q.     Do you personally have a social media     11:05

14          account?   11:05

15          A.     Yes.   11:05

16          Q.     What accounts do you have?               11:05

17          A.     Facebook, LinkedIn.                       11:05

18                   I can't pronounce it, but you know       11:05

19          what I'm talking about, right?                   11:05

20                   I joined once Twitter and I just don't     11:05

21          know that it was still active. I mean I haven't   11:05

22          been on it for -- so I don't know that it's       11:05

23          still active or not. I don't know that I           11:05

24          deleted those, you know...                       11:05

25          Q.     What's your Facebook user name?           11:05

# EXHIBIT A13

Rough Draft

Page 14

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. Carnegie 44. 11:05

3 Wait, wait, that's my -- yeah, user 11:05

4 name. I think it's Carnegie 44, I believe. 11:05

5 Q. So you don't use your real name, Jose? 11:05

6 A. No. 11:05

7 I mean to log -- I mean I log on it's 11:06

8 already there. So I think it's -- my user ID is 11:06

9 Carnegie. 11:06

10 Q. So if I searched Carnegie 44 I would 11:06

11 come up with your profile? 11:06

12 A. Probably, yeah. I believe so. 11:06

13 I mean I've got my whole history here. 11:06

14 You guys -- I've got some Facebook, if you need 11:06

15 to see that. 11:06

16 Q. And did you produce that? 11:06

17 A. Yes. Yes. 11:06

18 Q. You produced your Facebook? 11:06

19 A. Yes. 11:06

20 So when Michael -- there was some 11:06

21 discovery I believe that Disney sent on Facebook 11:06

22 and -- 11:06

23 Q. I don't remember getting any, but if 11:06

24 we didn't we'll ask for that. 11:06

25 A. Oh, yeah. I have it here for you, 11:06

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           what you sent. 11:06

3                   And then I went ahead and -- it looks 11:06  
4           like you -- they picked and chose what they 11:06  
5           wanted a screenshot. But I went ahead and went 11:06  
6           through the whole year, 2011 and 2012, and I 11:06  
7           printed everything that you guys didn't print 11:06  
8           for you. So you can have that if you need it. 11:06

9           Q.        So we served on you some screenshots. 11:06  
10                   Was that your Facebook page? 11:06

11           A.        Yeah, that's mine. 11:06

12           Q.        So there were more pages? 11:06

13           A.        Oh, yeah. 11:06

14                   I went ahead since you only printed 11:06  
15           like maybe ten screenshots, I went ahead and 11:07  
16           printed everything that was there in 2011, 2012 11:07  
17           for you guys. 11:07

18           Q.        So I'll produce that for us later? 11:07

19           A.        Oh, absolutely, yeah. 11:07

20           Q.        Okay. Great. 11:07

21                   I want to go back to EpicStone's 11:07  
22           finances. 11:07

23                   How is EpicStone capitalized? 11:07

24           A.        With my personal income. 11:07

25           Q.        Does EpicStone have any separate bank 11:07

**EXHIBIT A15**

Rough Draft

1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	accounts?	11:07
3	A. No.	11:07
4	Q. So you just operate the business with	11:07
5	your own personal money?	11:07
6	A. Sure. Uh-huh.	11:07
7	Q. When did you select The Moana mark	11:07
8	that you applied for?	11:08
9	A. I believe it was October 7th or 14th.	11:08
10	Hold on one second.	11:08
11	(Witness looks at document.)	11:08
12	A. I think it was my filing date, which	11:08
13	was October 7, 2014.	11:08
14	Q. What are you looking at right now?	11:08
15	A. I'm looking at Moana formative marks.	11:08
16	And I thought I had put my name on --	11:08
17	one second.	11:08
18	Yeah, here.	11:08
19	(Witness looks at document.)	11:08
20	A. I put it somewhere.	11:08
21	Q. Can you please keep those papers	11:08
22	closed so that we can test your knowledge	11:08
23	without looking at all the documents unless I	11:08
24	ask you about that.	11:08
25	Is that all right?	11:08

**EXHIBIT A15**

# EXHIBIT A16

Rough Draft

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1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. Fine. Yeah. That's fine. 11:08

3 Q. I need to be able to test your 11:08

4 knowledge without you looking at -- 11:08

5 A. Sure. Sure. 11:08

6 Does that mean you're asking me 11:08

7 specific dates and -- 11:08

8 Q. Sure. If we need to refresh your 11:08

9 recollection, we will. But why don't you let me 11:08

10 introduce that if possible. 11:08

11 A. Okay. Sure. 11:08

12 Q. You think you selected Moana mark 11:08

13 around October 7th, your filing date, 2014, 11:08

14 right? 11:09

15 A. Right. 11:09

16 Q. And did you conduct a search for the 11:09

17 mark? 11:09

18 A. Absolutely. 11:09

19 Q. Did you print out a search result on 11:09

20 October 7th? 11:09

21 A. No, I don't believe so. 11:09

22 Q. What did you search? 11:09

23 A. I searched the uspto.gov and I made 11:09

24 sure The Moana mark was available for 11:09

25 registration, and it was. 11:09

**EXHIBIT A17**

Rough Draft

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     You filed it on the very same day as           11:09  
3     the search?   11:09

4           A.     Yes.   11:09

5           Q.     What were the reasons you chose to           11:09  
6     select The Moana mark?                                       11:09

7           A.     Well, I believe that it's a very           11:09  
8     clever name. I remember -- I am a boater and           11:09  
9     I've seen that name on a boat. I can't remember       11:09  
10    when, but it's a very nice name and I thought       11:09  
11    that I should -- I could register it.                   11:09

12          Q.     Do you know if Moana has any meaning?       11:09

13          A.     It means ocean.                                 11:09

14          Q.     When did you know about that meaning,       11:09  
15    before you filed your application?                       11:09

16          A.     I have known about The Moana.                 11:09

17          Q.     Do you speak Hawaiian?                       11:09

18          A.     No.    11:10

19          Q.     Did you know about Disney's Moana film       11:10  
20    before you selected your mark?                           11:10

21          A.     No, but I heard about Disney opening       11:10  
22    up a store in Ala Moana a couple of years ago.           11:10  
23    I remember reading that on social media                11:10  
24    somewhere. I can't remember where. It was on           11:10  
25    Yahoo or something.   11:10



# EXHIBIT A18

Rough Draft

Page 19

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 Q. So you never heard of Disney's 11:10  
3 upcoming film Moana before you filed your 11:10  
4 application? 11:10

5 A. Not to my recollection. 11:10

6 Q. Had you seen any artwork or character 11:10  
7 designs for the film before you filed your 11:10  
8 application? 11:10

9 A. Not to my recollection. 11:10

10 Q. Have you ever attended any Disney 11:10  
11 conferences, like D23, which is a fan club? 11:10

12 A. No. 11:10

13 Q. Are you a member of any Disney fan 11:10  
14 club? 11:10

15 A. Nope. 11:10

16 Q. Have you ever read any Disney Tweets 11:10  
17 about Moana? 11:10

18 A. Nope. 11:10

19 Well, please, you know, say the date 11:10  
20 or just in general? 11:10

21 I mean -- 11:10

22 Q. Before you filed your application have 11:10  
23 you seen any Tweets about Disney? 11:10

24 A. No. 11:10

25 Q. Have you ever visited any Disney Web 11:11

**EXHIBIT A19**

Rough Draft

Page 20

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           sites to look for The Moana mark before you           11:11

3           filed your application?           11:11

4           A.     I don't recall that, no.           11:11

5           Q.     Did you do any investigations aside           11:11

6           from your initial trademark search before you           11:11

7           filed your application for Moana on October 7th,           11:11

8           2014?           11:11

9           A.     Yes. I checked the uspto.gov and I           11:11

10          saw a lot of Moana marks registered.           11:11

11          Q.     Did you search anything else?           11:11

12          A.     I don't recall, no.           11:11

13          Q.     Before you filed your application did           11:11

14          you read any articles about Disney's Moana film           11:11

15          from Huffington Post?           11:11

16          A.     No.           11:11

17                    I remember the Disney store opening up           11:11

18          a Disney store in Ala Moana a couple of years           11:11

19          ago, but I can't remember that date. It was           11:11

20          several -- a couple of years ago.           11:11

21          Q.     Do you subscribe to any entertainment           11:12

22          publications?           11:12

23          A.     Nope.           11:12

24          Q.     Do you ever read any entertainment           11:12

25          publications on line?           11:12

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. Well, you know, once you get off I 11:12  
3 read the DRUDGE report, Yahoo, you know, and 11:12  
4 then whatever is on there, you know. I don't 11:12  
5 subscribe, I don't have no subscription to 11:12  
6 anything. 11:12

7 Q. Do you follow any Disney social media, 11:12  
8 like through Facebook, or Twitter, or... 11:12

9 A. Well, I've liked some stuff -- some 11:12  
10 Disney that they -- I've seen it on Facebook and 11:12  
11 I just liked it. 11:12

12 Q. What did you like? 11:12

13 A. I liked -- as a matter of fact there 11:12  
14 is the information that you guys posted there, 11:12  
15 but it was Walt Disney, with a picture of him 11:12  
16 showing EPCOT Center and a biography of Disney 11:12  
17 that was on -- on -- you know, showing on CNBC, 11:12  
18 and some other motivational quotes I believe 11:13  
19 from Disney himself. 11:13

20 Q. Is it fair to say you're a Disney fan? 11:13

21 A. I'm a Walt Disney fan. I like the 11:13  
22 man's creativity. 11:13

23 Q. So have you followed any Pixar social 11:13  
24 media or Marvel social media? 11:13

25 A. I bought a hat once called Pixar, and 11:13

# EXHIBIT A21

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           I probably liked on my Facebook page some Pixar,           11:13

3           some -- I don't know what it was.                           11:13

4           Q.       How about Marvel?                                   11:13

5           A.       I've seen a couple of movies of                   11:13

6           Marvel.   11:13

7           Q.       What Marvel movies have you seen?               11:13

8           A.       Oh, I've seen Spiderman, Captain               11:13

9           America, a few others.                                       11:13

10                           Ultron.   11:13

11                           Is that Marvel?   11:13

12                           Apoc -- Ultra, Marvel.   Some others I                       11:13

13           can't remember now.                                       11:14

14           Q.       So you filed a trademark application           11:14

15           on October 7th, 2014; is that right?                       11:14

16           A.       Yes.   11:14

17           Q.       And that is in Class 28?                           11:14

18           A.       Yes.   11:14

19           Q.       And that covers toys?                           11:14

20           A.       Toys and a bunch of other stuff.               11:14

21           Q.       Has EpicStone sold any toys under the           11:14

22           Moana mark to date?                                       11:14

23           A.       Yes.   11:14

24           Q.       What toys?                                       11:14

25           A.       I sold a doll in New York City in               11:14



# EXHIBIT A23

Rough Draft

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1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	A. Yeah.	11:15
3	Q. You produced that?	11:15
4	A. Sure.	11:15
5	Q. You bought from Ramco two dolls; is	11:15
6	that right, or one doll?	11:15
7	A. No, I bought a few dolls.	11:15
8	Q. How many?	11:15
9	A. I would say probably I purchased a	11:15
10	case, which probably includes maybe 30, 40 --	11:15
11	30, 40 dolls. Uh-huh.	11:16
12	Q. And you produced the receipt for that;	11:16
13	is that right?	11:16
14	A. I think I produced it in discovery.	11:16
15	If not, I can give you the receipt. It might be	11:16
16	in one of these stacks here.	11:16
17	Q. So you didn't design these dolls,	11:16
18	right?	11:16
19	A. No.	11:16
20	Q. And you didn't participate in their --	11:16
21	the way they look?	11:16
22	A. No.	11:16
23	Q. And you didn't design the packaging	11:16
24	for the dolls?	11:16
25	A. I did design the actual label. Not	11:16

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 the packaging, the label. 11:16

3 Q. You designed the label or did you work 11:16  
4 with someone? 11:16

5 A. Well, I commissioned somebody to 11:16  
6 create the label. 11:16

7 Q. When did you commission -- 11:16  
8 Who did you commission to create the 11:16  
9 label? 11:16

10 A. I think they're called Graphic Design, 11:16  
11 Graphic Designer. 11:16

12 Q. And when did you commission the label? 11:16

13 A. I believe it was late in 2014, because 11:17  
14 I know I was going to the Toy Fair 2015. So I 11:17  
15 wanted to have my Moana product with a label for 11:17  
16 the show. So it could have been early January 11:17  
17 2015 or late December 2014. 11:17

18 Q. So who did you sell the one or two 11:17  
19 prototype dolls to? 11:17

20 A. I went around the street vendors in 11:17  
21 Times Square, you know, and approaching them and 11:17  
22 trying to sell it to them. 11:17

23 Q. What did you say to them? 11:17

24 A. This is a new product that I'm 11:17  
25 launching, you know. They went ahead and gave 11:17

# EXHIBIT A25

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           me -- you know, bought it. I don't know if it           11:17

3           was to help, but they bought it.           11:17

4           Q.       How much did they pay for your dolls?           11:17

5           A.       I think it was -- I would say two or           11:18

6           three bucks, because I sold other things with           11:18

7           it, like a little package.           11:18

8           Q.       What else did you sell with it?           11:18

9           A.       I believe I sold another product, two           11:18

10          other products.           11:18

11          Q.       With The Moana mark on it?           11:18

12          A.       No, not with The Moana.           11:18

13          Q.       What mark was on it?           11:18

14          A.       It was Independence Day.           11:18

15          Q.       And what was the product?           11:18

16          A.       Action figures.           11:18

17          Q.       And what did they look like?           11:18

18          A.       Just little Army, military.           11:18

19          Q.       Do you know the name of the street           11:18

20          vendor that you sold the doll to?           11:18

21          A.       I think -- I put it on the receipt           11:18

22          there. You have the receipt. I think it was           11:18

23          Summa or Zumma ^SP.           11:18

24          Q.       You said it was one doll to this Zumma           11:18

25          guy?           11:18



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     It was -- I can tell you it was --           11:18  
3     in 2015 it was like zero degree temperatures in           11:18  
4     New York City. I was very cold, so I can't           11:18  
5     remember at that moment. But it could have been           11:19  
6     one or two dolls, so...           11:19

7           Q.     Can you describe what the doll looked           11:19  
8     like that you sold to Zumma, the street vendor.           11:19

9           A.     Well, there is --           11:19  
10           (Telephone interruption.)           11:19

11          Q.     Go ahead.           11:19

12          A.     She -- it's hard to describe here, you           11:19  
13     know. It's black hair. One of the prototypes           11:19  
14     is light, white skin, and a little -- the other           11:19  
15     one is a little bit more tan. So there's two           11:19  
16     working products.           11:19

17          Q.     So one is tan?           11:19

18          A.     One is a little tan and the other one           11:19  
19     is white.           11:19

20          Q.     What do you mean by white?           11:19

21          A.     White skin. White, white.           11:19

22          Q.     What color is the hair?           11:19

23          A.     Black.           11:19

24          Q.     On the lighter skinned one has black           11:19  
25     hair or --           11:20

# EXHIBIT A27

Rough Draft

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1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. I believe they both have black hair. 11:20

3 Q. And what does the packaging look like? 11:20

4 A. It's -- it's in a package with 11:20

5 cardboard with a design on the front and 11:20

6 plastic. And it's hard to explain the 11:20

7 packaging. 11:20

8 Q. What color is the packaging? 11:20

9 A. It's a bunch of colors. Pink-ish, 11:20

10 purple-ish. 11:20

11 Q. Are there any labels on the two 11:20

12 prototypes that you gave to the street vendor? 11:20

13 A. The labels were placed on the 11:20

14 packaging and sold to the street vendor. The 11:20

15 label was already on. 11:20

16 Q. What was the label? 11:20

17 A. The Moana. 11:20

18 Q. And so you stuck the label onto the 11:20

19 packaging? 11:20

20 A. Correct. 11:20

21 Q. Did the packaging have someone else's 11:20

22 logo on it? 11:20

23 A. No. 11:20

24 It had a -- it had the company where I 11:21

25 purchased them from. 11:21

**EXHIBIT A28**

Rough Draft

Page 29

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 Q. Ramco? 11:21

3 A. No, Jide Trading. 11:21

4 Q. So their logo was on the packaging, on 11:21  
5 the front? 11:21

6 A. No. 11:21

7 It was like -- I believe it was a 11:21

8 little -- in the back, little corporation where 11:21

9 the product came from. Uh-huh. 11:21

10 Q. So let me just be clear, you obtained 11:21

11 the dolls from this Ramco store, but they're 11:21

12 Jide Trading dolls that Ramco sells, right? 11:21

13 A. Right, they buy off Jide Trading. So 11:21

14 I bought them off Ramco. 11:21

15 And then when I discovered that 11:21

16 Jide Trading was the manufacturers or from these 11:21

17 dolls, I contacted them directly instead of 11:21

18 going to Ramco, which I still go to Ramco every 11:21

19 once in a while. 11:21

20 But I went straight to the source 11:21

21 where they have their connection with China. 11:22

22 Uh-huh. 11:22

23 Q. So what was the date again that you 11:22

24 sold the one or two dolls to the street vendor, 11:22

25 Zumma? 11:22

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     February 2015, 2016 -- 2015.   2015.           11:22

3           Q.     And you said he was located in           11:22

4     Times Square, right?                           11:22

5           A.     Yes.                               11:22

6           Q.     So you sort of randomly walked up to       11:22

7     him and said do you want to buy my doll?       11:22

8           A.     Absolutely. I went around to           11:22

9     different vendors.                           11:22

10           I remember it was zero degrees           11:22

11     weather. You know, I'm from Miami, it's not   11:22

12     pleasant to be outside at that moment.       11:22

13           Q.     And was that the first time you came       11:22

14     across that particular street vendor?       11:22

15           A.     No. I just went random to each vendor   11:22

16     out there.                                 11:22

17           Q.     So you didn't sell it to him before,       11:22

18     right?                                       11:22

19           A.     No.                               11:22

20           Q.     What other products did he sell?       11:22

21           A.     Did he sell?                     11:22

22           Q.     Yes.                             11:22

23           A.     I believe he had hats and gloves and       11:22

24     shirts of New York.                       11:22

25           Q.     Any toys?                      11:22

# EXHIBIT A30

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     I don't recall no toys. Uh-uh.           11:23

3           Q.     Do you know if any consumer bought           11:23

4     your doll from that vendor?           11:23

5           A.     I never saw him again. I don't know.       11:23

6           Q.     Do you know how long the doll was with       11:23

7     the vendor?           11:23

8           A.     Nope.           11:23

9           Q.     He could have thrown it away, you           11:23

10    don't know?           11:23

11          A.     (Nodding head.)           11:23

12          Q.     You're nodding?           11:23

13          A.     I have no clue. I don't know what he       11:23

14    did with it.           11:23

15          Q.     I want to go back to something you           11:23

16    mentioned before about a Disney store in           11:23

17    Ala Moana.           11:23

18          A.     Uh-huh.           11:23

19          Q.     How did you hear about a Disney store       11:23

20    there?           11:23

21          A.     I heard it on the news somewhere. I       11:23

22    don't know.           11:23

23                    It was a couple of years ago.           11:23

24          Q.     TV?           11:23

25          A.     I don't recall.           11:24

# EXHIBIT A31

Rough Draft

Page 32

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     You don't recall when you heard it?           11:24

3           A.     It was a couple of years ago.               11:24

4           Q.     Around the time you filed your               11:24

5 trademark application?                                       11:24

6           A.     I don't recall. It was -- oh, no,           11:24

7 before. Definitely before.                                   11:24

8           Q.     Before it?                                    11:24

9           A.     Yeah.   11:24

10          Q.     Let me hand you what's marked               11:24

11 Exhibit 2.   11:24

12                         (WHOSE                         ExhibitS                         11:24

13 NO                         , DESCR                         marked for                         11:24

14 identification, as of this date.)                           11:24

15          Q.     It has a few pages. Can you take a           11:24

16 minute to look at this exhibit.                             11:24

17          A.     Sure.   11:24

18          Q.     Do you recognize this specific               11:24

19 exhibit?    11:24

20          A.     Yes.    11:24

21          Q.     What is it?                                    11:24

22          A.     This exhibit?                                   11:24

23          Q.     Yes.    11:24

24                         Can you describe in your words what it   11:24

25 is.   11:24

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     This was the street vendor in New York     11:24  
3     City.   11:24

4           Q.     And so did you take this photograph?     11:24

5           A.     I took this photograph, yes.             11:25

6           Q.     What date did you take the photograph?   11:25

7           A.     It's hard to say. It was two years         11:25  
8     ago. I know it was definitely in February 2015     11:25  
9     during the Toy Fair.   11:25

10                     Do you mind if I go to the Toy Fair     11:25  
11     manual in 2015 so I can have a recollection of     11:25  
12     the time frame?   11:25

13                     It was February...                     11:25

14           Q.     That's okay.                                 11:25

15           A.     I don't want to say a wrong date         11:25  
16     and --   11:25

17           Q.     Sure. Look at the date. Just tell me     11:25  
18     what date you were there.                                 11:25

19                     (Witness looks at document.)           11:25

20           A.     2015, February 14th, 15th.                 11:25

21                     So it happened in between -- it must     11:25  
22     have been in between February 14th to                 11:25  
23     February 17th or 18th, because I left a few days     11:25  
24     after. So it must have been during that week.         11:25

25           Q.     So how long were you in New York         11:26

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           during that time of that 2015 Toy Fair?           11:26

3           A.       I think I was there for four or five           11:26

4           days. 2015, four or five days.           11:26

5           Q.       Were you there as EpicStone or were           11:26

6           you there -- or was it any of your other           11:26

7           companies?           11:26

8           A.       Lightstream Partners, I believe,           11:26

9           Lightstream Partners.           11:26

10          Q.       So you were registered as Lightstream;           11:26

11          is that right?           11:26

12          A.       Correct.           11:26

13          Q.       Can you turn back to the exhibit that           11:26

14          I gave you.           11:26

15          A.       Sure.           11:26

16                       (Discussion off the record.)           11:26

17          Q.       So who is the person pictured here in           11:26

18          this photo?           11:26

19          A.       I believe he told me his name was           11:26

20          Zumma or Summa.           11:26

21          Q.       Do you know his last name?           11:27

22          A.       No.           11:27

23          Q.       You didn't get a business card?           11:27

24          A.       No.           11:27

25          Q.       And can you describe what's in this           11:27



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           photo. 11:27

3                    Is this his stand here? 11:27

4           A.       This is his stand. I believe it's his 11:27

5           stand. I don't know. 11:27

6                    He was just there selling stuff and I 11:27

7           approached him. 11:27

8           Q.       It looks like he is selling 11:27

9           photographs, framed photographs? 11:27

10          A.       Yes. 11:27

11          Q.       And you said there is no other toys 11:27

12          sold by this guy, the street vendor, right? 11:27

13          A.       Right. 11:27

14          Q.       And can you point to where your two 11:27

15          prototype dolls are. 11:27

16                    Is there one here or... 11:27

17          A.       There's two there. 11:27

18          Q.       And are they identical dolls? 11:27

19          A.       Yeah, those are identical. Uh-huh. 11:27

20                    That's the white skinned version I 11:27

21          told you about. 11:27

22          Q.       What's at the top of the page here? 11:27

23                    There's some numbering at the top of 11:27

24          the page, the first page. 11:27

25                    It says 173118 JPEG, what does that 11:27

# EXHIBIT A35

Rough Draft

Page 36

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           mean?   11:28

3           A.       That's probably the picture.           11:28

4           Q.       Did you print this picture?           11:28

5           A.       I probably printed it.           11:28

6           Q.       Probably or, yes, you did print it?       11:28

7           A.       Yeah, I think I printed it, yeah. I       11:28

8           scanned them, sent them over to his office.      11:28

9           Q.       And when you printed them did it print    11:28

10          with this number on it, this JPEG 173 --       11:28

11          A.       Probably. I can't tell you if I did      11:28

12          or not.   11:28

13          Q.       Do you still have the original        11:28

14          metadata, the original JPEG file for this?      11:28

15          A.       I took it with my phone and I sent it   11:28

16          to my e-mail. One of those kind of things.      11:28

17                  It's probably in my e-mail.           11:28

18          Q.       So it's in your phone?            11:28

19          A.       Yeah.                                   11:28

20          Q.       So you can't send us the original --   11:28

21                  If we request it, we would like to      11:28

22          have an original version of it that shows when   11:28

23          the photo was taken.                           11:28

24          A.       When the photo was taken?           11:28

25          Q.       That's right, the metadata. The       11:28

EXHIBIT A35

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           electronic footprint of the photo, we would like           11:28

3           to have that information.           11:28

4           A.       All right.           11:28

5           MS. McLEOD:   So we'll be requesting           11:28

6           that.           11:28

7           THE WITNESS:   Sure.           11:29

8           Q.       So turn to the second page of this           11:29

9           Exhibit 2.           11:29

10          A.       And is this really a close-up photo of           11:29

11          the two dolls that you mentioned?           11:29

12          A.       Yes.           11:29

13          Q.       So the packaging here looks pink; is           11:29

14          that right?           11:29

15          A.       Pink-ish, purple, light pink, you           11:29

16          know.           11:29

17          Q.       It's kind of wrapped in plastic.           11:29

18                 Was it wrapped in this bubble kind of           11:29

19          plastic when you received it?           11:29

20          A.       Yeah, the cardboard in the back and           11:29

21          the plastic on the top.           11:29

22          Q.       This is how you bought it from Ramco?           11:29

23          A.       Correct.           11:29

24          Q.       And what's on the bottom left corner           11:29

25          of this packaging, is that your label?           11:29

**EXHIBIT A37**

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     That's the label, yeah.                   11:29

3           Q.     What color is the label?                   11:29

4           A.     Like a light pink. A light pink,           11:29

5 purple-ish.   11:29

6           Q.     Is it stuck on top of the --           11:29

7           A.     It's -- label.                           11:29

8           Q.     You stuck it on top of the package,    11:29

9 the plastic?   11:29

10          A.     Yes. Yes.                               11:29

11                    After I got clarification from           11:29

12 Jide Trading that I could put my label, I went       11:29

13 ahead and produced the labels and put them in.    11:29

14          Q.     So first you asked Jide Trading if       11:29

15 it's okay?   11:29

16          A.     Absolutely, of course.               11:29

17          Q.     You didn't stick it on there without    11:29

18 their permission?                                   11:30

19          A.     I asked for permission.               11:30

20          Q.     Who gave you their permission?        11:30

21          A.     Tanya from Jide Trading.              11:30

22          Q.     She said it's okay?                   11:30

23          A.     Yeah.                                   11:30

24                    You have it in your discovery, you    11:30

25 have the e-mails there.                           11:30

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     I'm looking at the packaging a little       11:30  
3           closer.  It looks like there is another marker       11:30  
4           logo in the upper left corner.                       11:30

5                     Do you see that?                       11:30

6           A.     The little...                               11:30

7           Q.     Here we go.  Look at the black and       11:30  
8           white photo, page 4 of Exhibit 2.  This is a       11:30  
9           photo that your attorney sent us.                   11:30

10          A.     Correct.                                   11:30

11          Q.     I think it's the same photo, but just     11:30  
12          a little closer?                                   11:30

13          A.     Yeah, that's a better photo.           11:30

14          Q.     So here it's a little clearer.           11:30  
15                     Do you see --                       11:30

16          A.     That little round circle there?       11:30

17          Q.     Yeah.                                     11:30  
18                     What's that?                       11:30

19          A.     Jide Trading.                           11:30

20          Q.     Jide Trading's logo?                   11:30

21          A.     Yeah, that's JD  That's JD.           11:30

22          Q.     Look again at the second page of       11:30  
23          Exhibit 2.                                       11:30

24                     Do you see that, the second page?   11:30

25                     It's this kind of colored version that 11:30

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 you gave us. 11:30

3 A. This one? 11:31

4 Q. Yeah. 11:31

5 Can you tell me what's this black 11:31

6 scratch mark at the top upper left corner, 11:31

7 what's that? 11:31

8 A. I have no bclue. 11:31

9 Q. Did it print that way? 11:31

10 A. Probably. 11:31

11 Q. Why is there sort of a border here on 11:31

12 this picture? 11:31

13 It looks like -- it almost looks like 11:31

14 a rough border. Can you explain what that is. 11:31

15 Did you print it, this picture? 11:31

16 A. I sent it to my e-mail. I scanned 11:31

17 it... 11:31

18 I don't know. Maybe it was after -- 11:31

19 Q. Did you send that to your attorney as 11:31

20 a JPEG from your phone or did you scan a printed 11:31

21 picture and then e-mail him a printed, scanned 11:31

22 version of it? 11:31

23 Do you understand what I'm saying? 11:31

24 A. I can't recall. 11:31

25 Q. You can't remember? 11:31

**EXHIBIT A40**

Rough Draft

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1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. Yeah. 11:31

3 Q. So look at the third page, the third 11:31  
4 page of Exhibit 2. 11:31

5 A. Which one is it? 11:31

6 Q. It looks like this page here. The 11:32  
7 upper left corner it has 172724 JPEG. 11:32

8 Do you see that, the upper left 11:32  
9 corner? 11:32

10 A. 172724, correct. 11:32

11 Q. Is this the same street vendor photo, 11:32  
12 just a different angle? 11:32

13 A. I believe so, yeah. 11:32

14 Q. The same two dolls, right? 11:32

15 A. Yeah. Uh-huh. 11:32

16 Q. And you took this picture? 11:32

17 A. Correct. 11:32

18 Q. So I'm curious here, because if you 11:32  
19 look at the first of the numbering on your 11:32  
20 photos in the upper left corner of the first 11:32  
21 three pages of Exhibit 2, these JPEG numbers 11:32  
22 seem to be out of order. 11:32

23 A. Yeah. 11:32

24 Q. Do you see that? 11:32

25 So there is -- 11:32

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     It's 805724.                               11:32

3           Q.     Right.                                     11:32

4                     That's a little unusual, isn't it?           11:32

5           A.     Not really. I was all over New York.       11:32

6   I mean I probably went back and forth. I           11:32

7   mean...

8           Q.     Did you take all the pictures at the       11:32

9   same time?   11:32

10          A.     I can't recall.                           11:32

11          Q.     Did you come back and visit him later?   11:33

12          A.     I can't recall.                           11:33

13                     I mean I went from vendor to vendor,     11:33

14   different day, different stuff.                    11:33

15                     So I could have gone to the Toy Fair.     11:33

16   I would have to look at my Toy Fair pictures to   11:33

17   see if they're in between these.                   11:33

18                     I mean but definitely again you can     11:33

19   check, it was zero degrees, so I was very very   11:33

20   cold. So activity was happening very fast for     11:33

21   me being from Miami. So, yeah...

22          Q.     Let's look at this next page. I think     11:33

23   it's the last page of Exhibit 2, the fifth page.   11:33

24   Can you describe what's on this page.            11:33

25          A.     This is another vendor and they're       11:33



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           selling clothing, and I believe this vendor had           11:33

3           bought my doll.           11:33

4           Q.       Okay.  What date did this vendor buy           11:33

5           the doll?           11:34

6           A.       I can't remember.  It was within these           11:34

7           days of the Toy Fair.  In between February 14th           11:34

8           through February 17th.  It could have been the           11:34

9           18th, because I stayed there for three or four           11:34

10          days in 2015.           11:34

11          Q.       Is this one of the same dolls, the           11:34

12          prototype doll?           11:34

13          A.       Yes.  It's the white skinned, correct.           11:34

14          Q.       White skinned?           11:34

15          A.       Yeah.           11:34

16          Q.       I can't see clearly on this picture.           11:34

17                   Did this also have The Moana label?           11:34

18          A.       Oh, yes.           11:34

19          Q.       It's stickered on the front, right?           11:34

20          A.       Correct.           11:34

21          Q.       You can't really see it there.           11:34

22          A.       Yes.  Uh-huh.           11:34

23          Q.       And that's the label Jide Trading           11:34

24          said, okay, you can put it on there?           11:34

25          A.       Correct.           11:34

**EXHIBIT A43**

Rough Draft

Page 44

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     Because you would never stick it on           11:34

3 someone else's --           11:34

4           A.     Of course not.           11:34

5           Q.     No.           11:34

6                     So what else does this vendor sell?           11:34

7                     Did they sell any toys?           11:34

8           A.     I don't remember seeing toys there,           11:34

9 just clothes, scarfs, stuff like that.           11:34

10          Q.     Do you know the name of this street           11:34

11 vendor?           11:34

12          A.     No.           11:34

13          Q.     Did you see them just once when you           11:34

14 dropped off the first --           11:34

15          A.     I can't recall. I can't recall.           11:34

16          Q.     It looks like Times Square?           11:35

17          A.     Yeah, Times Square.           11:35

18                     They have vendors off on the different           11:35

19 corners. Again, it was zero degrees and they           11:35

20 were selling I guess more scarfs and hats for           11:35

21 that moment, you know.           11:35

22          Q.     So how many total prototype dolls did           11:35

23 you bring with you when you went to that           11:35

24 Toy Fair?           11:35

25          A.     I believe I brought around maybe five           11:35

**EXHIBIT A44**

Rough Draft

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           or six. I can't -- you know, under ten. Under 11:35  
3           ten. 11:35

4           Q.        So you said you sold one or two? 11:35

5           A.        Uh-huh. Probably one, yeah. 11:35

6           Q.        What did you do with the other seven? 11:35

7           A.        I brought them back home. Uh-huh. 11:35

8                    MS. McLEOD: So we're going to ask you 11:35

9                    to produce the original JPEGs of these in 11:35

10                   electronic form. We're also going to ask 11:35

11                   you to produce any e-mail request that would 11:35

12                   have conveyed those photographs so that we 11:36

13                   can see the data for that as well. 11:36

14                   THE WITNESS: Okay. 11:36

15           Q.        You testified that you attended the 11:36

16           Toy Fair in 2015 under Lightstream; is that 11:36

17           correct, Lightstream Partners? 11:36

18           A.        Yes. To get into the exhibit hall I 11:36

19           went under Lightstream Partners, correct. 11:36

20                   (WHOSE                   ExhibitS 11:36

21           NO                   , DESCR                   marked for 11:36

22           identification, as of this date.) 11:36

23                   MS. McLEOD: I'm going to pass you 11:36

24           what's marked Exhibit 3. 11:36

25           Q.        Do you recognize this exhibit? 11:36

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. Absolutely. 11:36

3 Q. What is it? 11:36

4 A. It's the card, you know, the card that 11:36

5 they gave you to enter to walk around the fair. 11:37

6 Q. And so for the 2015 fair, that was in 11:37

7 Manhattan; is that right? 11:37

8 A. Correct. 11:37

9 Q. And do you know the address of where 11:37

10 that was? 11:37

11 A. It was in the Javits Convention 11:37

12 Center. 11:37

13 Q. Is that far on the west side? 11:37

14 A. Yes. 11:37

15 Q. Like on 11th Avenue or something? 11:37

16 A. Yeah. Uh-huh. 11:37

17 Q. And you attended this fair under 11:37

18 Lightstream Partners every day of the fair? 11:37

19 A. Yes. 11:37

20 Q. 14th to the 17th? 11:37

21 A. Yes. 11:37

22 Q. How did you get to the Toy Fair in 11:37

23 Manhattan, did you fly? 11:37

24 A. I flew, yes. 11:37

25 Q. What airline? 11:37

**EXHIBIT A46**

Rough Draft

Page 47

1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	A. Spirit Airlines.	11:37
3	Q. What date did you fly?	11:37
4	A. You've got it in discovery. I mean	11:37
5	you have all that information there. I mean	11:37
6	we'll take -- I don't know if I have that with	11:37
7	me, but you have it all there.	11:37
8	Let me see if I have that here.	11:37
9	(Witness looks at document.)	11:38
10	MS. McLEOD: I'll label this 3-B.	11:38
11	(WHOSE ExhibitS	11:38
12	NO , DESCR marked for	11:38
13	identification, as of this date.)	11:38
14	Q. So I'm passing you what's been marked	11:38
15	Exhibit 3-B.	11:38
16	Do you recognize this document?	11:38
17	(Witness looks at document.)	11:38
18	A. Yes. Correct.	11:38
19	Q. What is it?	11:38
20	A. This is my booking ticket to New York	11:38
21	City from Fort Lauderdale on February -- wait a	11:38
22	second, the date -- yeah, okay.	11:39
23	Q. So how long were you -- when did you	11:39
24	depart Miami to go to the Toy Fair?	11:39
25	THE WITNESS: Let me get a pen. Let	11:39

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*  
2           me just...   11:39  
3                       MR. STEWART: I have one if you need           11:39  
4           it.   11:39  
5           A.        Departing date...                           11:39  
6                       (Witness looks at document.)               11:39  
7           A.        Correct.   Departing date, Fort             11:39  
8   Lauderdale, is February 14th...                           11:39  
9           Q.        What year is that?                         11:39  
10          A.        2015.   11:39  
11          Q.        And so the Toy Fair started on             11:39  
12   February 14th of 2015.                                   11:40  
13                       Did you go to the first day, because     11:40  
14   you're flying on that day?                                 11:40  
15          A.        I can't remember if I did or not.           11:40  
16          Q.        Do you think you went to every other       11:40  
17   day, the 15th, 16th -- how many days did you go         11:40  
18   there?   11:40  
19          A.        Probably went to two, maybe two and a     11:40  
20   half days.   11:40  
21          Q.        How long were you there each day?           11:40  
22          A.        You know, a couple of hours.                11:40  
23          Q.        And what did you do there?                   11:40  
24          A.        I went to some workshops. I went            11:40  
25   around, got some information, networked with a            11:40

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*  
2       few people.   11:40  
3           Q.       What were the workshops you went to?     11:40  
4           A.       I went to attorneys of patent                 11:40  
5       interventing (sic), first to file patent stuff.       11:40  
6       An examining attorney from D.C. speaking about       11:40  
7       new trademarks.   11:40  
8                 MS. McLEOD: Off the record.                         11:41  
9                 (Discussion off the record.)                         11:41  
10                (Record read.)   11:41  
11          A.       Yeah, I think that's what it was.           11:41  
12          Q.       Anything else?                                 11:41  
13          A.       I can't remember if there was anything     11:41  
14       else.   11:41  
15          Q.       So did you leave right after the               11:41  
16       Toy Fair on the 17th, did you go back to Miami?       11:41  
17          A.       On February 26th, apparently Thursday,     11:41  
18       I flew out, out of New York.                               11:41  
19          Q.       So you were there for quite a while,         11:41  
20       were you doing something else?                             11:41  
21          A.       Real estate.                                     11:41  
22          Q.       Real estate?                                     11:41  
23                 What were you doing for real estate?           11:41  
24          A.       Looking for properties. Looking for         11:41  
25       different locations for hotels.                             11:41

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           I had a hotel I was working on over           11:41

3           there to sell in Manhattan, in Chelsea.           11:41

4           Q.     Chelsea?           11:41

5           A.     Yes, Chelsea.           11:41

6           Q.     So was that part of your Icon Real           11:42

7           Estate?           11:42

8           A.     Real estate consultants, correct.           11:42

9           Q.     So you had a building that you were           11:42

10          working there --           11:42

11          A.     We were working on a possible sale for           11:42

12          a building in Chelsea.           11:42

13          Q.     Were you there alone for Icon?           11:42

14          A.     Yeah, yeah, yeah. I went, took care           11:42

15          of the Toy Fair, and did a little bit of slash           11:42

16          real estate. Uh-huh.           11:42

17          Q.     Let's go back to the Toy Fair.           11:42

18                  When you went to the Toy Fair were you           11:42

19          there alone?           11:42

20          A.     Yes.           11:42

21          Q.     So when you registered as Lightstream           11:42

22          Partners, that's the name you went as an           11:42

23          attendee, that company?           11:42

24          A.     Yes. Uh-huh.           11:42

25          Q.     So that company name is like in the           11:42



1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 attendee book? 11:42

3 A. Yes, that's the fictitious name, 11:42

4 Lightstream Partners under Jose Barreto. 11:42

5 Uh-huh. 11:42

6 Q. Why didn't you register under 11:42

7 EpicStone? 11:42

8 A. Because it was just so simple, just 11:42

9 since they have my information. It just like 11:43

10 click, click, click, click, click badge. 11:43

11 I tried to do it for EpicStone, but 11:43

12 it's just more complicated at that moment. It 11:43

13 was just more convenient, just because they had 11:43

14 me in the system already. 11:43

15 Q. So you testified that you talked to 11:43

16 somebody from the Patent and Trademark Office at 11:43

17 the Toy Fair? 11:43

18 A. Yeah. 11:43

19 Q. What did you talk about? 11:43

20 A. Well, we talked about, you know, how 11:43

21 long it takes for a mark to get on the public 11:43

22 for opposition. You know, I thought you guys 11:43

23 were a little bit late, you know, because 11:43

24 usually it's three months. A couple of my marks 11:43

25 were taking four months, five months. 11:43

EXHIBIT A51

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     Who was late?                           11:43

3                     You said you thought somebody was         11:43  
4     late?   11:43

5           A.     No, no, no.                               11:43

6                     The examining attorneys apparently         11:43  
7     were maybe a little late. I mean they are             11:43  
8     backlogged. So taking three to four months to         11:43  
9     put the mark out for opposition or for public --         11:44  
10     I mean publication.                                     11:44

11           Q.     Did you talk about your Moana             11:44  
12     application?   11:44

13           A.     I can't remember if I did or not. I         11:44  
14     think I did.   11:44

15           Q.     Do you remember what you said?           11:44

16           A.     No.   11:44

17           Q.     Do you remember what the examining         11:44  
18     attorney said?   11:44

19           A.     No.   11:44

20           Q.     Do you remember the examining             11:44  
21     attorney's name?   11:44

22           A.     No.   11:44

23                     It's on your discovery. I believe he         11:44  
24     was one of the ones that was there.                     11:44

25           Q.     You gave the name of the examining         11:44



# EXHIBIT A53

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2                    Because as soon as I left the Toy Fair           11:45  
3    around probably 3:00 or 4:00, I hit the streets           11:45  
4    of New York City with my dolls and my products           11:45  
5    in my backpack.   11:45

6           Q.        So you brought all of that to the           11:45  
7    Toy Fair?   11:45

8           A.        Absolutely. Left it outside.           11:45

9           Q.        Where did you leave it?                   11:45

10          A.        Where they keep the coats, where they       11:45  
11   keep your coats and your --                               11:45

12          Q.        Did you have a suitcase with you?       11:45

13          A.        Yeah.                                       11:45

14          Q.        Did you have a hotel room?               11:45

15          A.        Yeah, I had a hotel.                     11:45

16          Q.        How come you didn't stay at your --       11:45

17          A.        Because I stayed in New Jersey.           11:45

18                    More convenient when you cross the       11:45

19   Hudson to bring your stuff over the Hudson,           11:45

20   since you're going to stay in New York already.       11:45

21          Q.        Did you stay with family?               11:45

22          A.        No, I stayed alone.                       11:45

23          Q.        Where did you stay, what hotel?           11:45

24          A.        I stayed at the Super 8, yeah.           11:45

25          Q.        So the Lightstream Partners, had you       11:45

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           previously registered for a Toy Fair under           11:45

3           Lightstream Partners?           11:45

4           A.       I believe I've done. I've always been           11:45

5           Lightstream Partners until 2016 I put EpicStone           11:46

6           Group.           11:46

7           Q.       So Lightstream Partners was already in           11:46

8           the Toy Fair system?           11:46

9           A.       System.           11:46

10          Q.       Did you go to a previous Toy Fair?           11:46

11          A.       I believe I did.           11:46

12          Q.       What year?           11:46

13          A.       I think it was 2000...           11:46

14                       Probably 2009.           11:46

15          Q.       Okay. As Lightstream?           11:46

16          A.       Lightstream, yeah. Uh-huh.           11:46

17                       (WHOSE                       ExhibitS           11:46

18                       NO                       , DESCR                       marked for           11:46

19                       identification, as of this date.)           11:46

20          Q.       I'm going to hand you what's marked           11:46

21          Exhibit 4.           11:46

22                       Do you recognize this document?           11:46

23          A.       Yes.           11:46

24          Q.       What is it?           11:46

25          A.       This is one of the educational stuff,           11:46

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           the workshops that they had at the Toy Fair.           11:46

3           Q.       What year is this document?           11:47

4           A.       2015.           11:47

5           Q.       Is this something they just pass out           11:47

6           when you walk in or --           11:47

7           A.       Yeah, that's part of this -- the           11:47

8           guide, you know, the guide of letting you know           11:47

9           who's there -- the guide of the exhibit, guide           11:47

10          with the exhibit workshops, 2015.           11:47

11          Q.       Did you produce that entire guide that           11:47

12          you're holding up?           11:47

13          A.       No?           11:47

14                 MS. McLEOD: We would like a whole           11:47

15          copy of that, the entire Toy Fair guide.           11:47

16                 THE WITNESS: Yeah.           11:47

17          Q.       This is like an agenda for the           11:47

18          education component?           11:47

19          A.       Correct, workshops.           11:47

20          Q.       So Lightstream isn't mentioned on           11:47

21          here?           11:47

22          A.       No.           11:47

23          Q.       EpicStone is not on here?           11:47

24          A.       No.           11:47

25          Q.       So turning back to this Exhibit 3,           11:47

# EXHIBIT A56

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           there's a second badge here on Exhibit 3.           11:47

3           A.       Which one are we on?           11:47

4           Q.       Exhibit 3.           11:47

5           A.       Okay.           11:47

6           Q.       Can you describe the second badge,           11:47

7           it's on the right-hand side.           11:47

8           A.       This here?           11:47

9           Q.       Yes.           11:47

10          A.       This bar code?           11:47

11          Q.       What's this, this badge?           11:48

12          A.       This is for 2016.           11:48

13          Q.       And so when was that Toy Fair?           11:48

14          A.       That was -- the 2016 Toy Fair was           11:48

15          February 13th through the 16th.           11:48

16          Q.       And you're holding up right now a full           11:48

17          brochure from that fair; is that right?           11:48

18          A.       Correct.           11:48

19                MS. McLEOD: So we'll want a copy of           11:48

20          that full brochure.           11:48

21                THE WITNESS: All right.           11:48

22          Q.       So did you attend the Toy Fair under           11:48

23          what company name?           11:48

24          A.       EpicStone Group.           11:48

25          Q.       That's the first time you attended as           11:48

**EXHIBIT A57**

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2   EpicStone? 11:48

3           A.     Correct. 11:48

4           Q.     And did you attend the Toy Fair every 11:48

5   day that it was open? 11:48

6           A.     I can't remember if I did or not. 11:48

7           Q.     Did you attend on February 13th? 11:48

8           A.     I've got to look at my -- my travel. 11:48

9                   I probably did, because the first day 11:48

10   that I arrived -- if you show me my ticket when 11:48

11   I arrived. Because as soon as I arrived in 11:48

12   New York I went to the fair. 11:48

13          Q.     I think you have Exhibit 3B in front 11:49

14   of you. 11:49

15                   Does that refresh your recollection? 11:49

16          A.     This is 2016, I arrived Monday -- yes, 11:49

17   I went Monday because I remember going Monday 11:49

18   morning. 11:49

19          Q.     So what time did you arrive on 11:49

20   February 13th from Miami? 11:49

21          A.     February 15th, you mean? 11:49

22          Q.     You went there on the 15th? 11:49

23          A.     Correct, 2016 I'm talking about. 11:49

24          Q.     Okay. So the Toy Fair was from the 11:49

25   13th to the 16th and you arrived on the 15th; is 11:49



**EXHIBIT A58**

Rough Draft

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1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	that right?	11:49
3	A. I believe so, yes.	11:49
4	Q. So you went towards the end of the	11:49
5	Toy Fair?	11:49
6	A. Yes.	11:49
7	Q. Did you go as an attendee?	11:49
8	A. Attendee.	11:49
9	Q. So you didn't have a booth there?	11:49
10	A. No.	11:49
11	Q. And you weren't exhibiting anything	11:49
12	there?	11:49
13	A. No.	11:49
14	Q. And you weren't allowed to bring any	11:49
15	toys into the fair?	11:49
16	A. No.	11:49
17	Q. And you couldn't display any toys at	11:49
18	the fair?	11:49
19	A. Inside the exhibit --	11:49
20	Q. Inside the exhibit hall you	11:49
21	couldn't --	11:49
22	A. Correct.	11:49
23	Q. How long did you spend on the 15th	11:50
24	when you went to the Toy Fair?	11:50
25	A. I was there, I arrived Monday,	11:50

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           February 15th, and I departed Thursday,           11:50

3           February 18th.           11:50

4           Q.       So how long each day did you spend at           11:50  
5           the Toy Fair?           11:50

6           A.       Oh, these days I maxed out, because I           11:50  
7           believe it was the last two days. So I probably           11:50  
8           stayed there -- I would average, I would say,           11:50  
9           five, five hours a day.           11:50

10          Q.       That's a lot of time.           11:50

11                 What did you do there the first day           11:50  
12          that you went on the 15th?           11:50

13          A.       The first I registered EpicStone           11:50  
14          Group.           11:50

15          Q.       So you registered on the premises?           11:50

16          A.       Absolutely.           11:50

17          Q.       Not in advance?           11:50

18          A.       You have to register on the premises.           11:50

19          Q.       How much is it to register?           11:50

20          A.       It's free.           11:50

21          Q.       Anybody can go?           11:50

22          A.       If you have -- there's criteria, I           11:50  
23          believe. You have to have sales. You have to           11:50

24          have -- in business. You have to show your tax           11:50

25          ID. A couple -- you know, they're getting very           11:50

# EXHIBIT A60

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           strict, so that's what I had to show.           11:51

3           Q.       So you can register day of?           11:51

4           A.       Yeah.           11:51

5           Q.       And what did you do the first day, you    11:51

6           walked around for five hours.           11:51

7                     Did you talk to anybody?           11:51

8           A.       I went from booth to -- you know,       11:51

9           booth and booth. You know, looking at different   11:51

10          manufacturers, different people, picking up    11:51

11          brochures. Looking around.           11:51

12          Q.       And did you talk to anybody about your   11:51

13          Moana product -- products?           11:51

14          A.       No.           11:51

15                     (WHOSE                     Exhibits           11:51

16          NO             , DESCR                     marked for       11:51

17                     identification, as of this date.)    11:51

18          Q.       I'm handing you what's marked       11:52

19          Exhibit 5.           11:52

20                     Do you recognize this exhibit?       11:52

21          A.       Yes.           11:52

22          Q.       What is it?           11:52

23          A.       These are some receipts.           11:52

24          Q.       What are the receipts from?       11:52

25          A.       From the sales in New York City.       11:52

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     Sales of what?                                   11:52

3           A.     The product.                                     11:52

4           Q.     What product?                                   11:52

5           A.     The one I sold to Zumma, which I put           11:52

6           the wrong month there. It should have been           11:52

7           February.   11:52

8                     Moana Battle Angel and                         11:52

9           Independence Day for \$10.                             11:52

10          Q.     So what does the \$10 cover?                   11:52

11          A.     I sold him three things, Moana -- I           11:52

12          don't know what he did with the Battle Angel and    11:52

13          Independence Day products that I have also.         11:52

14                     So I narrowed it down, ten divided by     11:52

15          3, like 2, 2.50, \$3.                                    11:53

16          Q.     So how did you come up with the price?        11:53

17          A.     That's how I came up with the price,         11:53

18          because he bought three things.                        11:53

19          Q.     So you just picked a number and                11:53

20          divided it by three?                                    11:53

21          A.     Yeah, 2.50, three bucks.                        11:53

22          Q.     Why does the receipt say 3/16/15?             11:53

23          A.     Again, it was zero degrees, it should         11:53

24          have been February 16th, 2015.                        11:53

25                     Remember?                                     11:53

**EXHIBIT A62**

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           That should have been in February.           11:53

3           Q.     Who did you give this receipt to?           11:53

4           A.     Did I give it to?           11:53

5           This is mine.           11:53

6           Q.     You sold him a doll and did he write           11:53

7           the receipt or --           11:53

8           A.     I wrote it. That's my handwriting.           11:53

9           Q.     That's your handwriting?           11:53

10          A.     Uh-huh.           11:53

11          Q.     Why didn't you give him a receipt, why           11:53

12          are you getting a receipt?           11:53

13          A.     Well, I kept a receipt for my reports.           11:53

14          Q.     Do you have a receipt book like this?           11:53

15          A.     Yeah.           11:53

16          Q.     What about the second image, what is           11:53

17          the name at the top?           11:53

18          A.     Ron -- oh, that was Ron.           11:53

19          Q.     Who is Ron?           11:53

20          A.     Ron, that's another street vendor.           11:53

21          Q.     Do you know his last name?           11:54

22          A.     No, but he was on 45th Street.           11:54

23          Q.     There's no writing on here, there's           11:54

24          \$5.           11:54

25          What does that refer to?           11:54

# EXHIBIT A63

Rough Draft

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1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. It was a Moana, another Moana. 11:54

3 If you see -- that was probably the 11:54

4 clothing exhibit. The one was like the guy with 11:54

5 the picture frames. And the other one was the 11:54

6 clothing, if I can recollect. That's probably 11:54

7 Ron that was at the clothing exhibit for the \$5 11:54

8 Moana. 11:54

9 Again, it was zero degrees, it was 11:54

10 very cold out there. 11:54

11 Q. The name on this is Ron or Ronald? 11:54

12 A. Ron, Ronard. 11:54

13 It was hard -- I believe it was hard 11:54

14 to understand the name. Again, zero degrees. 11:54

15 Q. Did you give these street vendors a 11:54

16 copy of the receipt? 11:54

17 A. I can't remember if I did or not. 11:54

18 Q. These two receipts -- 11:54

19 Did you carry two receipts books? 11:54

20 A. Yeah, two. 11:54

21 Q. Really different? 11:54

22 A. Yeah. 11:54

23 Q. Why did you carry two? 11:54

24 A. I thought I had lost one. I had 11:54

25 purchased another one over there in New York. I 11:55

# EXHIBIT A64

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           thought I lost one, then I found it. One of           11:55

3           those kind of --           11:55

4           Q.       Did you sell these Moana dolls to           11:55

5           Zumma and Ronald on the same day?           11:55

6           A.       I can't remember.           11:55

7           Q.       And you don't remember if you gave           11:55

8           them a receipt?           11:55

9           A.       I can't remember.           11:55

10          Q.       So other than the one or two prototype           11:55

11          dolls that you sold to the street vendor, have           11:55

12          you sold any other products under the Moana           11:55

13          mark, any other toys in Class 28?           11:55

14          A.       No.           11:55

15          Q.       So except for dolls, can you describe           11:56

16          what efforts you've made to make sales of these           11:56

17          other toy products in Class 28 under Moana.           11:56

18          A.       Well, I've decided to not make or           11:56

19          create more sales until this opposition period           11:56

20          is over and see who has the right to sell Moana.           11:56

21          And determining what the judge says, then I'll           11:56

22          make a decision at that moment.           11:56

23                    So right now, until this opposition is           11:56

24          over, I'm going to halt.           11:56

25          Q.       So do you have any documentary           11:56

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           evidence relating to the other toy products in           11:56

3           Class 28 other than the dolls that you produced?           11:56

4           A.       Can you say the question again.           11:57

5           Q.       Do you have any documents referring or           11:57

6           relating to the other products in your           11:57

7           application?           11:57

8                        There's about 81 of them.           11:57

9           A.       Right.           11:57

10          Q.       Do you have any other documents?           11:57

11          A.       Again, no.           11:57

12                       I provided in discovery I have a           11:57

13          relationship with Jide Trading and another           11:57

14          company, that they have hundreds of different           11:57

15          products. And I've already targeted them to see           11:57

16          once this opposition is over how -- what           11:57

17          products I could use according to my --           11:57

18          Q.       When did you target them?           11:57

19          A.       Oh, you have it. The Jide Trading.           11:57

20          Q.       When did you first contact Jide           11:57

21          Trading?           11:57

22          A.       I can't remember when I opened an           11:57

23          account with them.           11:57

24          Q.       So the first time you contacted them           11:57

25          ever was when you opened an account with them;           11:57



1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	is that right?	11:57
3	A. Correct.	11:57
4	Maybe not. Because I probably might	11:57
5	have talked to them earlier and then	11:57
6	ultimately -- and then opened the account after,	11:57
7	so...	11:58
8	Q. So what about before you filed your	11:58
9	trademark application back in October 7th, 2014,	11:58
10	do you have any documentary evidence about your	11:58
11	plans to use The Moana mark on the toys listed	11:58
12	in your application?	11:58
13	A. Plans?	11:58
14	Q. Before your filing date did you have	11:58
15	any written plans outlining what you were going	11:58
16	to do with your Moana mark?	11:58
17	A. I can't recall at that moment that I	11:58
18	have.	11:58
19	Q. Do you have a written business plan?	11:58
20	A. No.	11:58
21	Q. Do you have any written agreements	11:58
22	with distributors that predate October 7th,	11:58
23	2014?	11:58
24	A. No.	11:58
25	Q. Any written agreements with	11:58

**EXHIBIT A67**

Rough Draft

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1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	manufacturers relating to Moana?	11:58
3	A. No.	11:58
4	Q. Before October --	11:58
5	A. No.	11:58
6	Q. -- 7th, 2014?	11:58
7	Do you have any written licensing	11:58
8	agreements that you had in place before	11:59
9	October 7th, 2014 for The Moana mark?	11:59
10	A. No.	11:59
11	Q. Or the toys under Moana?	11:59
12	A. No.	11:59
13	Q. Did you have any product designs,	11:59
14	sketches that you prepared, written ones, before	11:59
15	October 7th, 2014?	11:59
16	A. No.	11:59
17	You mean for Moana?	11:59
18	Q. For Moana and The Moana products.	11:59
19	A. Because I have a lot of other sketches	11:59
20	for other products.	11:59
21	Q. For Moana?	11:59
22	A. Moana at the moment, no.	11:59
23	Q. Does EpicStone have a warehouse?	11:59
24	A. No.	11:59
25	Q. A storage facility?	11:59

# EXHIBIT A68

Rough Draft

Page 69

1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	A. No.	11:59
3	Q. Where do you keep your inventory for	11:59
4	products?	11:59
5	A. I have a shed in my mom's house where	11:59
6	I keep all the inventory of products.	11:59
7	Q. Where is your mom's house?	11:59
8	A. 8201 Southwest 13th Terrace.	11:59
9	Q. Do you ever use that address as a	11:59
10	business address?	11:59
11	A. I've used it in the past, going into	12:00
12	businesses in the past.	12:00
13	Q. Has EpicStone ever itself manufactured	12:00
14	any toys?	12:00
15	A. No.	12:00
16	Q. I can't remember if I asked you, did	12:00
17	you give a copy of that receipt to Zumma and the	12:00
18	Ronald that we talked about?	12:00
19	A. I can't remember if I did or not.	12:00
20	Q. Exhibit 5.	12:00
21	A. I can't recall.	12:00
22	Probably -- maybe I did and maybe I	12:00
23	didn't. I can't remember.	12:00
24	Again, it was very bad weather in	12:00
25	New York at that time. You can check your	12:01

# EXHIBIT A69

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           weather back in those days in 2015. It was           12:01

3           tremendous.           12:01

4           Q.       Can you tell me what EpicStone's total           12:01

5           revenues have been from the sale of these dolls           12:01

6           under the Moana mark?           12:01

7                     Is it just the 2.50?           12:01

8           A.       Yeah, the two prototypes. Yeah,           12:01

9           that's it.           12:01

10          Q.       The two prototypes. Okay.           12:01

11                     (WHOSE                 Exhibits           12:01

12          NO             , DESCR                 marked for           12:01

13           identification, as of this date.)           12:01

14          Q.       I'm handing you what's marked           12:01

15          Exhibit 6.           12:01

16                     Do you recognize this exhibit?           12:01

17          A.       Yes.           12:01

18          Q.       So who is KK?           12:01

19          A.       KK is another wholesaler in           12:01

20          California, I believe. And I opened an account           12:01

21          with them.           12:01

22          Q.       When did you open an account?           12:01

23          A.       I can't recall.           12:02

24          Q.       Was it around the date of this           12:02

25          printout, which is September 1st?           12:02

# EXHIBIT A70

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     Maybe.  Maybe, yeah.                   12:02

3           Q.     Can you describe what is this page           12:02

4           that I'm looking at here.                   12:02

5           A.     This page is a screenshot from their           12:02

6           various different inventories of different           12:02

7           products that they had.  And I had been looking       12:02

8           for them -- you know, contacted them to see the       12:02

9           different kind of -- different dolls that they       12:02

10          had for my brand.                           12:02

11          Q.     For which brand?                   12:02

12          A.     Moana.                            12:02

13                   And I have little Red Riding Hood that       12:02

14           I'm working on, too, right now.           12:02

15                   So they're just another option that I       12:02

16           have out there.                           12:02

17          Q.     And when is the first time you ever       12:02

18           contacted KK?                           12:02

19          A.     I can't remember.               12:02

20          Q.     2015?                            12:02

21          A.     Yeah.                            12:03

22          Q.     Around this time?               12:03

23          A.     I sent an e-mail...            12:03

24          Q.     So when did you send an e-mail?   12:03

25                   There's some handwriting on here, is       12:03



**EXHIBIT A72**

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     You never did a deal?                                     12:03

3           A.     No.   12:03

4           Q.     What is the number, it's five cases                           12:03

5           slash two something afterwards, the handwritten                   12:03

6           note?   12:03

7           A.     Five cases, I think that was going to                         12:03

8           be the price. That could have been the price,                           12:03

9           2.88, five cases and shipping and handle.                             12:03

10          Q.     What does label mean over here?                             12:04

11                     You wrote label down here.                                 12:04

12          A.     Label meaning I have to ask them the                         12:04

13          same thing I asked Jide Trading. To remember I                         12:04

14          have to ask them before I buy the products if I                       12:04

15          can put my label, my brand, my mark on the                             12:04

16          product. That's a remembrance.   12:04

17          Q.     That's important to ask permission                             12:04

18          first --   12:04

19          A.     Absolutely.   12:04

20          Q.     Before you label anybody's product?                             12:04

21                     Were you just searching on                                 12:04

22          September 1st for dolls, is that the only --                           12:04

23          A.     Dolls and other stuff, too.                                     12:04

24          Q.     What other stuff?   12:04

25          A.     You know, action figures.   12:04

**EXHIBIT A72**

# EXHIBIT A73

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     Do you have any documents showing --           12:04

3           A.     No, no.   12:04

4                     Water -- you know, because Moana           12:04

5     has -- I'm thinking about making products for           12:04

6     water enthusiasts, too. So I was looking for           12:04

7     stuff that they have -- to the nature of little           12:04

8     kids for water. Certain things I'm dealing           12:04

9     with, devoting most of my time to right now, and           12:04

10    it was action figures and dolls.                           12:04

11           Q.     Do you have any printouts showing that           12:05

12    you looked at KK's Web site for those items you           12:05

13    just mentioned?   12:05

14           A.     No.   12:05

15           Q.     This is the only printout you have?           12:05

16           A.     Yeah.   12:05

17           Q.     Did you print this out?                   12:05

18           A.     I printed it. Uh-huh.                   12:05

19                     (WHOSE                     ExhibitS           12:05

20    NO             , DESCR                     marked for           12:05

21    identification, as of this date.)                   12:05

22           Q.     I'm handing you what's marked           12:05

23    Exhibit 7. Can you please look at that.           12:05

24           A.     Okay.                                       12:05

25           Q.     Can you tell me what this document is.       12:05



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.       This is the same thing as KK Toys.           12:05

3           Another company at wholesale prices in           12:05

4           California and keeping my options open to see           12:05

5           the different products available to be the best           12:05

6           cost efficient for my product, so...           12:05

7           Q.       First of all, how did you learn of KK           12:06

8           that we were talking about?           12:06

9           A.       KK, it -- when I went to Ramco, the           12:06

10          wholesaler, I bought several products from them           12:06

11          and I looked at the label on their products.           12:06

12                   I said you know what, maybe I can open           12:06

13          an account with these guys and I can go direct           12:06

14          and at the same time ask them if I can put my           12:06

15          trademark and my label on their products.           12:06

16          Q.       Is that how you heard of Regent?           12:06

17          A.       Correct.           12:06

18          Q.       The same way?           12:06

19          A.       I believe so, yeah.           12:06

20          Q.       So does Ramco have a physical store?           12:06

21          A.       Yes.           12:06

22          Q.       Where is the store located?           12:06

23          A.       I just saw a receipt right here.           12:06

24                   Do you want me to show it to you?           12:06

25                   Do you want it?           12:06

# EXHIBIT A75

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     Out of your memory do you know where           12:06

3     the store is?   12:06

4           A.     They're in Miami Lakes.                       12:06

5           Q.     I'll ask about that later.                    12:06

6           A.     I have the receipt here.                     12:06

7           Q.     Back to this Exhibit 7.                      12:06

8                     What's the date on this exhibit?           12:06

9           A.     September 2015.                             12:06

10          Q.     So that's the date you searched --           12:06

11          A.     Approximately.                               12:06

12          Q.     Did you print this sheet?                    12:06

13          A.     I printed the sheet.                         12:06

14          Q.     And what were you looking at on             12:07

15     Regent's Web site?   12:07

16          A.     It looks like that screenshot shows in       12:07

17     this exhibit, dolls.   12:07

18          Q.     Were these dolls for your Moana brand?       12:07

19          A.     Moana and Red Riding Hood.                   12:07

20          Q.     Did you buy any dolls with Regent?           12:07

21          A.     No.   12:07

22          Q.     Did you buy any toys with Regent?           12:07

23          A.     No.   12:07

24          Q.     Did you talk to anyone at Regent?           12:07

25          A.     No.   12:07

# EXHIBIT A76

Rough Draft

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1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 Q. Have you ever e-mailed Regent? 12:07

3 A. I -- I can't recall if I did or not. 12:07

4 Q. You don't have any written agreement 12:07  
5 with Regent about -- 12:07

6 A. No. 12:07

7 Q. -- about the sale of dolls? 12:07

8 A. Thank you for reminding me, because 12:07  
9 that's another one I have to say labels here. 12:07

10 This is mine or yours? 12:07

11 Q. Your copy. 12:07

12 Do you have any agreements with KK 12:07  
13 about manufacturing dolls for you? 12:07

14 A. No, not yet. 12:07

15 Q. Do you have any written agreements 12:07  
16 with Ramco, written agreements that they're 12:07  
17 going to sell dolls to you? 12:07

18 A. No. 12:07

19 Q. So you've mentioned Jide Trading as 12:08  
20 the company that makes prototype dolls that you 12:08  
21 sold in Manhattan; is that right? 12:08

22 A. Yes. 12:08

23 Well, I believe they get it from a 12:08  
24 China distributor. China manufacturer sends it 12:08  
25 to Jide, and then Jide wholesales it to the 12:08



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           consumer or to the corporations.                               12:08

3                    But I believe the doll is manufactured           12:08

4           in China.   12:08

5           Q.        I have a couple of questions going               12:08

6           back to Ramco.   12:08

7                    How do you decide what dolls you're               12:08

8           going to look at for Moana versus -- you                       12:08

9           mentioned I think Red Riding Hood?                               12:08

10          A.        Yes.   12:08

11          Q.        Do you have a design in mind or...               12:08

12          A.        I just look at different dolls that               12:08

13           are cost efficient, No. 1, to keep my profit               12:09

14           margins and that's going to be likable for                       12:09

15           children. Something that I feel, you know, it's               12:09

16           going to be likable. That's why it's still a                       12:09

17           testing period of The Moana mark as far as the               12:09

18           doll is concerned, which is -- after this is all               12:09

19           over, this opposition, which is going to be --               12:09

20           and I'll continue to test them out.                               12:09

21          Q.        So you mentioned buying some dolls               12:09

22           from Ramco earlier in your testimony, I think                       12:09

23           you said.   12:09

24                    Did you buy a case of dolls from them?               12:09

25          A.        I bought a case of dolls from them.                       12:09

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     Were those Jide Trading dolls?           12:09

3           A.     Yes.                                       12:09

4           Q.     Did you buy any KK dolls from them,       12:09

5           Ramco?   12:09

6           A.     I can't recall.                           12:09

7                     I've gotten a few --               12:09

8           Q.     A few what?                             12:09

9           A.     You know, a few dolls, a few stuff.       12:09

10          Q.     Do you remember when you bought the     12:09

11          case from Ramco?                                 12:09

12                     Did you produce a receipt about it?   12:09

13          A.     I don't know. I have to check your     12:09

14          discovery. That was recent. That was within     12:09

15          the last, I would say, five months, four or     12:09

16          five months.                                     12:10

17          Q.     The first time you bought dolls from     12:10

18          Ramco?   12:10

19          A.     No, no, no, that I bought the case.     12:10

20          Q.     You bought the case?                   12:10

21          A.     Yeah. The other ones were, you know,     12:10

22          just pick and choose. They had like ten or 12   12:10

23          or 13 or 14. And I just bought, you know, no   12:10

24          casing or anything like that. I just bought...   12:10

25          Q.     So the first time you learned about     12:10

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Jide Trading was from Ramco, when you went to           12:10

3           Ramco's store, right?           12:10

4           A.       Correct.           12:10

5           Q.       And what year would that be?           12:10

6           A.       I've been going to Ramco for many           12:10

7           years and I've had their products...           12:10

8                       But at the time that I decided to say           12:10

9           you know what, maybe I can buy them whole --           12:10

10          straight to Jide instead of going to Ramco, a           12:10

11          secondary. That must have been -- I would think           12:10

12          when I opened the account --           12:10

13          Q.       When you opened the account?           12:10

14          A.       At Jide Trading.           12:10

15                 You know what, let me start looking at           12:10

16          my profit margin. Instead of buying them from           12:10

17          Ramco I can get a better deal from California.           12:11

18          Q.       Do you have a contact name of someone           12:11

19          at Ramco that you deal with?           12:11

20          A.       I believe --           12:11

21                 No, I don't know their name.           12:11

22          Q.       A man or a woman?           12:11

23          A.       There was a lady there. I don't know           12:11

24          her name.           12:11

25          Q.       Is she a cashier or --           12:11

**EXHIBIT A80**

Rough Draft

Page 81

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     Cashier. I've got the receipt.           12:11

3           Q.     What does she look like?           12:11

4           A.     She looks Oriental. Yeah, Oriental.   12:11

5     Asian, Oriental.           12:11

6           Q.     Did you go to Ramco -- you said it was   12:11

7     2015?           12:11

8           A.     Ramco, 2015?           12:11

9                     I've been to Ramco for a long time.   12:11

10    I've been -- I've known them for a long time   12:11

11    there. They've been a long time there. I have   12:11

12    bought a lot of products down there in the past,   12:11

13    but...           12:11

14                     (WHOSE                     Exhibits           12:11

15    NO                 , DESCR                     marked for   12:11

16    identification, as of this date.)           12:11

17           Q.     I'm handing you what's been marked   12:11

18    Exhibit 8.           12:12

19                     Do you recognize this exhibit?   12:12

20           A.     Jide Trading, yeah.           12:12

21           Q.     What is this exhibit?           12:12

22           A.     This is, I guess, a screenshot of my   12:12

23    new account status.           12:12

24           Q.     So the date on the bottom of this page   12:12

25    is July 28, 2015.           12:12



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2                    Is that when you opened your account           12:12

3       with them?   12:12

4           A.        I can't recall when I opened the                   12:12

5       account.   12:12

6                    This was when I guess the page was                   12:12

7       printed.   12:12

8           Q.        Did you print this when you opened the           12:12

9       account?   12:12

10          A.        I can't recall when I opened the                   12:12

11       account, the date on the account.                                   12:12

12          Q.        The wording on here says you have a                   12:12

13       new account. Then it says this account was                           12:12

14       created, but you have to wait a few days to                           12:12

15       activate.   12:12

16          A.        Yeah.   12:12

17          Q.        That is printed on July 28th, 2015,                   12:12

18       right?   12:12

19          A.        Uh-huh.   12:12

20          Q.        And is that an accurate date to the                   12:12

21       best of your memory of when you opened the                           12:12

22       account?   12:12

23          A.        Of July 28th?   12:12

24          Q.        2015, is that the date when you opened           12:12

25       the account?   12:12

**EXHIBIT A82**

Rough Draft

Page 83

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     I have to say approximately. I can't           12:12

3     say it's an accurate date.                                   12:12

4           Q.     Can you explain why this date would be       12:12

5     on here, on the date that it looks like you               12:13

6     opened the account.   12:13

7           A.     On the printed page on the bottom?           12:13

8           Q.     Did you print this page?                       12:13

9           A.     I think I printed this page, yeah.           12:13

10          Q.     When did you print it?                         12:13

11          A.     According to the printer, it says             12:13

12     7/28/2016.   12:13

13          Q.     And so that's the date you opened your       12:13

14     account with Jide Trading?                                   12:13

15          A.     Not necessarily.                                 12:13

16                   Why would you say that?                       12:13

17          Q.     Why would it show up on the same day           12:13

18     as the bottom here?   12:13

19          A.     I could have opened the account a week       12:13

20     before, two weeks before.                                   12:13

21          Q.     Did you, did --                                 12:13

22          A.     I can't --   12:13

23          Q.     Tell me, did you go back into your           12:13

24     system?   12:13

25          A.     Walk me through the dates.                     12:13

**EXHIBIT A83**

Rough Draft

Page 84

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     Here is the date on the bottom.           12:13

3           A.     The day I printed this page --           12:13

4           Q.     Did you have this saved in your system   12:13

5           somewhere?           12:13

6           A.     Maybe.           12:13

7           Q.     How did you access this page down       12:13

8           here?           12:13

9                     There's a URL down at the bottom,       12:13

10          jidetrading.com, then it has an address after   12:13

11          the back slash.           12:13

12                     So what date did you visit that Web   12:13

13          site?           12:13

14          A.     I can't recall. I can't recall the       12:13

15          date.           12:14

16          Q.     And you don't remember when you       12:14

17          printed this?           12:14

18          A.     According to the printer it says       12:14

19          7/28/2015, so I would go by what the printer   12:14

20          says.           12:14

21          Q.     There's some handwriting here.       12:14

22          A.     I spoke to her a little, Delia, about   12:14

23          shipping. I mean I went back with them.       12:14

24          Q.     Who is Delia?           12:14

25          A.     Another person who probably works       12:14

**EXHIBIT A84**

Rough Draft

Page 85

1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	there.	12:14
3	Q. Who is Delia?	12:14
4	A. Probably another account executive	12:14
5	that works there.	12:14
6	Q. And you spoke to her by phone?	12:14
7	A. It looks like it was by phone on this	12:14
8	occasion.	12:14
9	Q. On the date that you have handwritten	12:14
10	on here?	12:14
11	A. Yeah.	12:14
12	Q. This is August 19th, 2015.	12:14
13	You talked to Delia ^SP at Jide	12:14
14	Trading; is that right?	12:14
15	A. According to my records.	12:14
16	Q. And that's your handwriting?	12:14
17	A. Yes.	12:14
18	Q. And so that was a few weeks after	12:14
19	July 28, 2015 when you printed this?	12:14
20	A. Yeah. It says shipping, on Delia's	12:14
21	wording there it says shipping. Probably I	12:14
22	spoke to her about shipping costs, as you can	12:14
23	see there.	12:15
24	Q. What's this handwriting on the left,	12:15
25	is that yours, TY20949?	12:15

# EXHIBIT A85

Rough Draft

Page 86

1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	What does that mean?	12:15
3	A. That's the product number.	12:15
4	Q. For what product?	12:15
5	A. One of the products I was looking at.	12:15
6	Q. How many products were you looking at?	12:15
7	A. A few. I went through a few of them.	12:15
8	I can't remember all of them, dolls, action	12:15
9	figures, water stuff. All different products	12:15
10	that they had, you know, to see what's best for	12:15
11	my business and...	12:15
12	Q. Do you remember Delia's last name?	12:15
13	A. No.	12:15
14	Q. Do you have any e-mails with Delia?	12:15
15	Can you search your records?	12:15
16	A. I would have to check.	12:15
17	MS. McLEOD: If you have any emails	12:15
18	with Delia we would like to have a copy of	12:15
19	those, those would be responsive to our	12:15
20	discovery.	12:15
21	THE WITNESS: Sure.	12:15
22	(WHOSE ExhibitS	12:16
23	NO , DESCR marked for	12:16
24	identification, as of this date.)	12:16
25	Q. I'm handing you what's marked	12:16



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     That's probably from their Web page.           12:17

3           Q.     Did you print this document?           12:17

4           A.     Yes.           12:17

5           Q.     And this is how it looked when you           12:17

6     printed it?           12:17

7           A.     Yes.           12:17

8           Q.     So on October 29th you e-mailed Tanya,           12:17

9     and what were you e-mailing her about?           12:17

10          A.     I was e-mailing her -- oh, if I could           12:17

11     get the okay to put my labels, my brand on their           12:17

12     marks.           12:17

13          Q.     So on October 29th, 2015 you e-mailed           12:17

14     her and you said -- the first thing you said,           12:17

15     though, was thank you for the catalogue.           12:17

16                 When did you get the catalogue from           12:17

17     them?           12:17

18          A.     I can't remember the date that they           12:17

19     sent me the catalogue.           12:18

20          Q.     Was it right before you e-mailed her?           12:18

21          A.     I think it was when I opened the           12:18

22     account, that they gave me access to the account           12:18

23     that I could view their stuff.           12:18

24          Q.     Did you download the catalogue?           12:18

25                 You're thanking her for it.           12:18

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     She might have sent it to me, or you           12:18  
3     can just go to the Web site and you can see the           12:18  
4     whole catalogue. I can't remember.                       12:18

5           Q.     So on the bottom of this first page           12:18  
6     it's a little unclear. Can you read to me what           12:18  
7     it says, I can't quite see it.                             12:18

8                     This is from you, right?                     12:18

9                     It says, hello, Tanya, but then what       12:18  
10    does the rest say?   12:18

11          A.     "Hello Tanya, Thank you for sending           12:18  
12    your catalogue. You have great pictures for"...           12:18

13                     I can't remember what that was --       12:18  
14    okay.   12:18

15          Q.     Down on the bottom here there's some       12:18  
16    handwriting.   12:18

17          A.     The e-mail has been checked for           12:18  
18    various prices --   12:18

19          Q.     I'm talking about the part that starts       12:18  
20    with "Hello, Tanya."   12:19

21                     Can you read the rest to me since you     12:19  
22    wrote that, right?   12:19

23          A.     The bottom part?                             12:19

24          Q.     Right.   12:19

25          A.     "Hello Tanya, Thank you for sending           12:19



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           your catalogue. You have great prices. Now           12:19

3           much more the cost per unit with label of my           12:19

4           brand titled Independence Day. "Also... item           12:19

5           No. 21155, how much more per cost per unit with           12:19

6           label of my brand The Moana. If you can produce           12:19

7           the labels from manufacturer what would be the           12:19

8           cost?"           12:19

9                        "What would be the cost for shipping           12:19

10          to Miami"?           12:19

11                        That's what it says.           12:19

12          Q.        Is it accurate to say you were           12:19

13          e-mailing her about the toys to brand with           12:19

14          Independence Day; is that right?           12:19

15          A.        I was asking for -- right, for looking           12:19

16          into Independence Day and Moana.           12:19

17          Q.        And what's this item, TY21155, what is           12:19

18          that?           12:20

19          A.        That's an item of a product.           12:20

20          Q.        What product?           12:20

21          A.        I can't remember.           12:20

22                        It's either a doll or it's action           12:20

23          figures at that moment.           12:20

24          Q.        Because Independence Day would be           12:20

25          action figures, is that what you were looking           12:20

1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	at?	12:20
3	A. Yes.	12:20
4	Q. And Moana you were looking at dolls?	12:20
5	A. Correct.	12:20
6	Q. And what do you mean by if you can	12:20
7	produce labels, what does that mean?	12:20
8	A. In other words, if they could mass	12:20
9	produce the labels, like ship the product with	12:20
10	my Moana mark already or the Independence Day.	12:20
11	How much would that cost with the doll already	12:20
12	coming with my label already.	12:20
13	Q. So you were asking them to make the	12:20
14	label, too?	12:20
15	A. Correct, come already packaged and	12:20
16	ready to go.	12:20
17	Q. So at the bottom of this e-mail --	12:20
18	it's actually more towards the middle.	12:20
19	It looks like you had two exchanges on	12:20
20	October 29th; is that right?	12:20
21	You thanked her for the catalogue at	12:20
22	the top and then you sent this second e-mail	12:20
23	about the catalogue and the labeling?	12:20
24	A. What page are you on?	12:21
25	Q. The first page. Two e-mails there.	12:21

# EXHIBIT A91

Rough Draft

Page 92

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     Sure. Uh-huh. Yeah.   12:21

3                     Hello Tanya, Thank you for sending   12:21

4           your catalogue. You have great prices."   12:21

5           Q.     Who is being cc'd, there's a bcc, it   12:21

6           says Michael?   12:21

7                     Is that your attorney?   12:21

8           A.     Yes.   12:21

9           Q.     Why are you bcc'ing your attorney?   12:21

10          A.     Well, I think I had retained Michael   12:21

11          already at that moment.   12:21

12          Q.     Are you in business with Michael?   12:21

13          A.     No.   12:21

14          Q.     Your attorney, Michael Stewart?   12:21

15          A.     No.   12:21

16          Q.     Does he have an interest in --   12:21

17          A.     No.   12:21

18          Q.     Did he ask you to e-mail them?   12:21

19          A.     No.   12:21

20                     MR. STEWART: Object to this,   12:21

21          attorney-client.   12:21

22                     MS. McLEOD: Facts aren't privileged.   12:21

23          Q.     So turn to page 2 of this document.   12:21

24                     What's the date on the top there?   12:21

25                     This is an e-mail it says from you,   12:21





1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2        labels, so did you have labels yet?                               12:23

3           A.     Yes, I had labels produced. I had                     12:23

4        labels produced 2015, late 2000 -- wait, wait.               12:23

5        Late 2014 or early 2015 going to the Toy Fair.               12:24

6           Q.     Who produced those labels?                            12:24

7           A.     Graphic Design.                                        12:24

8           Q.     Is that the name of the company?                    12:24

9           A.     Graphic Design, yeah.                                 12:24

10          Q.     And have you produced all the                        12:24

11        documents, exchanges you've had with Graphic                 12:24

12        Design about making --    12:24

13          A.     Yeah. Uh-huh.   12:24

14                    I've got receipts, too.                             12:24

15          Q.     I have one more question.                            12:24

16                    Did you also copy Mr. Stewart on all                12:24

17        your e-mails to manufacturers?                                 12:24

18          A.     No.    12:24

19          Q.     Can you tell me why his name is on                    12:24

20        here?   12:24

21                    MR. STEWART: Objection.                             12:24

22                    MS. McLEOD: The fact that your name                12:24

23        is on here isn't privileges, it's just a                       12:24

24        fact.    12:24

25                    MR. STEWART: You're kind of asking --             12:24

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*  
2           he's asking me -- perhaps asking for my           12:24  
3           advice or whatever, it's attorney-client.       12:24  
4                       (WHOSE                       ExhibitS           12:24  
5           NO                       , DESCR                       marked for           12:24  
6           identification, as of this date.)           12:24  
7           Q.           I'm handing you what's marked           12:25  
8           Exhibit 10.           12:25  
9                       Do you recognize this exhibit?           12:25  
10          A.           Yeah. Uh-huh.           12:25  
11                       It's a catalogue, Jide Trading.           12:25  
12          Q.           How did you obtain this catalogue?       12:25  
13          A.           I believe I either downloaded it from       12:25  
14           their Web site or -- according to the e-mail, it   12:25  
15           looks like she had sent it to me.           12:25  
16          Q.           Do you think she sent it to you just       12:25  
17           before you e-mailed her around October 2015?   12:25  
18          A.           Approximately. I don't the dates that       12:25  
19           she did send it to me.           12:25  
20          Q.           Roughly around October 2015?           12:25  
21          A.           Yeah.           12:25  
22                       Is that when I opened the account?       12:25  
23                       Yeah. I would say 2015 sometime.       12:25  
24          Q.           Are the dolls, the Jide Trading dolls,       12:25  
25           prototype dolls in this catalogue?           12:25

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2                   (Witness looks at document.)                   12:26

3           A.     Any dolls, you're saying?                   12:26

4                   I don't see a section here of dolls.               12:26

5           Q.     Okay. Now your e-mail to Tanya               12:26

6 referred to an item No. 21155.                               12:26

7                   Do you think that was the doll?                   12:26

8           A.     Yeah. That was another -- I believe           12:26

9 they didn't have the -- the actual -- the                   12:26

10 original Moana that I sold at the Toy Fair. And           12:26

11 I believe that that was a new doll that I was           12:26

12 asking a price for, which I was going to do               12:27

13 different packaging to keep my costs down.               12:27

14                   I don't see the picture of it here,               12:27

15 though.   12:27

16           Q.     Looking at this catalogue, are there           12:27

17 any other products that you've identified in           12:27

18 your trademark application that you were               12:27

19 thinking about using Moana on from this               12:27

20 catalogue?   12:27

21           A.     Well, like you said, I had like 80           12:27

22 things in the -- I sent to you in this                   12:27

23 application. I was looking at these catalogues           12:27

24 and the other Regents and KK Toys --                   12:27

25           Q.     Can you point to any item in this           12:27



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           catalogue that you were thinking of branding           12:27

3           with your own brand Moana.           12:27

4           A.       I was looking -- looking for water,           12:27

5           water stuff, you know, and to see if they have           12:27

6           any water stuff.           12:28

7                        But again, I would have to look at my           12:28

8           intent to use application to see if it           12:28

9           coordinated with what's on my intent to use           12:28

10          application.           12:28

11          Q.       Right.           12:28

12                        So tell me again, you got the           12:28

13          catalogue right before you e-mailed Tanya, it           12:28

14          sounds like in October of 2015 or was it when           12:28

15          you opened your account?           12:28

16          A.       Right when I asked her about the           12:28

17          labels.           12:28

18          Q.       October 29th ^CK?           12:28

19          A.       I got the catalogue before. Uh-huh.           12:28

20          Q.       But you didn't get the catalogue from           12:28

21          Jide Trading any earlier than that; is that           12:28

22          right?           12:28

23          A.       Correct.           12:28

24                        (WHOSE                        ExhibitS           12:28

25          NO                        , DESCR                        marked for           12:28

EXHIBIT A98

Rough Draft

Page 99

1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	identification, as of this date.)	12:28
3	Q. I'm handing you what's marked	12:28
4	Exhibit 11.	12:28
5	Do you recognize this exhibit?	12:28
6	A. Yes.	12:28
7	Q. What is it?	12:28
8	A. This is a receipt from one of my	12:28
9	purchases from Jide Trading.	12:29
10	Q. A receipt from Jide Trading?	12:29
11	A. Uh-huh.	12:29
12	Q. What's the date on this?	12:29
13	Is it an invoice or --	12:29
14	A. It's an invoice.	12:29
15	Q. What's the date?	12:29
16	A. November 10, 2015.	12:29
17	Q. And is this the first invoice you ever	12:29
18	received from Jide Trading?	12:29
19	A. I believe so.	12:29
20	Q. And is that date accurate for when you	12:29
21	received it?	12:29
22	A. Yeah. I think so, yeah.	12:29
23	Q. And what's it addressed to, what	12:29
24	address is that?	12:29
25	A. To my box address where I have my	12:29



# EXHIBIT A100

Rough Draft

Page 101

1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	A. No.	12:30
3	Q. No?	12:30
4	A. Uh-uh.	12:30
5	Q. What's a blister card?	12:30
6	A. I have no idea.	12:30
7	Q. Is that a type of packaging? ^CK	12:30
8	A. It says two soldiers in a blister	12:30
9	card. Probably a type of packaging, yeah.	12:30
10	Q. Whose handwriting is on here?	12:30
11	A. That's mine.	12:30
12	Q. What does it say in the lower corner	12:30
13	here?	12:30
14	A. Spoke to -- November 17th to Tanya	12:30
15	about ID toys and the shipping, so...	12:30
16	Q. When did you speak to her?	12:31
17	A. It looks like I wrote here	12:31
18	November 17th. Uh-huh.	12:31
19	Q. Of 2015?	12:31
20	A. 2015, yeah.	12:31
21	Q. Why didn't you buy the 11 dolls at	12:31
22	this time?	12:31
23	A. I believe that was November 2015. We	12:31
24	were ready -- I think I made a decision to hold	12:31
25	off on any Moana stuff until opposition is over.	12:31

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           I believe it is around that time frame, so I           12:31

3           scaled back on focusing on Moana to just wait           12:31

4           till the opposition -- to see who is right and           12:31

5           who is wrong.           12:31

6           Q.       So you never received any dolls           12:31

7           directly from Jide Trading?           12:31

8           A.       Correct.           12:31

9                        Jide Trading sells to Ramco, so I           12:32

10          purchased from Ramco.           12:32

11          Q.       Okay.           12:32

12                       (WHOSE                       ExhibitS           12:32

13          NO                       , DESCR                       marked for           12:32

14          identification, as of this date.)           12:32

15          Q.       I'm handing you what's marked as           12:32

16          Exhibit 12.           12:32

17                       Do you recognize this exhibit?           12:32

18          A.       Yes.           12:32

19          Q.       What is it?           12:32

20          A.       This is one of my Moana dolls.           12:32

21          Q.       When did you obtain this Moana doll?           12:32

22          A.       This is from Ramco. I can't tell you           12:32

23          the actual date, but I have receipts from Ramco.           12:32

24          I don't think they identify with the doll or           12:33

25          something else, you know.           12:33

EXHIBIT A102

Rough Draft

Page 103

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     How much did you pay Ramco for the           12:33  
3 dolls?   12:33

4           A.     I think these were for like \$2, I           12:33  
5 believe.   12:33

6           Q.     And you said you got how many from       12:33  
7 them?   12:33

8           A.     I had little spurts. I probably           12:33  
9 bought -- I can't remember if I bought 10 or 15       12:33  
10 or -- then six months ago I bought a case just       12:33  
11 to have it on stand by.                                   12:33

12          Q.     Six months ago from now?               12:33

13          A.     Yeah.                                       12:33

14          Q.     So you bought some --                   12:33

15          A.     Probably, approximately six months. I   12:33  
16 would have to go and get my receipt from Ramco.       12:33

17                I don't want to say a date and be       12:33  
18 inaccurate and --   12:33

19          Q.     Did you produce all your receipts that   12:33  
20 had you from Ramco for buying dolls for The           12:33  
21 Moana?   12:33

22          A.     I believe I didn't. I only --           12:33  
23 probably maybe or or two. I would have to           12:33  
24 search and see if I have more in my house.           12:33

25          Q.     So how many different times did you go   12:33

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           to Ramco to buy dolls with The Moana mark in           12:33

3           mind?   12:33

4           A.       I would say probably three, four times       12:33

5           maybe.   12:34

6           Q.       And each trip how many dolls did you           12:34

7           buy?   12:34

8           A.       I can't say. I can't say because I           12:34

9           remember a trip they didn't have any, you know,           12:34

10          and I specifically asked and they didn't have at       12:34

11          that moment.   12:34

12          Q.       Did you take the picture shown here?       12:34

13          A.       Yes.   12:34

14          Q.       When did you take this picture?           12:34

15          A.       I don't recall.                               12:34

16          Q.       When did you print this picture?           12:34

17          A.       According to the printer -- this was,       12:34

18          I guess, you know, when discovery was going on       12:34

19          maybe to show, you know, all the discovery that       12:34

20          I sent to Disney.                                       12:34

21          Q.       This is one of the prototype dolls           12:34

22          that you --   12:34

23          A.       Yes. This is the more tan than the           12:34

24          white.   12:34

25          Q.       And it has "The Moana" sticker on it,       12:34





1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2                       (WHOSE                       ExhibitS                       12:36

3           NO                       , DESCR                       marked for                       12:36

4           identification, as of this date.)                       12:36

5           Q.           I'm handing you what's marked                       12:36

6           Exhibit 13, can you take a minute and look at                       12:36

7           that?                       12:36

8           A.           Yeah.                       12:36

9           Q.           Do you recognize this exhibit?                       12:36

10          A.           Yes.                       12:36

11          Q.           What is it?                       12:36

12          A.           This is the same Moana doll you just                       12:36

13          saw, black and white.                       12:36

14          Q.           When did you take this photo?                       12:36

15          A.           I can't remember. I can't recall.                       12:36

16          Q.           Did you take the photo?                       12:36

17          A.           Yes.                       12:36

18          Q.           Was it on the same day as you took the                       12:36

19          other photo that we just talked about in                       12:36

20          Exhibit 12?                       12:36

21          A.           No. I can't remember if it was or                       12:36

22          not. I doubt it.                       12:36

23          Q.           Was it in 2015?                       12:36

24          A.           I can't -- it wasn't 2016, I'll tell                       12:36

25          you that.                       12:36

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2                   Probably 2015 sometime.                   12:36

3           Q.       And what's this "Big Lots!"?                   12:36

4           A.       "Big Lots!" is one of my chain stores           12:36

5           that I wanted to target for lower end consumer           12:36

6           dolls, you know.   12:36

7           Q.       Is this just a newspaper print behind           12:36

8           it?   12:36

9           A.       Yeah, this is a newspaper print.                   12:36

10          Q.       It's on a mattress, it looks like?           12:36

11          A.       Yeah, it does.                                   12:36

12          Q.       At your house, you took the picture at           12:36

13          your house?   12:36

14          A.       Yes, yeah.                                       12:37

15          Q.       Have you sold any dolls bearing The           12:37

16          Moana mark to Big Lots! ?                               12:37

17          A.       No.   12:37

18          Q.       Did you contact Big Lots! about them?           12:37

19          A.       No.   12:37

20          Q.       Have you contacted any stores about           12:37

21          selling Moana-branded dolls?                             12:37

22          A.       No.   12:37

23          Q.       Have you contacted any stores about           12:37

24          selling any Moana-branded products?                   12:37

25          A.       No.   12:37

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 Q. And you don't have any agreements with 12:37  
3 any retail stores to sell Moana-branded 12:37  
4 products? 12:37

5 A. Not at the moment. 12:37

6 Q. How did you learn of Ramco, first 12:37  
7 time? 12:37

8 A. It's a wholesale district here in 12:37  
9 Miami that a lot of people, you know, purchase 12:37  
10 wholesale stuff there and retail it out. So 12:37  
11 I've known about them for many years. It's 12:37  
12 just, you know, word of mouth. 12:37

13 Q. But you testified earlier that you 12:37  
14 don't know the name of the contact person that 12:38  
15 you deal with there, is that right? 12:38

16 A. There's really no contact person. 12:38  
17 Just a cashier and a stock clerk. You know, 12:38  
18 it's a big, big massive warehouse. And you just 12:38  
19 look around and buy what you want. 12:38

20 (WHOSE Exhibits 12:38

21 NO , DESCR marked for 12:38  
22 identification, as of this date.) 12:38

23 Q. I'm handing you what's marked 12:38  
24 Exhibit 14, do you recognize this document? 12:38

25 A. That's one of the receipts, correct, 12:38

**EXHIBIT A108**

Rough Draft

Page 109

1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	from Ramco.	12:38
3	Q. What does this receipt cover?	12:38
4	A. That's the thing. They don't -- they	12:38
5	don't identify what you actually purchased.	12:38
6	Q. Why did you produce it?	12:38
7	A. Well, because I produced it to show	12:38
8	that I purchased dolls there.	12:38
9	Q. Does this cover the doll that you	12:38
10	purchased there?	12:38
11	A. I believe so.	12:38
12	Q. What's the date on this first receipt	12:38
13	on the left?	12:38
14	(Witness looks at document.)	12:38
15	Q. Under the word "Batch" it says a date.	12:38
16	A. April -- I mean, December 14, 2015.	12:39
17	Q. So was that the date the receipt was	12:39
18	given to you?	12:39
19	A. Yeah.	12:39
20	Q. And the total amount here is 42.80,	12:39
21	you don't know what that covers?	12:39
22	A. No.	12:39
23	Q. Did it cover dolls?	12:39
24	A. It covered a bunch of products.	12:39
25	Q. Any Moana dolls?	12:39

**EXHIBIT A109**

Rough Draft

Page 110

1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	A. It probably did.	12:39
3	Q. "Probably" or yes?	12:39
4	You don't know?	12:39
5	A. It's hard to say. I've purchased a	12:39
6	lot of items from there.	12:39
7	But by the amount and being a very low	12:39
8	warehouse store of \$2 and \$3 stuff, you know, I	12:39
9	would assume that it is in there.	12:39
10	Q. What's the receipt on the right-hand	12:39
11	side of Exhibit 14?	12:39
12	A. That was the same thing. That was	12:39
13	December 8th.	12:39
14	Q. Do you know what this "\$88" purchase	12:39
15	was for?	12:39
16	A. See, this here -- let me see, it	12:39
17	was -- this could have been --	12:39
18	December? This could a been the case	12:39
19	I bought, because of the amount of money. This	12:39
20	could have been the case of the Moana dolls,	12:40
21	uh-huh.	12:40
22	Q. So that was dated --	12:40
23	A. December 8th, 2015, like six months	12:40
24	ago. Remember I told you six months ago?	12:40
25	Q. Right.	12:40

**EXHIBIT A110**

Rough Draft

Page 111

1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	A. Right?	12:40
3	More or less. Yeah.	12:40
4	Q. Can you only buy the dolls by the	12:40
5	case?	12:40
6	A. No. I've purchased them individual,	12:40
7	you know.	12:40
8	Q. So was this the first time you	12:40
9	purchased those prototypes, this receipt?	12:40
10	A. No, no, no.	12:40
11	Remember, when I went to the Toy Fair	12:40
12	in New York City in 2015 I had already had The	12:40
13	Moana dolls in 2014, you know, so I bought them	12:40
14	before this.	12:40
15	Q. Who is "eBay Non Ohio"p?	12:40
16	A. Let me see that.	12:41
17	Q. Or PackagingSuppliesByMail.com, are	12:41
18	you familiar with them?	12:41
19	A. Oh, absolutely.	12:41
20	Q. Can you tell me about, how do you know	12:41
21	of those companies?	12:41
22	A. Well, I have to keep my profit margin	12:41
23	down. I started to look for different kinds of	12:41
24	packaging. So those -- that company sells	12:41
25	individual plastics at certain sizes. So I was	12:41

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           gonna experiment with the cost of a plastic of,           12:41

3           you know, very few cents to pack knowledge my           12:41

4           different products in these kind of packages.           12:41

5           Q.       Are you talkinhg about, these plastic           12:41

6           bags?           12:41

7           A.       Plastic, thick bags, you know, to           12:41

8           stick a product in.           12:41

9           Q.       When did you first contact           12:41

10          PackagingSuppliesByMail.com?           12:41

11          A.       I can't remember. You've got --           12:41

12                       (WHOSE                       ExhibitS           12:41

13          NO               , DESCR                       marked for           12:41

14          identification, as of this date.)           12:41

15          Q.       I'm handing you what's marked           12:41

16          Exhibit 15, do you recognize this document?           12:41

17          A.       Yes. This was -- let me see.           12:42

18                       (Witness looks at document.)           12:42

19          A.       November. Pick up date,           12:42

20          November 15th, yeah. This is exactly, I know           12:42

21          exactly what it was for. This was for some of           12:42

22          my products.           12:42

23          Q.       So on November 16th, 2015 you ordered           12:42

24          something from PackagingSuppliesByMail.com?           12:42

25          A.       Yeah.           12:42

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 Q. Is that around the time you contacted 12:42  
3 them, too? 12:42

4 A. I contact them through e-mail. 12:42

5 Q. When did you e-mail them? 12:42

6 A. Oh, when I bought -- I asked them some 12:42  
7 questions about the different sizes and then I 12:42  
8 bought. They I bought a size incorrect size, I 12:42  
9 contacted them back, he said keep those, they 12:42  
10 sent me another one. 12:42

11 Q. Was that around the date of this 12:42  
12 invoice? 12:42

13 A. It had to be around this date, yeah. 12:42

14 Q. Around November of 2015? 12:42

15 A. Yeah. 12:43

16 Q. Are these closeable bags? 12:43  
17 These aren't for your Moana dolls, are 12:43  
18 they, because your Moana dolls were already 12:43  
19 packaged. 12:43

20 A. Experimenting with different packaging 12:43  
21 for the future. 12:43

22 Q. And how many did you buy? 12:43

23 A. It's a lot. But this wasn't for 12:43  
24 Moana. This was for Independence Day. 12:43

25 Q. This order? 12:43



1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. Uh-huh. 12:43

3 Q. Did you ever order bags for Moana? 12:43

4 A. No, not at the moment. 12:43

5 Q. So this was Independence Day? 12:43

6 A. Yeah. 12:43

7 Q. Can you pull back Exhibit 14? I have 12:43

8 a couple more questions about this Ramco 12:43

9 Exhibit. 12:43

10 A. Let me see how it looks? 12:43

11 Q. Here. 12:43

12 A. Yeah, okay. 12:43

13 Q. So the amount on the left, sitting 12:44

14 here today, can you tell me if that amount, 12:44

15 42.80 was for Moana dolls? 12:44

16 A. I can't be sure. 12:44

17 I mean, I have Moana dolls that I 12:44

18 bought individual. It could be, it could not. 12:44

19 Since they don't identify it I can't tell you if 12:44

20 it's correct or not, you know? 12:44

21 Q. The same with the right, you testified 12:44

22 earlier that was probably the case of the dolls. 12:44

23 A. The right one, because of the amount 12:44

24 money, it's likely to believe that was a case 12:44

25 that I bought, that cost me like 40 or \$50, and 12:44

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           the other stuff was other toys. So that's           12:44

3           highly likely that the one on the right was           12:44

4           definitely for The Moana case.           12:44

5           Q.       And you don't believe you have any           12:44

6           other Ramco receipts in your records, is that           12:44

7           right?           12:44

8           A.       I would have to look.           12:44

9                     MS. McLEOD: If you do, we would want           12:44

10          to see a production of those that relate to           12:44

11          Moana products.           12:45

12          THE WITNESS: Okay.           12:45

13          Q.       So tell me about graphic design. I           12:45

14          think you called it Graphic Design Company, that           12:45

15          designed your Moana label?           12:45

16          A.       Yes.           12:45

17          Q.       How did you come across that company?           12:45

18          A.       Well, I'd seen them in the           12:45

19          neighborhood. And approached them.           12:45

20          Q.       Their office is by you?           12:45

21          A.       Yeah, a couple miles away.           12:45

22          Q.       And when did you first contact them?           12:45

23          A.       I think, again, it was late December           12:45

24          or January 2014, 2015. Again, I was getting           12:45

25          ready for the Toy Fair February 2015 so I had to           12:45

**EXHIBIT A115**

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           have my packagings done, so it probably was           12:45

3           before those dates.           12:45

4           Q.       So you think it was 2014 or 2015?           12:45

5           A.       It could have been late -- it could           12:45

6           have been late 2014, early 2015.           12:45

7           Q.       And where is their address, do you           12:45

8           know?           12:45

9           A.       I think they're on 7th Street and           12:45

10          47th Avenue.           12:45

11          Q.       Who do you work with there?           12:46

12          A.       I forgot their names.           12:46

13          Q.       First name?           12:46

14          A.       I forgot their names.   Weird name.           12:46

15          Q.       Last name?           12:46

16          A.       Forgot it.           12:46

17          Q.       One person, do you deal with?           12:46

18          A.       One or two, two people.           12:46

19          Q.       So is the first time you contacted           12:46

20          them about The Moana label?           12:46

21          A.       When I contacted them it was probably           12:46

22          Moana, Independence Day, and Battle Angel.           12:46

23          Q.       And that was all on the first contact,           12:46

24          around 2014 or 2015, you think?           12:46

25          A.       Yes.           12:46

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     And did they design your label for you     12:46

3     for, Moana?   12:46

4           A.     Uh-huh, yeah.                                     12:46

5           Q.     And did they make any labels for you?     12:46

6           A.     Yeah. They made labels.                         12:46

7           Q.     What color is your logo?                       12:46

8           A.     Like a light pink. White and light             12:46

9     pink, pinkish.   12:46

10          Q.     What did it say on it, the label?             12:46

11          A.     "The Moana."                                     12:46

12          Q.     Is it one line?                                 12:46

13          A.     We have it here.                                 12:46

14          Q.     Just go from your memory right now.           12:46

15          A.     "The Moana" label.                               12:47

16          Q.     How many labels did they give you?            12:47

17          A.     I went back to them twice, so I would         12:47

18     say a couple dozen.   12:47

19          Q.     So the first time you went to them             12:47

20     they gave you how many?                                     12:47

21          A.     Approximately, probably 12.                     12:47

22          Q.     And are they -- they're sticky labels,         12:47

23     is that right?   12:47

24          A.     Correct.   12:47

25          Q.     And are they also colored pink?                 12:47

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. Yes. 12:47

3 Q. And you peel them off a sheet? 12:47

4 A. Correct. 12:47

5 Q. And did they -- when you obtained the 12:47

6 first sheet from them, was that the same time, 12:47

7 at the same time they designed it? 12:47

8 So they designed the logo and then 12:47

9 they gave you the sheet stickers? 12:47

10 A. Correct. 12:47

11 Q. Did you review the sheet of stickers? 12:47

12 A. They might have sent me a proof. 12:47

13 Q. When did they send you the proof? 12:47

14 A. Late in 2014, early 2015. They might 12:47

15 have sent me the proof and I gave it the okay 12:47

16 kind of stuff. 12:48

17 Q. How did your relationship work with 12:48

18 them, do you pay them in advance or do you pay 12:48

19 them -- 12:48

20 A. I go -- I pay them in advance. I 12:48

21 go -- they do the -- they charge me for the job 12:48

22 and I pay them and they produce what needs to be 12:48

23 produced. 12:48

24 Q. And then when you delivered their 12:48

25 stickers to you, did they deliver with the 12:48

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           invoice? 12:48

3           A.     Yes. 12:48

4           Q.     Did you pick it up or did they mail it 12:48

5           to you? 12:48

6           A.     I picked it up. 12:48

7           Q.     So you walked in and picked it up and 12:48

8           you got a copy of the invoice and your first 12:48

9           sheet of stickers, is that right? 12:48

10          A.     Correct. 12:48

11                 I think when I paid they gave me an 12:48

12          invoice before they did the job. 12:48

13          Q.     Before they did the job? 12:48

14          A.     Yeah. 12:48

15                 And then maybe they gave me another 12:48

16          invoice after. I can't remember. 12:48

17          Q.     So you think you paid first -- 12:48

18          A.     Yeah. They want you to pay first. 12:48

19          Q.     -- then they did the work? 12:48

20          A.     Uh-huh. 12:48

21          Q.     And so when you walked in to pay they 12:48

22          gave you the invoice, the first time? 12:48

23          A.     I can't remember they gave me the 12:49

24          invoice in the beginning to show me a receipt 12:49

25          that I paid, and then I go pick it up after. 12:49

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           It's one or the other. I can't remember.           12:49

3           Q.       Do you remember, how did they send you       12:49

4           the proof? You mentioned a proof. Did they           12:49

5           e-mail it to you?           12:49

6           A.       I think they e-mailed it to me.           12:49

7                       MS. McLEOD: Did you produce a copy of       12:49

8           that e-mail? We would want a copy of that           12:49

9           e-mail.           12:49

10                      THE WITNESS: Sure. A Graphic Design       12:49

11           e-mail.           12:49

12           Q.       Did you maybe go in and visit them to       12:49

13           see it in person?           12:49

14           A.       I can't remember.           12:49

15                       (WHOSE                      Exhibits           12:49

16           NO                      , DESCR                      marked for       12:49

17           identification, as of this date.)           12:49

18           Q.       I'm handing you what's marked           12:49

19           Exhibit 16, is this the graphic design --           12:49

20                      Do you recognize this document?       12:49

21           A.       Yes.           12:50

22           Q.       Is this the Graphic Design Company you       12:50

23           were testifying about on 7th Avenue?           12:50

24           A.       Uh-huh.           12:50

25           Q.       And is this the company that designed       12:50

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2       your logo?   12:50

3           A.       Yes.   12:50

4           Q.       And it says, billed here to you and to       12:50

5       your name, right?   12:50

6           A.       Jose --   12:50

7           A.       Yes.   12:50

8           Q.       With an invoice No. 5594?                               12:50

9           A.       Correct. And it says "pink" here,                       12:50

10       too.   12:50

11          Q.       "Pink," I see that below.                               12:50

12                       This is the invoice for your initial                       12:50

13       design of your logo, is that right?                               12:50

14          A.       Yes.   12:50

15          Q.       This is the pink one that you talked                       12:50

16       about?   12:50

17          A.       Uh-huh, yes.   12:50

18          Q.       And this is also, it looks like                               12:50

19       quantity here, one quantity of stickers, is that                       12:50

20       the first sticker sheet that you received, 16                       12:50

21       stickers?   12:50

22          A.       Yes. I think this is the first one.                       12:50

23       Then I touched it up in the next round. They                       12:50

24       played with the color a little bit, I believe.                       12:50

25          Q.       So the date of this invoice is                               12:50





1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 Q. Is this a photocopy of a section of 12:51  
3 the sticker sheet, is that what this is? 12:51

4 A. Correct. It says "The Moana" on it 12:51  
5 and it has a little "TM" in the bottom meaning 12:51  
6 it's in the process of being registered for the 12:51  
7 "TM." 12:51

8 Do you see that? 12:51

9 Q. Yes. 12:51

10 Have you ever been to the Licensing 12:52  
11 Expo in Las Vegas? 12:52

12 A. Yes. 12:52

13 Q. What years have you gone to the 12:52  
14 Licensing Expo? 12:52

15 A. Actually, I went -- not in Las Vegas. 12:52  
16 I went when it used to be in New York. 12:52

17 Q. Okay. When did you go to that? 12:52

18 A. I think it was back in -- a couple of 12:52  
19 years ago. 12:52

20 Q. Did you go as EpicStone or did you go 12:52  
21 as Lightstream? 12:52

22 A. I'm trying to remember. Not EpicStone 12:52  
23 because EpicStone was not incorporated at that 12:52  
24 moment. But it was -- it used to be -- when it 12:52  
25 used to be in New York City, a couple years ago. 12:52

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2                       (WHOSE                       ExhibitS                       12:52

3           NO                       , DESCR                       marked for                       12:52

4           identification, as of this date.)                       12:52

5           Q.           I'm handing you what's been marked                       12:52

6           Exhibit 18.                       12:52

7                       This is a group exhibit. It has five                       12:52

8           pages. Do you recognize the first page of                       12:52

9           Exhibit 18?                       12:53

10           A.           Yes.                       12:53

11           Q.           What is it?                       12:53

12           A.           "Thank you for registering for the                       12:53

13           Licensing Expo in 2016."                       12:53

14           Q.           So did you print this sheet?                       12:53

15           A.           Yes.                       12:53

16           Q.           And is this your registration receipt                       12:53

17           for the June conference coming up --                       12:53

18           A.           Correct.                       12:53

19           Q.           -- in 2016, right?                       12:53

20           A.           Correct.                       12:53

21           Q.           Who did you register as, yourself or                       12:53

22           EpicStone, or someone else?                       12:53

23           A.           I think it was Lights -- it could be                       12:53

24           Lightstream Partners.                       12:53

25           Q.           Lightstream?                       12:53



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     And what's the date of the first time           12:54  
3     you e-mailed her?   12:54

4           A.     It looks like it's April 6th, 2016.           12:54

5           Q.     Does that sound accurate?                   12:54

6           A.     April...   12:54

7                     Oh, no, we're going back to March.           12:54

8                     It could have been March.                   12:54

9           Q.     So in March of 2016 you started -- it           12:54  
10     looks like Kelli, the first time you e-mailed           12:54  
11     her is maybe April. What is she talking about           12:54  
12     in this e-mail?   12:54

13          A.     Well, I think she's giving me some           12:54  
14     quotes of what are the possibilities for my --           12:54  
15     to exhibit my products there, my different               12:54  
16     intellectual properties. I was trying to get a           12:54  
17     quote.   12:54

18          Q.     For the June 2016 show, is that right?       12:55

19          A.     Correct.   12:55

20          Q.     And it says here "great chatting               12:55  
21     today," did you talk to her on the phone?               12:55

22          A.     I think so. I believe so, yeah.               12:55

23          Q.     And you talked to her about what?             12:55

24          A.     Same thing. About exhibit space, cost         12:55  
25     and, you know, what do you get for the cost?           12:55

# EXHIBIT A126

Rough Draft

Page 127

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           And just talking about...           12:55

3           Q.       Did you end up buying an exhibit           12:55

4           space?           12:55

5           A.       No, not at the moment.           12:55

6           Q.       Look at page 4 of this Exhibit 18. It           12:55

7           looks like another e-mail here to S. Weisman.           12:55

8           A.       "Weisman"...

9                     (Witness looks at document.)           12:55

10          "Weisman," I see it. Gotcha           12:55

11          Q.       So what are you asking her about here?           12:55

12          A.       There's magazines, there's two           12:55

13          different magazines for the Expo, for the show.           12:55

14          So I was looking into the different costs for a           12:56

15          booth compared to advertising in the magazine.           12:56

16          Q.       Did you end up advertising, buying an           12:56

17          advertising in the magazine?           12:56

18          A.       No, not at the moment. They had a           12:56

19          cutoff date, I believe it was the 15th. But           12:56

20          they said, you know, if I'm still interested I           12:56

21          could get with them, you know.           12:56

22          Q.       What brands were you talking to them           12:56

23          about advertising?           12:56

24                     Did you talk about any specific brands           12:56

25          with them or were you just talking in general?           12:56

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. General. 12:56

3 I own over 15, 16 copyrights, several 12:56  
4 trademarks, a couple patents. So it's just in 12:56  
5 general right now. 12:56

6 Q. Can tell me what "SGS" stands for, is 12:57  
7 that an organization of some kind? 12:57

8 A. Where is SGS? 12:57

9 (WHOSE ExhibitS 12:57

10 NO , DESCR marked for 12:57  
11 identification, as of this date.) 12:57

12 Q. I'm handing you what's marked 12:57  
13 Exhibit 19, do you recognize this exhibit? 12:57

14 A. Yeah. This is some of the -- as you 12:57  
15 walk ruined in the Toy Fair they have different 12:57  
16 booths. And they have brochures on, you know, 12:57  
17 consumer toy quality and safety standards. So I 12:57  
18 picked up the brochures just to keep it handy so 12:57  
19 for if I need them in the future, I can reach 12:57  
20 reach out to them. 12:57

21 Q. What Toy Fair did you get this? 12:57

22 A. It was either 2015 or 2016. I think 12:57  
23 they were there both years. 12:57

24 Q. You mentioned earlier some patents 12:57  
25 that you own. 12:57

**EXHIBIT A128**

Rough Draft

Page 129

1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	A. Provisional patents.	12:57
3	Q. Can you describe what those are?	12:57
4	A. Well, they're provisional, so they're	12:57
5	not really -- they -- you know, you have a year	12:57
6	and they expire.	12:57
7	Q. How many do you have?	12:57
8	A. Two of them.	12:57
9	They expired, but I've got to renew	12:57
10	them.	12:57
11	Q. Did you file them yourself?	12:57
12	A. Uh-huh.	12:58
13	Q. Is there a product category you can	12:58
14	tell me they're in?	12:58
15	A. Consumer -- for children and for fast	12:58
16	foods. For children, for the small children and	12:58
17	for fast foods.	12:58
18	Q. Is it a toy for children?	12:58
19	A. No, it's not a toy.	12:58
20	MS. McLEOD: Off the record.	12:59
21	(Discussion off the record.)	12:59
22	(Recess taken.)	12:59
23	MS. McLEOD: Back on the record.	01:09
24	Q. You testified earlier, you mentioned	01:09
25	copyrights. Can you describe what copyrights	01:09



1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	you own?	01:09
3	A. Sure.	01:09
4	MR. STEWART: Weren't we on patents.	01:09
5	Q. We finished patents.	01:09
6	You have two patents?	01:09
7	A. Yeah. I have copyrights.	01:09
8	Q. Back to the patents, actually. Are	01:09
9	those under your name, or EpicStone, or whose	01:09
10	name --	01:09
11	A. Under mine.	01:09
12	Q. No company name?	01:09
13	A. My company, no. They're provisionals,	01:09
14	so unless you turn -- you get that one year to	01:09
15	turn it into a patent. So I haven't done that,	01:09
16	so...	01:09
17	Q. Oh boy, that's busy, huh?	01:09
18	A. Yeah.	01:09
19	Q. Not a very good time frame.	01:09
20	What about the copyrights you	01:10
21	mentioned?	01:10
22	A. Yeah.	01:10
23	Q. You're pulling out some documents?	01:10
24	A. Yeah. These are my different	01:10
25	copyrights that I own with the patent office --	01:10

1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	with the copyright office.	01:10
3	Yeah, I got one, two, three, four,	01:10
4	five, six, seven, eight, nine, 10, 11, 12, 13,	01:10
5	14...	01:10
6	Q. Are any of those for Moana products --	01:10
7	A. No.	01:10
8	Q. -- or labels --	01:10
9	A. No.	01:10
10	Q. -- or product designs?	01:10
11	A. No.	01:10
12	(WHOSE Exhibits	01:10
13	NO , DESCR marked for	01:10
14	identification, as of this date.)	01:10
15	Q. I'm handing you what's marked	01:10
16	Exhibit 20, do you recognize this document?	01:10
17	A. Yes.	01:10
18	Q. What is this?	01:10
19	A. This is a -- that was at the Toy Fair,	01:10
20	a booth marketing so you could bring your stuff,	01:10
21	your baby stuff to China for an expo over there.	01:11
22	Q. So you obtained this CD, is it --	01:11
23	A. Yeah.	01:11
24	Q. -- from --	01:11
25	A. It's a brochure kind of thing that one	01:11

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           of the companies in the Toy Fair was marketing,           01:11

3           you know, China, to go to China for this event.           01:11

4                        Just, you know...           01:11

5           Q.       Did you contact this company --           01:11

6           A.       No.           01:11

7           Q.       -- about marketing any Moana products?           01:11

8           A.       No.           01:11

9           Q.       Did talk to them about any Moana

10           products --           01:11

11           A.       No.           01:11

12           Q.       -- at the Toy Fair?           01:11

13           A.       No.           01:11

14                       (WHOSE                       Exhibits           01:11

15           NO                       , DESCR                       marked for           01:11

16           identification, as of this date.)           01:11

17           Q.       I'm handing you what's marked

18           Exhibit 21, do you recognize this document?           01:11

19           A.       Yes.           01:11

20           Q.       What is it?           01:11

21           A.       It was Tim.           01:11

22                       Same thing. He deals with safety

23           standards, with toy safety standards.           01:11

24           Q.       And that was from --           01:11

25           A.       I believe it was 2016.           01:12

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 Q. The 2016 Toy Fair? 01:12

3 A. Yes. 01:12

4 Q. Have you talked to Tim Davis since you 01:12  
5 got his card? 01:12

6 A. No. 01:12

7 Q. When you met him, did you talk to him 01:12  
8 about Moana products or just in general? 01:12

9 A. No, just in general. Just in general. 01:12  
10 (Discussion off the record.) 01:12

11 Q. How many trademark registrations do 01:12  
12 you own? 01:12

13 A. Could I take a look at them? 01:13  
14 Because I don't -- 01:13

15 Q. Just from your memory, how many does 01:13  
16 EpicStone -- 01:13  
17 Does EpicStone own any trademark 01:13  
18 registrations? 01:13

19 A. Yes. 01:13

20 Q. How many? 01:13

21 A. Over five, I would say. I don't want 01:13  
22 to say a number and be incorrect, if I can't 01:13  
23 see... 01:13

24 Q. Do any of your other companies own any 01:13  
25 trademark registrations? 01:13

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. Yes. 01:13

3 Q. Are they registrations or 01:13  
4 applications? 01:13

5 A. Applications. 01:13

6 Q. So when you mentioned five 01:13  
7 registrations that you own, are those 01:13  
8 registrations that you're referring to or 01:13  
9 applications? 01:13

10 A. Under Epic -- I've got to look at my 01:13  
11 notes. I can't answer -- I have a few 01:13  
12 registrations and a few filings, 10-Ts 01:13  
13 (phonetic). 01:13

14 Like this is a registration, Dubai 01:13  
15 Living, Geographic. 01:14

16 Q. Let the record show you're lifting up 01:14  
17 a magazine, Dubai Living? 01:14

18 A. Yeah, that's under Jose or -- 01:14  
19 I would have to look at my records to 01:14  
20 be accurate. 01:14

21 Q. So is it accurate to say sometimes you 01:14  
22 pay for applications you file in your own name 01:14  
23 as an individual? 01:14

24 A. Correct. 01:14

25 Q. And then you filed a few 01:14



**EXHIBIT A135**

Rough Draft

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1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	A. Correct.	01:15
3	Q. -- all them?	01:15
4	Can you identify any trademark	01:15
5	applications or registrations that you have	01:15
6	filed that are also film titles or names?	01:15
7	A. That are also filmed?	01:15
8	Q. Films.	01:15
9	A. I would have to look at my	01:15
10	registrations to...	01:15
11	(WHOSE Exhibits	01:15
12	NO , DESCR marked for	01:15
13	identification, as of this date.)	01:15
14	Q. I'm handing you what's marked	01:16
15	Exhibit 23, can you take a look at this	01:16
16	document?	01:16
17	A. Yes.	01:16
18	Q. Do you recognize what's on here?	01:16
19	A. Yes.	01:16
20	Q. What's shown on Exhibit 23?	01:16
21	A. That's a filing of an application of	01:16
22	the Da Vinci Code and I added, I think Bible to	01:16
23	it.	01:16
24	Q. And this was filed in your individual	01:16
25	name, is that right?	01:16

**EXHIBIT A136**

Rough Draft

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1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	A. Yes.	01:16
3	Q. Back in May, it looks like May of	01:16
4	2015?	01:16
5	A. Correct.	01:16
6	Q. Is this your address, your home	01:16
7	address?	01:16
8	A. Yes.	01:16
9	Q. This was an "intent to use"	01:16
10	application, right?	01:16
11	A. Correct.	01:16
12	Q. Class 41 is covered?	01:16
13	A. Correct.	01:16
14	Q. The services hear say, "distribution	01:16
15	of motion picture films, rental motion picture	01:16
16	films" have you ever distributed a motion	01:17
17	picture film?	01:17
18	A. No.	01:17
19	Q. Have you ever produced a motion	01:17
20	picture film?	01:17
21	A. I produced a short documentary many,	01:17
22	many, many years ago, but...	01:17
23	Q. Was it before 2005?	01:17
24	A. Oh, absolutely.	01:17
25	Q. What was that documentary?	01:17



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     It was a 10-minute short film. I even     01:17

3 forgot the name.     01:17

4           Q.     Did you show that film anywhere?     01:17

5           A.     No, no.     01:17

6           Q.     Did you sell it to anyone?     01:17

7           A.     No.     01:17

8           Q.     Have you ever produced a television     01:17

9 program?     01:17

10          A.     No.     01:17

11                   I've written screenplays and     01:17

12 treatments.     01:17

13          Q.     You've written a screenplay, for what?     01:17

14          A.     Screenplays, for my personal -- that's     01:17

15 one of my copyrights.     01:17

16                   Die For A New Year.     01:17

17          Q.     When did you write that?     01:17

18          A.     1997.     01:17

19          Q.     Has anything happened with that     01:17

20 screenplay?     01:17

21          A.     I got a few buzz from Hollywood. A     01:17

22 producer contacted me. But it was very touchy,     01:18

23 because it deals with a cop who discovers a     01:18

24 terrorist plot to blow up Times Square on New     01:18

25 Years Eve. And with the terrorists and     01:18

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           everything that's going on, at the moment it           01:18

3           wasn't the right time to try to promote this, so       01:18

4           I shelved it for a while.                               01:18

5           Q.       Who is the producer you talked to, do       01:18

6           you know?   01:18

7           A.       Bob Kosberg.                                   01:18

8           Q.       Who is Bob Kosberg with?                   01:18

9           A.       He's with Griffin, Merv Griffin. He       01:18

10          produced The 12 Monkeys. He contacted me once,   01:18

11          wanted to know a little bit about that.           01:18

12          Q.       So nothing has happened with that film   01:18

13          since that contact?                               01:18

14          A.       No.   01:18

15          Q.       And you don't have any other scripts   01:18

16          completed?   01:18

17          A.       Yes. I have a treatment called Groom   01:18

18          Lake.   01:18

19          Q.       "Groom Lake"?

20          A.       Groom Lake.                               01:18

21          A.       Groom Lake?

22          A.       Yeah.                                       01:18

23          Q.       Like groom, like bride and groom?       01:18

24          A.       Groom Lake is another name for a       01:18

25          desert out in Nevada.                             01:18

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 Q. When did you write that? 01:18

3 A. I wrote that in 1990... 01:18

4 I've got the copyright. It's about 01:18

5 two autistic kids, they discover a military 01:18

6 base. 01:19

7 Q. What's a "treatment"? 01:19

8 A. A "treatment" is a form, a form of 01:19

9 a -- before you do a screenplay you do a 01:19

10 treatment. It's basically like a -- it gives 01:19

11 you the Act 1, Act 2, Act 3. The beginning, the 01:19

12 investigation, and the climax and the plot. 01:19

13 So before you do a screenplay you do 01:19

14 like a synopsis and then you do a treatment. 01:19

15 And then from that treatment you break down the 01:19

16 screenplay. So it's almost like the beginning 01:19

17 of a screenplay, a treatment. 01:19

18 Q. But none of those treatments or your 01:19

19 scripts were for this Da Vinci Code Bible movie? 01:19

20 A. No. 01:19

21 Q. Did you know before you filed your 01:19

22 application that Sony was developing a Da Vinci 01:19

23 Code movie? 01:19

24 A. I don't recall. 01:19

25 Q. Did you know Tom Hanks was gonna be 01:19

# EXHIBIT A140

Rough Draft

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1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	starring in a movie?	01:19
3	A. No.	01:19
4	Q. Did you know the movie came out	01:19
5	shortly after application was filed?	01:19
6	A. Obviously after I heard about it and	01:20
7	did more research on trademark law. And it's	01:20
8	very difficult to register a movie or something	01:20
9	like that, so...	01:20
10	Q. So this application went abandoned, is	01:20
11	that right?	01:20
12	A. Yes.	01:20
13	Q. Is it because you never were able to	01:20
14	file a statement of use?	01:20
15	A. I can't remember what happened here.	01:20
16	I started reading more about the law, about	01:20
17	trademarks and movies. It's hard to trademark	01:20
18	movie titles. And I pretty much thought it was	01:20
19	not gonna, you know, so...	01:20
20	Q. So you were thinking of this for a	01:20
21	movie title?	01:20
22	A. For a -- to develop a Bible Code, a	01:20
23	Bible Code movie the Da Vinci name in it.	01:20
24	Q. How long do you think it takes to	01:20
25	develop or make a major motion picture before	01:20



1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	A. Yes.	01:22
3	Q. Now, on the first page the applicant's	01:22
4	name is "Icon Distribution," but did you	01:22
5	originally file an application for Apocalypto?	01:22
6	A. I think this is my friend Moises that	01:22
7	we did many years ago.	01:22
8	Q. If you look at page 3 of this	01:22
9	document, I see an assignment here. And the	01:22
10	assignment of this application lists your name,	01:22
11	do you see that, "Jose Barreto"?	01:22
12	A. Yes.	01:22
13	Q. So were you a joint applicant with --	01:22
14	A. Yes.	01:22
15	Q. Who is Moises?	01:22
16	A. Moises Behar was a partner of mine	01:22
17	back in the days in real estate.	01:23
18	Q. One of your real estate buddies?	01:23
19	A. Uh-huh.	01:23
20	Q. This covers Class 9 products, like	01:23
21	DVDs?	01:23
22	A. Correct.	01:23
23	Q. Computer games and things like that,	01:23
24	is that right?	01:23
25	A. Yes.	01:23

**EXHIBIT A143**

Rough Draft

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1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     This was filed on November 14th, 2014?     01:23

3           A.     Correct.                                     01:23

4           Q.     If you look at the last page, last,           01:23

5           actually last three pages you'll see a letter       01:23

6           back here from Robert J. Van Der Wall, dated       01:23

7           May 21st, 2007, does that look familiar to you?     01:23

8           A.     Yes.   01:23

9           Q.     What is this letter about?               01:23

10                     (Witness looks at document.)           01:23

11           A.     I believe this was a letter that was       01:24

12           sent to Icon, Icon Distribution.                     01:24

13           Q.     It looks like it was also sent to           01:24

14           Disney, is that right?                             01:24

15           A.     It probably was, yeah.                     01:24

16           Q.     And the addressee Touchstone Pictures       01:24

17           is also there?                                       01:24

18           A.     Yes.   01:24

19           Q.     And is this a demand letter?             01:24

20           A.     I don't know if it's a demand letter,     01:24

21           but letting them know that we have rights. When   01:24

22           we filed, I believe the registration was           01:24

23           available for registration.                         01:24

24           Q.     Did you authorize this letter?             01:24

25           A.     This letter?                                 01:24

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           I can't remember if it was myself or           01:24

3       Moises. We met this attorney.           01:24

4           But, yeah, it was between me and           01:24

5       Moises.           01:24

6           Q.     So is it accurate to say that this           01:24

7       letter is a letter saying you're gonna file a           01:24

8       trademark infringement suit if they don't stop           01:24

9       their movie?           01:24

10          A.     That's what it says here, uh-huh.           01:24

11          Q.     So let's look at page, page 4 of this           01:24

12       exhibit. It's the cover page of a complaint, do           01:25

13       you see that page?           01:25

14          A.     Yes.           01:25

15          Q.     And did Icon Distribution, Inc. sue           01:25

16       you in the United States District Court for the           01:25

17       Central District of California, Western Division           01:25

18       for a declaratory judgment of non-infringement?           01:25

19          A.     I guess it was filed.           01:25

20          Q.     Are you familiar with this lawsuit?           01:25

21          A.     Yes, I remember.           01:25

22          Q.     Did you file an answer?           01:25

23          A.     No. We --           01:25

24                 At that time, back then we, again, you           01:25

25       know, we researched different attorneys and we           01:25



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           decided at that moment that it was not gonna be           01:25

3           cost efficient. And especially anything that           01:25

4           has currently a movie title out there. So we --           01:25

5           we abandoned the application, I believe, or           01:26

6           the...           01:26

7           Q.       It looks like you assigned the           01:26

8           application to Icon.           01:26

9           A.       Assigned it, yeah.           01:26

10          Q.       Was there a settlement agreement?           01:26

11          A.       Not that I'm aware of.           01:26

12          Q.       You just assigned the application to           01:26

13          them?           01:26

14          A.       Yeah.           01:26

15          Q.       With no written agreement?           01:26

16          A.       No written agreement.           01:26

17          Q.       Did you know at the time you filed           01:26

18          this application with your real estate contact           01:26

19          that there was a film in development by Icon for           01:26

20          Apocalypto?           01:26

21          A.       At that the moment I believe maybe we           01:26

22          did and we just didn't know the trademark too           01:26

23          well. So we said, well, maybe we can get           01:26

24          Class 9 and stuff like that.           01:26

25                 But I think maybe we might have known           01:26





1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. Correct. 01:28

3 Q. And I asked you, did you know at the 01:28  
4 time that you filed this that ABC and Disney 01:28  
5 were developing the Ugly Betty series? 01:28

6 A. No. 01:28

7 Q. Did you see any press about the Ugly 01:28  
8 Betty series before you filed this application? 01:28

9 A. No. 01:28

10 Q. How did you come up with the Ugly 01:28  
11 Betty mark? 01:28

12 A. Well, I remember a Colombian old 01:28  
13 novella you know, called Betty La Fea sp, in 01:28  
14 Spanish. And I believe it wasn't owned by ABC 01:28  
15 or Disney at that time. 01:28

16 Q. So it was owned by someone else? 01:28

17 A. Somebody else in another country. 01:28

18 Q. Was it shown here in the U.S.?. 01:28

19 A. I believe so. 01:28

20 Q. Does that translate exactly to "The 01:28  
21 Ugly Betty"? 01:28

22 A. Yes, in English, absolutely. 01:28

23 Q. And did ABC oppose this application? 01:28

24 A. I believe they did or Disney did. I 01:28  
25 don't know who, which... 01:29

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     And this application abandoned           01:29

3 eventually, right?           01:29

4           A.     Yes.           01:29

5           Q.     It was available for registration when    01:29

6 I searched at the USPTO.gov, yeah.           01:29

7                   (WHOSE           ExhibitS           01:29

8 NO           , DESCR           marked for           01:29

9 identification, as of this date.)           01:29

10          Q.     I'm handing you what's marked           01:29

11 Exhibit 26, do you recognize this exhibit?    01:29

12          A.     Yes.           01:29

13          Q.     What is it?           01:29

14          A.     It's a trademark filing by Jose           01:29

15 Barreto, Lightstone Group, uh-huh.           01:29

16          Q.     So this was filed in your individual       01:29

17 name with Lightstone as a dba, is that right?   01:29

18          A.     Yes.           01:29

19          Q.     And this was an intent to use           01:29

20 application too, is that right?           01:29

21          A.     Correct.           01:29

22          Q.     What goods are covered here?           01:29

23          A.     Circuit breakers, wireless           01:29

24 communication devices, you know, text and       01:29

25 pictures, video conferencing and stuff.       01:29

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 Q. Before you filed this application in 01:29  
3 October 8th, 2008, had you ever heard of the 01:29  
4 Green Lantern, DC Comics character? 01:30

5 A. I heard of the Green Lantern, yes. 01:30

6 Q. You did? 01:30

7 A. Yeah. 01:30

8 Q. But you filed this application in 01:30  
9 Class 9? 01:30

10 A. I filed it because I checked the 01:30  
11 USPTO.gov and there was other Green Lantern 01:30  
12 formative marks, car washes and different 01:30  
13 companies with Green Lantern. So I said, well, 01:30  
14 let me file to create something, just like other 01:30  
15 companies do that are not related to DC Comics. 01:30

16 Q. And what were you gonna market under 01:30  
17 Green Lantern? 01:30

18 A. Well, it came down to, I was gonna 01:30  
19 make a flashlight, a flashlight and some 01:30  
20 communication devices. But it was okay with the 01:30  
21 examining attorney. And if it's okay with the 01:30  
22 examining attorney, they have knowledge and I 01:30  
23 was moving forward for registration until 01:30  
24 DC Comics, I guess didn't want me to have that. 01:30

25 Q. Did they file an opposition? 01:30



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           you look at page 3 there's also -- I grouped           01:31

3           them by the brand here, so there's a class 9 one       01:31

4           as well.   01:31

5           A.       Correct.   01:31

6           Q.       Looking first here at the Class 28           01:31

7           application, you filed this in July of 2012, it       01:32

8           looks like, right?   01:32

9           A.       The first one or the second one?           01:32

10          Q.       The first one.                                   01:32

11          A.       The first one was in 2009.           01:32

12          Q.       You want to look at that one first?       01:32

13          Okay.   01:32

14                        2009. Battle Angel, where did you       01:32

15          come up with the Battle Angel mark?           01:32

16          A.       Oh, this is my animation character, as       01:32

17          you can see. It's just a catchy name.           01:32

18          Q.       Had you ever heard of the Japanese       01:32

19          series called Battle Angel before you --       01:32

20          A.       No.   01:32

21          Q.       Did you ever hear that James Cameron       01:32

22          sp was looking into producing a film version of       01:32

23          Battle Angel, the Japanese series?           01:32

24          A.       No.   01:32

25          Q.       You just came up with it all on your       01:32





1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           written -- copy written in 19...           01:33

3                       (Witness looks at document.)           01:33

4           A.       -- 1996 this was written, copy written           01:33

5           with the patent office. And this is the image I           01:33

6           used for a mark for trademark. And then I           01:33

7           changed along the way with another product.           01:33

8           Q.       Is this the cover of the computer           01:33

9           cartridge?           01:33

10          A.       I believe so. Yeah, it was.           01:33

11          Q.       Was it a physical cartridge?           01:33

12          A.       It's a physical cartridge. The           01:33

13          cartridge is inside.           01:33

14          Q.       What game does it play on, what           01:33

15          system?           01:34

16          A.       The designer that created it was many,           01:34

17          many years ago. It was an old system. I can't           01:34

18          remember because I don't have specialized           01:34

19          knowledge in those kind of designs.           01:34

20          Q.       So is the system still available that           01:34

21          plays this game, if it's an old system?           01:34

22          A.       I don't even know. I haven't played           01:34

23          it in a long time, so...           01:34

24          Q.       So if you turn to -- we got it a           01:34

25          little bit out of ordinary, but there's a           01:34

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           document here called "Combined Declaration of           01:34

3           Use and Incontestability."           01:34

4                     It's this document. It looks like           01:34

5           this, do you see that for Battle Angel? Do you           01:34

6           see the front page, it looks like this?           01:34

7           A.       Yes. I've got it right here, uh-huh.           01:34

8           Q.       Okay. It's a bunch of pages.           01:34

9                     So this is a document -- did you file           01:34

10          this document to maintain your Battle Angel           01:35

11          registration in Class 9?           01:35

12          A.       Yes.           01:35

13          Q.       And it looks like, to me, you signed           01:35

14          this declaration February 23rd, 2015, do you see           01:35

15          this in the back?           01:35

16          A.       Uh-huh.           01:35

17          Q.       And you submitted with that           01:35

18          declaration this specimen, is that right?           01:35

19          A.       Correct.           01:35

20          Q.       And is this the same specimen you           01:35

21          submitted when you originally filed your           01:35

22          application?           01:35

23          A.       I can't recall.           01:35

24          Q.       You can't recall?           01:35

25          A.       I can't recall. I have two different           01:35







1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2                         (WHOSE                         ExhibitS                         01:37

3           NO                         , DESCR                         marked for                         01:37

4           identification, as of this date.)                         01:37

5           Q.           I'm handing you what's marked                         01:37

6           Exhibit 28. Can you take a moment to look at                         01:37

7           this document?                         01:37

8           A.           Sure.                         01:37

9                         (Witness looks at document.)                         01:38

10          Q.           Do you recognize this document?                         01:38

11          A.           Yes.                         01:38

12          Q.           Is this a trademark application you                         01:38

13          filed?                         01:38

14          A.           Yes.                         01:38

15          Q.           And you filed this under EpicStone's                         01:38

16          name, is that right?                         01:38

17          A.           Yes.                         01:38

18          Q.           And this was an intent to use                         01:38

19          application?                         01:38

20          A.           Yes.                         01:38

21          Q.           For the mark, "The Alf"                         01:38

22          A.           Yes.                         01:38

23          Q.           What class is this?                         01:38

24          A.           28.                         01:38

25          Q.           Before you filed this application were                         01:38

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           you aware that there was a movie being           01:38

3           considered to be launched by Alien Productions?           01:38

4           A.       No.           01:39

5           Q.       Did Alien Productions file an           01:39

6           opposition against this mark?           01:39

7           A.       Yes.           01:39

8           Q.       And what happened as a result of that           01:39

9           opposition?           01:39

10          A.       Confidential settlement. They --           01:39

11                    You know, they...           01:39

12          Q.       You ended up abandoning this           01:39

13          application, is that right?           01:39

14          A.       Yeah.           01:39

15                   (WHOSE                   Exhibits           01:39

16          NO           , DESCR                   marked for           01:39

17          identification, as of this date.)           01:39

18          Q.       Now, I'm handing you what's marked           01:39

19          Exhibit 29, do you recognize this exhibit?           01:39

20          A.       Absolutely.           01:39

21          Q.       What does this application cover?           01:39

22          A.       This is --           01:39

23                    If you don't mind --           01:39

24          Q.       Let's just stay on the exhibit I           01:39

25          handed you for right now.           01:39



1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. Sure. This is an application that I 01:39  
3 registered, it's titled "20,000 Leagues Under 01:39  
4 The Sea, which I believe is in the public domain 01:39  
5 title. And I searched the USPTO data base and 01:40  
6 it was available for registration. And I went 01:40  
7 ahead and filed it. 01:40

8 Q. And you filed it in EpicStone's name? 01:40

9 A. Yes. 01:40

10 Q. Class 28, is that right? 01:40

11 A. Yes. 01:40

12 Q. What makes you think 20,000 Leagues 01:40  
13 Under The Sea is in the public domain? 01:40

14 A. Well, I did some research of all the 01:40  
15 different Disney movies that they make on the 01:40  
16 public domain. And I typed in "domain" and it 01:40  
17 shows all the Disney movies, and that they made 01:40  
18 so much profit on the Disney public domain. 01:40

19 So I had -- I searched if it's 01:40  
20 available for Disney for public domain use, it 01:40  
21 should be available for the third party. 01:40

22 So I went ahead and I did a research 01:40  
23 and I made sure the 20,000 Leagues Under The Sea 01:40  
24 was in the public domain. And then I went ahead 01:40  
25 and I filed that one and I filed little Red 01:40

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Riding Hood, and I'm working on a few titles.           01:41

3           Q.       What does "public domain" mean you to?           01:41

4           A.       "Public domain" means to me when a           01:41

5           work is probably more than 80 years or 70 years           01:41

6           old and a company comes and steals -- let's not           01:41

7           say steal, but uses the same concept in their           01:41

8           own version and creates it from the old use.           01:41

9           But public domain to me feels like something           01:41

10          that's old and available for anybody to use.           01:41

11          Q.       So how does that --           01:41

12                        So you believe, though, you can file a           01:41

13          trademark application for something that's in           01:41

14          the public domain, is that right?           01:41

15          A.       Absolutely.           01:41

16          Q.       That's what you're saying here?           01:41

17          A.       Yeah.           01:41

18          Q.       So you filed a trademark application           01:41

19          for 20,000 Leagues Under The Sea because you           01:41

20          think it's in the public domain?           01:41

21          A.       Absolutely.           01:41

22          Q.       Now, in your trademark application,           01:41

23          however, don't you claim that you're the           01:41

24          exclusive owner of this 20,000 Leagues Under The           01:41

25          Sea?           01:41

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. Well, I did a search on the USPTO.gov 01:41  
3 and I saw no registrations -- 01:41

4 Q. But you just told me it was in the 01:41  
5 public domain. 01:42

6 A. No, I'm saying -- 01:42  
7 Listen. USPTO.gov I did a search and 01:42  
8 there's no registrations with the name 20,000 01:42  
9 Leagues Under The Sea. 01:42

10 Q. So when you mentioned earlier you 01:42  
11 looked -- you Googled or something online and 01:42  
12 looked for Disney public domain, is that right? 01:42

13 A. Yes. 01:42

14 Q. So are you targeting Disney movies for 01:42  
15 filings? 01:42

16 A. No. Because I've heard from different 01:42  
17 stories that Disney steals from the public 01:42  
18 domain. It a bad word to use, but they take 01:42  
19 from the public domain a lot of their movies and 01:42  
20 they actually, actually trademark them. 01:42

21 And doing my research I trademarked 01:42  
22 that Disney has a lot of public domain 01:42  
23 trademarks, titles. And if Disney could do it, 01:42  
24 somebody else could do it, too. 01:42

25 Q. So you filed for 20,000 Leagues Under 01:42



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           But as you can see, I have a lot on my           01:43

3           plate so things are gradually moving along.           01:43

4           Q.       So do you have any documentary           01:43

5           evidence that shows your intent to use this           01:43

6           mark, 20,000 Leagues Under The Sea?           01:43

7           A.       Well, I have the catalogue of           01:43

8           Jide Trading, that they're able to label my           01:43

9           product. So I'm gonna see what probably fits           01:44

10          under them out of their products so I can use it           01:44

11          also here.           01:44

12          But I have different things I'm gonna           01:44

13          be doing in the future with that.           01:44

14          Would you like to know the public           01:44

15          domain movies that Disney has from the public           01:44

16          domain?           01:44

17          Q.       No. I'm not asking about that.           01:44

18          A.       Okay.           01:44

19          Q.       And you believe that you have to have           01:44

20          a bona fide intent to use this 20,000 Leagues           01:44

21          Under The Sea as a trademark?           01:44

22          A.       Absolutely. You have to. You have           01:44

23          to.           01:44

24          Q.       So you're filing these because you           01:44

25          want to have exclusive rights to use 20,000           01:44

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Leagues Under The Sea for toys, is that right?           01:44

3           A.       You're asking the question for me.           01:44

4                    No, absolutely not. I'm doing the           01:44

5           application and I'm working towards a --           01:44

6           creating a bona fide intent. Of course you know           01:45

7           the Jide catalogue that has hundreds of items           01:45

8           that I can label them with my brand.           01:45

9           Q.       So when you've been filing these           01:45

10           intent to use applications that we've talked           01:45

11           about so far, do you do any other investigations           01:45

12           to see if someone has used these terms as           01:45

13           trademarks?           01:45

14           A.       I go on the USPTO.gov almost every day           01:45

15           and see if it's available for registration.           01:45

16           Q.       So you don't know, for example then,           01:45

17           when you file it there could be someone with           01:45

18           common law rights, trademark rights in these           01:45

19           titles, is that right?           01:45

20           A.       Possibility.           01:45

21           Q.       And so you think it's okay to file           01:45

22           trademark applications just if you check the PTO           01:45

23           database and you don't see anything, is that           01:45

24           what you're saying?           01:45

25           A.       Yes.           01:45

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*  
2                       (WHOSE                       ExhibitS                       01:45  
3           NO                       , DESCR                       marked for                       01:45  
4           identification, as of this date.)                       01:45  
5           Q.           I'm handing you what's marked                       01:46  
6           Exhibit 30.                       01:46  
7                       (Witness looks at document.)                       01:46  
8           Q.           This is a group exhibit, there's two                       01:46  
9           applications. Do you recognize this exhibit.                       01:46  
10          A.           Yes.                       01:46  
11          Q.           What is it?                       01:46  
12          A.           It's one of my registration for                       01:46  
13          EpicStone -- or is it Epic --                       01:46  
14          Q.           When did you file this application?                       01:46  
15          A.           2010.                       01:46  
16          Q.           And this is a 1B application,                       01:46  
17          originally?                       01:46  
18          A.           Yes.                       01:46  
19          Q.           And before you filed this application                       01:46  
20          in Class 28 in 2010 were you aware of an                       01:46  
21          Independence Day movie?                       01:46  
22          A.           Back in the 1990s, yes.                       01:47  
23          Q.           And did you know before you filed this                       01:47  
24          application that they were working on a sequel,                       01:47  
25          publicity had been out about a sequel to the                       01:47







1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 Q. And do you think you sold the one in 01:48  
3 2016 or what year? 01:48

4 A. I sold -- I wasn't prepared with my 01:48  
5 notes for Independence Day. So if you want 01:48  
6 that, I can get that information later on, if 01:48  
7 you need it. 01:48

8 Q. You filed another application, it 01:48  
9 looks like for Independence Day in Class 9, is 01:48  
10 that right? 01:48

11 A. Correct. 01:48

12 Q. And the filing date on that one is 01:48  
13 April 24th, 2015? 01:48

14 A. Correct. 01:49

15 Q. It's an intent to use application? 01:49

16 A. Correct. 01:49

17 Q. What's the status of this application, 01:49  
18 is it pending? 01:49

19 A. It's pending an office action that 01:49  
20 I've got to respond to. 01:49

21 Q. What's the office action, do you 01:49  
22 remember? 01:49

23 A. I can't remember. I can't recall. 01:49  
24 Just some basic wording that I've got to 01:49  
25 eliminate so I can move forward. 01:49

1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	It's on the calendar.	01:49
3	(WHOSE ExhibitS	01:49
4	NO , DESCR marked for	01:49
5	identification, as of this date.)	01:49
6	Q. I'm handing you what's been marked	01:49
7	Exhibit 31. Can you take a minute and look at	01:49
8	this document?	01:49
9	A. Sure.	01:49
10	(Witness looks at document.)	01:49
11	Q. Do you recognize this document?	01:49
12	A. Yes.	01:49
13	Q. What is it?	01:49
14	A. It's a filing by Jose Barreto, dba	01:49
15	Lightstream Partners.	01:49
16	Q. So I was thinking about this. You	01:50
17	filed -- we talked about it before, you filed	01:50
18	some in your own name?	01:50
19	A. Uh-huh.	01:50
20	Q. Some of them your own name, but a dba	01:50
21	like Lightstone or Lightstream?	01:50
22	A. Uh-huh.	01:50
23	Q. And then you filed others as	01:50
24	EpicStone?	01:50
25	A. Uh-huh.	01:50

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     Is it accurate to say you do that so           01:50  
3     you have an air of sort of legitimacy, like a           01:50  
4     big company or something?                           01:50

5           A.     Yes, that it looks big, uh-huh.           01:50

6           Q.     So looking back at this My Little           01:50  
7     Prince, you filed this as an intent to use --           01:50

8           A.     Correct.                                   01:50

9           Q.     -- on November 14th, 2014?           01:50

10          A.     Uh-huh.                                   01:50

11          Q.     And how did you come up with My Little   01:50  
12     Prince?   01:50

13          A.     Again, another public domain           01:50  
14     trademark, that it's available. Of course,           01:50  
15     Disney registered trademarks under the public       01:50  
16     domain, so I believe I have a right to also       01:50  
17     register trademarks under the public domain.       01:50  
18     And I believe My Little Prince is in the public   01:50  
19     domain.   01:50

20          Q.     Did you know, before you filed this       01:50  
21     application in November of 2014 that a film was   01:50  
22     in the works for the Little Prince, an animated   01:51  
23     film?   01:51

24          A.     No aware.                               01:51

25          Q.     Did you know it was released in the       01:51





**EXHIBIT A175**

Rough Draft

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1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	Q. -- tied to their films?	01:52
3	A. Uh-huh.	01:52
4	Q. And what about Marvel, have you seen	01:53
5	Marvel toys tied to Marvel films?	01:53
6	A. Yes.	01:53
7	(WHOSE ExhibitS	01:53
8	NO , DESCR marked for	01:53
9	identification, as of this date.)	01:53
10	Q. I'm handing you what's marked	01:53
11	Exhibit 32.	01:53
12	Do you recognize this document?	01:53
13	A. Yes.	01:53
14	Q. Did you file this trademark	01:53
15	application under LaStar --	01:53
16	A. LaStar Capital Group.	01:53
17	Q. Sorry. I'm having trouble with that	01:53
18	name, aren't I?	01:53
19	A. LaStar Capital Group.	01:53
20	Q. You filed this in January, it looks	01:53
21	like?	01:53
22	A. Yes.	01:53
23	Q. January 19th, 2015 as an intent to use	01:53
24	application.	01:53
25	A. Yeah.	01:53

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 Q. How did you come up with Norms of the 01:53  
3 North & South? 01:53

4 A. Well, I wanted to create a game that 01:53  
5 showed different norms from the north and 01:53  
6 they're different from the south. And that's 01:53  
7 the vision I had for creating a board game, for 01:54  
8 that kind of game. 01:54

9 Q. And this was an intent to use 01:54  
10 application, is that right? 01:54

11 A. Yes. 01:54

12 Q. And this application, is it still 01:54  
13 alive? 01:54

14 A. No. No. I got opposed. 01:54

15 Q. Who opposed to you? 01:54

16 A. Somebody opposed them saying, I think 01:54  
17 it was California -- 01:54

18 Q. Were you opposed by Splash 01:54  
19 Entertainment, does that sound familiar? 01:54

20 A. Splash Entertainment, yes. 01:54

21 Q. And did you abandon the application as 01:54  
22 a result of their filing an extension of time to 01:54  
23 oppose or -- 01:54

24 A. Yes. 01:54

25 Q. Was there a settlement agreement? 01:54



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     A confidential settlement. They           01:54

3     didn't want me to use this mark because it was       01:54

4     similar to something they believed they had.       01:54

5           Q.     Did you know at the time that you       01:54

6     filed this application that Lionsgate and Splash    01:54

7     Entertainment were about to release a film       01:54

8     called Norm of the North?                       01:54

9           A.     No.                                       01:54

10          Q.     That film was released in 2016, did    01:54

11     you know it was released?                       01:54

12          A.     I saw it in the Red Box the other day.   01:54

13     In the Red Box movie rental.                   01:55

14          Q.     Red Box? What's Red Box movie rental?   01:55

15          A.     That's when you go to the shopping       01:55

16     center and they have a little box there and you    01:55

17     put in \$2 and you get a video out, like a       01:55

18     rental. Like a portable ATM movie rental.       01:55

19           MS. McLEOD: Oh, right.                   01:55

20                       (WHOSE                       ExhibitS                       01:55

21                       NO                       , DESCR                       marked for                       01:55

22                       identification, as of this date.)           01:55

23          Q.     I hand you Exhibit 33.                   01:55

24                       Do you recognize this document?           01:56

25          A.     Yes.                                       01:56

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     A confidential settlement. They           01:54

3     didn't want me to use this mark because it was       01:54

4     similar to something they believed they had.       01:54

5           Q.     Did you know at the time that you       01:54

6     filed this application that Lionsgate and Splash    01:54

7     Entertainment were about to release a film       01:54

8     called Norm of the North?                           01:54

9           A.     No.                                       01:54

10          Q.     That film was released in 2016, did    01:54

11     you know it was released?                         01:54

12          A.     I saw it in the Red Box the other day.   01:54

13     In the Red Box movie rental.                     01:55

14          Q.     Red Box? What's Red Box movie rental?   01:55

15          A.     That's when you go to the shopping       01:55

16     center and they have a little box there and you    01:55

17     put in \$2 and you get a video out, like a        01:55

18     rental. Like a portable ATM movie rental.        01:55

19           MS. McLEOD: Oh, right.                     01:55

20                         (WHOSE                     ExhibitS                     01:55

21                         NO                     , DESCR                     marked for                     01:55

22                         identification, as of this date.)   01:55

23          Q.     I hand you Exhibit 33.                   01:55

24                         Do you recognize this document?   01:56

25          A.     Yes.                                     01:56

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     This is an application filed by           01:56

3     LaStar --   01:56

4           A.     -- Capital Group, uh-huh.               01:56

5           Q.     It's an intent to use application, is     01:56

6     that right?   01:56

7           A.     Correct.                                    01:56

8           Q.     And the mark is "The Billion Dollar     01:56

9     Man"?

10          A.     Correct.                                    01:56

11          Q.     Now, what's the status of this           01:56

12     application?   01:56

13          A.     It's in opposition, discovery.           01:56

14          Q.     Did Universal City Studios file an       01:56

15     opposition against this mark?                         01:56

16          A.     Yes.   01:56

17          Q.     Are they claiming likelihood of           01:56

18     confusion?   01:56

19          A.     I can't remember what they were         01:56

20     claiming.   01:56

21          Q.     Did they claim prior rights in the         01:56

22     mark, The Billion Dollar Man?                           01:56

23          A.     Yeah, one TUP.                             01:56

24          Q.     Did you know before you filed this         01:56

25     application that there was development of a           01:56

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2       reboot of the Six Million Dollar Man movie?           01:56

3           A.     No.   01:56

4           Q.     Did you ever see the Six Million           01:56

5       Dollar Man film?                                       01:57

6           A.     When I was a kid, yeah, back in the           01:57

7       '80s.   01:57

8           Q.     And you had no idea before you filed           01:57

9       this application for The Billion Dollar Man,           01:57

10       that they were rebooting the movie?               01:57

11          A.     No.   01:57

12          Q.     You never saw any press about it?           01:57

13          A.     No.   01:57

14          Q.     How did you come up with "The Billion           01:57

15       Dollar Man"?

  01:57

16          A.     Well, there is a magazine by Forbes           01:57

17       that comes out every year and it's called The           01:57

18       Billionaire, The Billionaire Group.   So my           01:57

19       intentions with this is to create a doll or           01:57

20       something to that nature to approach each of           01:57

21       these billionaires that -- and create a doll and       01:57

22       some licensing dealing with them.                   01:57

23          Q.     Do you subscribe to the magazine?           01:57

24          A.     No.   01:57

25          Q.     It's called The Billionaire Group?           01:57

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     Yeah.  It's a special Forbes.  It           01:57  
3 comes out once a year.  I got the last three,           01:57  
4 four, five years.  And it shows all the           01:57  
5 billionaires around the world.  And I was           01:57  
6 inspired by that.           01:57

7           Q.     So this application for The Billion           01:57  
8 Dollar Man covers toys?           01:57

9           A.     Right.           01:57

10          Q.     So you're gonna market toys to the           01:57  
11 billionaires or --           01:57

12          A.     I don't know, dolls, toys.  I love           01:57  
13 myself kind of stuff.           01:58

14          Q.     Oh, like vanity toys you were           01:58  
15 thinking?           01:58

16          A.     No, not vanity toys.  Like, you know,           01:58  
17 maybe Donald Trump, you know, make a doll.  Or           01:58  
18 other billionaires out there that want to make a           01:58  
19 doll out of themselves and create it, and create           01:58  
20 some kind of brand on it.           01:58

21          Q.     So before you filed this application           01:58  
22 did you have any kind of business plan etched --           01:58  
23 written out?           01:58

24          A.     In my imagination, yes.           01:58

25          Q.     In your head?           01:58



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           it's very long, isn't it? How many items are           01:59

3           there?           01:59

4           A.       There's a lot. Over 100, I assume.           01:59

5           Q.       And so why is this so broad, do you           01:59

6           think ire gonna market all these things?           01:59

7           A.       Well, when I filed this intent, you           01:59

8           know, I was not aware that you -- you know, you           01:59

9           really got to do the ones that you're gonna be           01:59

10          really working on. So I always thought that,           01:59

11          you know, once you move it to a statement of use           01:59

12          you delete everything you can possibly think of           01:59

13          that you're not gonna use.           01:59

14                   And I can't...           01:59

15                   You know, I've got to look and see           01:59

16          what's gonna be most cost efficient for the           01:59

17          company as far as all these different things.           01:59

18          Q.       So at time you filed this for, it           01:59

19          looks like over 100 items under The Billion           02:00

20          Dollar Man, you didn't I have any specific           02:00

21          written plans about how you were gonna use the           02:00

22          mark on each of these items?           02:00

23                   Do you have any written plans?           02:00

24          A.       No.           02:00

25          Q.       Just the magazine?           02:00





1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Dollar Man or The Million Dollar Man on every           02:01

3           single one of these hundred or so items listed           02:01

4           in each of these?           02:01

5           A.       I can't say that because I'm gonna           02:01

6           search. I'm searching to see which is gonna be           02:01

7           the most cost efficient.           02:01

8           Q.       So right now it's in your head, what           02:01

9           you're thinking of?           02:01

10          A.       Right. I've got to find out what's           02:01

11          cost efficient in all the intent to use that we           02:01

12          have.           02:01

13                       (WHOSE                       Exhibits           02:01

14          NO               , DESCR                       marked for           02:01

15          identification, as of this date.)           02:01

16          Q.       I'm handing you what's been marked           02:01

17          Exhibit 35, do you recognize this mark?           02:01

18          A.       Yes.           02:01

19          Q.       How did you come up with The Trillion           02:01

20          Dollar Man?           02:01

21          A.       Well I said, well, you know, I have           02:01

22          The Million Dollar Man, The Billion Dollar Man,           02:01

23          there has to be some Trillion Dollar Man out           02:01

24          there.           02:01

25                       So the same concept: Find the           02:01

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           exclusive group that's probably smaller and           02:01

3           reach out to them and see if they want to make           02:01

4           some kind of dolls or things with their name on           02:02

5           it and their brand.           02:02

6                   MS. McLEOD: Do we want to take a           02:02

7           break?           02:02

8                   (Discussion off the record.)           02:02

9                   (Recess taken.)           02:23

10                   (WHOSE                   Exhibits           02:23

11           NO                   , DESCR                   marked for           02:23

12           identification, as of this date.)           02:23

13           Q.           So we're back on. I am handing you           02:24

14           what's been marked Exhibit 38.           02:24

15                   Do you recognize this exhibit?           02:24

16           A.           Yes.           02:24

17           Q.           Did you print this exhibit?           02:24

18           A.           Yes.           02:24

19           Q.           What date did you print it?           02:24

20           A.           It shows here September 27th, 2015.           02:24

21           Q.           And what is this exhibit?           02:24

22           A.           This is an exhibit of a Moana -- one           02:24

23           of a few of Moana titles that during my research           02:24

24           I discovered from 1926 film by the director of           02:24

25           Flaherty, back in 1926, titled "Moana."           02:24

1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 Q. And it's a documentary film, is that 02:24  
3 right? 02:25

4 A. Correct. 02:25

5 Q. Did you know about this documentary 02:25  
6 film before you filed your trademark application 02:25  
7 back in October 7th, 2014? 02:25

8 A. No. 02:25

9 Q. Did you, for the first time learn 02:25  
10 about it in September 27th, 2015? 02:25

11 A. Probably a little bit earlier. I just 02:25  
12 can't remember the time. It was definitely 02:25  
13 after my filing date. 02:25

14 Q. Was it after Disney filed an 02:25  
15 opposition? 02:25

16 Disney's opposition was filed on 02:25  
17 September 14th, 2015 and this is dated the 27th, 02:25  
18 so did -- 02:25

19 A. I can't remember when it was -- 02:25

20 I know during my research in my 02:25  
21 discovery phase or -- I discovered different 02:25  
22 Moana titles around the world. 02:25

23 Q. So you first became aware of this 02:26  
24 film, probably around the time did you this 02:26  
25 Wikipedia search, is that right? 02:26



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           MR. STEWART: We'll give it to you.           02:26

3           No, there's nothing --           02:27

4           THE WITNESS: Well, wait a second.           02:27

5           There could be --           02:27

6           MR. STEWART: If there's attorneys, it           02:27

7           might be attorney-client.           02:27

8           Afterwards we'll just quickly go over           02:27

9           it with him. TUP           02:27

10          MS. McLEOD: Yes, at the end.           02:27

11          But then I'm gonna request the court           02:27

12          reporter can take it, Bates stamp it and           02:27

13          then he'll send it to us separately and give           02:27

14          the originals back to you.           02:27

15          MR. STEWART: Okay.           02:27

16          Q.     So this Wikipedia printout that you           02:27

17          accessed, you don't know -- have personal           02:27

18          knowledge whether this is all accurate           02:27

19          information, do you, in Wikipedia?           02:27

20          A.     I do know that Wikipedia can be           02:27

21          manipulated.           02:27

22          Q.     So we don't know for sure if this is           02:27

23          all true and accurate, because it's just a           02:27

24          printout from Wikipedia, is that right?           02:27

25          A.     Correct. Like I did a Wikipedia           02:27

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           search, I think yesterday and I see you type in           02:27

3           Moana and the Disney Moana comes out instead of           02:27

4           this one comes out. So it can definitely be           02:27

5           manipulated. Because the time I printed this up           02:27

6           in September, I typed in Moana, this came up.           02:28

7           Now yesterday or the day before I typed in Moana           02:28

8           in Wikipedia and Disney came up.           02:28

9           Q.       And you have no idea how many people           02:28

10          have seen this Wikipedia page in the past, do           02:28

11          you?           02:28

12          A.       No.           02:28

13          Q.       And you don't know if anyone has ever           02:28

14          purchased this movie, aside from yourself, do           02:28

15          you?           02:28

16          A.       No. I do not have those facts on           02:28

17          that.           02:28

18                       (WHOSE                       ExhibitS           02:28

19                       NO                       , DESCR                       marked for           02:28

20                       identification, as of this date.)           02:28

21          Q.       I'm handing you Exhibit 36, do you           02:28

22          recognize this exhibit?           02:28

23          A.       Yes.           02:28

24          Q.       It looks like it has your name up here           02:28

25          on the upper left hand corner, is that right?           02:28









# EXHIBIT A193

Rough Draft

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1	* UNPROOFREAD * BARRETO * ROUGH DRAFT *	
2	(WHOSE ExhibitS	02:31
3	NO , DESCR marked for	02:31
4	identification, as of this date.)	02:31
5	Q. I'm handing you what's marked	02:31
6	Exhibit 37, do you recognize this document?	02:31
7	A. Yes.	02:31
8	Q. What is it?	02:31
9	A. This is a document showing the Moana	02:31
10	name on swimwear and it shows over 1,182	02:31
11	listings of the name Moana on eBay.	02:31
12	Q. Did you create this document?	02:32
13	A. No.	02:32
14	Q. Who created this document?	02:32
15	A. This is printed straight from eBay.	02:32
16	Q. But did you search this one, Moana	02:32
17	here?	02:32
18	A. Yeah, I searched Moana and came up	02:32
19	with --	02:32
20	Q. So you conducted this search?	02:32
21	A. Correct.	02:32
22	Q. On what date?	02:32
23	A. I can't remember the date.	02:32
24	Probably --	02:32
25	What's the date you have?	02:32

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     There's no date on there. I didn't           02:32  
3 cover it up with the sticker. There's no date           02:32  
4 on any page.   02:32

5           A.     I would say probably around the same           02:32  
6 time as this. I was preparing some documents.           02:32

7           Q.     So in the upper left hand corner           02:32  
8 there's something scratched off there, do you           02:32  
9 know what that is?   02:32

10                     It looks like the name "Michael" to           02:32  
11 me, but do you know what's redacted there?           02:32

12                     Do you have the original so we can see           02:32  
13 what's scratched off there?                                   02:32

14           A.     I would have --                               02:32  
15                     Maybe it's here. Do you want me to           02:32  
16 check?   02:32

17           Q.     Yes. I want to know what that is in           02:32  
18 the corner.   02:32

19           A.     Let me see.                                   02:32  
20                     (Witness looks at document.)           02:32

21           A.     Okay. Wait a second, it's right here.           02:32  
22                     (Witness looks at document.)           02:33

23           A.     It looks like I do not have the           02:33  
24 originals.   02:33

25           Q.     That's okay. You can give it to us           02:33



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     And you don't have any idea how many           02:34

3 consumers might have seen any of these on eBay,           02:34

4 do you?   02:34

5           A.     I do not know.                                   02:34

6                     I don't have those facts.                   02:34

7           Q.     Were you aware of any of these Moana           02:34

8 items before you filed your own application?           02:34

9           A.     No.   02:34

10                   (WHOSE                   Exhibits                   02:34

11 NO               , DESCR                   marked for           02:34

12 identification, as of this date.)                       02:34

13           A.     I want to add that there is an               02:34

14 Ala Moana matches here that are from a place in           02:34

15 Waikiki that I knew about.                               02:35

16           Q.     You knew about Ala Moana Center in           02:35

17 Waikiki?   02:35

18           A.     Ala Moana Shopping Center, yes.               02:35

19           Q.     Did you know that before your filing           02:35

20 date, that there was an Ala Moana in Waikiki?           02:35

21           A.     Yes.   02:35

22           Q.     I'm handing you what's marked               02:35

23 Exhibit 39, do you recognize this exhibit?               02:35

24           A.     Yes.   02:35

25           Q.     What is it?                                       02:35

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           A.     This is just another Wikipedia Moana           02:35  
3     search that I did to see the different names           02:35  
4     around the world and the different things around       02:35  
5     the world with Moana on it.                           02:35

6           Q.     When did you conduct this search?           02:35

7           A.     I did this search -- it was printed           02:35  
8     February 25th. I can't recall when I did the           02:35  
9     search.   02:35

10          Q.     Was it around the same time?               02:35

11          A.     I would say around the same time,           02:35  
12     yeah.   02:35

13          Q.     And did you print in actual --               02:35

14          A.     I printed it out, yeah.                   02:35

15          Q.     This is Wikipedia, right?                 02:36

16          A.     Yes.   02:36

17          Q.     So we have no way of knowing if all         02:36  
18     the information in it is true and accurate in           02:36  
19     here, do we?   02:36

20          A.     We do not know, but we can                 02:36  
21     double-check if we need to in the future with my       02:36  
22     counsel.   02:36

23          Q.     Were you aware of this information in       02:36  
24     Wikipedia before you filed your application?           02:36

25          A.     Again, I knew about Moana porn star         02:36

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           back in the '80s growing up. And I believe here           02:36

3           it talks about the Ala Moana in Waikiki shopping           02:36

4           center. Those are the two things that I do know           02:36

5           about.   02:36

6                           (WHOSE                           ExhibitS                           02:36

7           NO                           , DESCR                           marked for                           02:36

8           identification, as of this date.)                           02:36

9           Q.           I'm handing you Exhibit 40.                           02:36

10                           Do you recognize this exhibit?                           02:36

11           A.           Yes.   02:36

12           Q.           Did you print this printout from                           02:36

13           Wikipedia?   02:37

14           A.           Yes.   02:37

15           Q.           What does this cover?   02:37

16           A.           This covers another name of another                           02:37

17           movie, another mini series apparently, titled                   02:37

18           Moana.   02:37

19           Q.           Was this a biographical series?                           02:37

20           A.           I don't know too much, I didn't really                   02:37

21           research it too much.   02:37

22           Q.           Was this an Italian mini series?                           02:37

23           A.           It looks like it was according to the                           02:37

24           language.   02:37

25           Q.           So you don't know if this was                                   02:37

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           available in the United States?           02:37

3           A.       Correct.           02:37

4           Q.       And you printed this on February 25th,           02:37

5           2016?           02:37

6           A.       Correct.   A Moana mini series titled           02:37

7           Moana.           02:37

8                       (WHOSE           ExhibitS           02:37

9           NO           , DESCR           marked for           02:37

10           identification, as of this date.)           02:37

11           Q.       I'm handing you what's marked           02:37

12           Exhibit 41.           02:37

13                       Do you recognize this printout?           02:37

14           A.       Yes.           02:37

15           Q.       Did you print this document?           02:37

16           A.       Yes.           02:37

17           Q.       And did you print it on the date here,           02:37

18           February 25th?           02:38

19           A.       Yes.           02:38

20           Q.       And did you conduct a search for           02:38

21           Moana?           02:38

22           A.       I typed in -- correct -- Moana Hawaii           02:38

23           Moana bikini.   Uh-huh.           02:38

24           Q.       What did the results yield?           02:38

25           A.       Well, we got 9 -- one of them we got           02:38



# EXHIBIT A200

Rough Draft

Page 201

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           9,170,000 results from the name Moana, Hawaii.           02:38

3           Q.       Are there 9 million results in here?           02:38

4           A.       So I didn't have time to go through           02:38

5           all of them, you know. 9,170,000 hits on Moana           02:38

6           Hawaii, and Moana bikini, 600,000.           02:38

7           Q.       This is just your search results.           02:38

8           A.       Correct.           02:38

9           Q.       When you Googled Moana you got this?           02:38

10          A.       Correct.           02:38

11          Q.       You don't know if these things are           02:38

12          really in existence today, do you?           02:38

13          A.       Moana bikinis --           02:38

14          Q.       Have you personally seen --           02:38

15          A.       I haven't personally, but I've seen a           02:38

16          lot on eBay.           02:38

17                    The Ala Moana, the Ala Moana Shopping           02:38

18          Center I know exists.           02:39

19                    The other stuff I would have to           02:39

20          double-check.           02:39

21          Q.       You don't know how many consumers have           02:39

22          seen all the things in your Google printout, do           02:39

23          you?           02:39

24          A.       Right.           02:39

25

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2                       (WHOSE                       ExhibitS                       02:39

3           NO                       , DESCR                       marked for                       02:39

4           identification, as of this date.)                       02:39

5           Q.           I'm handing you Exhibit 42.                       02:39

6                       Can you take a minute to look at that                       02:39

7           exhibit.                       02:39

8           A.           Sure.                       02:39

9           Q.           Do you recognize this printout?                       02:39

10          A.           Yes.                       02:39

11          Q.           What does this printout cover?                       02:39

12          A.           This is again another Wikipedia on                       02:39

13          Moana talking about the origins of Moana, of the                       02:39

14          different kings and queens.                       02:39

15          Q.           Did you personally search Wikipedia                       02:39

16          for this?                       02:39

17          A.           Yes. During the discovery phase I was                       02:39

18          searching the name Moana --                       02:39

19          Q.           And you printed this out?                       02:39

20          A.           Yes. Uh-huh.                       02:39

21          Q.           Did you know about this Moana name and                       02:39

22          princely line in Hawaii before you filed your                       02:39

23          own application?                       02:40

24          A.           I knew of Moana in Waikiki.                       02:40

25

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2                       (WHOSE                       ExhibitS                       02:40

3           NO                       , DESCR                       marked for                       02:40

4           identification, as of this date.)                       02:40

5           Q.           I'm handing you Exhibit 43.                       02:40

6                       Do you recognize this document?                       02:40

7           A.           Yes.                       02:40

8           Q.           What is it?                       02:40

9           A.           This is a porn star named Moana and                       02:40

10           this is one of her DVDs, several DVDs, the first                       02:40

11           document. And the --                       02:40

12           Q.           So this --                       02:40

13                       Go ahead.                       02:40

14                       I don't see dates on this.                       02:40

15                       Did you search for this after                       02:40

16           discovery or in discovery?                       02:40

17           A.           Yeah, during discovery phase I think                       02:40

18           I --                       02:40

19           Q.           And you printed this page?                       02:40

20           A.           Yeah, I printed this page.                       02:40

21           Q.           So probably September 2015 or later?                       02:40

22           A.           Yeah.                       02:41

23           Q.           Is that what you're thinking?                       02:41

24           A.           Yeah.                       02:41

25           Q.           Now this first page for The Moana porn                       02:41

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           film, this is an Italian porn film it looks           02:41

3           like?           02:41

4           A.       Right.           02:41

5           Q.       And it says currently unavailable, so           02:41

6           we don't know if somebody can buy the film --           02:41

7           A.       Right.           02:41

8           Q.       -- based on your search?           02:41

9                       And the second film, it looks like           02:41

10          it's also starring this star, Moana Pozzi?           02:41

11          A.       Right.           02:41

12                       You don't know if you can buy it or           02:41

13          not.           02:41

14          Q.       It says currently unavailable at the           02:41

15          time?           02:41

16          A.       At the time I searched it, not           02:41

17          necessarily right now. You can probably           02:41

18          purchase it right now. ^SP           02:41

19          Q.       The third page it says for deMoana.           02:41

20                       That looks like a French movie.           02:41

21          A.       Yeah. Correct.           02:41

22          Q.       So you don't know if it's available in           02:41

23          the U.S., do you?           02:41

24          A.       Correct.           02:41

25                       I'll find out later on if you can           02:41







1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. Yeah. 02:44

3 Q. And you testified earlier that the 02:44  
4 only products you've sold under Moana in 02:44  
5 Class 28 are the dolls, the two prototype dolls; 02:44  
6 is that right? 02:45

7 A. Correct. 02:45

8 Q. Those are the ones in the photographs 02:45  
9 that we previously went over? 02:45

10 A. Correct. 02:45

11 Q. On the stand -- of the street vendor; 02:45  
12 is that right? 02:45

13 A. Yes. 02:45

14 Q. Would you describe those are Barbie 02:45  
15 like dolls, they look like that to me, is that 02:45  
16 accurate? 02:45

17 A. Yeah. They look like that kind of 02:45  
18 figure, yeah. 02:45

19 Q. That kind of Barbie like doll? 02:45

20 A. Yeah. Uh-huh. 02:45

21 Q. Looking at your list here, I had a 02:45  
22 couple of questions about the goods that you 02:45  
23 have and I'm hoping that you can answer. 02:45

24 Do you see the listing down here for 02:45

25 "children's educational toys for developing fine 02:45



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           motor, oral language, numbers, counting, colors           02:45

3           and alphabet skills, sold in a fabric bag which           02:45

4           has a clear vinyl window for viewing small           02:45

5           trinkets and toys, securely contained within the           02:45

6           bag itself." That's a very detailed           02:45

7           description.           02:45

8                        Did you have something in mind for           02:45

9           that product under Moana?           02:45

10           A.       Well, like I've told you in the past,           02:46

11           when I filed this intent to use the application           02:46

12           was for the purpose of an intent to use on these           02:46

13           products. Of course as I do my bona fide intent           02:46

14           I see if it's going to work out for me in that           02:46

15           actual product or not.           02:46

16           Q.       So when you filed this back in           02:46

17           October 7th, 2014, this long list of goods.           02:46

18           Your plans for developing them are in your head,           02:46

19           is that accurate?           02:46

20           A.       Not necessarily. I have Jide Trading           02:46

21           that has hundreds and hundreds of --           02:46

22           Q.       On the date that you filed it, though,           02:46

23           on October 7th, your plans were in your head,           02:46

24           you didn't have any written plans, did you?           02:46

25           A.       Written plans, at the moment for this           02:46

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           I can't tell you I have any right now.           02:46

3           Q.       No. I'm talking about on your filing           02:46

4           date of October 7th, 2014 you put in this long           02:46

5           list of goods; is that right?           02:46

6           A.       Yes, I did.           02:46

7           Q.       Okay. And so your plans about making           02:46

8           use of the mark for Moana for each of these           02:46

9           things, there was no documentary evidence on           02:46

10          October 7th, 2014?           02:46

11          A.       No.           02:47

12                    After the fact is when I get the           02:47

13          bona fide, ready to go.           02:47

14          Q.       After?           02:47

15          A.       Yeah.           02:47

16          Q.       So before you filed it you just had           02:47

17          sort of a dream in your head about what you were           02:47

18          going to do?           02:47

19          A.       Well, I had different products that           02:47

20          I -- obviously as you can see I developed in the           02:47

21          past, you know, from my other copyrights and           02:47

22          stuff like that. But the point was to see what           02:47

23          was gonna be most cost effective.           02:47

24          Q.       So on October 7th, 2014 when you filed           02:47

25          this you didn't have a written business plan           02:47

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           about making use of Moana for all these things?           02:47

3           A.       Not for all these things, no.           02:47

4           Q.       For anything?           02:47

5           A.       No.           02:47

6                        But I had future intentions of the           02:47

7           Jide Trading and the different --           02:47

8           Q.       So after you filed it you contacted           02:47

9           Jide Trading?           02:47

10          A.       Right. But I've had other           02:47

11          documents -- not for Moana, but for other stuff           02:47

12          which --           02:47

13          Q.       I'm talking about Moana right now.           02:47

14                        For Moana, before your filing date of           02:47

15          October 7th, 2015 you have produced no documents           02:47

16          supporting your bona fide intent; is that right,           02:47

17          documents dated before your filing date?           02:48

18          A.       Have I...           02:48

19                        For The Moana, no, not at this point.           02:48

20          Q.       So let's look at this list again.           02:48

21          A.       Sure.           02:48

22          Q.       Do you see the entry here for printing           02:48

23          toys, what are those?           02:48

24                        Do you know what printing toys are?           02:48

25          A.       Printing"...           02:48



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           that fair. So I was looking forward to seeing           02:49

3           if I could get any of these manufacturers or           02:49

4           anybody that could deal with this intent to use           02:49

5           application.           02:49

6           Q.       So when you filed this application in           02:49

7           October of 2014 you didn't know what a printing           02:49

8           toy would be?           02:49

9           A.       I had an idea.           02:49

10          Q.       In your head?           02:49

11          A.       An idea of what a printing toy was,           02:49

12          yeah, what I believed was a printing toy.           02:49

13          Q.       What would that be.           02:49

14          A.       A toy, right, let's say of a character           02:49

15          or something that would actually print.           02:49

16          Q.       Looking down towards the bottom it           02:50

17          says another idea I had a question about. It           02:50

18          says "two and three dimensional positional toy           02:50

19          figures sold in a unit with memory training           02:50

20          equipment." ^QT           02:50

21                    What does memory training equipment           02:50

22          mean?           02:50

23          A.       Two and three dimensional positional           02:50

24          toy figures sold as a unit with --           02:50

25          Q.       With memory training equipment, what           02:50



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           what was cost effective to produce?           02:51

3           A.     Correct, knowing that I was going to           02:51

4           the Toy Fair.           02:51

5           Q.     In 2015?           02:51

6           A.     Correct. ^TUP           02:51

7           Q.     Did you talk to anyone at the 2015           02:51

8           Toy Fair about Moana?           02:51

9           A.     No.           02:51

10          Q.     Looking at this list of goods that you           02:51

11          have here, I don't see any dolls on here.           02:51

12                    Do you see dolls?           02:51

13          A.     No. I see collectible figures and           02:51

14          action positional toy figures.           02:51

15          Q.     I don't see any doll accessories in           02:51

16          here, do you have doll accessories?           02:51

17          A.     With the packaging I have -- I might           02:52

18          have a little purse --           02:52

19          Q.     In the list.           02:52

20          A.     I would have to read the whole thing           02:52

21          right now.           02:52

22          Q.     I also don't see any doll clothing in           02:52

23          this application.           02:52

24          A.     I'll take your word, counsel. Unless           02:52

25          we read it...           02:52

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2                   (Witness looks at document.)                   02:52

3           Q.       So all the documents you've produced           02:52

4           to date were the prototype dolls, the two dolls           02:52

5           you sold with The Moana mark; is that right, the           02:52

6           two photos, the two Moana dolls, the prototypes?           02:52

7           A.       Yes.   02:53

8           Q.       And you don't have any documentary           02:53

9           evidence from before your filing date about your           02:53

10          plans to use The Moana mark on any of these           02:53

11          goods listed in the IDs; is that right?           02:53

12          A.       Well, I would have to check. Because           02:53

13          I was investigating to go to the Toy Fair in           02:53

14          2015. So my going through the Web site,           02:53

15          starting to scan that before I filed it, there           02:53

16          were intentions for that Toy Fair which I was           02:53

17          going to meet manufacturers at that Toy Fair.           02:53

18          Q.       We asked you to produce all those           02:53

19          documents and this is what we've seen here today           02:53

20          is these documents?                                   02:53

21          A.       I can probably look -- I would have to           02:53

22          see when I went on to register for the Toy Fair.           02:53

23          I mean -- but that was my intention.           02:53

24          Q.       You registered for the Toy Fair under           02:53

25          Lightstream; isn't that right?                   02:53



1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 A. Yes. 02:53

3 Q. You didn't register as EpicStone? 02:53

4 A. Correct. 02:53

5 Same company, same thing. 02:53

6 Q. Sitting here today can you tell me 02:54

7 from your memory and knowledge what steps, if 02:54

8 any, you took regarding making a bona fide 02:54

9 intent to use your mark Moana for any of the 02:54

10 products listed before your filing date before 02:54

11 October 7th? 02:54

12 A. Bona fide intent? 02:54

13 I knew that I was gonna go to New York 02:54

14 City, which you know the fact -- the show that I 02:54

15 went to in 2015. The filing date was 02:54

16 October 7th, 2014. Before that filing date I 02:54

17 was planning to go to the Toy Fair. 02:54

18 Q. So you had plans? 02:54

19 A. Plans. And I will have to search 02:54

20 documents to see if I show that. But that was 02:54

21 my plans, to reach out and network. 02:54

22 And then, of course, the opposition 02:55

23 popped up and it's almost like, okay, am I gonna 02:55

24 to continue to put money in this? 02:55

25 Let's see what happens towards the end 02:55



1 \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2 Q. Mr. Barreto, are you familiar with 03:04  
3 Disney's written discovery requests that were 03:05  
4 served on you in this case? 03:05

5 A. Yes. 03:05

6 Q. Did you review all of those requests? 03:05

7 A. I... 03:05

8 You gave them to me, right? 03:05

9 Yeah, I reviewed. 03:05

10 I went through -- I went through it. 03:05

11 Q. Did you review the written responses 03:05  
12 that your attorney served on us? 03:05

13 A. Yes. 03:05

14 Q. Do you affirm that to the best of your 03:05  
15 knowledge that you have fully responded to those 03:05  
16 written requests, the interrogatories? 03:05

17 A. Yes. 03:06

18 Q. And do you affirm today that you have 03:06  
19 produced all the documents in your possession 03:06  
20 that are responsive to our document requests 03:06  
21 that we asked you about? 03:06

22 A. Yes. 03:06

23 Q. I just had a few questions about your 03:06  
24 second amended responses to opposer's discovery. 03:06

25 I don't have this marked. 03:06

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           MS. McLEOD: Where did we leave off?           03:06

3           THE REPORTER: 44, I have.           03:06

4           (WHOSE                   ExhibitS           03:06

5           NO                   , DESCR                   marked for           03:06

6           identification, as of this date.)           03:06

7           (Discussion off the record.)           03:06

8           Q.           So do you recognize these           03:06

9           interrogatories?           03:06

10          A.           I believe, yes. Uh-huh.           03:06

11          Q.           Can you tell me what you did to search           03:07

12          for the information and documents that were           03:07

13          responsive to Disney's requests.           03:07

14          The interrogatories in the document           03:07

15          request.           03:07

16          A.           Say it again.           03:07

17          Q.           What did you do to search for           03:07

18          documents and information responsive to these           03:07

19          requests?           03:07

20          A.           Well, I went back to, you know, my           03:07

21          files that I have from invoices to my plane trip           03:07

22          to New York to, you know, my stuff that I file           03:07

23          away that I keep for records.           03:07

24          Q.           Did you search your electronic files?           03:07

25          A.           For e-mails, yeah. E-mails for           03:07

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*  
2           exactly -- for that. For going back to the           03:08  
3           dates that I communicated and stuff.           03:08  
4           Q.       And is the second amended responses           03:08  
5           that you served the last version --           03:08  
6           A.       I don't have a copy.           03:08  
7           Q.       They weren't dated, so...           03:08  
8           Q.       Did you serve more than a second           03:08  
9           amended response, do you know?           03:08  
10          A.       No.           03:08  
11          MR. STEWART: (Shaking head.)           03:08  
12          MS. McLEOD: No, that's the last           03:08  
13          version?           03:08  
14          Q.       So I just want to ask you about some           03:08  
15          of the information in here, interrogatory No. 3.           03:08  
16          MS. McLEOD: Off the record for a           03:09  
17          minute.           03:09  
18          (Discussion off the record.)           03:09  
19          Q.       We're back on the record and I've just           03:10  
20          given the witness a clean version of the second           03:10  
21          amended responses to opposer's first set of           03:10  
22          interrogatories.           03:10  
23          So looking at interrogatory No. 2, I           03:10  
24          just want to clarify that your answer of people           03:10  
25          with knowledge of the mark.           03:11

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2                    You have "Graphic Design," is that           03:11  
3 really the Smart Graphic Company that we talked           03:11  
4 about?   03:11

5           A.        Yeah, because it says here identify           03:11  
6 the persons with the most knowledge of                       03:11  
7 applicant's mark and applicant's goods, so I --           03:11

8           Q.        I just want to make sure that those           03:11  
9 are the Smart Graphic Design Company because you           03:11  
10 just called it Graphic Design. I want to make           03:11  
11 sure --   03:11

12           A.        Was it called Graphic or Smart           03:11  
13 Graphic.   03:11

14           Q.        The one on the invoice?                   03:11

15           A.        Yeah.   03:11

16           Q.        It was called Smart Graphic?           03:11

17           A.        Smart. Uh-huh.                               03:11

18           Q.        I just wanted to make sure I was           03:11  
19 thinking of the right company.                               03:11

20                    Now Smart Graphic Design, they're the           03:11  
21 only people who made the label and designed it           03:11  
22 for you, right?   03:11

23           A.        Correct.                                       03:11

24           Q.        And you never made any labels           03:11  
25 yourself?   03:11







1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*  
2           asking you how you first became aware of           03:14  
3           opposer, Disney, in this case and Disney's mark.   03:14  
4                    What you said here, you became aware       03:14  
5           around November, December when you were       03:14  
6           monitoring your application; is that right?       03:14  
7           A.       Yes.   03:14  
8           Q.       So how did you find Disney's marks       03:14  
9           when you were looking at the status of yours?   03:14  
10          A.       Well, just type in Moana and           03:14  
11          everything comes out.                               03:14  
12          Q.       So you were searching for other Moana   03:14  
13          marks?   03:14  
14          A.       I was searching for my Moana mark to   03:14  
15          see when it gets into the database and to see --   03:14  
16          and that's when I noticed a couple of weeks       03:14  
17          after, whenever, that Disney Moana had their   03:14  
18          mark there also afterward ^TUP.                   03:14  
19          Q.       Now looking at interrogatory No. 12,   03:15  
20          this asks for your annual sales revenues. And   03:15  
21          here you said you sold the prototypes for \$2.50   03:15  
22          and \$5 to street vendors.                           03:15  
23                    And that was just the one or two       03:15  
24          vendors you identified, right, Zumma and Ronald? 03:15  
25          A.       Right, correct.                           03:15

**EXHIBIT A225**

Rough Draft

Page 226

1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           Q.     On interrogatory No. 14 you mention           03:15  
3           some advertising and promotional expenses of       03:15  
4           \$500.   03:15

5                     Now in previous responses you           03:15  
6           identified that as a plane ticket and hotel.       03:15

7                     Is that what you're referring to, the     03:15  
8           \$500?   03:15

9           A.     Yeah.    03:15

10                    I'm talking there plane ticket,           03:15  
11           New York City, you know, walking -- that's the     03:15  
12           promotional. I don't know, that's the           03:15  
13           promotional, when I went --                       03:15

14           Q.     You haven't hired anybody to create       03:16  
15           advertising or promotional?                         03:16

16           A.     No, not right now.                         03:16

17           Q.     And you haven't spent any money on       03:16  
18           that?   03:16

19           A.     No, not right now.                         03:16

20           Q.     Interrogatory No. 15 asks about the       03:16  
21           types of media that you have advertised or       03:16  
22           intend to advertise. And in response here you     03:16  
23           said that you have advertised to your street       03:16  
24           vendors.   03:16

25                    Now were you talking about putting       03:16





1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*

2           with them signed by both parties to manufacture           03:18

3           products?           03:18

4           A.       No.           03:18

5                        This was --           03:18

6           Q.       This refers to the e-mail?           03:18

7           A.       To the e-mail exchange, as an exchange           03:18

8           of I could buy their product and --           03:18

9           Q.       That was from October of 2015, right?           03:18

10          A.       Yeah, I believe so.           03:18

11          Q.       Have you ever heard of Blue Sky or           03:19

12          Blue Sky Disney?           03:19

13          A.       No.           03:19

14          Q.       Have you ever heard of Indy Wire?           03:19

15          A.       No.           03:19

16          Q.       A publication?           03:19

17                        Do you know anyone at Disney?           03:19

18          A.       No.           03:19

19          Q.       Employed at Disney?           03:19

20                        Have you ever worked with anyone at           03:19

21          Disney?           03:19

22          A.       No.           03:19

23          Q.       Have you ever contacted anyone at           03:19

24          Disney?           03:19

25          A.       Yes.           03:19



1           \* UNPROOFREAD \* BARRETO \* ROUGH DRAFT \*  
2           we haven't seen yet, so it's possible we may           03:20  
3           have to recall the witness about them if any           03:20  
4           of them are responsive to our discovery.           03:20  
5           I just need a few moments, but I think           03:21  
6           I'm very close to finishing, then you can do           03:21  
7           any cross.           03:21  
8           Off the record for just a few minutes.           03:21  
9           (Recess taken.)           03:21  
10          MS. McLEOD: So we're back on the           03:26  
11          record. I just want to repeat. I believe           03:26  
12          we have an agreement that you'll give any           03:26  
13          documents to the court reporter to copy that           03:26  
14          we may not have.           03:26  
15          We're reserving the right to reopen           03:26  
16          the deposition if there's anything that           03:26  
17          warrants that in what we see. But for           03:26  
18          now --           03:26  
19          THE WITNESS: Am I gonna get these           03:26  
20          copies back, or how does that work?           03:26  
21          (Discussion off the record.)           03:26  
22          MS. McLEOD: I have no further           03:28  
23          questions subject to the stipulations we           03:28  
24          made on the record.           03:28  
25          MR. STEWART: I have no questions.           03:28





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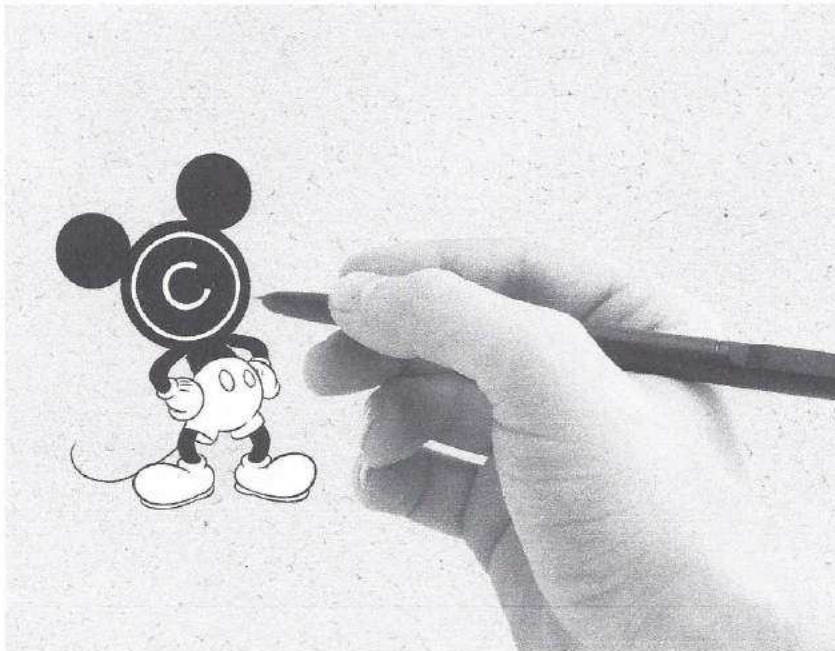


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## (/how-mickey-mouse-evades-the-public-domain/)How Mickey Mouse Evades the Public Domain

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Mickey Mouse is, in the words of one copyright expert, “a fucking powerhouse.”

The lovable rodent, who sports bright red shorts, a pair of gigantic yellow shoes, and circular ears, has achieved, in his 87 years, what no other animated character has: He has won an Academy Award. He has spawned social clubs, theme parks, and every piece of merchandise imaginable. He has a worldwide brand awareness of 97% (<http://articles.latimes.com/2008/aug/22/business/ft-mickey22>) -- higher than Santa Claus. For his efforts, *Forbes* has dubbed him the world’s “richest fictional billionaire,” placing his estimated worth to Disney at \$5.8 billion ([http://www.forbes.com/lists/2004/10/19/cz\\_04fiction\\_toptenslide.html?thisSpeed=35000](http://www.forbes.com/lists/2004/10/19/cz_04fiction_toptenslide.html?thisSpeed=35000)) per year.

For Disney, Mickey Mouse is not just a huge money maker, but the company’s most coveted piece of intellectual property. Mickey is Disney, and Disney is Mickey: the two are simply one and the same, and nothing is more important to Disney than his well-being. (“I love Mickey Mouse more than any woman I have ever known,” Walt Disney once famously said ([http://www.brainyquote.com/quotes/keywords/mickey\\_mouse.html#HzqMvWsokRFoGK8y.99](http://www.brainyquote.com/quotes/keywords/mickey_mouse.html#HzqMvWsokRFoGK8y.99))).

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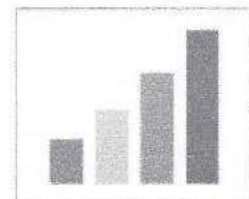
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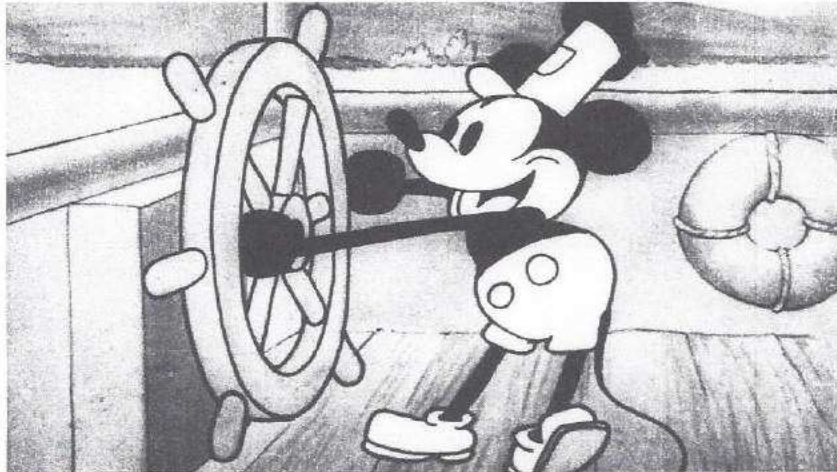
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For this reason, Disney has done everything in its power to make sure it retains the copyright on Mickey -- even if that means changing federal statutes. Every time Mickey's copyright is about to expire, Disney spends millions lobbying Congress for extensions, and trading campaign contributions for legislative support. With crushing legal force, they've squelched anyone who attempts to disagree with them.

In the age of the Internet, where vast swaths of creative material are freely available, the central question raised by Mickey Mouse's copyright ordeal is especially pertinent: Which is more important, a robust public domain, or the well-being of private interests?

**The Invention of Mickey Mouse**



Mickey Mouse, in his debut as "Steamboat Willie" (1928); via Lafayette College (<http://sites.lafayette.edu/fams101-sp15/files/2015/03/yHtAWRPQUqK3uWHhdgX56j8Nwcl.jpg>)

Three and a half years after founding his Los Angeles animation studio, Walt Disney was approached by his distributor, Charles Mintz, with an opportunity: Universal Studios was looking for a cartoon character.

Disney, who had only enjoyed moderate success up to that point and was still an unknown in the animation world, happily took the job. In the early months of 1927, the 26-year-old Disney, along with his chief animator Ub Iwerks, designed Oswald the Lucky Rabbit -- a rather saucy, anthropomorphic creature -- and Mintz inked the deal with Universal. Oswald became a huge hit, and as a result, Walt Disney Studios ballooned ([https://en.wikipedia.org/wiki/Oswald\\_the\\_Lucky\\_Rabbit](https://en.wikipedia.org/wiki/Oswald_the_Lucky_Rabbit)) to 20 employees.

In 1928, at the peak of Oswald's success, Mintz went behind Disney's back, stealing away nearly his entire animation team and re-signing them to a contract with Universal. When Disney's own contract with Mintz expired, he found himself stripped of not only his creation, but of his staff of animators. In the process, Disney learned a valuable lesson ([https://en.wikipedia.org/wiki/Walt\\_Disney\\_Animation\\_Studios](https://en.wikipedia.org/wiki/Walt_Disney_Animation_Studios)): he had to "always make sure that [he] owned all rights to the characters produced by [his] company."

"All he could say, over and over, was that he'd never work for anyone again as long as he lived," later recalled ([https://www.mouseplanet.com/10510/The\\_Mickey\\_Mouse\\_Creation\\_Myth](https://www.mouseplanet.com/10510/The_Mickey_Mouse_Creation_Myth)) his wife, Lillian. "He'd be his own boss."

Several months later, Disney and Ub Iwerks, who'd stayed loyal to him as an animator, hit the drawing board. In Disney's own account ([https://www.mouseplanet.com/10510/The\\_Mickey\\_Mouse\\_Creation\\_Myth](https://www.mouseplanet.com/10510/The_Mickey_Mouse_Creation_Myth)), Mickey Mouse was conceived out of desperation:

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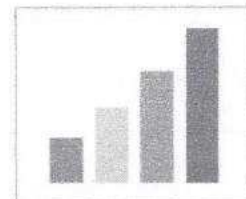
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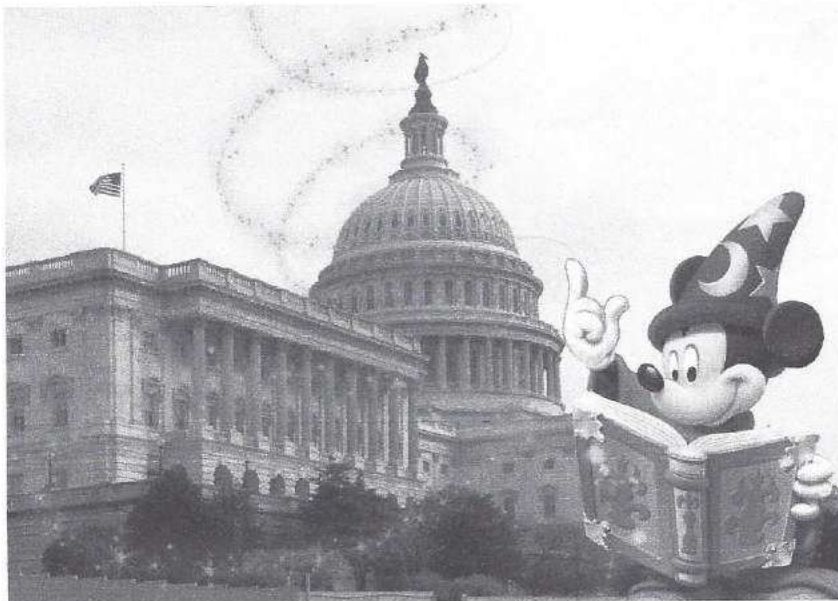
*"We had to create a new character in a hurry to survive. And find a market for it. We canvassed all the animal characters we thought suitable for the movie fable fashion of the time. All the good ones—the ones that would have instant appeal and would be comparatively easy to draw—seemed to have been pre-empted by the other companies in the cartoon animal field. Finally, a mouse was suggested, debated and put on the drawing boards as the best bet. That was Mickey."*

On November 18, 1928, Mickey Mouse made his official debut, in an animated short called "Steamboat Willie." Within five years, he became Hollywood's inanimate poster child, raking in nearly \$1 million a year

(<https://web.archive.org/web/20070301100751/http://disney.go.com/disneyatoz/familymuseum/exhibits/articles/mickeymousegolden>: (\$18 million in 2015 dollars) in merchandise sales, soliciting Academy Award nominations, and inspiring children around the world.

Having learned from his distributor's previous betrayal, Disney clung to Mickey with an iron grip. But like all fictional characters, Mickey faced an imminent future in the public domain -- didn't he?

**How Mickey Has Evaded Copyright Law**



Copyright law in America long predated Mickey Mouse.

The first of these laws, the Copyright Act of 1790, stipulated that creative works were entitled to up to 28 years of protection (14 years, plus an additional "renewal" period of 14 years, supposing the original hadn't died). This was followed by an 1831 act, which extended the copyright period to a max of 42 years, and a 1909 act, which elongated that period again, to 56 years. As the *Art Law Journal* clarifies (<http://artlawjournal.com/>), "very few works actually maintained [these] copyright durations": only a fraction of those who secured copyrights protected them, or opted to renew them.

Mickey Mouse was brought into the world in 1928, under the 1909 Copyright Act, entitling him to **56 years** of protection under the law -- no more. In accordance with the law, his copyright was set to expire in 1984.

As this date drew near, Disney (the corporation) grew increasingly anxious. By this time, Mickey was worth billions (<https://thewaltdisneycompany.com/investor-relations/>) in annual revenue, and had become the face of the company; losing him to the public domain would be a massive financial blow. Quietly, Disney took to Washington and began lobbying Congress for new copyright legislation.

In the chart below, we've visualized every major copyright act, and overlaid how these acts have kept Mickey Mouse out of the public domain:

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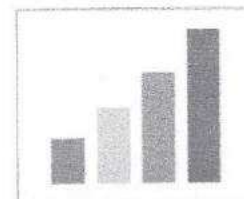
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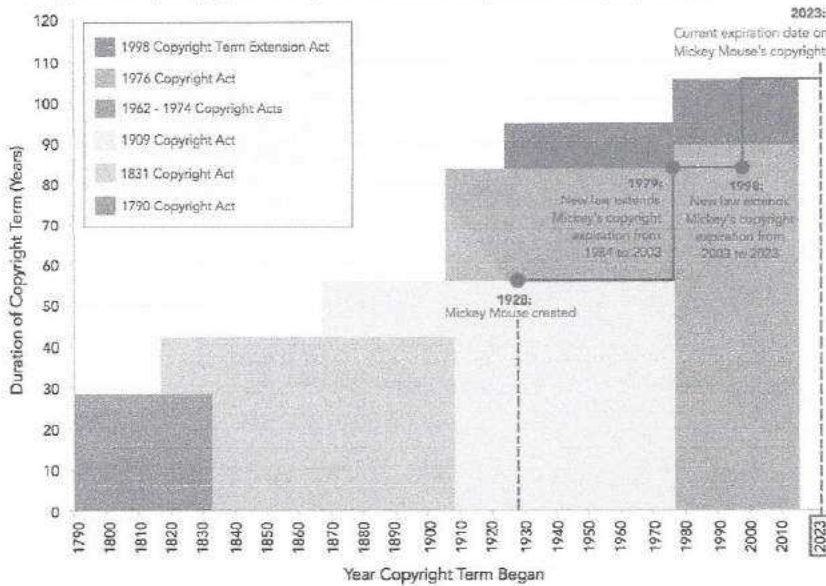


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### Mickey Mouse's Effect on U.S. Copyright Law

Every time Disney's copyright on Mickey Mouse is about to expire, the law magically changes.



Zachary Crockett, Priceonomics; data via Tom W. Bell  
 ([http://www.tomwbell.com/writings/\(C\)\\_Term.html](http://www.tomwbell.com/writings/(C)_Term.html))

Disney's efforts, and those of other multinational corporations with soon-expiring intellectual property, seem to have paid off. In 1976 -- just 8 years prior to Mickey's expiration -- Congress completely overhauled U.S. copyright law to conform with European standards (<http://copyright.nova.edu/sonny-bono-copyright-extension/>). This new law expanded already-published corporate copyrights from 56 years to a **maximum of 75 years**. All works published prior to 1922 immediately entered the public domain; all works published after 1922 (including Mickey Mouse) were entitled to the full 75 years of protection. Just like that, Mickey Mouse extended his copyright death 19 years -- from 1984 to 2003.

By the mid-1990s, Disney again began to feel the impending doom. In addition to the 2003 expiration of Mickey's copyright, Pluto was set to expire in 2005, Goofy in 2007, and Donald Duck in 2009. The gang, collectively worth billions, had to be retained, so Disney began lobbying again.

In 1997, Congress introduced the Copyright Term Extension Act (<http://www.copyright.gov/legislation/s505.pdf>), which proposed to extend corporate copyrights again -- this time, from 75 to 95 years. To ensure the bill passed, Disney coziered up to legislators.

Watchdog records (<http://www.eagleforum.org/column/1998/nov98/98-11-25.html>) show that the Disney Political Action Committee (PAC) paid out a total of \$149,612 in direct campaign contributions to those considering the bill. Of the bill's 25 sponsors (12 in the Senate, and 13 in the House), 19 received money from Disney's CEO, Michael Eisner. In one instance (<http://www.eagleforum.org/column/1998/nov98/98-11-25.html>), Eisner paid Senate Majority Leader Trent Lott (R-MS) \$1,000 on the *very same day* that he signed on as a co-sponsor.

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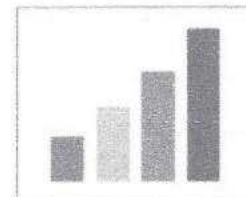
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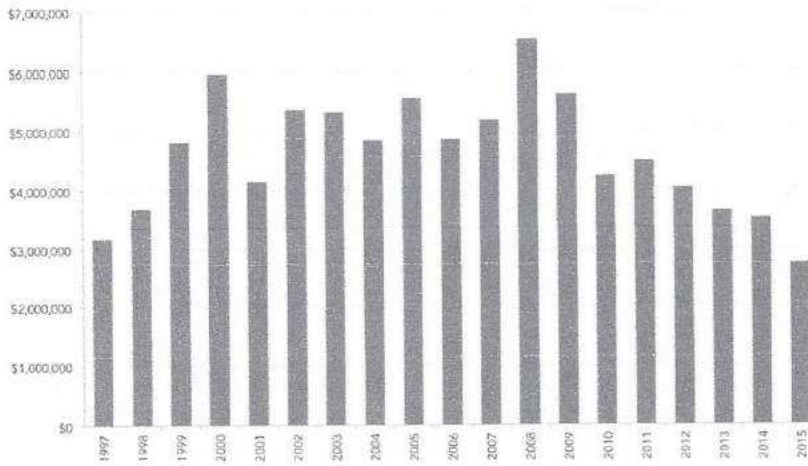
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# Disney's Huge Lobbying Efforts

Since 1997, Disney has spent \$67.6 million on lobbying -- mostly to influence copyright legislation



Zachary Crockett, Priceonomics; data via Open Secrets (<http://www.opensecrets.org/lobby/clientsum.php?id=d000000128>); figures adjusted for inflation

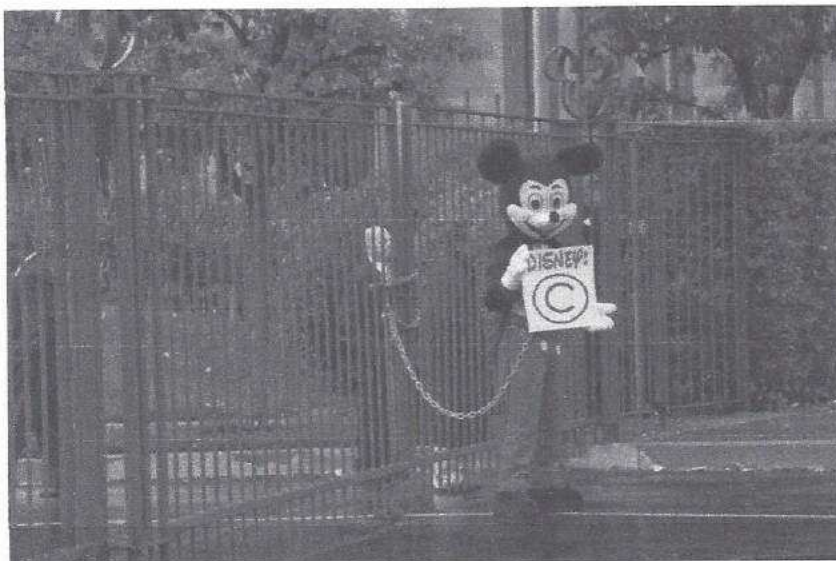
"We regard our lobbying as proprietary to us," Disney spokesman Thomas J. Deegan stated (<http://www.cnn.com/ALLPOLITICS/1998/08/10/cq/disney.html>), when confronted by CNN in 1998. "We don't wish to talk about it."

While it is impossible to say for certain whether or not Disney's efforts directly impacted politics, the results heavily worked out in their favor: the bill quietly and unanimously passed in the House and Senate with no public hearings, no debate, no notice to the public, and no roll call.

On October 27, 1998, Mickey Mouse's copyright was extended another 20 years, to 2023.

In the entire congressional committee, only one man -- Senator Hank Brown -- opposed the bill. "The real incentive [was] for corporate owners that bought copyrights to lobby Congress for another 20 years of revenue," he later said (<https://www.washingtonpost.com/news/the-switch/wp/2013/10/25/15-years-ago-congress-kept-mickey-mouse-out-of-the-public-domain-will-they-do-it-again/>). "I thought it was a moral outrage. There wasn't anyone speaking out for the public interest."

## Silent Protests



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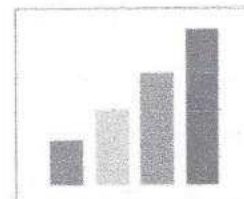
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While Mickey Mouse's apparent ability to influence the law has been criticized, any major effort to rile up the public has been squelched by Disney.

In the early 1970s, underground cartoonist Dan O'Neil published a series of "raunchy, Mickey-taunting comics", depicting the mouse in various unsavory situations. He then formed a group called the "Air Pirates" (named after a group of Mickey's villains from 1930s-era films), with the intent to alter the character to his own liking.

"Throughout my childhood, Mickey Mouse was used as a placebo to lull me into thinking everything was alright," one of his accomplices later stated ([http://www.boston.com/news/globe/ideas/articles/2003/09/28/free\\_mickey/](http://www.boston.com/news/globe/ideas/articles/2003/09/28/free_mickey/)). "But I found the happy-ever-after world of Walt and Mickey Mouse to be a poor half-truth. 'Air Pirates' shows that Mickey doesn't always win."

Eventually though, Mickey did win: Disney slapped O'Neil with a copyright infringement suit, and eventually won a settlement of nearly \$200,000.



([http://41.media.tumblr.com/tumblr\\_m9wvybvE561qzk8ev03\\_1280.jpg](http://41.media.tumblr.com/tumblr_m9wvybvE561qzk8ev03_1280.jpg))

*A underground cartoon from the 1970s inspired by the Air Pirates*

In 1979, just a few years after Mickey's copyright was extended by Congress, O'Neil formed the "Mouse Liberation Front" ([http://www.boston.com/news/globe/ideas/articles/2003/09/28/free\\_mickey/](http://www.boston.com/news/globe/ideas/articles/2003/09/28/free_mickey/)) in protest. He recruited dozens of renegade cartoonists -- all upset over the character's copyright longevity -- and barraged comic book conventions with lewd pictures of the mouse. Disney immediately threatened another lawsuit, and O'Neil abandoned his campaign.

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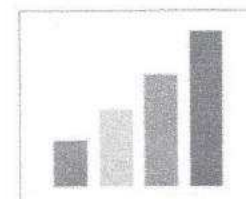
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Years later, in the wake of the 1998 Extension Act, Eric Eldred, an Internet publisher who published works in the public domain, decided (<https://www.washingtonpost.com/news/the-switch/wp/2013/10/25/15-years-ago-congress-kept-mickey-mouse-out-of-the-public-domain-will-they-do-it-again/>) to “[challenge] the constitutionality of retroactively extending copyright terms.” Eldred’s counsel argued that Congress’ power to extend copyrights invalidated the Constitution’s claim that copyrights can only be valid for a “limited” time.

In 2003, the case went all the way to the U.S. Supreme Court. But despite mounting support from the public to overturn the extension act, the court upheld it. In the opinion of Justice Ruth Bader Ginsburg, the language set forth in the Constitution – that the role of the copyright was to “promote the progress of science and useful arts” – did not limit the power of Congress to change the law.

**Should Mickey Mouse Be Set Free?**



Today, Congress can change the copyright term whenever it sees fit, making it entirely possible that Mickey Mouse’s copyright will be extended again before 2023. But should it? Does Disney’s cajoling of the law serve any positive benefits to society at large, or does it merely further enforce the repertoire of private interests?

Those in favor of copyright extensions generally fall back on three major arguments: 1) Lengthy copyrights are necessary to incentivize the creation of new works; 2) Copyrighted works are an important source of income – not just to copyright holders, but the U.S. at large; and, 3) Copyrights were originally intended to provide income for two generations of descendants; since human lifespan has increased since the original copyright bill in 1790, the copyright term should be appropriately elongated.

“All of these arguments are either demonstrably false or, at best, without foundation in empirical data,” copyright scholar Dennis Karjala tells us over the phone. “The extensions are corporate welfare, plain and simple – and they have caused a lot of harm to the general public.”

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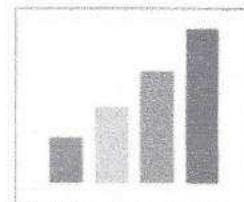
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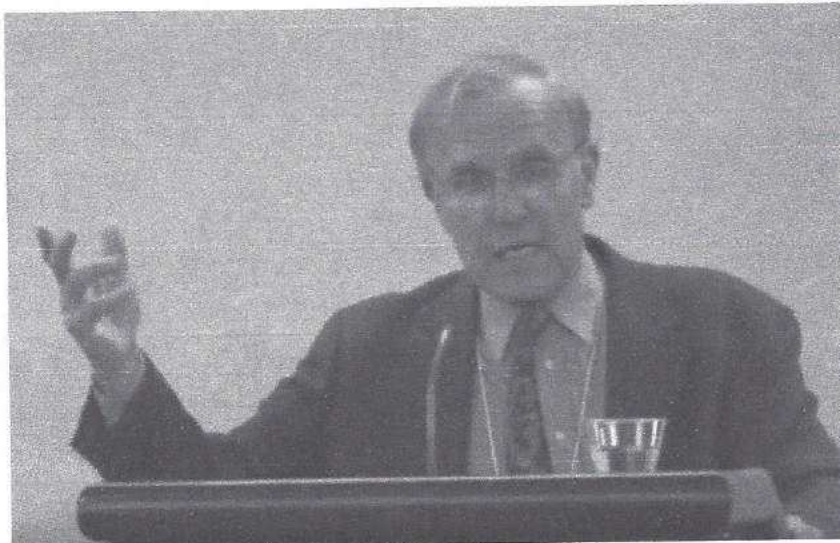
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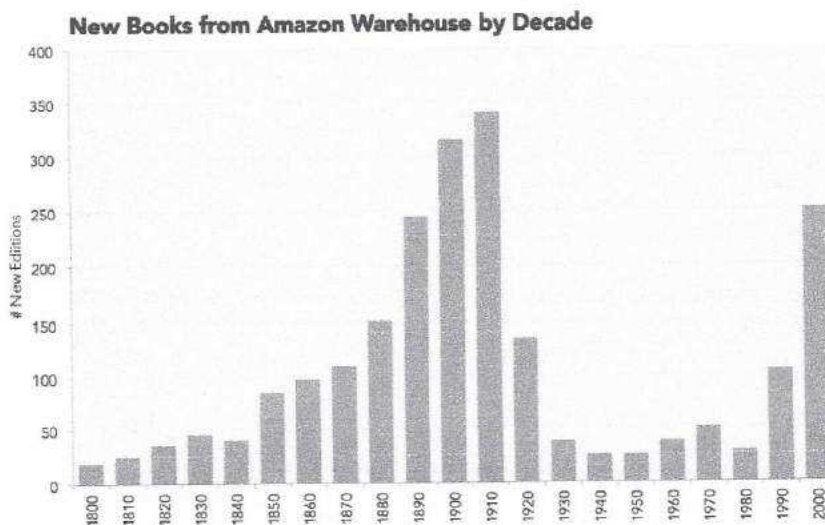
(<https://www.youtube.com/watch?v=Ag4Xf9vZ5eE>)

*Dennis Karjala at a copyright law forum in 2007*

But what exactly are the “harms” Karjala is referring to? Why should the public care about copyright extension?

For one, research done by Paul J. Heald, a professor in the University of Illinois School of Law, has shown that copyright can “stifle the availability of work” to the general public. In a 2013 paper ([http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2290181](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2290181)) entitled *How Copyright Keeps Works Disappeared*, Heald crawled through more than 2,000 books on Amazon.com, and found that there were more books available from the late 1800s than there were from the 1990s. His conclusion (<http://www.theatlantic.com/technology/archive/2013/07/the-hole-in-our-collective-memory-how-copyright-made-mid-century-books-vanish/278209/>): “Copyright protections had squashed the market for books from the middle of the 20th century, keeping those titles off shelves and out of the hands of the reading public.”

“Copyright correlates significantly with the disappearance of works rather than with their availability,” writes Heald. In essence, his research endorses that copyright “makes books disappear”, and copyright expiration “brings them back to life.”



Priceonomics; Data via *How Copyright Keeps Works Disappeared* ([http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2290181](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2290181)) (Heald, 2013)

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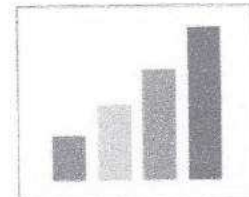
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This particular argument doesn't seem to apply to Mickey Mouse. After all, it isn't as if copyright has shelled him off from society: he's still very much in the public spotlight, and millions of people enjoy him on a daily basis.

Still, Karjala argues that copyright extensions have limited (if not altogether squashed) the public's freedom to make derivative works. Moreover, he contends that they only serve to boost corporate profits for an elongated period of time (the longer Mickey is copyrighted, the longer competition is minimized, allowing Disney to charge more for its films and merchandise).

"The continued payment of [extended copyright] royalties is a wealth transfer from the U.S. public to current owners of these copyrights," he writes. "These copyright owners are in most cases large companies and, in any case, may not even be descendants of the original authors whose works created the revenue streams that started flowing many years ago."

While Disney continues to ardently fight for copyright legislation, more than 50 of its own films -- including blockbusters like *Alice in Wonderland*, *Aladdin*, *Frozen*, and *The Lion King* -- are based on works in the public domain:

**A Selection of Disney Films Based on Public Domain Works**

Film	Work Based On	Revenue
Aladdin (1992)	"One Thousand and One Nights" (1702)	\$504 million
Alice in Wonderland (1951, 2010)	"Alice in Wonderland" (Lewis Carroll, 1865)	\$1.02 billion
Beauty and the Beast (1991)	"Beauty and the Beast" ( Villeneuve, 1775)	\$425 million
Bug's Life (1998)	Aesop's Fables	\$363.4 million
Cinderella (1950)	"Cinderella" (Perrault, 1697)	\$85 million
Christmas Carol (2009)	"A Christmas Carol" (Dickens, 1843)	\$325.3 million
Frozen (2013)	"Ice Queen" (Hans Christian Anderson, 1845)	\$810.3 million
Hercules (1997)	The greek myth (400 BCE)	\$252.7 million
Little Mermaid (1989)	"Little Mermaid" (Anderson, 1837)	\$211.3 million
Mulan (1998)	Chinese legend of Hua Mulan	\$304 million
Pinnocchio (1940)	"Pinnocchio" (Collodi, 1883)	\$84.3 million
Robin Hood (1973)	From English folk tales	\$87 million
Sorcerer's Apprentice	"L'apprenti Sorcier" (Goethe, 1797)	\$236.9 million
Snow White	From Brothers Grimm folk tale (1857)	\$416 million
Sleeping Beauty	"The Sleeping Beauty..." (Perrault, 1697)	\$51.6 million
Tangled (2010)	"Rapunzel" (Brothers Grimm, 1812)	\$591.8 million
Tarzan (1999)	"Tarzan of the Apes" (Burroughs, 1914)	\$448.2 million
The Hunchback of Notre Dame (1996)	"The Hunchback..." (Hugo, 1831)	\$325.4 million
The Lion King (1994)	"Hamlet" (Shakespeare, 1603)	\$987.5 million
The Jungle Book (1994)	"The Jungle Book" (Kipling, 1894)	\$205.8 million
Three Musketeers (1993)	"Three Musketeers" (Dumas, 1844)	\$53.9 million
Treasure Planet	"Treasure Island" (Stevenson, 1883)	\$109.6 million

Zachary Crockett, *Priceonomics*; data via *Forbes*  
<http://www.forbes.com/sites/derekhanna/2014/02/03/50-disney-movies-based-on-the-public-domain/>

Disney has taken full advantage of expired copyrights without "paying into the system" with its own original characters.

\*\*\*

Ultimately, none of this may matter: Even if Mickey's copyright does expire in 2023, Disney has no less than 19 *trademarks* on the words "Mickey Mouse" (ranging from television shows and cartoon strips to theme parks and videogames) that could shield him from public use.

While a copyright protects works of art from being manipulated by the public, a trademark "protects words, phrases and symbols used to identify the source of the products or services."

According a precedent set in a 1979 court case (<http://law.justia.com/cases/federal/district-courts/FSupp/481/1191/2397442/>), a trademark can protect a character in the public domain as long as that character has obtained what is called "secondary meaning." This means that the character and the company are virtually inseparable: upon seeing it, one will immediately identify it with a brand. Copyright lawyer Stephen Carlisle (<http://copyright.nova.edu/mickey-public-domain/>) contends that Mickey Mouse would meet this qualification with flying colors, should he need to:

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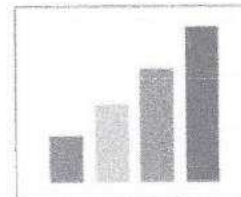
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*"Disney has made Mickey Mouse so prominent in all of their corporate dealings, that he is effectively the pre-eminent symbol of the Walt Disney Company. There can be little doubt that anyone seeing the image of Mickey Mouse (or even his silhouette), immediately thinks of Disney."*

In other words, Disney has ingrained Mickey Mouse so deeply in its corporate identity that the character is essentially afforded legal protection for eternity, so long as Disney protects him (trademarks last indefinitely, so long as they are renewed).

It's a sad truth for crusaders of the public domain: the more powerful and recognizable a piece of corporate property is (and thus, the more coveted it is by society at large), the less likely it is to be relinquished.

Our next post explains why you should tell bankers to take their credit card rewards and shove them up their asses. To get notified when we post it → **join our email list** (<http://priceonomics.us4.list-manage.com/subscribe?u=f66f07e4e312263b2c3c8405d&id=6c081361d7>).



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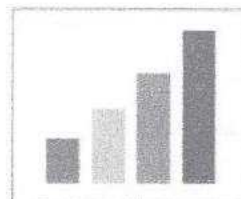
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## 50 Disney Movies Based On The Public Domain

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Do you think you know Disney? Many of your favorite classic films were based on public domain stories (works whose copyright has expired). Much of the success of the Disney Corporation is a result of building upon the great works of the past.

A movie, song or book enters the public domain when copyright on that work expires (or when it never received copyright to begin with). For most of American history, copyright durations were short which meant that all works would eventually enter the public domain so that other creators could remix and build them.

### The list

(There is no definitive list, this is based upon a Medium crowdsourcing (<https://medium.com/best-thing-i-found-online-today/eb49ac34c3da/edit>) project and will be updated. List should not be cited as authoritative source.):

1. **Adventures of Huck Finn (1993)** based on Mark Twain's book (1885)

*Revenue = \$24.1 million (revenue figures listed where available – based on wikipedia data).*

2. **Tom and Huck (1995)** based on *The Adventures of Tom Sawyer* by Mark Twain (1876)

*Revenue = \$23.9 million*

3. **Aladdin (1992)** from a folk tale in *One Thousand and One Nights* (1706)

*Revenue = \$50.4 million*

4. **Alice in Wonderland (1951)** based on Lewis Carroll's book (1865)

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 5. **Alice in Wonderland** (2010) based on Lewis Carroll's book (1865)

*Revenue = \$1.02 billion*

6. **Around the World in 80 Days** (2004) based on Jules Verne's book (1873)

*Revenue = \$72.2 million*

7. **Atlantis** (2001) from the **Legend of Atlantis** (Socratic Dialogues "Timaeus" & "Critias" by Plato ~360 BC.)

8. **Beauty and the Beast** (1991) by G-S Barbot de Villeneuve's book (1775)

*Revenue = \$425 million*

9. **Bug's Life** (1998) from Aesop's Fables

*Revenue = \$363.4 million*

10. **Cinderella** (1950) from Charles Perrault's folk tale (Grimm's Fairy Tales) (1697)

*Revenue = \$85 million*

11. **Chicken Little** (2005) from the folk tale

*Revenue = \$314.4 million*

12. **Christmas Carol** (2009) from Charles Dickens (1843)

*Revenue = \$325.3 million*

13. **Fantasia** (1940) scored and based on Bach, Tchaikovsky, Beethoven & other classical compositions (however, "The Rite Of Spring" was licensed)

*Revenue = \$83.3 million* (22nd highest-grossing film of all time as adjusted for inflation)

14. **Fantasia 2000** (1999)

*Revenue = \$90.9 million*

15. **Frozen** (2013) from Hans Christian Anderson's **Ice Queen** (1845)

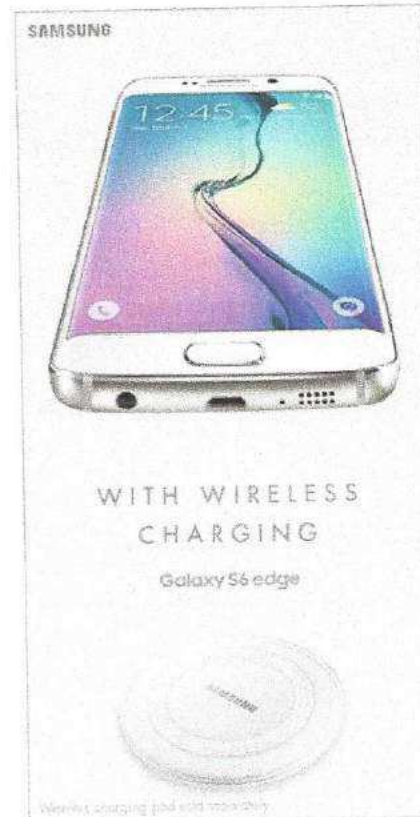
*Revenue = \$810.3 million*

16. **Hercules** (1997) from the Greek myth

*Revenue = \$252.7 million*

17. **In Search of the Castaways** (1962) based on Jules Verne novel (1868)

*Revenue = \$21.7 million*





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18. **John Carter** (2012) based on **A Princess of Mars (/companies/mars/)** by Edgar Rice Burroughs (1917)

Revenue = \$284 million

19. **Kidnapped** (1960) by Robert Louis Stevenson (1886)

20. **Little Mermaid** (1989) by Hans Christian Anderson (1837)

Revenue = \$211.3 million

21. **Lt. Robin Crusoe U.S.N.** (1966) based on **Robinson Crusoe** by Daniel Defoe (1719)

Revenue = \$22.5 million

22. **Mulan** (1998) from the Chinese Legend of Hua Mulan

Revenue = \$304.3 million

23. **Oliver & Company** (1988) based on **Oliver Twist** by Charles Dickens (1839)

Revenue = \$74 million

24. **Return to Neverland** (2002) based on **Peter Pan** by J.M. Barrie (1904)

Revenue = \$109.9 million

25. **Pinocchio** (1940) by Carlo Collodi (1883)

Revenue = \$84.3 million (39th highest grossing box office gross as adjusted for inflation)

26. **Pocahontas** (1995) from the life and legend of Pocahontas

Revenue = \$346 million

27. **Princess and the Frog** (2009) from the Brothers Grimm folk tale The Frog Prince

Revenue = \$267 million

28. **Return to Oz** (1985) from L. Frank Baum's books

(When original Oz film was made it was under copyright. Disney purchased rights to all the books. But when Return to Oz was made it had entered the public domain.)

29. **Rob Roy the Highland Rogue** (1953) based on the **Rob Roy** by Sir Walter Scott (1817)

30. **Robin Hood** (1973) from the English folk tales

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*Forbes* Revenue = \$87 million  
(6)

31. **Sorcerer's Apprentice** (2010) from the poem by Johann Goethe (1797)

Revenue = \$236.9 million

32. **Snow White** (1937) from the Brothers Grimm folk tale (1857)

Revenue = \$416 million (10th highest grossing film as adjusted for inflation)

33. **Sleeping Beauty** (1959) from the Charles Perrault folk tale (1697) (also with music/characters from Tchaikovsky's 1890 ballet)

Revenue = \$51.6 million (31st highest grossing film as adjusted for inflation)

34. **Swiss Family Robinson** (1960) by Johann David Wyss (1812)

Revenue = \$40 million (83d highest grossing film as adjusted)

35. **Tangled** (2010) from the Brothers' Grimm fairy tale **Rapunzel** (1812)

Revenue = \$591.8 million

36. **Tarzan** (1999) from **Tarzan of the Apes** by Edgar Rice Burroughs (1914)

Revenue = \$448.2 million

37. **The Adventures of Ichabod and Mr. Toad** (1949) based on the **Legend of Sleepy Hollow** by Washington Irving (1820) and **Wind in the Willows** by Kenneth Grahame (1908)

38. **The Hunchback of Notre Dame** (1996) from Victor Hugo's Book (1831)

Revenue = \$325.4 million

39. **The Lion King** (1994) from **Hamlet** (1603) and inspired from a 1960s Japanese animated series called **Kimba the White Lion**

Revenue = \$987.5 million

40. **The Jungle Book** (1967) by Rudyard Kipling (1894 copyright, movie released just one year after copyright expired)

Revenue = \$205.8 million (30th highest grossing film with inflation)

41. **The Jungle Book** (1994 live action version) by Rudyard Kipling (1894)

Revenue = \$43 million

42. **Three Musketeers** (1993) by Alexandre Dumas (1844)





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Revenue = \$53.9 million

43. **The Reluctant Dragon** (1941) based on the story by Kenneth Grahame (1898).

44. **The Sword in the Stone** (1963) from the Arthurian Legends

Revenue = \$22.2 million

45. **Treasure Planet** (2002) based on **Treasure Island** by Robert Louis Stevenson (1883)

Revenue = \$109.6 million

46. **Muppet Treasure Island** (1996) based on **Treasure Island** by Robert Louis Stevenson (1883)

Revenue = \$34.4 million

47. **Treasure Island** (1950) based on **Treasure Island** by Robert Louis Stevenson (1883)

48. **20,000 Leagues Under the Sea** (1954) by Jules Verne (1870)

Revenue = \$28.2 million

49. **White Fang** (1991) by Jack London (1906)

Revenue = \$34.8 million

50. **White Fang 2: Myth of the White Wolf** (1994) based on book by Jack London (1906)

Revenue = \$8.8 million

(Find an error? Tweet me at @DerekKhanna or join the [Medium conversation](https://medium.com/best-thing-i-found-online-today/eb49ac34c3da/edit) (<https://medium.com/best-thing-i-found-online-today/eb49ac34c3da/edit>)).

### What Happened to the Public Domain?:

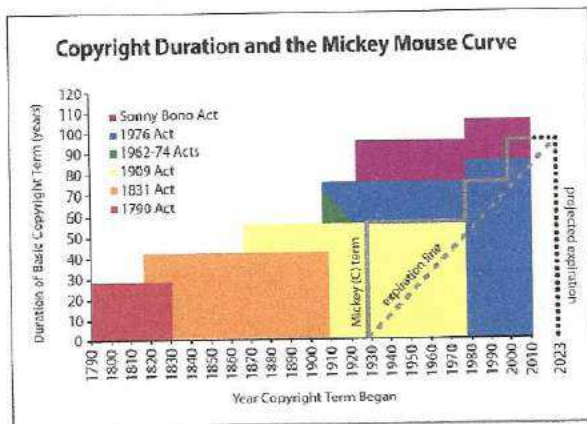
The public domain of the future cannot be protected without constrains on prospective copyright duration. The Founders' copyright was for 14 years. But today, copyright terms have been regularly extended, quiet conveniently to ensure that the works of the Disney Corporation could never enter the public domain (and also keeping out thousands of other works). Current copyright law is life of the author plus 70 years.

But this is only part of the situation as copyright has been continually expanded to ensure that new works wouldn't enter the public domain, what some have called "perpetual copyright on the installment plan." Essentially while Disney's empire was created in large part from the public domain, it has ensured



Forbes that other future competitors could not re-use their material. This can be most clearly seen in this graphic created by Tom W. Bell.

(<http://techliberation.com/2009/08/06/copyright-duration-and-the-mickey-mouse-curve/>)



(<http://techliberation.com/2009/08/06/copyright-duration-and-the-mickey-mouse-curve/>)

The economists' consensus has been in favor of a short term of copyright regulation. As Nobel Laureates Milton Friedman, Richard H. Coase, Kenneth Arrow and 13 other free market economists argued (<http://cyber.law.harvard.edu/openlaw/eldredvashcroft/supct/amici/economists.pdf>) in their brief for the *Eldred v. Ashcroft* case, "[A] lengthened copyright term . . . keeps additional materials out of new creators' hands" and ultimately results in "fewer new works." There is an economic benefit from shorter copyright terms.

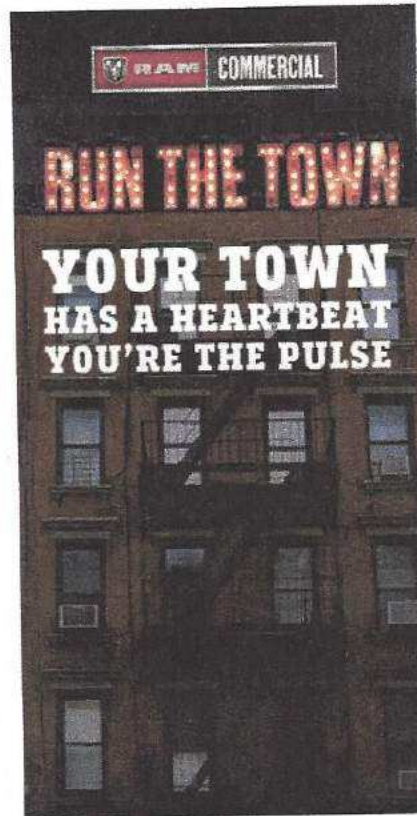
Historically copyright has been short, a government implemented property right created by statute that lasted only for "limited times" – as the Constitution requires. Available evidence of the Founding era suggests that not only was copyright historically short, but that the limited duration aspect



of copyright was the original public meaning of what the instrument of copyright itself was: "COPY-RIGHT [sic], the exclusive right of printing and publishing copies of any literary performance, **for a limited time.**" (1803 English law dictionary).

Our Founding Fathers incorporated a modified version of the British legal conception of copyright, first in state laws, then through specific language in Constitution and lastly as implemented by statute in 1790 – creating 14 year terms with a 14 year extension. British law, state law and federal law all had similar term lengths in the founding era – when the Founders wrote "limited" their understanding of an acceptable limited term was 14 years.

James Madison and other founders referred to copyrights and patents as a form of government granted monopoly and explained



([http://www.constitution.org/jm/18101213\\_monopolies.htm](http://www.constitution.org/jm/18101213_monopolies.htm)) that "Perpetual monopolies of every sort, are forbidden" including copyrights. Madison argued that even though copyright was a form of monopoly, that the benefits outweighed the downsides specifically, in part, because it was "temporary." As he explained, "There can be no just objection to a temporary monopoly in these cases but it ought to be temporary, because under that limitation a sufficient recompence and encouragement may be given."

Madison ominously warned that all monopolies, including copyright, must be "guarded with strictness agst abuse."

#### **No One Guarding Against Abuse:**

In 1998, Copyright was up for it's last copyright term extension, from life +50 years to life +70 years. Disney's Mickey Mouse copyright had accounted for up to \$8 billion

(<http://jolt.law.harvard.edu/articles/pdf/v16/16HarvJLTech287.pdf>) in revenue in 1998 when they were lobbying for copyright extension. Disney's Chairman, Michael Eisener personally

(<http://reason.com/archives/2000/03/01/copy-catfight/print>) met with then-Senate Majority Leader Trent Lott. The day Lott signed on as co-sponsor of the bill, Disney's PAC donated

(<http://www.public.asu.edu/~dkarjala/commentary/ChiTrib10-17-08.html>) to Lott's campaign. Within a month Disney also gave \$20,000 in soft money to

the National Republican Senatorial Committee. Of the 13 initial sponsors of the House bill, 10 received contributions from Disney's PAC. On the Senate side, 8 of the 12 sponsors received contributions.

Senator Hank Brown (R-CO) would end up being the committee's only opponent, he explains (<http://www.washingtonpost.com/blogs/the-switch/wp/2013/10/25/15-years-ago-congress-kept-mickey-mouse-out-of-the-public-domain-will-they-do-it-again/>):

"I thought it was a moral outrage. . . There wasn't anyone speaking out for the public interest."

The Copyright Term Extension Act (The Sonny Bono Act) passed both Houses (<http://thomas.loc.gov/cgi-bin/bdquery/z?d105:HR02589:@@X>) of Congress by voice vote (no recorded roll call vote, an indication that there was no opposition).

Much of the success of the Disney Corporation was based upon public domain books. Under current policy, there will never be another Disney Corporation that was able to create derivative characters and stories based upon content whose copyright has expired because the availability of materials to use from the public domain stopped essentially in the 1930s.

*Policy-makers should want ten Disney Corporations, not one Disney Corporation.* In 2018 Congress will have to decide on whether to extend copyright to life + 90 to continue to keep Disney's copyright out of the public domain.

While the House Judiciary Committee is going through a review of Copyright law, and the Registrar of Copyright has called for considering life + 50 with the remaining 20 years as an opt-in system, the content industry has been busy secretly negotiating a treaty, the Trans-Pacific Partnership Agreement (TPP) (<http://wikileaks.org/tpp/>), affecting 40% of world GDP to lock in US copyright at a minimum of life + 70 — thereby ensuring that Congress could not easily change our copyright terms to terms more consistent with the Constitution and based upon economics.

### **One of the Greatest Thefts in History?:**

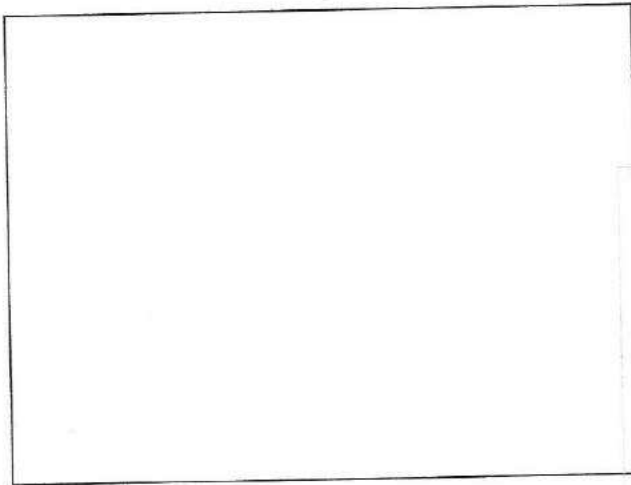
While Disney took and reused from the public domain, none of the works created by Disney, including derivative works based upon public domain works, has entered the public domain for others to build upon. If current policy is extended — then they never will. The content industry has argued that their copyright is their natural right property, something that the Founders never agreed with and our Constitution makes clear is not the case (See Cardozo Law Review article addressing (<http://www.cardozoelj.com/wp-content/uploads/2011/02/Khanna.Galley.Reflection-GOOD.pdf>) topic).



Forbes

Under the content industry's logic they have argued that reusing others work without paying them is always stealing and they have pushed for more and more restrictions upon doctrines like fair use. One of the content industries' most ardent supporters in Congress, Congresswoman Marsha Blackburn (R-TN) has even directly ridiculed ([www.gpo.gov/fdsys/pkg/CHRG-109hhrg27003/html/CHRG-109hhrg27003.htm](http://www.gpo.gov/fdsys/pkg/CHRG-109hhrg27003/html/CHRG-109hhrg27003.htm)) the concept of fair use as being theft by comparing it to being "a little bit pregnant," arguing "how do you go snip just a little bit of what somebody has created. . . we have to begin to look at this issue. . . not as just snippets but we have to look at it as theft." The first Mickey Mouse film, "SteamBoat Willie," was itself a parody of a Buster Keaton film "Steamboat Bill Jr." (parody being a form of fair use).

If in the vernacular of the content industry, taking other people's work without paying for it is always stealing, then the Disney Corporation is responsible for one of the greatest thefts in world history.



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- 1. [Here's Why You Should Stop Googling Names a month ago beenverified.com Been Verified BeenVerified.com \(sponsored\)](#)







# EXHIBITOR LOCATOR GUIDE

An Official Toy Industry Association, Inc. Publication  
www.ToyFairNY.com

## TOYFAIR



Toy Industry Association, Inc.

February 14-17

### WELCOME TO THE 112TH NORTH AMERICAN INTERNATIONAL TOY FAIR™

This on-site navigation guide provides an easy way to find the companies and products you seek and is organized alphabetically and by product category.

**IT'S THAT SIMPLE!**

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*The Play Trade's B2B Digital Marketplace*

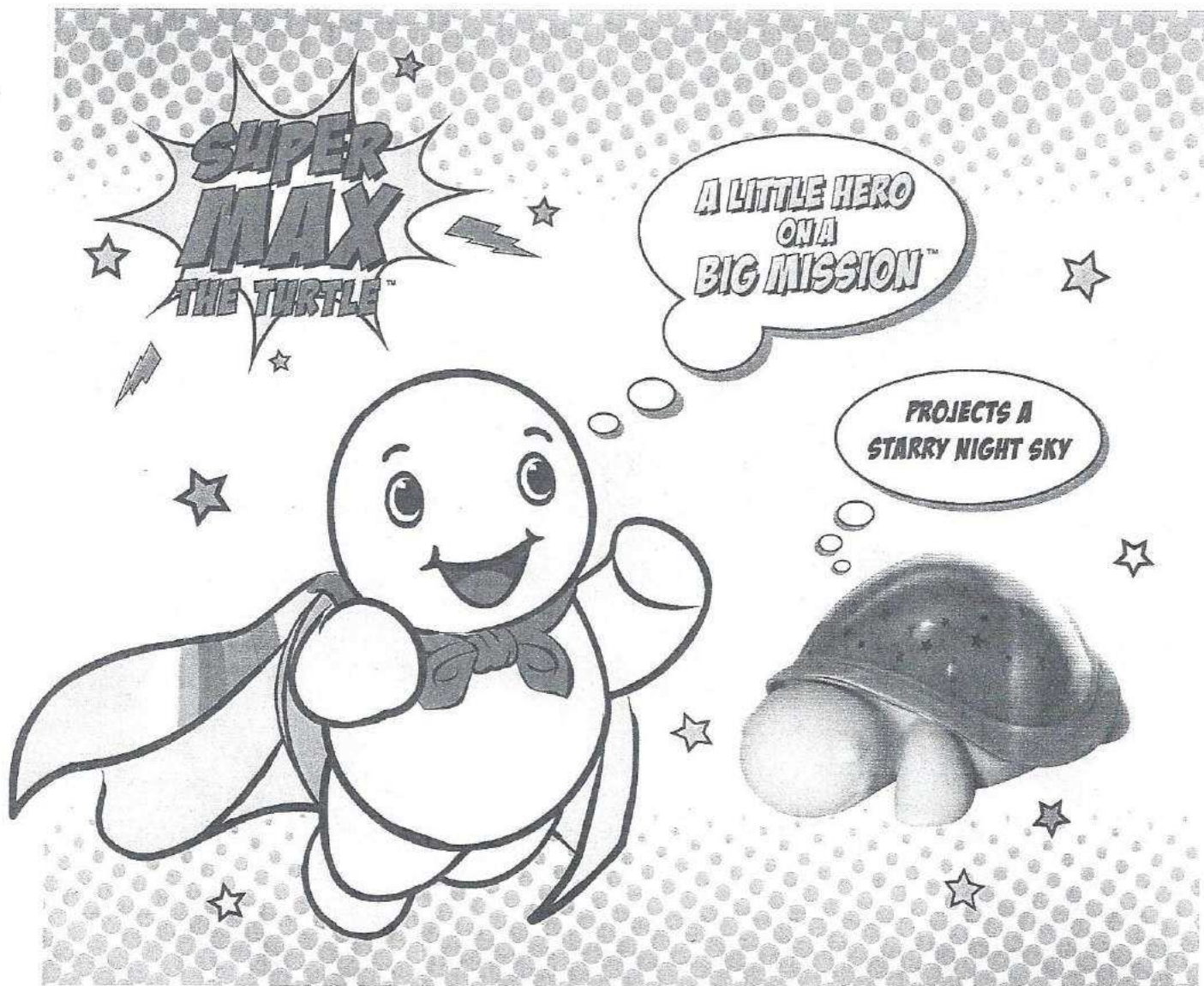
ty



Disney  
**FROZEN**



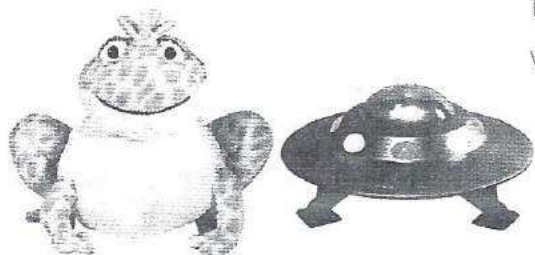




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## Super Max The Turtle™

Super Max the Turtle is a little hero on a big mission! Inspired by the courageous 7-year-old Max Wilford, an incredible little boy battling brain cancer, Super Max the Turtle helps all children feel strong and calm wherever they are and whenever they need it.



A portion of proceeds will be  
donated to MaxLove Project



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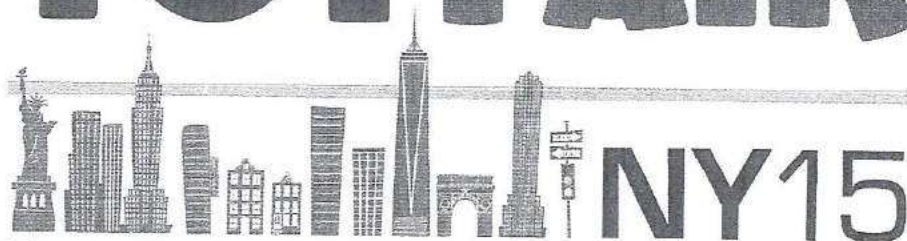


where good sleep begins™



# WELCOME TO

# TOYFAIR



Toy Industry Association, Inc.

## February 14-17

### WHERE IS TOY FAIR?

Unless otherwise noted, all official Toy Fair events, including exhibits and registration, will be held at:

Jacob K. Javits Convention Center  
11th Avenue between West 34th and West 39th Streets  
New York City

### REGISTRATION HOURS

Thursday, February 12	12:00pm – 5:00pm
Friday, February 13	9:00am – 5:00pm
Saturday, February 14	8:00am – 6:00pm
Sunday, February 15	8:00am – 6:00pm
Monday, February 16	8:00am – 6:00pm
Tuesday, February 17	8:00am – 4:00pm

### EXHIBIT DATES & HOURS

Saturday, February 14	9:00am – 6:00pm
Sunday, February 15	9:00am – 6:00pm
Monday, February 16	9:00am – 6:00pm
Tuesday, February 17	9:00am – 4:00pm

### ADMISSION POLICY & SHOW RULES

#### Admission Policy

North American International Toy Fair™ is open to the trade only. Those eligible for admission as buyers include retailers, wholesalers, importers and buying groups. Certain categories of trade guests are also eligible. Individuals who cannot document their direct, professional affiliation to the trade are not qualified to attend.

#### Rules

- To register for Toy Fair, you must show two forms of business credentials that indicate affiliation with the toy industry.

Acceptable credentials are listed at [www.ToyFairNY.com](http://www.ToyFairNY.com). Toy Fair participants will also be required to show government-issued photo I.D. (such as driver's license or passport) upon request.

- Absolutely no consumers and no one under the age of 18, including infants, toddlers, consultants, child reporters and children of media, exhibitors, buyers or trade guests will be admitted to the Javits Center exhibit halls.
- Unauthorized solicitation on the premises by non-exhibiting manufacturers and/or suppliers is strictly prohibited.
- Photography of exhibitors' booths is prohibited except with permission of the exhibitor.
- In compliance with New York State law, smoking is not permitted in any area of the Javits Center.
- Those who violate any of the above rules will be escorted from the show floor and will jeopardize participation in future TIA events.

### WHO IS SHOW MANAGEMENT?

North American International Toy Fair™ is an annual event owned and produced by the Toy Industry Association, Inc.™ (TIA). TIA is recognized by government, the trade, media and consumers as the authoritative voice of the North American toy industry. North American International Toy Fair is a trademark of TIA.

### SHOW OFFICE AT TOY FAIR

Glass room located at the rear of the Crystal Palace.

### REGISTRATION INFORMATION

Present your confirmation email/barcode at any Attendee Registration Counter in the Crystal Palace or on the North Concourse of the Javits Center to receive your badge.





ShopToyFair365.com is a new and innovative e-commerce tool that enables toy brands and registered Toy Fair buyers to connect and conduct business online. The free platform allows sellers to create a digital showroom that includes their company profile, contact information and product catalogue (including images, product descriptions, prices and availability). Buyers can browse these digital showrooms from a mobile device or desktop computer. They can also "follow" companies, "like" their product offerings and place purchase orders year-round. Visit [www.shoptoyfair365.com](http://www.shoptoyfair365.com) for details. Some restrictions apply.

**READ ALL ABOUT IT AT TOY FAIR**

As a service to attendees and exhibitors, the following trade publications will be available at the Javits Center registration areas. Pick up your FREE copies while supplies last.

- Creative Play Retailer*
- Dealerscope*
- Earnshaw's*
- Edplay*
- Gifts and Decorative Accessories*
- GIFT SHOP**
- Kidscreen*
- License! Global*
- The Licensing Book*

- Museums and More*
- Party & Paper*
- Retail Merchandiser*
- Scholastic Parent & Child*
- Selling Christmas*
- Selling Halloween*
- Souvenirs, Gifts and Novelties*
- The Toy Book*
- Total Licensing*
- Toys and Family Entertainment*

We are also pleased to acknowledge the support of Global Toy Experts [www.globaltoyexperts.com](http://www.globaltoyexperts.com) as an online publication partner.

Available publications are subject to change. This list of publications is as of January 23, 2015. Additional publications may be available onsite.

**SPECIAL SERVICES AT THE JAVITS CONVENTION CENTER**

*(Locations of some services are subject to change.)*

**American Express Open® Lounge:** American Express OPEN® Cardmembers and those who apply for an OPEN Card onsite are welcome in the lounge on the 4E Terrace above the south side of the Crystal Palace lobby.

**American Specialty Toy Retailing Association:** Booth 5849; see Member Hospitality Lounge below.

**Banking Services:** Chase Bank ATM located next to Guest Services in the Crystal Palace (Level 3) and on the north side of the Level 1 food court.

**Toy Fair Buyers' Lounge:** Level 1, 1B03

**Coat & Baggage Check Areas:**  
Sponsored by



A number of coat & baggage check areas are available throughout the Javits Center. Hours of Operation: Saturday – Monday 8:00am – 7:00pm, Tuesday 8:00am – 5:00pm; \$3 per article.

**FedEx Office & Print Center:** Located in the 2D section of the Javits Center (across the open lobby from Starbucks), the FedEx Office & Print Center offers a wide range of services for attendees seeking to fax, copy, print, pack and ship, purchase office supplies or take advantage of a computer workstation. For more information call Roy Haddock at 917-531-8688 or email him at [roy.haddock@fedex.com](mailto:roy.haddock@fedex.com).

**First Aid & Medical Emergencies:** Level 1 in the southwest corner of the building behind Special Events Hall 1D. A paramedic team is on duty during show hours. 212-216-2488/2196.

The Javits Center has portable defibrillators strategically placed throughout the Center. In case of cardiac arrest or other serious emergency, dial the Javits Command Center at ext. 2222 from any house phone, or call the Command Center at 212-216-2222.

Yes, this is a kitty.  
Yes, she has tentacles.  
Ten of them.

Say hello to



**Tentacle Kitty**

Stop by and see why everyone is saying  
"You have to hold this!"

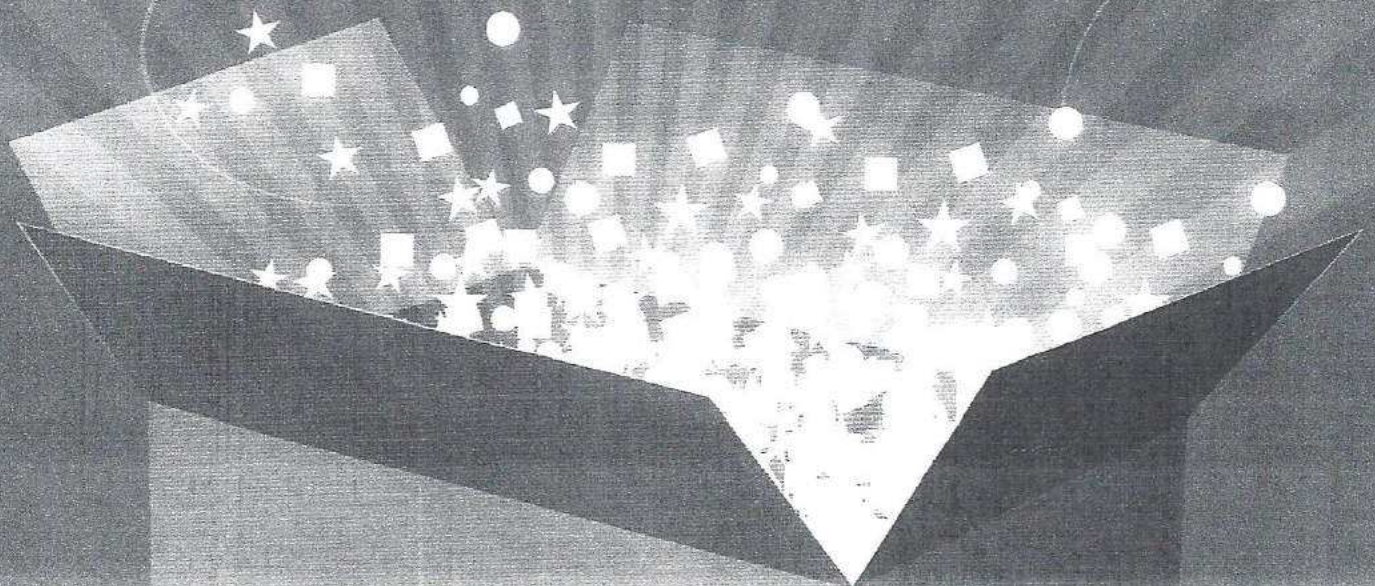


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Toy Fair Show Hours  
Extended to 24 / 7 / 365

[shoptoyfair365.com](http://shoptoyfair365.com)



**Food Service:** There are 22 permanent and many mobile and temporary food outlets throughout the Center, concentrated in the Level 1 and Level 3 food courts. Food outlet schedules vary; please refer to on-site information.

**Guest Services:** A Javits Center Guest Services desk is conveniently located inside the Crystal Palace near the convention center's 36th Street main entrance. Hours of Operation: Saturday – Monday 8:00am – 8:30pm and Tuesday 8:00am – 4:30pm.

**Handicapped Accessibility:** Includes automatic doors, elevators, escalators and a limited number of manual wheelchairs available on a first come, first served basis at the Guest Services Desk - Level 3, Crystal Palace (36th Street entrance). To reserve a wheelchair, call the Javits Command Center at 212-216-2196.

To rent a Personal Mobility Vehicle, click the In and Around Javits dropdown box of the Javits Center website at [www.javitscenter.com](http://www.javitscenter.com).

**Member Hospitality Lounge:** Level 1, Rear of 1E Hall  
Toy Industry Association welcomes its members as well as members of the American Specialty Toy Retailing Association (ASTRA), Canadian Toy Association (CTA) and Licensing Industry Merchandisers' Association (LIMA) to enjoy the Member Hospitality Lounge. The private lounge offers extensive seating, complimentary WiFi, a computer and printer, charging stations, a place to hang your coat and more.

**Member Hospitality Lounge Hours:**

Saturday, February 14 – Monday, February 16	8:00am – 6:00pm
Tuesday, February 17	8:00am – 4:00pm

**Newsstands:** Hudson News offers publications, maps, Metro Cards, NY State Lottery tickets and assorted sundries at its locations on the Level 2 North Concourse and in the Level 3 Crystal Palace.

**Toy Fair Press Room:** Exclusively for credentialed members of the media.

Level 2, South Concourse	
Saturday, February 14 –	8:00am – 6:00pm
Monday, February 16	
Tuesday, February 17	8:00am – 4:00pm

**Public Parking:** Many private parking facilities, each with its own hours and prices, operate nearby. For a range of parking options near the convention center, visit [www.javitscenter.com](http://www.javitscenter.com).

**TIA/TIF Information Center:** To learn more about Toy Industry Association membership, services, programs and the work of the Toy Industry Foundation, visit our booth in the Crystal Palace.

**Travel Assistance:** Travel Planners is the only official housing partner of Toy Fair 2015 and offers the lowest rates available over the dates of this event. For hotel reservations and information, call 800-221-3531 or 212-532-1660 Monday – Friday, 8:00am – 7:00pm EST, or visit [www.toyfairny.com](http://www.toyfairny.com). During show hours a Travel Planners representative will be available at the Javits Center in the Level 2 North Concourse Registration area.

## TRANSPORTATION

**Taxis:** There is a taxi stand on the inner roadway, outside the Level 2 North Concourse. New York City taxi fares are meter based. Cash and credit cards are accepted. Tipping is customary.

**Uber:** The Uber concierge desk at the Javits Center will be open during show hours to assist with reservations. Or, you may request a pickup using Uber's free app and track your car as it approaches within minutes. Your credit card will be billed directly and there is no need to tip.

New Uber users receive a free first ride – up to \$25 – to or from Toy Fair when you use promotional code ToyFair25. Existing Uber users receive 10% off one ride to or from Toy Fair up to \$10 when you use promotional code ToyFair10.

**Airport Transfers & Car Service:** Airport transfers, private cars, luxury coaches and other transportation options are available through the Javits Center's preferred partner SuperShuttle/Golden Touch/ExecuCar located on the 2D Concourse next to Starbucks. For more information, call 718-888-6300 or visit [www.supershuttle.com](http://www.supershuttle.com) or [www.goldentouchtransportation.com](http://www.goldentouchtransportation.com).

## Wi-Fi®:



Sponsored by Activision, connect to Skylanders SkyFi for complimentary Wi-Fi service throughout the Javits Center. The service can accommodate one device per connection and can only be subscribed to on-site from the device that will be accessing the Internet. Note that VPN is not supported on this wireless network and that no wireless cards or accessories are sold on-site.

## UPCOMING TIA EVENTS

### PlayCon

TIA's International Conference of Play Professionals  
[www.playcon2015.org](http://www.playcon2015.org)  
April 29-May 1, 2015  
Hyatt Regency Scottsdale Resort and Spa at Gainey Ranch  
Scottsdale, AZ

### TIA Summer Credit Conference

[www.toyassociation.org](http://www.toyassociation.org)  
July 13-14, 2015  
Hotel Monaco, Alexandria, VA

### Fall Toy Preview

[www.falltoypreview.org](http://www.falltoypreview.org)  
October 6-8, 2015  
Dallas Market Center, Dallas, TX

### North American International Toy Fair

[www.toyfairny.com](http://www.toyfairny.com)  
February 2016  
Jacob K. Javits Convention Center, New York, NY

For more information on TIA events, please visit [www.toyassociation.org](http://www.toyassociation.org)



## DAILY ACTIVITIES

This list of events is as of January 29, 2015, and is subject to change. Please visit [www.toyfairny.com](http://www.toyfairny.com) for a complete schedule, seminar descriptions and to register. Fees may apply. All activities take place at the Javits Center unless otherwise noted.

### SATURDAY, FEBRUARY 14

#### Toy Fair Opening Ceremony and Ribbon Cutting

Toy Fair will officially open at 9:00am sharp on Saturday morning, February 14, with a parade of best-loved costumed characters accompanied by high-spirited live entertainment. Don't miss the beginning of all the excitement!

Level 3 - Crystal Palace  
9:00am



#### TIA Knowledge Network

TIA's Licensing Content Connection programs kick off today. Sign up at any registration counter. TIA Members pay only \$99 and non-members pay \$129 whether you attend 1 or all 4 sessions.

Complimentary Creative Factor and Independent Thinking and sessions are offered throughout the day. For the complete schedule of TIA Education at Toy Fair, please see page 13.



#### ASTRA's Exclusively Yours Reception

Get a first look at the new ASTRA Exclusives line at this member only reception. You won't want to miss this exciting reveal!

Level 1, Hall 1E - Room 1E06

5:30 - 6:30pm

Open to ASTRA Members Only



Toy Industry Association, Inc.

#### International Visitors' Welcome Reception

TIA will host an opening night welcome reception exclusively for registered international Toy Fair attendees and invited trade officials.

Member Hospitality Lounge - Level 1, Rear of 1E Hall

6:00 - 7:30pm

By invitation

### SUNDAY, FEBRUARY 15



#### TIA Knowledge Network

Complimentary Creative Factor; Independent Thinking; and Safety, Compliance and Environmental sessions are offered throughout the day.

Global Trade and Market Expansion sessions focusing on the toy and youth entertainment markets in the United States, Mexico and Australia are on today's Knowledge Network schedule. Sign up for the 3-session Market Research Package at any registration counter. There is no charge for TIA Members; non-members pay \$179 for 1 or all 3 sessions. For the complete schedule of TIA Education at Toy Fair, please see page 13.



#### TIA LICENSING CONTENT CONNECTION

TIA's Licensing Content Connection program continues today. You can still sign up at any registration counter; fees apply.



#### Creative Factor Designer & Inventor Breakfast

Join the designer and inventor community for a light breakfast to start your day at Toy Fair.

Level 1, Booth #4878

9:00 - 10:00am

#### DIGITAL KIDS CONFERENCE

[DigitalKidsCon.com](http://DigitalKidsCon.com)

February 15-17, 2015

#### Toys, Learning and Play

The Digital Kids team kicks things off with Toys, Learning and Play presented by National Center for Families Learning (NCFL). Attendees will learn how parents, teachers and community leaders are using technological products to scale the sometimes exclusive play/learn zone.

Level 1, 1E Hall - Room 1E15-16

1:00 - 5:30pm

To register, visit [www.digitalkidscon.com](http://www.digitalkidscon.com); fees apply.



# DAILY ACTIVITIES

## Toy Trends Briefing

Get an exclusive first look at the top toy trends of 2015 at TIA's Toy Trends Briefing. Using examples from the show floor, TIA's experts will highlight this year's hottest trends – and where to find them at Toy Fair!

Level 1, Hall 1E - Room 1E21

4:00 – 5:00pm

Open and free to all Toy Fair attendees.



CANADIAN TOY ASSOCIATION  
L'ASSOCIATION CANADIENNE DU JOUET

## Canadian Toy Association Reception

The Canadian Toy Association (CTA) is hosting an informal gathering at Toy Fair. Enjoy appetizers and a complimentary first drink (cash bar available). Advance registration is requested by email to Danielle Russell, Senior Association Manager, CTA, at [dr@cdntoyassn.com](mailto:dr@cdntoyassn.com).

Member Hospitality Lounge - Level 1, Rear of 1E Hall

6:00 – 8:00pm

Guests will be required to show a Canadian Passport for entry.



**WOMEN IN TOYS**  
TOYS • LICENSING • ENTERTAINMENT

## 11th Annual Wonder Women of Toys, Licensing & Entertainment Awards Dinner

The 11th Annual Wonder Women of Toys, Licensing & Entertainment Awards Dinner honors outstanding women who have made remarkable contributions to their fields.

Pier 60 at Chelsea Piers, 23rd Street & West Side Highway

6:00 – 11:00pm

Advance ticket purchase was required.



## ASTRA's Annual Night in New York Party

Channel your inner superhero and join us for a fun night out at ASTRA's Night in New York, the signature event for the specialty toy industry. This year's superhero-themed party will feature super food and drinks as you mix and mingle with friends.

Naples 45, MetLife building at Grand Central Terminal, 200 Park Avenue

6:30 – 9:30pm

Space is limited, so visit the ASTRA booth #5849 on Saturday or Sunday to purchase your ticket. ASTRA members \$75/person; non-members \$160/person.

## MONDAY, FEBRUARY 16



Toy Industry Association, Inc.

## TIA's Annual General Meeting

Open to members and non-members and free to all registrants and exhibitors, this year-end wrap-up and look ahead will cover a variety of topics including reports from the president and chairmen addressing key activities, accomplishments since the last meeting and a look at the year ahead; a summary financial report, as well as consideration of proposed bylaw amendments and election of new TIA Board members. New TIA Board officers for 2015 will be introduced.

Refreshments will be provided.

Level 1, Hall 1E - Room 1E21

8:00 – 9:00am

Open and free to all. No registration required.



## 8th Annual Blue Plate Media Lounge – A Day of Media Intelligence

Join the Blue Plate Media Lounge at Toy Fair for free workshops. Blue Plate Media will present its 2015 Toy Industry Media Outlook. Experts dissect media across 6 toy categories. Gain competitive media insights on spending, trends and media mix. Learn how, where and why featured brands spend their budgets. Learn how to set up Google Adwords, establish media budgets (guest Josh Loerzel, Zing Toys) and traffic and clear TV spots to networks.

Level 1 - Room 1D03

9:00am – 5:00pm

To register, call 908-868-9523, email [dvannucci@blueplatemedia.net](mailto:dvannucci@blueplatemedia.net) or visit <http://blueplatemedia.net/media-events/>.

**DIGITAL KIDS  
CONFERENCE**

[DigitalKidsCon.com](http://DigitalKidsCon.com)

**February 15-17, 2015**

## Digital Kids Conference

Digital Kids Conference at Toy Fair delivers information needed to create best-selling apps, games, digital toys and online media services for kids. DKC is the must-attend event for game developers, app developers, brand owners, entertainment and media executives, marketers, producers, digital media directors and licensing professionals seeking to engage children online and on digital devices.

Level 1, 1E Hall – Room 1E15-16

9:00am – 5:00pm

Visit [digitalkidscon.com](http://digitalkidscon.com) to register; fees apply.



# DAILY ACTIVITIES

## TIA's Toy Safety Update

This always well-attended annual session will highlight important changes in state, federal and international toy safety requirements and introduce emerging issues under consideration by legislators and regulators in key markets around the globe.

Sponsored by



Refreshments will be provided.

Level 1, Hall 1E - Room 1E21

9:30am - 12:30pm

Open and free to all. No registration required.



## TIA Knowledge Network

The 4-session Licensing Content Connection program concludes today. Sign up at any registration counter; fees apply.

Join us for complimentary Creative Factor presentations. For the complete schedule of TIA Education at Toy Fair, please see page 13.



## ASTRA's Share the Fair

Looking for the can't-miss products at Toy Fair? Make sure you attend Share the Fair to discover and discuss the show floor highlights with your fellow ASTRA Retailers.

Level 1, Hall 1E - Room 1E06

6:00 - 7:30pm

Open to ASTRA Retail Members Only



## LIMA Toy Fair Networking Reception

Sponsored by 24 IP Law Group & Themed by NFL Players Incorporated.

Join LIMA and NFL Players Inc. for a spectacular night of networking over cocktails and hors d'oeuvres - with the picturesque backdrop of the Bryant Park ice skating rink. The NFLPI will be on hand with exciting giveaways, including a raffle for NFL player memorabilia.

Celsius at Bryant Park, 2nd Floor Atrium, 6th Avenue & 42nd Street  
6:00 - 8:00pm

Advance registration is closed. LIMA and TIA members pay \$100 at the door, \$200 for non-members.

- 6 secret compartments
- 6 hidden plush friends
- 6 different fasteners
- button, tie, zip, clip, buckle, snap

come see  
all the styles

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tel: 609-865-3733 [www.loungenlearn.com](http://www.loungenlearn.com)  
email: [info@loungenlearn.com](mailto:info@loungenlearn.com)



# DAILY ACTIVITIES

## ChiTAG NYC Get Together @ Connolly's Pub

Join Chicago Toy and Game Group for one of the biggest and best parties during Toy Fair.

Connolly's Pub, 121 West 45th Street, 2nd floor

6:00 - 10:00pm

Register online at <http://bit.ly/1ErvBgQ> for \$20/person or pay \$25 at the door. Food and beverage are available for purchase.



## Professionals Network

### TIA Young Professionals Network Happy Hour and Networking Event

All young industry professionals, age 35 and under, are encouraged to attend. Young professionals attending from TIA Member companies will receive one complimentary drink. Light bites will be served. Additional food and drinks will be available for purchase. For inquiries or to RSVP, contact [bboyle@toyassociation.org](mailto:bboyle@toyassociation.org). Bourbon Street Bar and Grill, 346 W. 46th Street between 8th and 9th Avenues  
6:30 - 8:00pm

## I AM BIG BIRD

SPECIAL SCREENING | MONDAY, FEBRUARY 16, 2015



### I AM BIG BIRD: The Caroll Spinney Story Screening

Toy Fair, in partnership with PeruMeridian Studios, Creative Factor and Tribeca Film is proud to present a special screening of *I AM BIG BIRD: The Caroll Spinney Story* – the feature length documentary about the life and times of Caroll Spinney, creator and essence of Sesame Street's Big Bird and Oscar the Grouch since 1969! AMC Empire 25 Theater, 234 West 42nd Street between 7th & 8th Avenues

8:00 - 10:00pm (Doors open at 7:45pm for General Admission.)

Advance ticket purchase required. For details and tickets, visit <http://bit.ly/1sUTZ9e>.

## TUESDAY, FEBRUARY 17

### DIGITAL KIDS CONFERENCE

[DigitalKidsCon.com](http://DigitalKidsCon.com)

February 15-17, 2015

### Digital Kids Conference

Digital Kids Conference at Toy Fair delivers information needed to create best-selling apps, games, digital toys and online media services for kids. DKC is the must-attend event for game developers, app developers, brand owners, entertainment and media executives, marketers, producers, digital media directors and licensing professionals seeking to engage children online and on digital devices.

Level 1, 1E Hall – Room 1E15-16

9:00am – 5:00pm

Visit [digitalkidscon.com](http://digitalkidscon.com) to register; fees apply.



Toy Industry Association, Inc.

### Toy Fair Credit Meeting

TIA's annual Toy Fair credit meeting is exclusively for TIA member-manufacturers, participants of the TIA Credit Interchange program Affinia Manhattan Hotel, 371 7th Avenue  
10:00am – 6:00pm

Registration required. Contact [dgittings@toyassociation.org](mailto:dgittings@toyassociation.org).



A Toy Industry Foundation Program

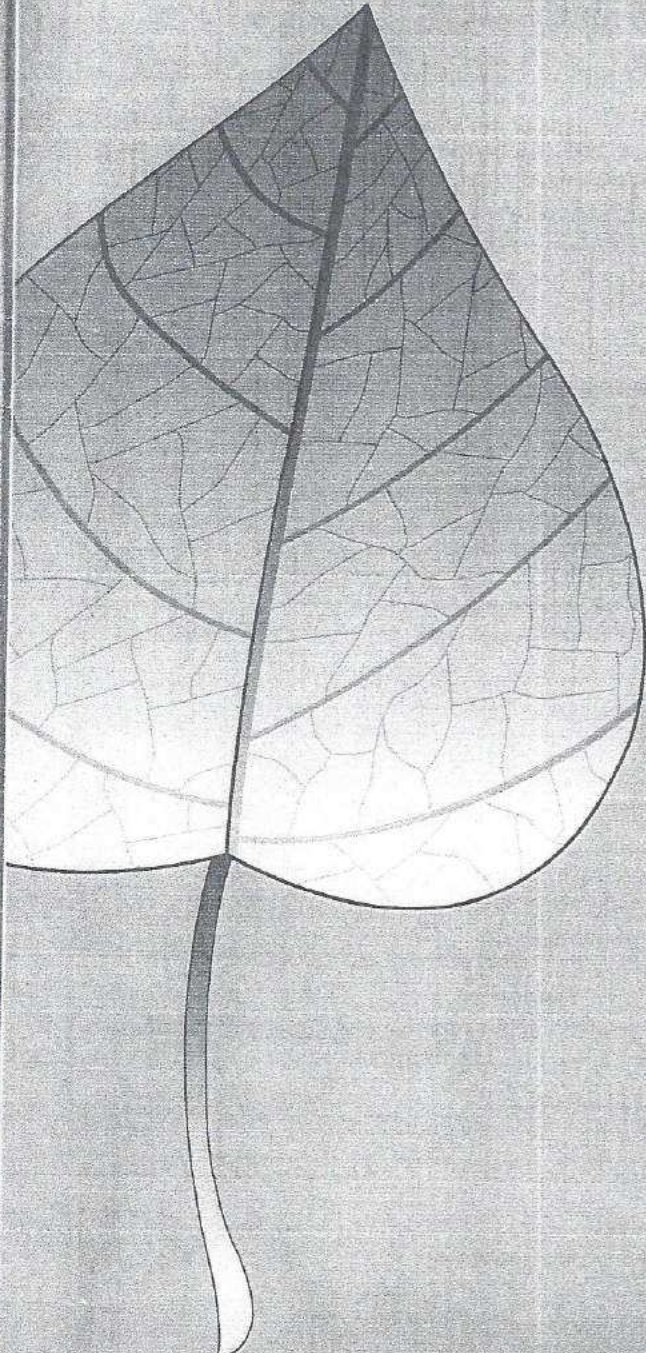
### Annual TIF Toy Bank Collection

Exhibitors can deliver the magic of play to children in need and make show wrap-up a breeze by donating product to the Toy Industry Foundation's Toy Bank. At the close of the show, our orange-shirted volunteers comb the show floor to gather donated items for several area charities serving children in need. Donors will receive a receipt for tax purposes.

To sign up, visit booth #5201 or email Elizabeth Max at [emax@toyindustryfoundation.org](mailto:emax@toyindustryfoundation.org).

Collection begins at close of show – 4:01pm



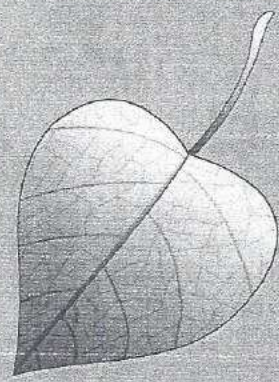


# SAVE THE DATE

October 6-8, 2015

Dallas Market Center

Mass, long-lead and high-volume specialty buyers looking to preview products for Q4 2016 look to **Fall Toy Preview!**



**Fall  
Toy Preview**  
First and Focused **2015**

Registration opens Spring 2015

[www.falltoypreview.com](http://www.falltoypreview.com)



# TOY FAIR SHUTTLE SERVICE

All Aboard! In celebration of Thomas & Friends' 70th anniversary this year, hop aboard the Best Friends Express, our complimentary shuttle bus service between Toy Fair's official hotels, Penn Station and the Javits Center. Keep your eyes peeled as our bus "routes" have been renamed "tracks" based on the popular franchise, bringing the Island of Sodor to New York City.

**THOMAS  
& FRIENDS**

Buses are available throughout the morning, midday and evening show hours. Each of the hotels listed below will be serviced by a bus "track" (the hotels in bold will be official stops and others will be within a short walking distance to the pick-up/drop-off).

## SCHEDULE

Saturday, February 14:	7:30am – 11:00am
	11:00am – 4:00pm <i>Limited Service</i>
	4:00pm – 7:00pm
Sunday & Monday, February 15 & 16:	7:30am – 10:00am
	11:00am – 4:00pm <i>Limited Service</i>
	4:00pm – 7:00pm
Tuesday, February 17:	7:30am – 10:00am
	10:00am – 3:00pm <i>Limited Service</i>
	3:00pm – 5:00pm (1 bus until 10:00pm)

## TRACK 1 PICK-UP/DROP OFF LOCATIONS

**Crowne Plaza Times Square**  
**Holiday Inn Midtown 57th Street**  
**Park Central New York**  
**Sheraton New York Times Square Hotel**

*The Track 1 Pick-Up/Drop Off Locations above are within walking distance of:*

DoubleTree Suites by Hilton Times Square  
Hampton Inn Times Square North  
Hilton New York Midtown  
Hilton Garden Inn Times Square  
JW Marriott Essex House New York  
Le Parker Meridien  
The London NYC  
The Manhattan at Times Square Hotel  
Renaissance Times Square NY

## TRACK 2 PICK-UP/DROP OFF LOCATIONS

**New York Marriott Marquis**  
**Westin New York at Times Square**

*The Track 2 Pick-Up/Drop Off Locations above are within walking distance of:*

Element New York Times Square West  
Four Points by Sheraton Midtown Times Square  
Hilton Times Square  
Hotel Mela  
Hyatt Times Square  
InterContinental New York Times Square  
Millennium Broadway  
Row NYC  
Staybridge Suites Times Square  
W New York Times Square  
YOTEL New York

## TRACK 3 PICK-UP/DROP OFF LOCATIONS

**Grand Hyatt New York**  
**W New York**

*The Track 3 Pick-Up/Drop Off Locations above are within walking distance of:*

Courtyard Fifth Avenue  
Courtyard Midtown East  
Doubletree Metropolitan Hotel  
Lexington New York City  
New York Marriott East Side  
Omni Berkshire Place  
Roosevelt Hotel New York  
Waldorf Astoria  
Westin New York Grand Central Hotel

## TRACK 4 PICK-UP/DROP OFF LOCATIONS

**Hilton Garden Inn NY West 35th St**  
**Hotel Wolcott**  
**Residence Inn Times Square**

*The Track 4 Pick-Up/Drop Off Locations above are within walking distance of:*

Courtyard New York Manhattan/Herald Square  
Hilton New York Fashion District  
Hyatt Place Midtown South  
SpringHill Suites NY Midtown Manhattan

## TRACK 5 PICK-UP/DROP OFF LOCATIONS

**Candlewood Suites Times Square South**  
**DoubleTree Times Square South**  
**Penn Station**

*The Track 5 Pick-Up/Drop Off Locations above are within walking distance of:*

Affinia Manhattan  
Courtyard Manhattan Chelsea  
Dream Downtown\*  
Fairfield Inn and Suites Times Square  
Hampton Inn Times Square South  
Holiday Inn Express Madison Square Garden  
Holiday Inn Express Times Square South  
Homewood Suites Midtown/Times Square South  
Hyatt Herald Square New York\*  
TRYP by Wyndham Times Square South  
Wyndham New Yorker Hotel

## SHORT WALK TO/FROM JAVITS CENTER

Ink 48 - A Kimpton Hotel  
Travel Inn Hotel

## NY WATERWAY FERRY\*\*

Sheraton Lincoln Harbor

*\*Closest track. Connect to Public Transportation or Taxi. \*\*Fees appl. As of January 29, 2015 (subject to change)*



# TIA EDUCATION AT TOY FAIR 2015

There's a lot happening at Toy Fair this year – educational seminars, demonstrations, panel discussions and networking opportunities – all designed to maximize your time in New York and help you grow your business. Look at what we have planned.

## INDEPENDENT THINKING

As an independent or specialty retailer, you will find practical and useful information in all of our educational sessions presented specifically for you. Join us for a variety of topics held throughout the show.

## TIA'S LICENSING CONTENT CONNECTION

Experts will share helpful insights for your business – whether you're seeking to jump into licensing or expand your presence in this tremendous market segment.

## GLOBAL TRADE AND MARKET EXPANSION

Explore new frontiers for expanding your business in these insightful presentations examining the global marketplace.

## SAFETY, COMPLIANCE AND ENVIRONMENTAL

Compliance with safety standards and environmental concerns are not afterthoughts in the development of today's playthings. Find out what you need to know in these informative presentations.

## CREATIVE FACTOR

Sessions and demonstrations designed especially for the creative community. Inventors, designers and anyone who wants to learn and be inspired at the same time are welcome to attend. Creative Factor is hosted by Brett Klisch in partnership with Toy Industry Association, Inc.

## SPECIAL SESSIONS HOSTED BY TIA

Toy Industry Association is proud to host a number of events for Toy Fair participants. This year's TIA-hosted sessions will include guidance for first-time exhibitors, a look at trends and, of course, the association's Annual General Meeting.

## DIGITAL KIDS CONFERENCE

The 9th annual Digital Kids Conference is the must attend-event for brand owners, entertainment and media executives, marketers, producers, digital media directors and licensing professionals seeking to engage children online and on digital devices.

TIME	SATURDAY 2/14	SUNDAY 2/15	MONDAY 2/16	TUESDAY 2/17
ALL DAY			Digital Kids Conference Sessions from 9:00am to 5:00pm. Register at <a href="http://digitalkidscon.com">digitalkidscon.com</a> ; fees apply. ROOM 1E15	Digital Kids Conference Sessions from 9:00am to 5:00pm. Register at <a href="http://digitalkidscon.com">digitalkidscon.com</a> ; fees apply. ROOM 1E15
8:00am-9:00am		How to Strategically Use Licenses to Build Your Business Marty Brochstein, SVP, Industry Relations & Information, LIMA; Gary Hymovitch, Scholastic & David Jacobs, HiKat Media ROOM 1E21	TIA's Annual General Meeting No registration required. Open and free to all. Refreshments will be provided. ROOM 1E21	
8:30am-9:30am		Global Research: U.S. Market Philippe Guinaudeau, CEO, Kidz Global & Anna McConnell, Director, Market Research & Data Strategy, TIA ROOM 1E17		
9:30am-10:30am		Introduction to Sustainability Reporting Don Mays & Kristen Sullivan, Deloitte & Touche LLP ROOM 1E21		
9:30am-12:30pm			TIA's Toy Safety Update No registration required. Free to everyone in cooperation with our sponsors ANSECO Group, Bureau Veritas, SGS North America, TÜV Rheinland of North America & UL. Refreshments will be provided. ROOM 1E21	
10:00am-11:00am	Kickstarter Campaigns: Crowdfunding Case Studies of Success & Disappointment Panel Discussion LEVEL 1 – BOOTH 4878		U.S. Patents & the New First-to-File Law from the White House Richard Blank, Esquire LEVEL 1 – BOOTH 4878	
11:00am-12:00pm		Global Research: Mexican Market Alexis Martin, Managing Director & Partner, North American office, Atilos International & Philippe Guinaudeau, CEO, Kidz Global ROOM 1E17		
11:00am-12:30pm		TIA's Toy Safety Update Lisa Ford Refreshments will be provided. ROOM 1E21		
12:00pm-1:00pm		PR Without the Nonsense Samantha Martin, CEO, Media Maison LEVEL 1 – BOOTH 4878	Trademark Know Now Craig Morris, Managing Attorney for Trademark Outreach, U.S. Patent & Trademark Office Level 1 – Booth 4878	
1:00pm-5:30pm		Toys, Learning and Play: Technology Makes Learning Fun Brought to you by the Digital Kids Conference team and National Center for Families Learning ROOM 1E15		
1:30pm-2:30pm	Licensing 101: The Basics of Licensing Explained Jessica Blue, VP, Licensing Expo, Steven Extract, Founder & Group Publisher, License! Global Magazine & Ben Lashes, Meme Manager, (Grumpy Cat) ROOM 1E17		The Global Market for Licensed Preschool Properties Ira Mayer & Karen Raugust ROOM 1E21	
2:00pm-3:00pm	How to Find a Manufacturer to License Your Idea Doug Fleener, President & Managing Partner, Dynamic Experiences Group LLC. Refreshments will be provided. ROOM 1E21  Chicago, Detec, Foster, Stronger: Launch a New Product from Your Desktop Presented by Formlabs 3D LEVEL 1 – BOOTH 4878	Global Research: Australian Market Alexis Martin, Managing Director & Partner, North American office, Atilos International & Philippe Guinaudeau, CEO, Kidz Global ROOM 1E17  Licensing Your Invention Warren Tuttle, President, The United Inventors' Association & Matt Nuccio, Co-Owner & Creative Director, Design Edge, Inc. LEVEL 1 – BOOTH 4878	How to Find a Manufacturer to License Your Idea Mary Coulin, CEO & Founder, Chicago Toy & Game Group LEVEL 1 – BOOTH 4878	
3:30pm-4:30pm	Using Licenses Creatively in an Independent Environment Marty Brochstein, SVP, Industry Relations & Information, LIMA & Polina Ray, VP Licensing, Joyster Loria Group ROOM 1E17			
4:00pm-5:00pm	Sourcing in Asia Charles Borzon, President, ProSource Global LEVEL 1 – BOOTH 4878	Toy Trends Briefing Open to all Toy Fair registrants, this TIA-hosted briefing will highlight top toy trends of 2015. ROOM 1E21  Filing Patents Without an Attorney Mindy Bickel, NYC Engagement Manager, U.S. Patent & Trademark Office LEVEL 1 – BOOTH 4878		

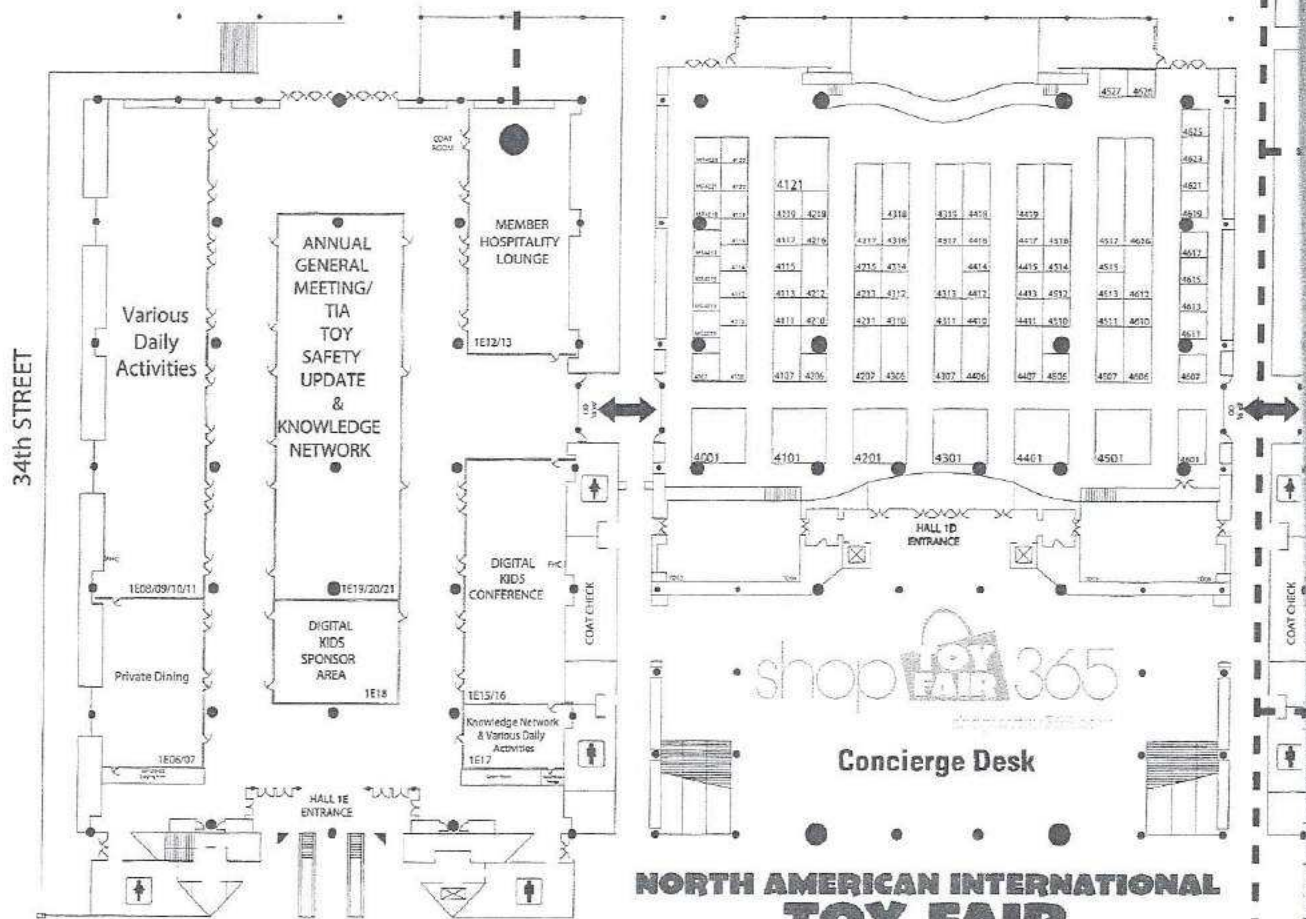


Sessions, times and speakers are subject to change. Additional fees may apply. Please visit [www.toyfairny.com](http://www.toyfairny.com) for details.

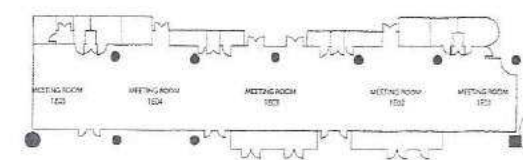


Creative Factor

TIA WELCOMES  
ASTRA  
CTA  
LIMA



**NORTH AMERICAN INTERNATIONAL  
TOY FAIR**  
February 14 - 17, 2015  
Jacob K. Javits Convention Center - Level 1



**LEVEL 1**



POPSTOP



LAUNCH PAD

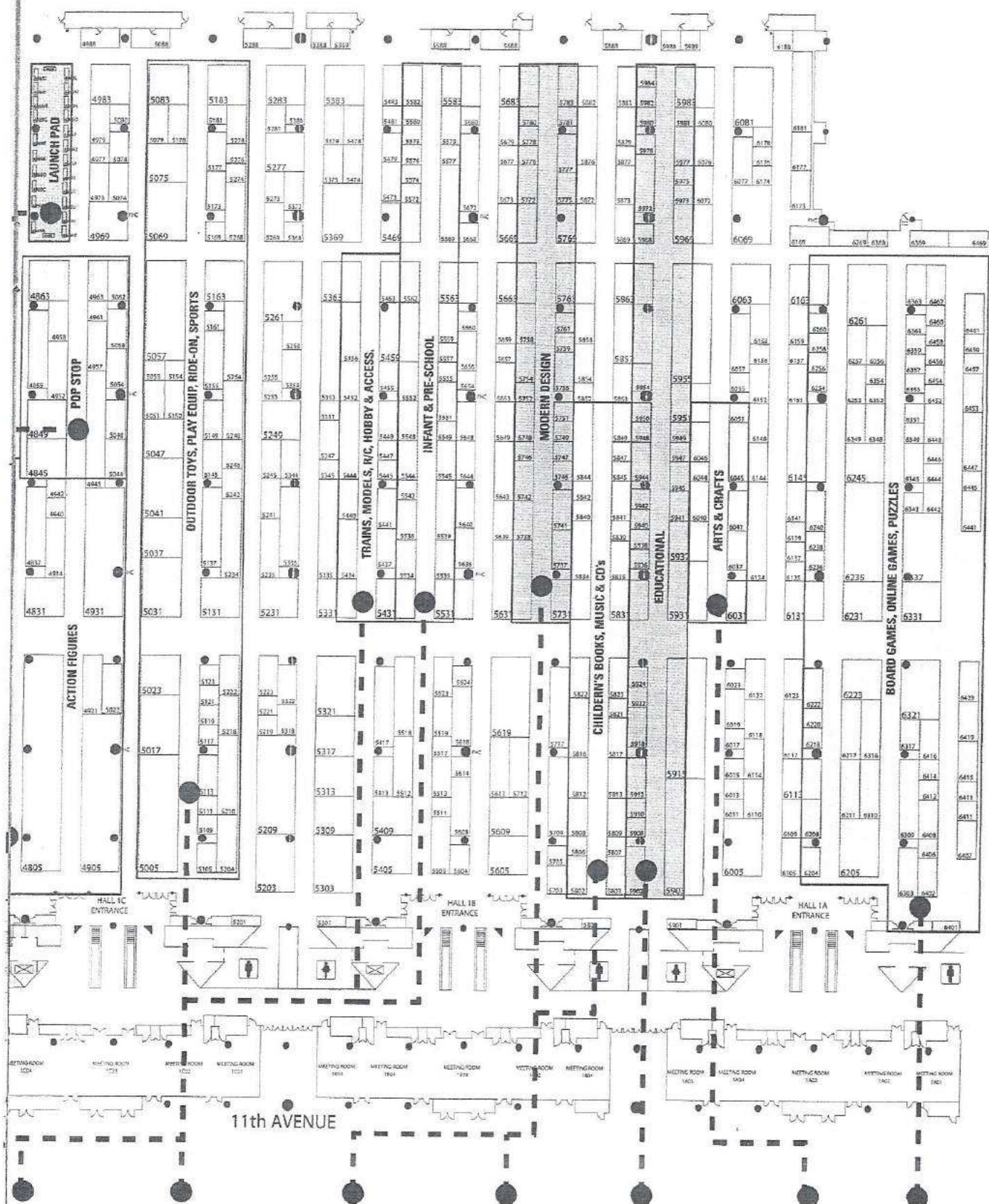


ACTION FIGURES



OUTDOOR TOYS,  
PLAY EQUIPMENT,  
RIDE-ONS &  
SPORTING GOODS





TRAINS, MODELS, HOBBY & ACCESSORIES



INFANT & PRE-SCHOOL TOYS & ACCESSORIES



MODERN DESIGN



CHILDREN'S BOOKS & MUSIC



EDUCATIONAL TOYS & GAMES, SCIENCE & DISCOVERY KITS

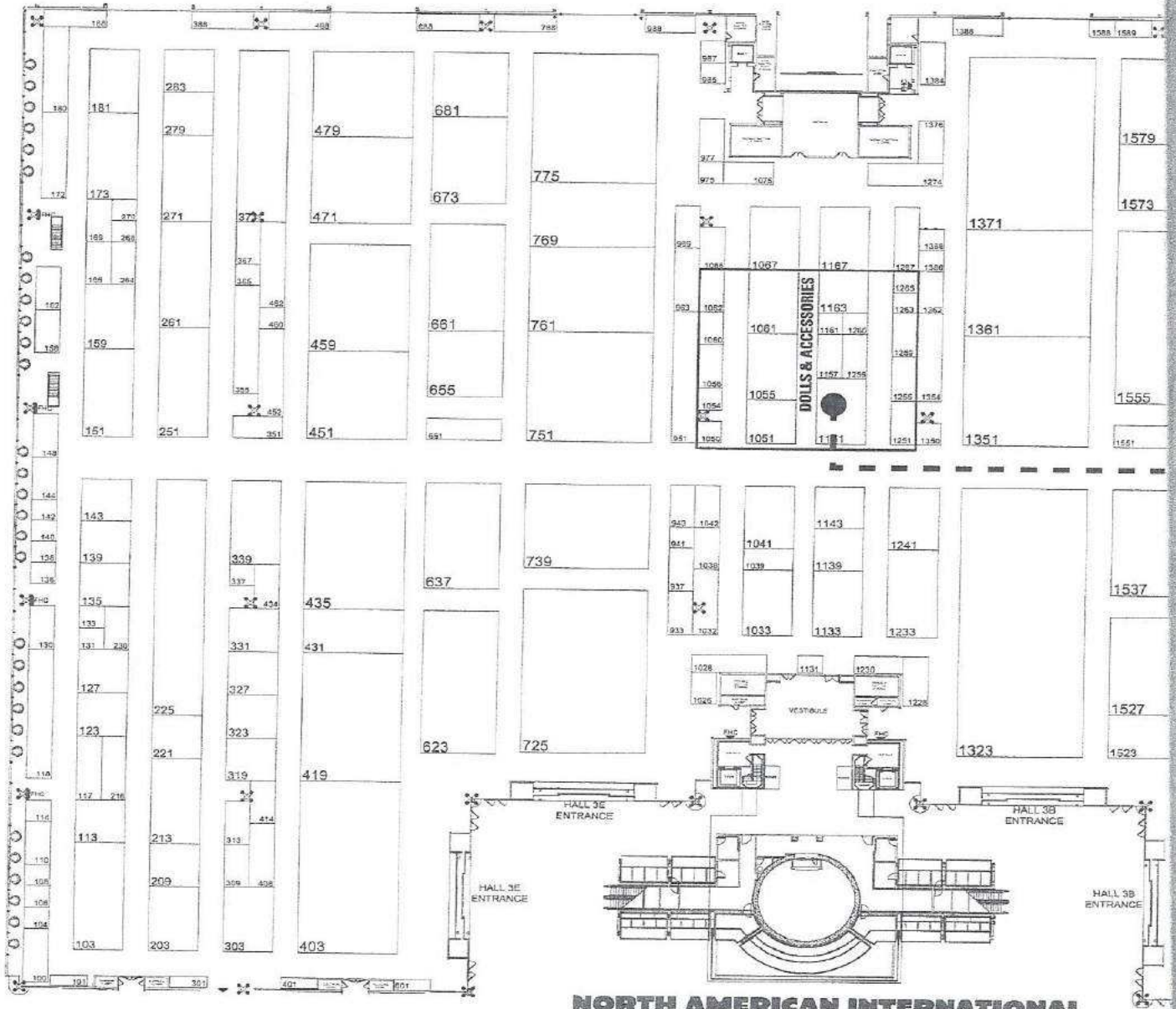


ARTS & CRAFTS



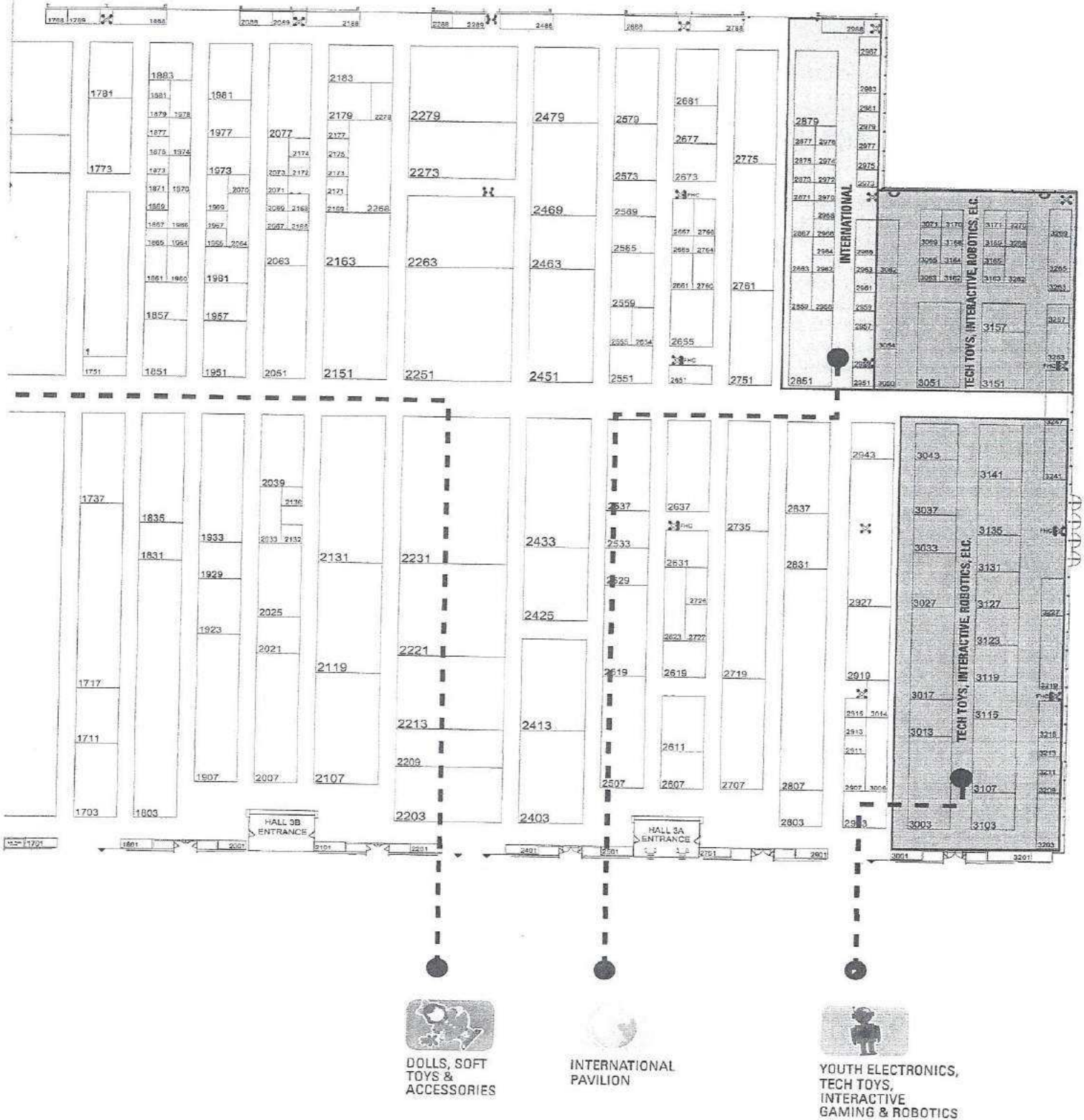
BOARD GAMES, ONLINE GAMES & PUZZLES





**NORTH AMERICAN INTERNATIONAL  
TOY FAIR**  
February 14 - 17, 2015  
Jacob K. Javits Convention Center - Level 3

**LEVEL 3**





**DIGITAL KIDS**  
**Learning & Play**  
 February 15, 2015 NYC

Play has always been about learning, we know this. These days, learning and play are intertwined and companies must step into a child's comfort zone in order to make a connection and engage with them.

Come learn more at #DigitalKids



Join us in Javits Hall E, Room 1E15-16, from 1 to 5:30 on February 15th.

**Monday, February 15, 2015**

**1:00 – Welcome**

Tonda Sellers, President, Digital Kids Media  
 Emcee: David Grandison, Jr., Executive Producer, BrainPop

**1:05 — 1:30**

Keynote Address by Dan White, Founding Partner and Chief Product Officer, Filament Games

The market for learning games shows promise but remains nascent. Consider that Game-Based Learning (GBL) was listed in the New Media Consortium's Horizon Report from 2010 to 2012, but that it stagnated at the "2-3 year horizon" for all three years before it dropped from the report in 2013. Filament Games has developed over 70 learning games and has developed an acute awareness of the challenges in producing and commercializing high quality GBL products. Join a heartfelt discussion about the learning games movement, wherein White will advocate for a critical aspirational goal and confront the challenges of commercializing learning games (and cry "uncle").

**1:30 — 2:00**

**Using Digital to Bring Literacy and Learning to Life for Kids & Families**

The nation's leading nonprofit in families learning together brings you the latest digital tools driving literacy and learning among children and families. Renegade Buggies®, NCFL's newest tool, is a downloadable game designed to bring financial literacy concepts to life through fast-paced buggy racing and purchasing goals.

Emily Kirkpatrick, Vice President, National Center for Families Learning (NCFL)

**2:20 — 3:10**

**The New Media Mash Up: Learning AS Entertainment**

Media designed for kids is often bucketed as "learning" or "entertaining" by both marketers and parents. We're missing a critical opportunity to teach children from an early age, that learning IS entertaining! Starting at age 5, children shift their attention to media purely for entertainment, abandoning educational media. This informative session provides development insights to foster innovation in children's learning through digital media, current research on how digital media is affecting our youngest minds, and a parent's viewpoint on what companies should strive for when creating an app for children. Learn what makes great educational media for young kids by examining apps chosen in the new Parents/Common Sense Media Best First Media for Kids guide, which debuts in February, 2015.

Jordana Drull, VP of Preschool Games, Midjordan Group  
 Erin Wilkey Oh, Senior Editor of Education Reviews, Common Sense Media

Alex Turetsky, CEO, Intellijoy  
 Jennifer Kotler, Ph.D., VP of Research & Evaluation, Sesame Workshop

Dana Points, Editor-in-Chief of Parents and American Baby, and Content Director, Meredith Parents Network (Moderator)

**3:30 – 4:20**

**Blending the Pink and Blue, Gender Barriers: Innovative Entrepreneurs Analyze the Development of S.T.E.M. Toys, Apps and Online Games**

The days of labeling a toy specifically for girls or boys are over. Science, Technology, Engineering and Math (S.T.E.M.) is mixing the color divide forever. These toy manufacturers are breaking barriers by teaching kids to code, to build intricate architecture structures and even study the digestive tract. As these toys are teaching kids fine motor skills, critical thinking skills and spatial awareness, it's a new world for distribution and discovery in the pink and blue aisle.

Jocelyn Leavitt, CEO and Co-founder, Hopscotch  
 Alice Brooks, Co-Founder, Roominate  
 Raul Gutierrez, Founder and CEO, Tinybop  
 Jeremy Scheinberg, Co-Founder and CEO, TROBO the Storytelling Robot  
 Sara Klock, Director, Moms With Apps (Moderator)

**4:40 — 5:30**

**Institutional Disruption: Building Strategic Partnerships that Count for Kids In/Out of School**

Traditional institutions, including schools, museums and libraries are connecting with modern kids and making learning fun, thanks to collaborative partnerships with Video Game Publishers, Game Developers, App Developers and National Organizations who are bridging the gap between the physical and digital worlds at school and beyond. Learn strategies used to successfully integrate consumer products into school gymnasiums as well as propel the digital fitness trend. Learn current trends in teaching soft skills and S.T.E.A.M. in digital learning and play in public areas, as well as how to develop partnerships that lead to both innovation and promotion.

Carrie Feigel Bischoke, Director of Brand Integrations, Brand Marketing, Ubisoft

Andrew Maad, Program Manager, Society for Health and Physical Educators (SHAPE America)

Scott McQuigg, CEO, GoMoodle  
 Jay Moore, Alchemist of Fun, Scotkin (Moderator)

**Get the Digital Program**

For complete speaker bios and a digital version of this schedule download the Toy Fair Mobile App. Available in the iTunes App Store and Google Play Android Store.

Toys Learning and Play Summit and Digital Kids Conference are owned and operated by Engage Digital. Digital Kids is a trademark of Engage Digital.



DigitalKidsMedia.com

Tonda Bunge Sellers, President, tonda@engagedigital.com  
 Chris Sherman, Founder and CEO, chris@engagedigital.com



# DIGITAL KIDS® CONFERENCE

February 16-17  
Javits Center - Hall E

Hashtag #digitalkids

Room 1E15-16

DigitalKidsCon.com



## Get the Digital Kids Digital Program

For complete speaker bios and a digital version of this schedule download the Toy Fair Mobile App. Available in the iTunes App Store and Google Play Android Store.

Digital Kids Conference gives you the information you need to market best-selling apps, games, digital toys and online media services for kids.



Free Privacy and COPPA consultation with privacy expert, Dona Fraser of ESRB Privacy Certified. See us outside Room 1E15 in Javits Hall E.

## Monday, February 16, 2015

### 9am - Welcome

Tonda Sellers, President, Digital Kids Media  
Emcee: Emily Kirkpatrick, Vice President, National Center for Families Learning (NCFL)

Hashtag #digitalkids

### 9:03 — 9:08

#### Privacy, Data Collection, & You

Privacy expert Dona Fraser of ESRB Privacy Certified will provide a top-level view assessing the ever-changing landscape of privacy, data collection and global regulatory compliance, including COPPA. Additionally, Dona will be on-site offering free, individual privacy consultations tailored to your business. Visit us on in Hall 1E.

Dona Fraser, Vice President of ESRB Privacy Certified

### 9:10 — 10:00

#### Keynote: Driving the Future of Play: Entertainment Robotics for the Masses

Boris Sofman, Co-Founder and CEO, Anki  
Joby Otero, Chief Creative Officer, Anki  
James Oppenheim, Family Technologist, Author, Producer

Connected Play uses the powerful combination of mobile devices with connectivity of wifi and new physical toys to provide kids with innovative play experiences. Anki is taking this approach and adding high-performance robotics and artificial intelligence to alter the way we engage with each other. Anki DRIVE fuses mobile technology, robotics, and gaming to bring toys to life. By combining these elements, Anki delivers a level of character, personality and interaction in a physical game. Is this a taste of what's to come for toys and entertainment? Learn about this new hybrid toy/technology category from the A Phd graduate of the Robotics Institute at Carnegie Mellon University, Sofman, who has made it his life's mission to create unexpected consumer products all powered by robotics and artificial intelligence. Otero is a 23-year veteran of the games industry and the former creative lead on the multibillion-dollar Activision Skylanders franchise. James Oppenheim, author, journalist, producer, webmaster, attorney, and father will moderate this session.

### 10:30 — 11:15

#### Market Research — Connected Digital Devices: Understanding Digital Kids Trends with a NEW Kidz Global Digital Kids Study: Results from North American and International Markets

What is guiding the behavior, use and ownership of kids, families, and their digital devices? Gain valuable insights from this new ground-breaking research, fielded in November 2014, and gathered from North American and International families, measuring the Kids Digital device and usage landscape. Listen to the first-hand results of this investigative report on the ownership of devices, mastery of digital play patterns, and what Connected Play means to consumers. See a visual cavalcade of these new devices and toys that are shaping the connected and digital toybox. Get an overview of the trends and statistics supporting this seismic shift in how today's kids engage with digital for playing and connecting.

Payne Rice, ToyTrends CEO

Philippe Guinaudeau, CEO, Kidz Global

### 11:15 — 11:30

#### The View From Below: Mobile Games for the Next Generation

Children are generally the first to adopt new technologies. Mobile gaming, with \$21 billion in worldwide sales in 2014, presents a nexus where brand holders, game developers and toy companies are seeking to connect with this avid, tech savvy demographic. Because of its popularity, mobile gaming also offers important clues to the future of interactive entertainment for younger audiences. We will review the current landscape for mobile games for kids, identify the most important drivers of change in this market and decipher the early signs of what's to come.

Joost van Dreunen, Co-founder and CEO, SuperData Research

### 11:30 — 12:00

#### Climbing to the Top of the Apple Tree: Learn How PlayKids, the #1 Grossing iOS App in the Kids Category, Redefined How Parents Tackle Playtime

Explore the tricks to adopt and the mistakes to avoid in building a globally successful children's mobile entertainment platform. Henrique will share his approach to user experience for both parents and kids, user interface design and expansion across the globe.

Eduardo Henrique, Head of Global Expansion, PlayKids

### 12:00 — 1:00

On your own for Lunch (visit the food court).  
Plus, visit with PlayKids, ESRB, NCFL, Privo in Hall 1E

## Sponsors



cupcake  
digital



# WELCOME TO

# TOYFAIR



Toy Industry Association, Inc.

## February 14-17

### WHERE IS TOY FAIR?

Unless otherwise noted, all official Toy Fair events, including exhibits and registration, will be held at:

Jacob K. Javits Convention Center  
11th Avenue between West 34th and West 39th Streets  
New York City

### REGISTRATION HOURS

Thursday, February 12	12:00pm – 5:00pm
Friday, February 13	9:00am – 5:00pm
Saturday, February 14	8:00am – 6:00pm
Sunday, February 15	8:00am – 6:00pm
Monday, February 16	8:00am – 6:00pm
Tuesday, February 17	8:00am – 4:00pm

### EXHIBIT DATES & HOURS

Saturday, February 14	9:00am – 6:00pm
Sunday, February 15	9:00am – 6:00pm
Monday, February 16	9:00am – 6:00pm
Tuesday, February 17	9:00am – 4:00pm

### ADMISSION POLICY & SHOW RULES

#### Admission Policy

North American International Toy Fair™ is open to the trade only. Those eligible for admission as buyers include retailers, wholesalers, importers and buying groups. Certain categories of trade guests are also eligible. Individuals who cannot document their direct, professional affiliation to the trade are not qualified to attend.

#### Rules

- To register for Toy Fair, you must show two forms of business credentials that indicate affiliation with the toy industry.

Acceptable credentials are listed at [www.ToyFairNY.com](http://www.ToyFairNY.com). Toy Fair participants will also be required to show government-issued photo I.D. (such as driver's license or passport) upon request.

- Absolutely no consumers and no one under the age of 18, including infants, toddlers, consultants, child reporters and children of media, exhibitors, buyers or trade guests will be admitted to the Javits Center exhibit halls.
- Unauthorized solicitation on the premises by non-exhibiting manufacturers and/or suppliers is strictly prohibited.
- Photography of exhibitors' booths is prohibited except with permission of the exhibitor.
- In compliance with New York State law, smoking is not permitted in any area of the Javits Center.
- Those who violate any of the above rules will be escorted from the show floor and will jeopardize participation in future TIA events.

### WHO IS SHOW MANAGEMENT?

North American International Toy Fair™ is an annual event owned and produced by the Toy Industry Association, Inc.™(TIA). TIA is recognized by government, the trade, media and consumers as the authoritative voice of the North American toy industry. North American International Toy Fair is a trademark of TIA.

### SHOW OFFICE AT TOY FAIR

Glass room located at the rear of the Crystal Palace.

### REGISTRATION INFORMATION

Present your confirmation email/barcode at any Attendee Registration Counter in the Crystal Palace or on the North Concourse of the Javits Center to receive your badge.



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8:30am-9:30am		<b>Global Research: U.S. Market</b> Philippe Guinaudeau, CEO, Kidz Global & Anne McConnell, Director, Market Research & Data Strategy, TIA ROOM 1E17	
9:30am-10:30am		<b>Introduction to Sustainability Reporting</b> Don Mays & Kristen Sullivan, Deloitte & Touche LLP ROOM 1E21	
9:30am-12:30pm			<b>TIA's Toy Safety Update</b> No registration required. Free to everyone in cooperation with our sponsors ANSECO Group, Bureau Veritas, SGS North America, TÜV Rheinland of North America & UL. Refreshments will be provided. ROOM 1E21
10:30am-11:00am	<b>Kickstarter Campaigns: Crowdfunding Case Studies of Success &amp; Disappointment</b> Panel Discussion LEVEL 1 – BOOTH 4878		<b>U.S. Patents and the New First-to-File Law from the White House</b> Richard Blank, Esquire LEVEL 1 – BOOTH 4878
11:00am-12:00pm		<b>Global Research: Mexican Market</b> Alexis Martin, Managing Director & Partner, North American office, Altios International & Philippe Guinaudeau, CEO, Kidz Global ROOM 1E17	
11:00am-12:30pm		<b>Why Customer Service is NOT Enough</b> Lisa Ford Refreshments will be provided. ROOM 1E21	
12:00pm-1:00pm		<b>PR Without the Nonsense</b> Samantha Martin, CEO, Media Maison LEVEL 1 – BOOTH 4878	<b>Trademark Know Now from the White House</b> Craig Morris, Managing Attorney for Trademark Outreach, U.S. Patent & Trademark Office Level 1 – Booth 4878
1:00pm-5:30pm		<b>Toys, Learning and Play: Technology Makes Learning Fun</b> Brought to you by the Digital Kids Conference team and National Center for Families Learning ROOM 1E15	
1:30pm-2:30pm	<b>Licensing 101: The Basics of Licensing Explained</b> Jessica Blue, VP, Licensing Expo, Steven Ekstrakt, Founder & Group Publisher, License! Global Magazine & Ben Lashes, Meme Manager, (Grumpy Cat) ROOM 1E17		<b>The Global Market for Licensed Preschool Properties</b> Ira Mayer & Karen Raugust ROOM 1E21
2:00pm-3:00pm	<b>20-20 ADS: Improve Your Average Daily Sale. Up to 20% in 20 Days</b> Doug Fleener, President & Managing Partner, Dynamic Experiences Group LLC Refreshments will be provided. ROOM 1E21	<b>Global Research: Australian Market</b> Alexis Martin, Managing Director & Partner, North American office, Altios International & Philippe Guinaudeau, CEO, Kidz Global ROOM 1E17	<b>How to Find a Manufacturer to License Your Idea</b> Mary Couzin, CEO & Founder, Chicago Toy & Game Group LEVEL 1 – BOOTH 4878
	<b>Cheaper, Better, Faster, Stronger: Launch a New Product from Your Desktop</b> Presented by Formlabs 3D LEVEL 1 – BOOTH 4878	<b>Licensing Your Invention</b> Warren Tuttle, President, The United Inventors' Association & Matt Nuccio, Co-Owner & Creative Director, Design Edge, Inc. LEVEL 1 – BOOTH 4878	
3:30pm-4:30pm	<b>Using Licenses Creatively in an Independent Environment</b> Marty Brochstein, SVP, Industry Relations & Information, LIMA & Polina Ray, VP Licensing, Joester Loria Group ROOM 1E17		
4:00pm-5:00pm	<b>Sourcing in Asia</b> Charles Berzon, President, ProSource Global LEVEL 1 – BOOTH 4878	<b>Toy Trends Briefing</b> Open to all Toy Fair registrants, this TIA-hosted briefing will highlight top toy trends of 2015. ROOM 1E21	
		<b>Filing Patents Without an Attorney</b> Mindy Bickel, NYC Engagement Manager, U.S. Patent & Trademark Office LEVEL 1 – BOOTH 4878	







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# CATALOG



TY20430  
Pistola de vaquero en poly bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.60 ft3

\$ 0.65



TY20119  
Juego de pistola in blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.71 ft3

\$ 0.72



TY20963  
Juego de pistola en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.30 ft3

\$ 0.65



TY20117  
Juego de pistola en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.00 ft3

\$ 0.72



TY18577  
JUEGO MILITAR EN BLISTER  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.90 ft3

\$ 0.82



TY20960  
Pistola 2pcs en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.90 ft3

\$ 0.69



TY20965  
Juego de pistola en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.90 ft3

\$ 0.67



TY20961  
Pistola 2pcs en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.90 ft3

\$ 0.72



TY20962  
Juego de policia en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.00 ft3

\$ 0.65



TY20554  
Juego de pistola en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.00 ft3

\$ 0.67



TY20964  
Juego de policia en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.70 ft3

\$ 0.65



TY20480  
Juego de pistola en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.40 ft3

\$ 0.62



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# CATALOG



TY20935  
Juego de policia en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 5.20 ft3

\$ 0.72



TY20952  
Escopeta en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.80 ft3

\$ 0.72



TY20940  
Metralleta en carton  
#/CS: 48 PC #/PK: 24 PC  
VOL: 4.00 ft3

\$ 0.80



TY20975  
RIFLE DE PATO EN BLISTER  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.40 ft3

\$ 0.72



TY18466  
JUEGO DE GUARDABOSQUE EN  
#/CS: 48 PC #/PK: 24 PC  
VOL: 3.90 ft3

\$ 1.05



TY20976  
Rifle en blister  
#/CS: 48 PC #/PK: 24 PC  
VOL: 3.10 ft3

\$ 0.72



TY17795A  
Pistola 2pcs en blister card  
#/CS: 48 PC #/PK: 24 PC  
VOL: 4.30 ft3

\$ 1.10



TY17794A  
Pistola 2pcs en blister  
#/CS: 48 PC #/PK: 24 PC  
VOL: 3.80 ft3

\$ 1.15



TY16833  
Juego militar en blister  
#/CS: 48 PC #/PK: 24 PC  
VOL: 3.40 ft3

\$ 1.05



TY16834  
Juego militar en blister  
#/CS: 48 PC #/PK: 24 PC  
VOL: 4.30 ft3

\$ 1.15



TY21049  
Juego de Pirata en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 1.60 ft3

\$ 0.69



TY21100  
Juego de pirata en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.70 ft3

\$ 0.67





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# CATALOG



TY20494  
Pistola lanza papas en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.63 ft3

\$ 0.49



TY20297  
Pistola de pelotas en blister  
#/CS: 48 PC #/PK: 24 PC  
VOL: 4.60 ft3

\$ 0.80



TY20299  
Pistola de dardos 2pcs en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.30 ft3

\$ 0.80



TY20373  
2pcs Pistola de dardos en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.70 ft3

\$ 0.78



TY17409  
Pistola de esponja en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.10 ft3

\$ 0.62



TY19891  
Pistola de discos en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.13 ft3

\$ 0.78



TY19867  
Pistola de dardos en blister  
#/CS: 144 PC #/PK: 36 PC  
VOL: 4.60 ft3

\$ 0.65



TY20303  
Pistola con arcos en blister card  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.00 ft3

\$ 0.65



TY20123  
Juego de Arco y flecha en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.30 ft3

\$ 0.72



TY19384  
Juego de dardos en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.70 ft3

\$ 0.72



TY20016  
Pistola de dardos en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.00 ft3

\$ 0.60



TY17634  
Juego de pistolas en blister card  
#/CS: 36 PC #/PK: 1 PC  
VOL: 3.00 ft3

\$ 0.82



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# CATALOG



TY20132  
Mini trailer de friccion en blister  
#/CS: 144 PC #/PK: 36 PC  
VOL: 5.00 ft3

\$ 0.52



TY20332  
Autobus de cuerda en bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.90 ft3

\$ 0.82



TY20331  
Autobus de cuerda en bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.20 ft3

\$ 0.47



TY20304  
Juego de carro 2pcs en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.40 ft3

\$ 0.65



TY20345  
Juego de carros en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.40 ft3

\$ 0.69



TY20289  
Set de carros 3pcs en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.20 ft3

\$ 0.78



TY20411  
Pista de carreras en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.19 ft3

\$ 0.75



TY20158  
Pista lanza carro en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.00 ft3

\$ 0.62



TY20159  
Carro 6pcs en caja  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.90 ft3

\$ 0.65



TY20412  
Pista de carros en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.40 ft3

\$ 0.69



TY20954  
Pista de carro en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.80 ft3

\$ 0.78



TY21170  
Pista de carros en caja  
#/CS: 36 PC #/PK: 1 PC  
VOL: 3.10 ft3

\$ 0.92





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# CATALOG



TY20998

Carro de fricción en caja

#/CS: 72 PC #/PK: 36 PC  
VOL: 2.60 ft3

\$ 0.69



TY20078

8pcs de carros de metal en caja

#/CS: 72 PC #/PK: 36 PC  
VOL: 4.30 ft3

\$ 1.50



TY21096

Set de metal 5pcs en blister surtido

#/CS: 72 PC #/PK: 36 PC  
VOL: 1.80 ft3

\$ 0.72



TY20112

Camion 4pcs de fricción en blister

#/CS: 72 PC #/PK: 36 PC  
VOL: 3.70 ft3

\$ 0.75



TY18568

4pz Troca de construccion en blister

#/CS: 72 PC #/PK: 36 PC  
VOL: 3.50 ft3

\$ 0.75



TY20307

Camion construccion en blister

#/CS: 72 PC #/PK: 36 PC  
VOL: 4.30 ft3

\$ 0.69



TY19460

Camion 3pcs in blister

#/CS: 72 PC #/PK: 36 PC  
VOL: 5.20 ft3

\$ 0.77



TY19848

Camion de construccion 6pcs en blister

#/CS: 72 PC #/PK: 36 PC  
VOL: 4.30 ft3

\$ 0.77



TY20444

Hayley motocicleta en blister surtido

#/CS: 144 PC #/PK: 36 PC  
VOL: 2.49 ft3

\$ 0.45



TY18488

Motocicleta en blister surtido colores

#/CS: 144 PC #/PK: 72 PC  
VOL: 2.60 ft3

\$ 0.50



TY18636

Bicicleta 2 pcs en blister

#/CS: 72 PC #/PK: 36 PC  
VOL: 3.20 ft3

\$ 0.82



TY17331

Moto 2pcs en blister

#/CS: 72 PC #/PK: 36 PC  
VOL: 3.90 ft3

\$ 0.92



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# CATALOG



TY20326  
Motocicleta en blister surtida  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.86 ft3

\$ 0.55



TY20351  
Motocicletas 3pcs de cuerda en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.00 ft3

\$ 0.62



TY20496  
Friccion Helicoptero militar en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.90 ft3

\$ 0.72



TY20157  
Pistola lanza aviones en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.80 ft3

\$ 0.75



TY21107  
Avion 3pcs de friccion en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 2.20 ft3

\$ 0.72



TY21153  
Helicoptero de friccion en bolsa  
#/CS: 36 PC #/PK: 1 PC  
VOL: 1.90 ft3

\$ 0.65



TY20344  
Avion 2pcs de cuerda en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.10 ft3

\$ 0.60



TY20658  
Mini helicoptero en blister  
#/CS: 144 PC #/PK: 36 PC  
VOL: 5.00 ft3

\$ 0.55



TY20126  
Mini Helicoptero en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.60 ft3

\$ 0.57



TY21182  
Helicoptero de friccion en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 1.50 ft3

\$ 0.65



TY21007  
Helicoptero de blister  
#/CS: 48 PC #/PK: 24 PC  
VOL: 4.00 ft3

\$ 0.79



TY21084  
Avion Militar 2pcs en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 2.50 ft3

\$ 0.69



# EXHIBIT H6



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# CATALOG



TY21157  
Avion en blister surtido  
#/CS: 36 PC #/PK: 1 PC  
VOL: 1.30 ft3

\$ 0.60



TY21179  
Avion Militar en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 2.90 ft3

\$ 0.69



TY20321  
Avion 3pcs en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.10 ft3

\$ 0.55



TY20386  
3pcs Avion de cuerda en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.30 ft3

\$ 0.55



TY20113  
Lanza aviones en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.20 ft3

\$ 0.69



TY21053  
Juego de arco y flecha en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 2.30 ft3

\$ 0.75



TY20543  
2 piezas Espada en bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.30 ft3

\$ 0.69



TY20547  
Ninja espada con lucha palo en bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.50 ft3

\$ 0.50



TY19865  
Espada medieval en blister  
#/CS: 48 PC #/PK: 24 PC  
VOL: 4.50 ft3

\$ 0.79



TY19864  
Espada en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.30 ft3

\$ 0.65



TY20951  
Espada en carton  
#/CS: 48 PC #/PK: 24 PC  
VOL: 3.80 ft3

\$ 0.72



TY09195  
Juego de maquillaje en blister 2 disenos  
#/CS: 144 PC #/PK: 36 PC  
VOL: 3.30 ft3

\$ 0.60





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# CATALOG



TY00667  
Mini maquillaje en blister  
#/CS: 144 PC #/PK: 36 PC  
VOL: 3.00 ft3

\$ 0.60



TY18515  
JUEGO DE MAQUILLAJE EN BLISTER  
#/CS: 72 PC #/PK: 36 PC  
VOL: 1.80 ft3

\$ 0.69



TY18523  
JUEGO DE MAQUILLAJE EN BLISTER  
#/CS: 144 PC #/PK: 36 PC  
VOL: 4.30 ft3

\$ 0.65



JD88888  
Juego JD de maquillaje  
#/CS: 144 PC #/PK: 36 PC  
VOL: 3.30 ft3

\$ 0.62



TY20630  
Mini maquillaje en blister  
#/CS: 144 PC #/PK: 36 PC  
VOL: 2.90 ft3

\$ 0.55



TY20994  
Juego de maquillaje surtido  
#/CS: 144 PC #/PK: 36 PC  
VOL: 4.00 ft3

\$ 0.50



TY18449  
MINI JUEGO DE MAQUILLAJE  
#/CS: 144 PC #/PK: 36 PC  
VOL: 3.40 ft3

\$ 0.55



TY19170  
Maquillaje en bolsa  
#/CS: 144 PC #/PK: 36 PC  
VOL: 1.90 ft3

\$ 0.50



TY07842  
Juego de maquillaje para nina  
#/CS: 144 PC #/PK: 36 PC  
VOL: 3.40 ft3

\$ 0.60



TY09194  
Mini maquillaje con accesorios en bliste  
#/CS: 240 PC #/PK: 60 PC  
VOL: 4.30 ft3

\$ 0.45



TY20908  
Maquillaje de flor en bolsa  
#/CS: 288 PC #/PK: 72 PC  
VOL: 3.00 ft3

\$ 0.45



TY00666  
MAQUILLAJE EN CON ACCESORIOS  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.60 ft3

\$ 0.79



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# CATALOG



TY20628

Maquillaje en caja surtido

#/CS: 72 PC #/PK: 36 PC  
VOL: 2.60 ft3

\$ 0.67



TY09090

Tetera magica mini en blister

#/CS: 288 PC #/PK: 72 PC  
VOL: 3.52 ft3

\$ 0.45



TY21124

Salta cuerda en blister

#/CS: 36 PC #/PK: 1 PC  
VOL: 2.40 ft3

\$ 0.67



TY20184

Vestido de noche de muneca en blister

#/CS: 72 PC #/PK: 36 PC  
VOL: 3.53 ft3

\$ 0.55



TY21155

Muneca con vestidos surtida

#/CS: 36 PC #/PK: 1 PC  
VOL: 1.50 ft3

\$ 0.65



TY20580

muneca en caja surtida

#/CS: 72 PC #/PK: 36 PC  
VOL: 2.90 ft3

\$ 0.75



TY20025

Sirena con luz en blister

#/CS: 72 PC #/PK: 36 PC  
VOL: 2.50 ft3

\$ 0.69



TY20116

CELULAR DE NIÑA EN BLISTER

#/CS: 288 PC #/PK: 36 PC  
VOL: 4.00 ft3

\$ 0.40



TY19836

Zapatilla de nina en bolsa con accesorio

#/CS: 144 PC #/PK: 36 PC  
VOL: 3.90 ft3

\$ 0.55



TY20505

Zapato en blister

#/CS: 72 PC #/PK: 36 PC  
VOL: 3.27 ft3

\$ 0.65



TY20141

Juego de belleza en blister

#/CS: 72 PC #/PK: 36 PC  
VOL: 3.60 ft3

\$ 0.67



TY21195

Juego de belleza en blister surtido

#/CS: 36 PC #/PK: 1 PC  
VOL: 2.50 ft3

\$ 0.77





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# CATALOG



TY20142  
Juego de Belleza en blister surtido  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.70 ft3

\$ 0.60



TY20933  
Juego de belleza en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.50 ft3

\$ 0.72



TY20143  
Juego de Belleza en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.70 ft3

\$ 0.67



TY19312  
Juego de belleza con cartera en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.30 ft3

\$ 0.65



TY19158  
Juego de belleza en blister  
#/CS: 48 PC #/PK: 24 PC  
VOL: 4.10 ft3

\$ 0.85



TY19343  
Juego de Belleza en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.70 ft3

\$ 0.65



TY20064  
Juego de belleza en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.60 ft3

\$ 0.72



TY21073  
Juego de belleza en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 2.10 ft3

\$ 0.72



TY20067  
Juego de belleza con unhas 2 surtidos  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.90 ft3

\$ 0.69



TY20151  
Juego de belleza en blister  
#/CS: 96 PC #/PK: 48 PC  
VOL: 2.50 ft3

\$ 0.55



TY20075  
Mini Juego de te en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.10 ft3

\$ 0.45



TY20953  
Juego de cocina en blister  
#/CS: 48 PC #/PK: 24 PC  
VOL: 3.60 ft3

\$ 0.69



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# CATALOG



TY20375  
Juego de cocina en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.53 ft3

\$ 0.60



TY20611  
Juego de cocina en bolsa de PVC  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.00 ft3

\$ 0.75



TY20610  
Juego de cocina en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 5.14 ft3

\$ 0.67



TY21045  
Juego de cocina en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 2.90 ft3

\$ 0.82



TY20301  
Juego de te en bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.90 ft3

\$ 0.65



TY21163  
Juego de cocina en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 3.30 ft3

\$ 0.85



TY18218  
Juego de cocina en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.70 ft3

\$ 0.72



TY21192  
Juego de cocina en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 2.50 ft3

\$ 0.77



TY21189  
Juego de cocina surtido  
#/CS: 36 PC #/PK: 1 PC  
VOL: 2.80 ft3

\$ 0.75



TY21092  
Juego de cocina en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 2.60 ft3

\$ 0.75



TY20930  
Juego de cocina en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.60 ft3

\$ 0.75



TY21193  
juego de cocina en blister surtido  
#/CS: 36 PC #/PK: 1 PC  
VOL: 2.30 ft3

\$ 0.77





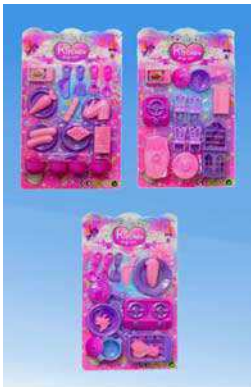
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# CATALOG



TY18074  
JUEGO DE COSINA EN BLISTER  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.20 ft3

\$ 0.67



TY21141  
Juego de cocina en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 2.20 ft3

\$ 0.72



TY17362  
Juego de te en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 5.00 ft3

\$ 0.77



TY21006  
Juego de cocina en blister  
#/CS: 48 PC #/PK: 24 PC  
VOL: 4.00 ft3

\$ 0.72



TY20066  
Juego de cocina en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.30 ft3

\$ 0.78



TY21062  
Juego de te en caja  
#/CS: 24 PC #/PK: 1 PC  
VOL: 2.00 ft3

\$ 0.79



TY21072  
Juego de cocina en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 2.00 ft3

\$ 0.69



TY19270  
Juego de muebles en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.80 ft3

\$ 0.55



TY20317  
Juego de Muebles en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.40 ft3

\$ 0.65



TY20174  
Juego de casa en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.67 ft3

\$ 0.67



TY20549  
Juego de muebles en blister surtido  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.60 ft3

\$ 0.62



TY21076  
Juego de muebles en blister  
#/CS: 24 PC #/PK: 1 PC  
VOL: 1.90 ft3

\$ 0.72



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# CATALOG



TY20999  
Juego de muebles en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 6.00 ft3

\$ 0.72



TY20993  
Juego de muebles en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 5.00 ft3

\$ 0.72



TY18957  
Juego de doctor en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.80 ft3

\$ 0.77



TY20222  
Juego de doctor en blister surtido  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.20 ft3

\$ 0.65



TY21206  
Juego de doctor en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.00 ft3

\$ 0.65



TY19284  
Juego de Doctor en caja  
#/CS: 72 PC #/PK: 36 PC  
VOL: 5.20 ft3

\$ 0.87



TY19285  
Juego de doctor en caja  
#/CS: 72 PC #/PK: 36 PC  
VOL: 5.20 ft3

\$ 0.87



TY17952  
Cubeta con herramientas de plastico  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.80 ft3

\$ 0.72



TY19849  
Juego de basketball en red  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.90 ft3

\$ 0.62



TY21140  
Juego de raquetas en bolsa  
#/CS: 36 PC #/PK: 1 PC  
VOL: 1.10 ft3

\$ 0.60



TY20662  
Bomba de agua en red  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.78 ft3

\$ 0.50



TY19243  
Juego de burbujas en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.10 ft3

\$ 0.55



# EXHIBIT H13



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# CATALOG



TY19247  
Juego de Burbuja en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.10 ft3

\$ 0.65



TY18136  
Juguete de burbujas en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.50 ft3

\$ 0.50



TY18137  
Set de Burbujas de 4pcs en Blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.00 ft3

\$ 0.57



TY19451  
Martillo de burbuja en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.90 ft3

\$ 0.72



TY18472  
ESPADA EN BLISTER COLORES  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.10 ft3

\$ 0.62



19705  
Herramientas de playa 3pcs  
#/CS: 60 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.50



19707  
Juego de burbujas  
#/CS: 64 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.50



TY19240  
Herramientas en red  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.40 ft3

\$ 0.62



TY18151  
GOGGLE EN BLISTER  
#/CS: 288 PC #/PK: 72 PC  
VOL: 4.00 ft3

\$ 0.30



TY18152  
3PCS DE GOGGLES EN BLISTER  
#/CS: 96 PC #/PK: 48 PC  
VOL: 4.50 ft3

\$ 0.75



TY20058  
Set de Skorkel en bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.30 ft3

\$ 0.78



TY18157  
ALETAS PARA NADAR Y GOGGLES EN  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.90 ft3

\$ 0.92



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# CATALOG



TY19292  
Mascara para nadar en bolsa PVC  
#/CS: 96 PC #/PK: 48 PC  
VOL: 2.90 ft3

\$ 0.77



TY19241  
CArro con herramientas en red  
#/CS: 18 PC #/PK: 1 PC  
VOL: 4.00 ft3

\$ 2.10



TY19242  
Camion con herramientas en red  
#/CS: 12 PC #/PK: 1 PC  
VOL: 3.50 ft3

\$ 2.85



TY19261  
Pistola de agua en bolsa PVC  
#/CS: 24 PC #/PK: 12 PC  
VOL: 5.90 ft3

\$ 2.80



TY18096  
Pistola de burbujas con luz en blister  
#/CS: 36 PC #/PK: 18 PC  
VOL: 3.90 ft3

\$ 2.05



TY20402  
Microfono en bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.70 ft3

\$ 0.60



TY20371  
Mini tambor en bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.40 ft3

\$ 0.52



TY20484  
Flauta en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 1.30 ft3

\$ 0.45



TY20485  
Trompeta en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.60 ft3

\$ 0.67



TY20167  
Instrumento musical en blister surtido  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.80 ft3

\$ 0.65



TY18110  
GUITARA EN BLISTER CARD  
#/CS: 72 PC #/PK: 36 PC  
VOL: 5.60 ft3

\$ 0.85



TY20104  
Juego de tren en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.50 ft3

\$ 0.69





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# CATALOG



TY19846  
Juego de tren en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.90 ft3

\$ 0.65



TY20383  
Mini juego de pescar en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.90 ft3

\$ 0.60



TY20100  
Juego de pesca en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.70 ft3

\$ 0.60



TY20103  
Mini juego de pesca en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.39 ft3

\$ 0.52



TY20072  
Juego de pesca en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.90 ft3

\$ 0.60



TY20513  
Mariposa receptor  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.23 ft3

\$ 0.62



TY20511  
Atrapa insectos en bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.36 ft3

\$ 0.67



TY21158  
Culebra en bolsa surtida  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.30 ft3

\$ 0.60



TY21159  
Lagartija en bolsa surtida  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.30 ft3

\$ 0.60



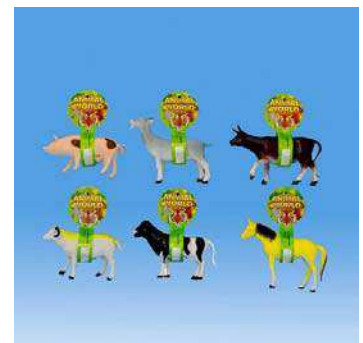
TY20989  
caballo surtido en carton  
#/CS: 72 PC #/PK: 36 PC  
VOL: 1.50 ft3

\$ 0.67



TY20988  
Zoológico surtido en carton  
#/CS: 72 PC #/PK: 36 PC  
VOL: 1.70 ft3

\$ 0.65



TY20987  
animal de granja surtido  
#/CS: 72 PC #/PK: 36 PC  
VOL: 1.60 ft3

\$ 0.65



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# CATALOG



TY20488  
21 piezas Policia y Bomberos en bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.10 ft3

\$ 0.60



TY20949  
Soldado 2pcs en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 4.20 ft3

\$ 0.65



TY20415  
12pcs Perros en poly bolsa  
#/CS: 144 PC #/PK: 36 PC  
VOL: 1.63 ft3

\$ 0.45



TY20416  
12pcs Gatos en poly bolsa  
#/CS: 144 PC #/PK: 36 PC  
VOL: 1.84 ft3

\$ 0.45



TY20417  
12pcs Oceano en poly bolsa  
#/CS: 144 PC #/PK: 36 PC  
VOL: 2.20 ft3

\$ 0.47



TY20418  
12pcs Lagartija en poly bolsa  
#/CS: 144 PC #/PK: 36 PC  
VOL: 1.84 ft3

\$ 0.45



TY20419  
12pcs Animales de granja en poly bolsa  
#/CS: 144 PC #/PK: 36 PC  
VOL: 2.10 ft3

\$ 0.50



TY20420  
12pcs Animales salvajes en poly bolsa  
#/CS: 144 PC #/PK: 36 PC  
VOL: 2.00 ft3

\$ 0.50



TY20421  
12pcs Dino en poly bolsa  
#/CS: 144 PC #/PK: 36 PC  
VOL: 1.80 ft3

\$ 0.47



TY20422  
12pcs Ranas en poly bolsa  
#/CS: 144 PC #/PK: 36 PC  
VOL: 1.50 ft3

\$ 0.45



TY20427  
4pcs 4 Animales de granja en PVC bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 1.80 ft3

\$ 0.67



TY20428  
4pcs 4 Animales salvajes en PVC bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 1.70 ft3

\$ 0.69





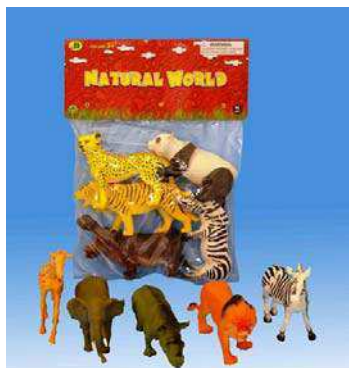
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# CATALOG



TY20423  
5pcs Animales Salvajes en PVC bolsa  
#/CS: 24 PC #/PK: 12 PC  
VOL: 1.90 ft3

\$ 1.85



TY20424  
6pcs Animales de granja en PVC bolsa  
#/CS: 24 PC #/PK: 12 PC  
VOL: 2.30 ft3

\$ 1.75



TY20426  
6pcs Dino en PVC bolsa  
#/CS: 24 PC #/PK: 12 PC  
VOL: 2.00 ft3

\$ 1.75



TY20576  
Caballos 6pcs de 8 pulgadas en bolsa  
#/CS: 24 PC #/PK: 12 PC  
VOL: 3.90 ft3

\$ 3.35



TY20577  
Granja 6pcs 8pulgadas en bolsa  
#/CS: 24 PC #/PK: 12 PC  
VOL: 3.90 ft3

\$ 3.35



TY20578  
Zoológico 6pcs 8 en bolsa  
#/CS: 24 PC #/PK: 12 PC  
VOL: 4.40 ft3

\$ 3.35



TY20413  
8pcs Insectos en bolsa surtido  
#/CS: 48 PC #/PK: 24 PC  
VOL: 2.48 ft3

\$ 1.25



TY20640  
Indio y Vaquero en blister surtido  
#/CS: 144 PC #/PK: 36 PC  
VOL: 2.97 ft3

\$ 0.50



TY21143  
Indios en bolsa 72pcs  
#/CS: 36 PC #/PK: 1 PC  
VOL: 1.60 ft3

\$ 0.67



TY20633  
Animal en caja de display  
#/CS: 72 PC #/PK: 24 PC  
VOL: 1.00 ft3

\$ 0.65



TY20527  
3D Animal rompecabezas en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 1.00 ft3

\$ 0.35



TY20528  
3D Dino rompecabezas en blister 4  
#/CS: 72 PC #/PK: 36 PC  
VOL: 1.00 ft3

\$ 0.35



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# CATALOG



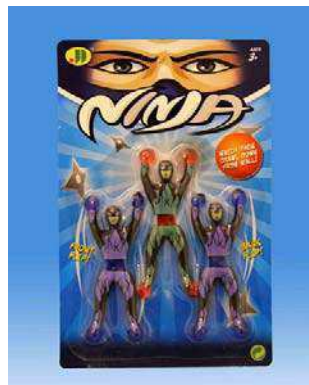
TY20529  
3D Construcción camion en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 1.70 ft3

\$ 0.50



TY20530  
3D Insecto en blister 3 surtido  
#/CS: 72 PC #/PK: 36 PC  
VOL: 1.00 ft3

\$ 0.35



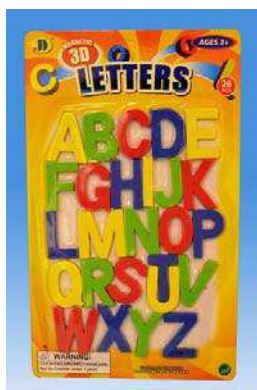
TY20490  
3 piezas Pegajoso ninjas en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 1.00 ft3

\$ 0.55



TY20478  
Jack conjunto en blister  
#/CS: 144 PC #/PK: 36 PC  
VOL: 2.60 ft3

\$ 0.42



TY20385  
ABC Magnetico en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 1.80 ft3

\$ 0.60



TY20510  
Bloques de construcción en bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.50 ft3

\$ 0.65



TY20575  
Robot en blister surtido  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.40 ft3

\$ 0.72



TY20971  
Cinito en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.70 ft3

\$ 0.65



TY16735  
Juego de agua diseño de binocular  
#/CS: 144 PC #/PK: 36 PC  
VOL: 2.90 ft3

\$ 0.35



TY20583  
Juego de agua diseño de robot  
#/CS: 144 PC #/PK: 36 PC  
VOL: 1.50 ft3

\$ 0.30



TY20582  
Juego de agua en bolsa  
#/CS: 144 PC #/PK: 36 PC  
VOL: 1.80 ft3

\$ 0.35



TY21123  
Pizarra magica en bolsa  
#/CS: 36 PC #/PK: 1 PC  
VOL: 1.00 ft3

\$ 0.67





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# CATALOG



TY19858  
Pizarra magica en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 1.70 ft3

\$ 0.72



TY21046  
Pizarra magica en bolsa  
#/CS: 36 PC #/PK: 1 PC  
VOL: 1.00 ft3

\$ 0.65



TY19264  
Pizarra en bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.30 ft3

\$ 0.67



TY20948  
Pizarra en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.60 ft3

\$ 0.75



TY19235  
Telefono en blister surtido  
#/CS: 288 PC #/PK: 36 PC  
VOL: 3.00 ft3

\$ 0.45



TY20567  
Cinito en blister 3 surtidos  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.75 ft3

\$ 0.65



TY20352  
Juego de magia en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.00 ft3

\$ 0.75



TY19257  
Juego de domino en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 1.30 ft3

\$ 0.65



TY21105  
Juego de tiro al blanco en bolsa  
#/CS: 36 PC #/PK: 1 PC  
VOL: 1.50 ft3

\$ 0.75



TY20404  
5 en 1 juegos en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.47 ft3

\$ 0.72



TY20493  
Ajedrez y Damas en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.31 ft3

\$ 0.69



TY20609  
Juego de ajedrez grande en blister  
#/CS: 24 PC #/PK: 12 PC  
VOL: 4.87 ft3

\$ 1.75



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# CATALOG



TY07889  
Juego de ajedrez 3 en 1  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.60 ft3

\$ 0.78



TY00413  
Mini Billar en blister  
#/CS: 144 PC #/PK: 36 PC  
VOL: 2.30 ft3

\$ 0.35



TY20936  
Juego de billar en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.40 ft3

\$ 0.67



TY01207  
Mini Billar 2 pcs en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.10 ft3

\$ 0.65



TY20617  
Caja registradora Pesos mexicanos  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.00 ft3

\$ 0.55



TY20620  
Billetes en bolsa de PVC  
#/CS: 72 PC #/PK: 36 PC  
VOL: 0.36 ft3

\$ 0.35



TY20491  
Dinero de Juguete en blister  
#/CS: 144 PC #/PK: 36 PC  
VOL: 2.00 ft3

\$ 0.55



TY20604  
Caja registradora en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.15 ft3

\$ 0.67



TY20534  
Juego de pelota en blister surtido  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.20 ft3

\$ 0.62



TY20622  
Juego de mesa en blister  
#/CS: 144 PC #/PK: 36 PC  
VOL: 3.28 ft3

\$ 0.55



TY20489  
Juego de herramientas en bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 2.50 ft3

\$ 0.65



TY21162  
Juego de herramienta en blister  
#/CS: 36 PC #/PK: 18 PC  
VOL: 2.40 ft3

\$ 0.87





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# CATALOG



TY21197  
Juego de herramientas en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 1.80 ft3

\$ 0.77



TY21172  
Herramientas en caja surtida  
#/CS: 36 PC #/PK: 1 PC  
VOL: 2.70 ft3

\$ 0.85



TY17669  
Mini futbolito en blister card  
#/CS: 72 PC #/PK: 36 PC  
VOL: 3.10 ft3

\$ 0.45



TY04185  
Juego de futbol en blister  
#/CS: 72 PC #/PK: 36 PC  
VOL: 5.70 ft3

\$ 0.85



TY21178  
Mini Juego de golf en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 2.70 ft3

\$ 0.72



TY21133  
Juego de basketball en bolsa  
#/CS: 36 PC #/PK: 1 PC  
VOL: 1.90 ft3

\$ 0.65



TY19906  
Flauta 5pcs en bolsa  
#/CS: 72 PC #/PK: 36 PC  
VOL: 1.10 ft3

\$ 0.50



TY19904  
Lentes 6pcs en bolsa  
#/CS: 144 PC #/PK: 36 PC  
VOL: 1.75 ft3

\$ 0.50



TY20538  
6 piezas de boxeo en bolsa  
#/CS: 144 PC #/PK: 36 PC  
VOL: 2.29 ft3

\$ 0.50



TY20537  
6 piezas carros en bolsa  
#/CS: 144 PC #/PK: 36 PC  
VOL: 1.55 ft3

\$ 0.50



TY20512  
8 piezas bolsitas de fiesta (relojes)  
#/CS: 144 PC #/PK: 36 PC  
VOL: 1.84 ft3

\$ 0.50



TY20514  
Mini pandereta en bolsa  
#/CS: 144 PC #/PK: 36 PC  
VOL: 2.02 ft3

\$ 0.50





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# CATALOG



TY20481  
Parte gafas en blister  
#/CS: 144 PC #/PK: 36 PC  
VOL: 4.56 ft3

\$ 0.50



TY19134  
Pulsera de silicon con figuras en bolsa  
#/CS: 1200 PC #/PK: 300 PC  
VOL: 2.20 ft3

\$ 0.10



1001R  
FULMINANTE  
#/CS: 1 PC #/PK: 1 PC  
VOL: 0.80 ft3

\$ 23.75



TY8200  
PETARDO  
#/CS: 720 PC #/PK: 1 PC  
VOL: 1.30 ft3

\$ 0.20



1013A  
#/CS: 240 PC #/PK: 12 PC  
VOL: 0.00 ft3

\$ 0.35



1011A  
#/CS: 120 PC #/PK: 20 PC  
VOL: 0.00 ft3

\$ 0.60



PPA80  
petardo de confeti para fiestas  
#/CS: 50 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.77



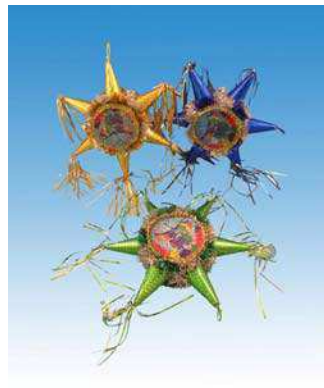
PPF40  
cilindro de confeti p fiesta  
#/CS: 100 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.45



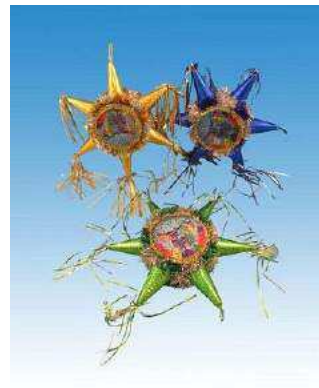
PPF50  
cilindro de confeti para fiesta 38cm  
#/CS: 100 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.50



30200  
PIÑATA 4 COLORES  
#/CS: 24 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.72



30100  
PIÑATA 4 FELIZ CUMPLEANOS  
#/CS: 24 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.75



30300  
CONFETI DE FIESTA  
#/CS: 24 PC #/PK: 24 PC  
VOL: 0.00 ft3

\$ 0.67

# EXHIBIT H23



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Commerce, CA 90040

Phone: (323) 726-9988 Fax: (323) 726-7788

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# CATALOG



30400  
CONFETI DE FIESTA COLORES NEON  
#/CS: 24 PC #/PK: 24 PC  
VOL: 0.00 ft3

\$ 0.67



30500  
CONFETI CON BRILLO EN BOLSA  
#/CS: 24 PC #/PK: 24 PC  
VOL: 0.00 ft3

\$ 0.45



30600  
Petardo de confeti para fiestas  
#/CS: 96 PC #/PK: 12 PC  
VOL: 0.00 ft3

\$ 0.50



60047  
#/CS: 48 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.69



60091  
140gm CONFETTI DE PAPEL  
#/CS: 48 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.55



60092  
120mg confetti metalico  
#/CS: 48 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.55



20100  
LOTERIA MEXICANA  
#/CS: 72 PC #/PK: 12 PC  
VOL: 2.63 ft3

\$ 0.55



20300  
loteria Jumbo  
#/CS: 48 PC #/PK: 12 PC  
VOL: 0.00 ft3

\$ 1.40



20400  
cartas mexicanas  
#/CS: 144 PC #/PK: 12 PC  
VOL: 0.00 ft3

\$ 0.40



211-6A  
Maquillaje en blister  
#/CS: 48 PC #/PK: 1 PC  
VOL: 3.60 ft3

\$ 1.55



MX-TY18520  
Juego de maquillaje en caja  
#/CS: 18 PC #/PK: 9 PC  
VOL: 3.88 ft3

\$ 3.40



TY21041  
juego de belleza con secadora BO  
#/CS: 12 PC #/PK: 1 PC  
VOL: 4.50 ft3

\$ 3.80





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# CATALOG



TY21038  
Juego de belleza con zapatos en blister  
#/CS: 12 PC #/PK: 1 PC  
VOL: 2.50 ft3

\$ 2.85



TY21099  
Juego de belleza en blister  
#/CS: 12 PC #/PK: 1 PC  
VOL: 2.90 ft3

\$ 2.95



TY21097  
Muneca enfermera en blister  
#/CS: 8 PC #/PK: 1 PC  
VOL: 4.10 ft3

\$ 4.85



TY21209  
Juego de doctor en blister  
#/CS: 36 PC #/PK: 1 PC  
VOL: 3.00 ft3

\$ 1.10



TY21090  
Juego de doctor en blister  
#/CS: 24 PC #/PK: 1 PC  
VOL: 3.15 ft3

\$ 1.55



TY21031  
Juego de doctor en blister  
#/CS: 12 PC #/PK: 1 PC  
VOL: 2.90 ft3

\$ 2.80



TY21074  
Juego de cocina en caja surtido  
#/CS: 24 PC #/PK: 1 PC  
VOL: 2.70 ft3

\$ 1.05



TY21030  
Juego de cocina en blister  
#/CS: 12 PC #/PK: 1 PC  
VOL: 2.30 ft3

\$ 2.30



TY21042  
Juego de cocina en blister  
#/CS: 12 PC #/PK: 1 PC  
VOL: 1.70 ft3

\$ 1.90



TY21103  
juego de cocina en caja  
#/CS: 12 PC #/PK: 1 PC  
VOL: 4.60 ft3

\$ 4.05



TY21037  
Juego de tiara con zapatillas en blister  
#/CS: 12 PC #/PK: 1 PC  
VOL: 3.30 ft3

\$ 2.85



TY21039  
Juego de policia en blister  
#/CS: 12 PC #/PK: 1 PC  
VOL: 3.40 ft3

\$ 3.15



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# CATALOG



TY20652  
Juego de rifle con accesorios en blister  
#/CS: 24 PC #/PK: 1 PC  
VOL: 4.40 ft3

\$ 2.35



TY19392  
Juego de dardos en blister  
#/CS: 12 PC #/PK: 1 PC  
VOL: 2.30 ft3

\$ 1.90



TY21040  
Juego de policia en blister  
#/CS: 12 PC #/PK: 1 PC  
VOL: 4.20 ft3

\$ 3.60



TY18494  
JUEGO DE DISPAROS EN BLISTER  
#/CS: 36 PC #/PK: 1 PC  
VOL: 4.60 ft3

\$ 1.30



TY21060  
Juego de arco y flecha en bolsa  
#/CS: 24 PC #/PK: 1 PC  
VOL: 2.40 ft3

\$ 1.10



TY21082  
Juego de billar en blister  
#/CS: 24 PC #/PK: 1 PC  
VOL: 5.00 ft3

\$ 2.10



TY21181  
Juego de herramientas en caja  
#/CS: 12 PC #/PK: 1 PC  
VOL: 3.20 ft3

\$ 2.85



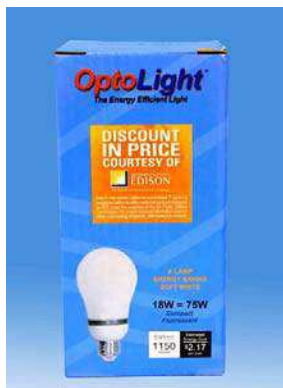
TY21033  
Juego de herramientas en blister  
#/CS: 12 PC #/PK: 1 PC  
VOL: 1.75 ft3

\$ 2.10



TY18633  
Juego de motocicleta en blister surtido  
#/CS: 24 PC #/PK: 12 PC  
VOL: 5.30 ft3

\$ 2.80



OP-ALAMP-18W  
foco ahorrativo en caja  
#/CS: 50 PC #/PK: 1 PC  
VOL: 2.80 ft3

\$ 0.69



OP-CFL-3W-26W  
Foco ahorrativo 26w  
#/CS: 50 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.72



SSL40T4  
Foco ahorrativo de 40 watts  
#/CS: 40 PC #/PK: 1 PC  
VOL: 2.00 ft3

\$ 0.72





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# CATALOG



OP-R4-42W  
foco ahorrativo en caja 42w  
#/CS: 25 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.72



HB2006  
RECIPIENTE DE PLASTICO  
#/CS: 48 PC #/PK: 1 PC  
VOL: 2.90 ft3

\$ 0.62



HB2008  
RECIPIENTE DE COMIDA CON  
#/CS: 48 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.69



HB2009  
RECIPIENTE DE PLASTICO  
#/CS: 48 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.60



HB2010  
RECIPIENTE DE PLASTICO REDONDO  
#/CS: 48 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.60



HB2011  
RECIPIENTE DE PLASTICO  
#/CS: 48 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.58



HB2015  
RECIPIENTE DE PLASTICO  
#/CS: 48 PC #/PK: 1 PC  
VOL: 1.60 ft3

\$ 0.65



HB2016  
RECIPIENTE DE PLASTICO CON  
#/CS: 48 PC #/PK: 1 PC  
VOL: 3.30 ft3

\$ 0.65



HB2017  
RECIPIENTE DE PLASTICO REDONDO  
#/CS: 48 PC #/PK: 1 PC  
VOL: 3.40 ft3

\$ 0.65



HB2032  
RECIPIENTE DE PLASTICO DE 2  
#/CS: 48 PC #/PK: 1 PC  
VOL: 4.10 ft3

\$ 0.69



HB2034  
RECIPIENTE DE PLASTICO CON  
#/CS: 48 PC #/PK: 1 PC  
VOL: 1.60 ft3

\$ 0.55



HB2035  
RECIPIENTE PARA CEREAL  
#/CS: 48 PC #/PK: 1 PC  
VOL: 3.00 ft3

\$ 0.75

# EXHIBIT H27



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# CATALOG



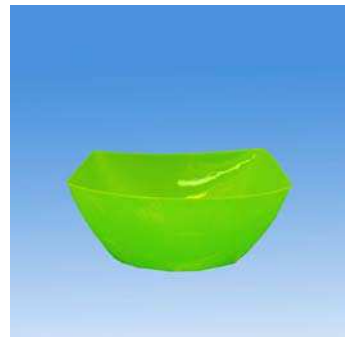
HB2038  
2PCS DE RECIPIENTES PARA SALSAS  
#/CS: 48 PC #/PK: 1 PC  
VOL: 1.60 ft3

\$ 0.55



HB2042  
3pc RECIPIENTE DE PLASTICO  
#/CS: 48 PC #/PK: 1 PC  
VOL: 1.30 ft3

\$ 0.55



HB2043  
RECIPIENTE CUADRADO PARA  
#/CS: 48 PC #/PK: 1 PC  
VOL: 1.30 ft3

\$ 0.82



HB2044  
RECIPIENTE CUADRADO PARA  
#/CS: 48 PC #/PK: 1 PC  
VOL: 0.90 ft3

\$ 0.52



HB2048  
RECIPIENTE DE PLASTICO  
#/CS: 48 PC #/PK: 1 PC  
VOL: 2.30 ft3

\$ 0.65



HB2049  
RECIPIENTE PLASTICO REDONDO  
#/CS: 48 PC #/PK: 1 PC  
VOL: 1.60 ft3

\$ 0.62



HB2050  
BANDEJA DE PLASTICO REDONDA  
#/CS: 48 PC #/PK: 1 PC  
VOL: 1.60 ft3

\$ 0.72



HB2051  
BANDEJA DE PLASTICO  
#/CS: 48 PC #/PK: 1 PC  
VOL: 2.15 ft3

\$ 0.82



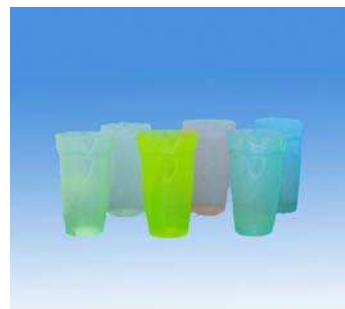
HB2056  
2pc VASO GRANDE DE PLASTICO (2  
#/CS: 48 PC #/PK: 1 PC  
VOL: 1.10 ft3

\$ 0.50



HB2062  
VASO CON POPOTE  
#/CS: 48 PC #/PK: 1 PC  
VOL: 3.40 ft3

\$ 0.55



HB2064  
6pz DE VASO FLORENTES (4  
#/CS: 48 PC #/PK: 1 PC  
VOL: 3.20 ft3

\$ 0.82



HB2066  
12pk DE VASOS PEQUEÑOS 3  
#/CS: 48 PC #/PK: 1 PC  
VOL: 0.80 ft3

\$ 0.67



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# CATALOG



HB2069  
VASO DE NIÑO CON POPOTE  
#/CS: 48 PC #/PK: 1 PC  
VOL: 2.30 ft3

\$ 0.65



HB2070  
VASO DEPORTIVO COLORES  
#/CS: 48 PC #/PK: 1 PC  
VOL: 2.60 ft3

\$ 0.60



HB2076  
JARRA DE 2 LITROS CON TAPADERA  
#/CS: 48 PC #/PK: 1 PC  
VOL: 4.50 ft3

\$ 0.75



HB2072  
COLADERA DE PLASTICO CON  
#/CS: 48 PC #/PK: 1 PC  
VOL: 3.30 ft3

\$ 0.62



HB2077  
RECIPIENTE CON AGARRADERA  
#/CS: 48 PC #/PK: 1 PC  
VOL: 1.40 ft3

\$ 0.55



HB2079  
#/CS: 48 PC #/PK: 1 PC  
VOL: 2.10 ft3

\$ 0.82



HB2081  
#/CS: 48 PC #/PK: 1 PC  
VOL: 1.90 ft3

\$ 0.50



HB2089  
CANASTA  
#/CS: 48 PC #/PK: 1 PC  
VOL: 2.10 ft3

\$ 0.55



HB2090  
#/CS: 48 PC #/PK: 1 PC  
VOL: 1.50 ft3

\$ 0.57



HB2129  
#/CS: 48 PC #/PK: 1 PC  
VOL: 3.90 ft3

\$ 0.95



HB2130  
#/CS: 48 PC #/PK: 1 PC  
VOL: 2.10 ft3

\$ 0.72



HB2140  
DISPENSADOR DE JABÓN CON  
#/CS: 48 PC #/PK: 1 PC  
VOL: 2.30 ft3

\$ 0.65



# EXHIBIT H29



**Jide Trading, Inc.**

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# CATALOG



HB2142  
SEPILO DE BAÑO CON SOPORTE  
#/CS: 48 PC #/PK: 1 PC  
VOL: 3.40 ft3

\$ 0.67



HB2149  
PRESIONADOR DE HAMBURGUESA  
#/CS: 48 PC #/PK: 1 PC  
VOL: 1.40 ft3

\$ 0.67



YE020  
DISPENSADOR DE JABÓN CON  
#/CS: 24 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.65



YE028  
RECIPIENTE DE PLASTICO  
#/CS: 48 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.65



YE084  
CANASTA CON AGARRADERA  
#/CS: 36 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.55



YE087  
RECIPIENTE DE PLASTICO CON  
#/CS: 48 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.65



YE091  
RECIPIENTE DE PLASTICO CON  
#/CS: 36 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.57



YE101  
2pz BANDEJA DE CUBITOS DE HIELO  
#/CS: 48 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.60



YE106  
4pz DE PLATO CUADRADO  
#/CS: 24 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.75



22333  
LIGAS EN BOLSA 6 OZ  
#/CS: 36 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.72



22333R  
LIGA EN BOLSA 6 OZ  
#/CS: 36 PC #/PK: 1 PC  
VOL: 0.00 ft3

\$ 0.72

# EXHIBIT H29

Ty20949 \$0.62 72pcs

Ty21155 \$0.62 36pcs

Any other questions or items you may need please don't hesitate to contact me.

Best regards,

*Tania Acevedo* &

**JIDE TRADING, INC.**

TOYS AND GENERAL MERCHANDISE

6021 BANDINI BLVD, BELL, CA 90040

Toll Free: 866-544-7822

Cell: 323-594-0323

Tel: 323-726-9988

Fax: 323-622-1056

Tania@jidetrading.com

www.jidetrading.com

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**From:** Jose Barreto [mailto:jbmiami@gmail.com]  
**Sent:** Thursday, October 29, 2015 11:30 AM  
**To:** Tania Acevedo <tania@jidetrading.com>  
**Subject:** Re: JIDE TOYS

----- Forwarded message -----

**From:** Tania Acevedo <tania@jidetrading.com>  
**Date:** Mon, Oct 26, 2015 at 6:26 PM  
**Subject:** JIDE TOYS  
**To:** jbmiami@gmail.com

Regards,

Jose Barreto

Epic Stone Group

1825 Ponce de Leon Blvd., #414

Coral Gables, FL 33134

305-220-4444



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**EPIC STONE GROUP ORDER.pdf**  
25K

---

Jose Barreto <[jbmiami@gmail.com](mailto:jbmiami@gmail.com)>  
To: Tania Acevedo <[tania@jidetrading.com](mailto:tania@jidetrading.com)>

Wed, Dec 16, 2015 at 7:16 PM

Hello Tania,

I received the military action figures. I would like to order another case/different product #TY20488. Could I also put my company's label on the these items and all the items I purchase from Jide Trading?  
Please send me invoice for this product? Thanks

Jose Barreto  
305-220-4444  
1825 Ponce de Leon Blvd., #414

Coral Gables, Fl 33134

On Mon, Nov 16, 2015 at 6:39 PM, Tania Acevedo <vania@jide trading.com> wrote:

Hi Jose,

Ok I trying to get the best shipping for your order, but so far everything is really expense.

I have only one case. Attached copy of order with shipping cost. Please go over order and confirm if you want me to ship.

Thank you ☺

*Tania Acevedo* &

**JIDE TRADING, INC.**

TOYS AND GENERAL MERCHANDISE

6021 BANDINI BLVD, BELL, CA 90040

Toll Free: 866-544-7822

Cell: 323-594-0323

Tel: 323-726-9988

Fax: 323-622-1056

Tania@jide trading.com

www.jide trading.com

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**From:** Jose Barreto [mailto:jbmiami@gmail.com]

**Sent:** Thursday, November 05, 2015 10:03 AM

**To:** Tania Acevedo <vania@jide trading.com>

**Subject:** Re: JIDE TOYS

Hello Tania, sorry for the delay but was a business conference the last couple of days. Yes I would like information on these pieces. I would like a trial run to see if I can sell them. How much to ship to Miami FL? Is there a minimum?

Regards,

Jose Barreto

Epic Stone Group

305-220-4444

On Thu, Oct 29, 2015 at 2:33 PM, Tania Acevedo <vania@jide trading.com> wrote:

Hi Jose,

Do you need information regarding this two toys

Ty20949 \$0.62 72pcs

Ty21155 \$0.62 36pcs

Any other questions or items you may need please don't hesitate to contact me.

Best regards,

*Tania Acevedo* 

**JIDE TRADING, INC.**

TOYS AND GENERAL MERCHANDISE

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Toll Free: 866-544-7822

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Fax: 323-622-1056

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Hello Tania, Thank you for sending your catalog, you have great prices. For item#ty20949, how much more of cost per unit with label of my brand titled "Independence Day". Also item#ty21155, how much more per cost per unit with label of my brand "The Moana"? If you cant produce labels from manufacture what would be the minimum order to ship to Miami?

Regards,

Jose Barreto

Epic Stone Group

1825 Ponce de Leon Blvd.,#414

Coral Gables, FL 33134

305-220-4444

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www.avast.com

---

Tania Acevedo <tania@jidetrading.com>  
To: Jose Barreto <jbmiami@gmail.com>

Wed, Dec 16, 2015 at 8:01 PM

Hi Jose,

Great, tomorrow will have case ready with shipping cost. Its fine you could re label ;). By tmw you will have the invoice.

Thank you!

*Tania Acevedo* &

**JIDE TRADING, INC.**

TOYS AND GENERAL MERCHANDISE

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Fax: 323-622-1056

Tania@jidetrading.com

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# EXHIBIT I6

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**From:** Jose Barreto [mailto:jbmiami@gmail.com]  
**Sent:** Wednesday, December 16, 2015 4:17 PM  
**To:** Tania Acevedo <tania@jidetradinc.com>  
**Subject:** Re: JIDE TOYS

Hello Tania,

I received the military action figures. I would like to order another case/different product #TY20488. Could I also put my company's label on the these items and all the items I purchase from Jide Trading? Please send me invoice for this product? Thanks

Jose Barreto  
305-220-4444  
1825 Ponce de Leon Blvd., #414  
Coral Gables, FI 33134

On Mon, Nov 16, 2015 at 6:39 PM, Tania Acevedo <tania@jidetradinc.com> wrote:

Hi Jose,

Ok I trying to get the best shipping for your order, but so far everything is really expense.

I have only one case. Attached copy of order with shipping cost. Please go over order and confirm if you want me to ship.

Thank you ☺

*Tania Acevedo* 

**JIDE TRADING, INC.**

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Fax: 323-622-1056

Tania@jide trading.com

www.jide trading.com

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facebook.com/jide trading.inc



**From:** Jose Barreto [mailto:jbmiami@gmail.com]

**Sent:** Thursday, November 05, 2015 10:03 AM

**To:** Tania Acevedo <vania@jide trading.com>

**Subject:** Re: JIDE TOYS

Hello Tania, sorry for the delay but was a business conference the last couple of days. Yes I would like information on these pieces. I would like a trial run to see if I can sell them. How much to ship to Miami Fl.? Is there a minimum?

Regards,

Jose Barreto

Epic Stone Group

305-220-4444

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Ty21155 \$0.62 36pcs

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Best regards,

*Tania Acevedo* &

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From: Jose Barreto [mailto:jbmiami@gmail.com]

Sent: Thursday, October 29, 2015 11:30 AM



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[www.avast.com](http://www.avast.com)

Hello Tania, Thank you for sending your catalog, you have great prices. For item#ty20949, how much more of cost per unit with label of my brand titled "Independence Day". Also item#ty21155, how much more per cost per unit with label of my brand "The Moana"? If you cant produce labels from manufacture what would be the minimum order to ship to Miami?

Regards,

Jose Barreto

Epic Stone Group

1825 Ponce de Leon Blvd.,#414

Coral Gables, FL 33134

305-220-4444



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www.avast.com

Jose Barreto <jbmiami@gmail.com>  
To: Tania Acevedo <tania@jidetrading.com>

Wed, Dec 16, 2015 at 8:11 PM

Tania, can I put my company's label on the products? Jose

On Wed, Dec 16, 2015 at 8:01 PM, Tania Acevedo <tania@jidetrading.com> wrote:

Hi Jose,

Great, tomorrow will have case ready with shipping cost. Its fine you could re label ;). By tmw you will have the invoice.

Thank you!

*Tania Acevedo* &

**JIDE TRADING, INC.**

TOYS AND GENERAL MERCHANDISE

6021 BANDINI BLVD, BELL, CA 90040

Toll Free: 866-544-7822

Cell: 323-594-0323

Tel: 323-726-9988

Fax: 323-622-1056

Tania@jidetrading.com

www.jidetrading.com

LIKE" us on facebook!

facebook.com/jidetrading.inc



**From:** Jose Barreto [mailto:jbmiami@gmail.com]

**Sent:** Wednesday, December 16, 2015 4:17 PM

**To:** Tania Acevedo <tania@jidetrading.com>

**Subject:** Re: JIDE TOYS

Hello Tania,

I received the military action figures. I would like to order another case/different product #TY20488. Could I also put my company's label on the these items and all the items I purchase from Jide Trading? Please send me invoice for this product? Thanks

Jose Barreto

305-220-4444

1825 Ponce de Leon Blvd., #414

Coral Gables, Fl 33134

On Mon, Nov 16, 2015 at 6:39 PM, Tania Acevedo <tania@jidetrading.com> wrote:

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Thank you ☺

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**From:** Jose Barreto [mailto:jbmiami@gmail.com]

**Sent:** Thursday, November 05, 2015 10:03 AM

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Regards,

Jose Barreto

Epic Stone Group

305-220-4444

On Thu, Oct 29, 2015 at 2:33 PM, Tania Acevedo <tania@jidetradng.com> wrote:

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Do you need information regarding this two toys

Ty20949 \$0.62 72pcs

Ty21155 \$0.62 36pcs

Any other questions or items you may need please don't hesitate to contact me.

Best regards,

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**From:** Jose Barreto [mailto:jbmiami@gmail.com]

**Sent:** Thursday, October 29, 2015 11:30 AM

**To:** Tania Acevedo <tania@jidetrading.com>

**Subject:** Re: JIDE TOYS

----- Forwarded message -----

From: **Tania Acevedo** <tania@jidetrading.com>

# EXHIBIT I14

Hello Tania, Thank you for sending your catalog, you have great prices. For item#ty20949, how much more of cost per unit with label of my brand titled "Independence Day". Also item#ty21155, how much more per cost per unit with label of my brand "The Moana"? If you cant produce labels from manufacture what would be the minimum order to ship to Miami?

Regards,

Jose Barreto

Epic Stone Group

1825 Ponce de Leon Blvd.,#414

Coral Gables, FL 33134

305-220-4444



This email has been checked for viruses by Avast antivirus software.  
[www.avast.com](http://www.avast.com)



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[www.avast.com](http://www.avast.com)

Tania Acevedo <vania@jidetrading.com>  
To: Jose Barreto <jbmiami@gmail.com>

Thu, Dec 17, 2015 at 11:10 AM

Morning Jose,

Yes you could put your own labels.

Thank you

*Tania Acevedo* 

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**From:** Jose Barreto [mailto:jbmiami@gmail.com]

**Sent:** Wednesday, December 16, 2015 5:12 PM

**To:** Tania Acevedo <vania@jidetrading.com>

**Subject:** Re: JIDE TOYS

Tania, can I put my company's label on the products? Jose

On Wed, Dec 16, 2015 at 8:01 PM, Tania Acevedo <vania@jidetrading.com> wrote:

Hi Jose,

Great, tomorrow will have case ready with shipping cost. Its fine you could re label ;). By tmw you will have the invoice.

Thank you!

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test

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----- Forwarded message -----

**From:** Tania Acevedo <tania@jidetrading.com>  
**Date:** Mon, Oct 26, 2015 at 6:26 PM  
**Subject:** JIDE TOYS  
**To:** jbmiami@gmail.com

Hi Jose,

You had registered on our website back in July, I want to follow up and check if you have any questions. Please feel free to contact me if anything you may need.

www.jidetrading.com



Tania great, send me invoice when you have a chance. Thanks

On Dec 17, 2015 11:10 AM, "Tania Acevedo" <vania@jidetrading.com> wrote:

Morning Jose,

Yes you could put your own labels.

Thank you

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Ty21155 \$0.62 36pcs

Any other questions or items you may need please don't hesitate to contact me.

Hi Jose,

Here is copy of order ready with shipping cost with FedEx. Please help me with payment to ship this order.

Thank you,

*We Thank you for your business and look forward to serving you in 2016.  
Merry Christmas and Happy New Year.*



Sincerely,

Tania Acevedo &

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[www.avast.com](http://www.avast.com)

---

**3 attachments**

-  **ORDER READY #16707.pdf**  
24K
-  **ORDER READY #16707.pdf**  
24K
-  **JIDE CREDIT CARD AUTHORIZATION.doc**  
81K

## EXHIBIT J0

12/2013 DISNEY Unofficial Press Releases based on Disney Discovery Documents

1. [Bleedingcool.com](http://bleedingcool.com) 12/13 "NO PUBLIC COMMENTS, NO LIKES, NO MARK "DISNEY MOANA" in SUBJECT HEADING" "Concept art and some story details for Epic, Mythic Animated Adventures Moana"
2. [Animationmagazine.com](http://animationmagazine.com) 12/13 , " 2 Comments, 170 likes, NO MARK "DISNEY MOANA" in SUBJECT HEADING" "New Info Arrives on Musker/Clements Moana"
3. "LexisNexis" 2013; NO COMMENTS, NO LIKES, NO MARK "DISNEY MOANA" ON SUBJECT HEADING"
4. [www.broadwayworld.com](http://www.broadwayworld.com)" 12/2013, "NO PUBLIC COMMENTS, NO LIKES, NO MARK "DISNEY MOANA" IN SUBJECT HEADING. "Disney Announces New Animated Feature Moana for 2018"
5. [www.huffingtonpost.com](http://www.huffingtonpost.com) 12/2013 "NO PUBLIC COMMENTS, NO LIKES, NO MARK "DISNEY MOANA" IN SUBJECT HEADING" "New Disney Film Moana in the works"
6. [www.hawaii-aloaha.com](http://www.hawaii-aloaha.com) 12/2013 "NO PUBLIC COMMENTS" "NO MARK "DISNEY MOANA" IN SUBJECT HEADING ,
7. [www.hawaiinewsnow.com](http://www.hawaiinewsnow.com) 12/2016 "NO PUBLIC COMMENTS, NO LIKES, NO MARK "DISNEY MOANA IN SUBJECT HEADING " "Disney announces new Polynesian Princes"
8. [www.waltdisneyconfessionspage.com](http://www.waltdisneyconfessionspage.com) 10/2013 "NO PUBLIC COMMENTS, 43 likes, NO MARK "DISNEY MOANA" or MOANA" in SUBJECT HEADING.
9. [www.movies.mxdwn.com](http://www.movies.mxdwn.com), 12/2013 , "1 COMMENT from Public, NO LIKES, NO "DISNEY MOANA" IN SUBJECT HEADING" "Aladdin and Princess and the Frog Creators Announce Disneys Moana for 2018"
10. [www.observationdeck.kinja.com](http://www.observationdeck.kinja.com) 12/2013 "16 COMMENTS", NO MARK "DISNEY MOANA" in SUBJECT HEADING" Disney Announces Moana set for a 2018 Release"
11. [www.thehollywoodnews.com](http://www.thehollywoodnews.com) 12/2013, 'NO PUBLIC COMMENTS, NO LIKES, NO MARK "DISNEY MOANA" in SUBJECT HEADING" "Disney Animated Film Moana Revealed".
12. [www.yahoo.com](http://www.yahoo.com) 12/2013, NO PUBLIC COMMENTS, NO LIKES" NO "DISNEY MOANA" or MOANA IN SUBJECT HEADING" "Is this Disney's Next New Princes or Not"
13. [www.movies.com](http://www.movies.com) 12/2013 3 COMMENTS . 132 likes, 23 tweets, NO MARK "DISNEY MOANA" IN SUBJECT HEADING "THE NEXT FROZEN Disney Moana for 2018"

# EXHIBIT J1

14. [www.perezhilton.com](http://www.perezhilton.com) 12/2016 NO PUBLIC COMMENTS, 772 likes, NO "MOANA" or "DISNEY MOANA" IN SUBJECT HEADING "Disney announces a new princess Find out the Royally Awesome News"

15. [News.moviefone.com](http://News.moviefone.com) 12/2017, "NO PUBLIC COMMENTS, NO LIKES, NO "DISNEY MOANA" IN SUBJECT HEADING", "Disney MOANA brings girl power to the big screen in 2018"

16. [www.bustle.com](http://www.bustle.com) 12/2013 "NO PUBLIC COMMENTS, NO LIKES, NO MARK "DISNEY MOANA" in the SUBJECT HEADING" Disney newest Princess of color is Moana, A Polynesian Adventurer and sounds Awesome"

17. [www.disneybymark.com](http://www.disneybymark.com) 12/17/2013, "NO PUBLIC COMMENTS, NO LIKES, NO MARK "DISNEY MOANA" IN SUBJECT HEADING"

## 10 /20/2014 AFTER APPLICANT'S FILING DATE

1. Forbes.com 10/20/2014, NO PUBLIC COMMENTS
2. [www.eu.com](http://www.eu.com) 10/20/2014, NO PUBLIC COMMENTS
3. Slashfilm.com 10/20/2014 NO PUBLIC COMMENTS
4. [www.variety.com](http://www.variety.com) 10/20/2014 NO PUBLIC COMMENTS
5. [www.thewrap.com](http://www.thewrap.com) 10/20/2014 NO PUBLIC COMMENTS
6. [www.herocomplex.com](http://www.herocomplex.com) 10/20 2014, No PUBLIC COMMENTS
7. [www.huffingtonpost.com](http://www.huffingtonpost.com) 10/20/2014 NO PUBLIC COMMENTS
8. [www.hollywoodreporter.com](http://www.hollywoodreporter.com) 10/20/2014 NO PUBLIC COMMENTS

# EXHIBIT K0

Trademark Trial and Appeal Board Electronic Filing System. <http://estta.uspto.gov>

ESTTA Tracking number: **ESTTA695710**

Filing date: **09/14/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Disney Enterprises, Inc.
Granted to Date of previous extension	09/13/2015
Address	500 South Buena Vista Street Burbank, CA 91521 UNITED STATES

Attorney information	Linda K. McLeod Kelly IP, LLP 1919 M Street, N.W., Suite 610 Washington, DC 20036 UNITED STATES linda.mcleod@kelly-ip.com, docketing@kelly-ip.com, larry.white@kelly-ip.com, DisneyOpp@kelly-ip.com
----------------------	--

### Applicant Information

Application No	86416943	Publication date	03/17/2015
Opposition Filing Date	09/14/2015	Opposition Period Ends	09/13/2015
Applicant	EpicStone Group, INC. 1825 Ponce Delleon Boulevard, #414 Miami, FL 33134 UNITED STATES		

### Goods/Services Affected by Opposition

Class 028. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Action figure toys; Articles of clothing for toys; Bath toys; Battery operated action toys; Bendable toys; Children's dress up accessories, namely, toy helmets for play; Children's educational toys for developing fine motor, oral language, numbers, counting, colors and alphabet skills sold in a fabric bag which has a clear vinyl window for viewing small trinkets and toys securely contained within the bag itself; Children's educational toys for developing knowledge of planets; Children's multiple activity toys; Children's multiple activity toys sold as a unit with printed books; Children's wire construction and art activity toys; Clockwork toys; Clockwork toys; Collectable toy figures; Construction toys; Educational toy for the purpose of the demonstration of alternative energy sources; Educational toys for teaching and testing knowledge relating to the politics, political process, and political history of the United States; Educational toys for teaching math principles to children, namely, manipulative blocks for displaying patterns and groupings; Educational toys for teaching music principles to children, namely, hand-held music notation symbols and music related figures, such as individual hand-held piano keys; Educational toys in the nature of an illustrated wall map; Fantasy character toys; Mechanical action toys; Mechanical toys; Modeled plastic toy figurines; Music box toys; Non-electronic toy vehicles; Pet toys; Plastic character toys; Play houses and toy accessories therefor; Play mats containing infant toys; Play mats for use


**EXHIBIT K1**

with toy vehicles; Plush toys; Pop up toys; Positionable printed toy figures for use in games; Positionable printed toy figures for use in puzzles; Positionable three dimensional toys for use in games; Positionable toy figures; Positionable two dimensional toys for use in games; Printing toys; Pull toys; Push toys; Ride-on toys; Ride-on toys and accessories therefor; Role playing toys in the nature of play sets for children to imitate real life occupations; Rubber character toys; Sand toys; Sketching toys; Squeeze toys; Stuffed toy animals; Stuffed toy bears; Stuffed toys; Talking electronic press-down toy; Talking toys; Toy action figures; Toy airplanes; Toy armor; Toy building blocks; Toy buildings and accessories therefor; Toy clocks and watches; Toy construction sets; Toy figures; Toy model cars; Toy model hobby craft kits for constructing toy model landscapes, scenery, and action figures; Toy model kit cars; Toy model vehicles and related accessories sold as units; Toy models; Toy music boxes; Toy robots; Toy swords; Toy vehicles; Toy weapons; Toys for domestic pets; Toys, namely, children's dress-up accessories; Toys, namely, puppets and accessories therefor; Transforming robotic toy vehicles; Transforming robotic toys; Two and three dimensional positionable figures sold as an integral component of toys; Two and three dimensional positionable toy figures sold as a unit with educational books; Two and three dimensional positionable toy figures sold as a unit with memory training equipment.; Two and three dimensional positionable toy figures sold as a unit with other toys; Water squirting toys

**Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act section 2(d)
<i>Torres v. Cantine Torresella S.r.l. Fraud</i>	808 F.2d 46, 1 USPQ2d 1483 (Fed. Cir. 1986)
Other	LACK OF BONA FIDE INTENT TO USE - On information and belief, Applicant lacked the requisite bona fide intent to use the mark in commerce under Section 1(b), 15 U.S.C. Â§ 1051(b), on or in connection with all of Applicant's Goods as of the filing date of the Application and continuing to date.

**Marks Cited by Opposer as Basis for Opposition**

U.S. Application No.	86453735	Application Date	11/13/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	DISNEY MOANA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 0 First Use In Commerce: 0 Series of fiction books; graphic novels; comic books; children's activity books; picture books; calendars; greeting cards; posters; stationery; postcards; stickers; decals; art prints; crayons; markers; pencils; colored pencils; ball point pens; decorative paper centerpieces; gift wrapping paper; paper party decorations; printed invitations; trading cards; temporary tattoo transfers; paper napkins;		





**EXHIBIT K2**

	plastic party bags		
U.S. Application No.	86453764	Application Date	11/13/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	DISNEY MOANA		
Design Mark	<p align="center"><b>DISNEY MOANA</b></p>		
Description of Mark	NONE		
Goods/Services	Class 024. First use: First Use: 0 First Use In Commerce: 0 Afghans; bath linen; bath towels; bed blankets; bed canopies; bed linen; bed sheets; bed skirts; bed spreads; blanket throws; calico; children's blankets; cloth coasters; cloth doilies; cloth flags; cloth pennants; comforters; crib bumpers; curtains; fabric flags; felt pennants; golf towels; hand towels; handkerchiefs; hooded towels; household linens; kitchen towels; pillow cases; pillow covers; plastic table covers; quilts; receiving blankets; silk blankets; table linen; textile napkins; textile place mats; textile tablecloths; throws; towels; washcloths; woolen blankets		

U.S. Application No.	86453776	Application Date	11/13/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	DISNEY MOANA		
Design Mark	<p align="center"><b>DISNEY MOANA</b></p>		
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 0 First Use In Commerce: 0 Presentation, distribution, and rental of motion picture films, television, and radio programs; providing websites featuring a variety of general interest entertainment information relating to motion picture films and television programs; providing online computer games		

**EXHIBIT K3**

U.S. Application No.	86453751	Application Date	11/13/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	DISNEY MOANA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 020. First use: First Use: 0 First Use In Commerce: 0 Cushions; decorative glitter; decorative mobiles; figurines and statuettes made of plaster; figurines and statuettes made of plastic; figurines and statuettes made of wax; figurines and statuettes made of wood; flagpoles; furniture; gift package decorations made of plastic; handfans; key fobs not of metal; mattresses; mirrors; non-Christmas ornaments made of plaster, plastic, wax or wood; party ornaments of plastic; picture frames; plastic banners; pillows; plastic flags; plastic cake decorations; plastic name badges; plastic novelty license plates; plastic pennants; plastic tissue box covers; sleeping bags; wind chimes; window blinds		

U.S. Application No.	86453757	Application Date	11/13/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	DISNEY MOANA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 021. First use: First Use: 0 First Use In Commerce: 0 Bakeware; beverage ware; beverage glassware; bowls; brooms; busts of ceramic, crystal, china, terra cotta, earthenware, porcelain or glass; cake pans; cake molds; candle holders not of precious metal; candle snuffers; candlesticks; canteens; coasters not of paper and not being table linen; cookie jars; cookie cutters; cork screws; cups; decorating bags for confectioners; decorative crystal prisms; decorative glass not for building; decorative plates; dinnerware; dishes; figurines made of ceramic, china, crystal, earthenware, glass, or porcelain; hair		

**EXHIBIT K4**

	brushes; hair combs; heat-insulated vessels; household containers for food and beverages; insulating sleeve holders for beverage containers; kettles; lunch boxes; lunch kits comprising lunch boxes and insulated beverage containers for domestic use; mugs; napkin holders; napkin rings not of precious metals; non-metallic trays for domestic purposes; pie pans; pie servers; plates; portable coolers; servingware for serving food; sports bottles sold empty; soap dishes; tea pots; tea sets; thermal insulated containers for food or beverage; toothbrushes; trivets; vacuum bottles; waste baskets; drinking straws; barbecue mitts; oven mitts; pot holders
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U.S. Application No.	86453658	Application Date	11/13/2014
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	DISNEY MOANA
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Design Mark	
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Description of Mark	NONE
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Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>Apparatus for recording, transmission or reproduction of sound or images; pre-recorded optical and magneto-optical discs, CDs and DVDs all featuring music, stories, dramatic performances, non-dramatic performances, learning activities for children, and games; audio books featuring fiction; audio books featuring non-fiction; audio recordings featuring music, stories, dramatic performances, non-dramatic performances, learning activities for children, and games; downloadable ringtones and sound recordings featuring music and other sounds, all for wireless communications devices; audio and visual recordings featuring live-action entertainment, animated entertainment, music, stories, and games for children; musical recordings; video game software; computer game software; computer software featuring learning activities for children; encoded electronic chip cards containing musical recordings; computer hardware and peripheral devices; mouse pads; wrist and arm rests for use with computers; calculators; electrical and optical cables; electronic personal organizers; personal digital assistants; camcorders; cameras; digital cameras; optical and magneto-optical disc players and recorders for audio, video and computer data; radios; television sets; audio speakers; headphones; earphones; walkie-talkies; pagers; telephones; videophones; headsets for cellular telephones; adapters for cellular telephones; batteries for cellular telephones; cellular telephone cases; face plates for cellular telephones; eyeglasses; sunglasses; eyeglass and sunglasses cases; binoculars; decorative magnets; graduated rulers; microphones</p>
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U.S. Application No.	86453720	Application Date	11/13/2014
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	DISNEY MOANA
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**EXHIBIT K4**

**EXHIBIT K5**

Design Mark	<b>DISNEY MOANA</b>
Description of Mark	NONE
Goods/Services	Class 014. First use: First Use: 0 First Use In Commerce: 0 Clocks; jewelry; jewelry boxes; jewelrycases; key rings of precious metals; non-monetary coins; watches; watch bands


U.S. Application No.	86453742	Application Date	11/13/2014
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	DISNEY MOANA
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Design Mark	<b>DISNEY MOANA</b>
Description of Mark	NONE
Goods/Services	Class 018. First use: First Use: 0 First Use In Commerce: 0 All purpose carrying bags; all purpose sport bags; baby backpacks; backpacks; beach bags; book bags; calling card cases; coin purses; diaper bags; duffel bags;fanny packs; gym bags; handbags; knapsacks; key cases; leather key chains; luggage tags; luggage; overnight bags; purses; satchels; shopping bags made of leather, mesh or textile; tote bags; umbrellas; waist packs; wallets, all of the foregoing related to an animated film

U.S. Application No.	86453771	Application Date	11/13/2014
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	DISNEY MOANA
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Design Mark	
Description of Mark	NONE
Goods/Services	Class 030. First use: First Use: 0 First Use In Commerce: 0 Bakery goods; biscuits; breakfast cereals and preparations made from cereal, namely, ready to eat, cereal derived food bars; oatmeal; brownie and cake mixes; candy; cereal-based snack foods; confectionery chips for baking; chewing gum; cocoa; cookie mixes; corn chips; muffin bars; pancakes; pancake mixes and syrup; pies; popcorn; pretzels; puddings; rice; sugar and sugar substitutes; tortilla chips; waffles, all of the foregoing related to an animated film

Attachments	86453735#TMSN.png( bytes ) 86453764#TMSN.png( bytes ) 86453776#TMSN.png( bytes ) 86453751#TMSN.png( bytes ) 86453757#TMSN.png( bytes ) 86453658#TMSN.png( bytes ) 86453720#TMSN.png( bytes ) 86453742#TMSN.png( bytes ) 86453771#TMSN.png( bytes ) FINAL Notice of Opposition against THE MOANA.pdf(165784 bytes )
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**Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Linda K. McLeod/
Name	Linda K. McLeod
Date	09/14/2015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DISNEY ENTERPRISES, INC.,  Opposer  v.  EPICSTONE GROUP, INC.,  Applicant.	Opposition No.:  Mark: THE MOANA Serial No.: 86416943 Filed: October 7, 2014
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**NOTICE OF OPPOSITION**

Opposer, Disney Enterprises, Inc. (“Opposer”), a corporation of the State of Delaware, having a principal place of business at 500 South Buena Vista Street, Burbank, California, 91521, believes that it is being damaged, and will be damaged, by the registration of the mark THE MOANA shown in Application Serial No. 86416943, and hereby opposes the same. As grounds for opposition, Opposer alleges that, upon actual knowledge with respect to Opposer’s own acts, and upon information and belief as to other matters:

**Opposer and its Business**

1. Opposer, Disney Enterprises, Inc., is a corporation of the State of Delaware, having a principal place of business at 500 South Buena Vista Street, Burbank, California, 91521.

2. Opposer, through its related companies and licensees, is one of the world’s leading producers and providers of entertainment, films, music, toys, and other consumer products. Opposer engages in a vast licensing program under which it uses or licenses the use of its properties and characters in connection with a wide variety of

products and services, including but not limited to entertainment services, television programs, motion picture films, comic books, toys, dolls, sporting goods, bags, personal care products, linens, towels, apparel, food, interactive theme parks, online games, computer games, video games, music, and mobile applications.

3. As early as October 2013, before the filing date of the opposed application and any date of use that may be alleged by Applicant, Opposer’s MOANA mark has been used in pre-release publicity for its upcoming film—*MOANA*.

4. Since then, Opposer’s MOANA mark has received widespread media attention in national press, exposing millions of consumers to the mark. Such extensive and repetitive media attention has had a substantial impact on the purchasing public, and has created an association in the minds of the potential purchasers between the mark MOANA and Opposer.

5. Disney has also filed several trademark applications for the mark DISNEY MOANA, including those set forth below (printouts from the PTO TSDR and assignment database are attached as Exhibit A) (Collectively, the marks set forth in Paragraphs 4 and 5 are referred to as “Opposer’s MOANA Marks” and the goods and services identified therein are referred to as “Opposer’s Goods and Services”).

MARK	APP./ REG. NO.	FILING / REG. DATE	GOODS AND SERVICES
DISNEY MOANA	86453735	11/13/14	Series of fiction books; graphic novels; comic books; children's activity books; picture books; calendars; greeting cards; posters; stationery; postcards; stickers; decals; art prints; crayons; markers; pencils; colored pencils; ball point pens; decorative paper centerpieces; gift wrapping paper; paper party decorations; printed invitations; trading cards; temporary tattoo transfers; paper napkins; plastic party



**EXHIBIT K9**

Application Serial No. 86416943

<b>MARK</b>	<b>APP./ REG. NO.</b>	<b>FILING / REG. DATE</b>	<b>GOODS AND SERVICES</b>
			bags in Class 16
DISNEY MOANA	86453764	11/13/14	Afghans; bath linen; bath towels; bed blankets; bed canopies; bed linen; bed sheets; bed skirts; bed spreads; blanket throws; calico; children's blankets; cloth coasters; cloth doilies; cloth flags; cloth pennants; comforters; crib bumpers; curtains; fabric flags; felt pennants; golf towels; hand towels; handkerchiefs; hooded towels; household linens; kitchen towels; pillow cases; pillow covers; plastic table covers; quilts; receiving blankets; silk blankets; table linen; textile napkins; textile place mats; textile tablecloths; throws; towels; washcloths; woolen blankets in Class 24
DISNEY MOANA	86453776	11/13/14	Presentation, distribution, and rental of motion picture films, television, and radio programs; providing websites featuring a variety of general interest entertainment information relating to motion picture films and television programs; providing online computer games in Class 41
DISNEY MOANA	86453751	11/13/14	Cushions; decorative glitter; decorative mobiles; figurines and statuettes made of plaster; figurines and statuettes made of plastic; figurines and statuettes made of wax; figurines and statuettes made of wood; flagpoles; furniture; gift package decorations made of plastic; hand fans; key fobs not of metal; mattresses; mirrors; non-Christmas ornaments made of plaster, plastic, wax or wood; party ornaments of plastic; picture frames; plastic banners; pillows; plastic flags; plastic cake decorations; plastic name badges; plastic novelty license plates; plastic pennants; plastic tissue box covers; sleeping bags; wind chimes; window blinds in Class 20
DISNEY MOANA	86453757	11/13/14	Bakeware; beverage ware; beverage glassware; bowls; brooms; busts of ceramic, crystal, china, terra cotta, earthenware, porcelain or glass; cake pans; cake molds; candle holders not of precious metal; candle snuffers; candlesticks; canteens; coasters not of paper and not being table linen; cookie jars;

**EXHIBIT K10**

Application Serial No. 86416943

<b>MARK</b>	<b>APP./ REG. NO.</b>	<b>FILING / REG. DATE</b>	<b>GOODS AND SERVICES</b>
			cookie cutters; cork screws; cups; decorating bags for confectioners; decorative crystal prisms; decorative glass not for building; decorative plates; dinnerware; dishes; figurines made of ceramic, china, crystal, earthenware, glass, or porcelain; hair brushes; hair combs; heat-insulated vessels; household containers for food and beverages; insulating sleeve holders for beverage containers; kettles; lunch boxes; lunch kits comprising lunch boxes and insulated beverage containers for domestic use; mugs; napkin holders; napkin rings not of precious metals; non-metallic trays for domestic purposes; pie pans; pie servers; plates; portable coolers; servingware for serving food; sports bottles sold empty; soap dishes; tea pots; tea sets; thermal insulated containers for food or beverage; toothbrushes; trivets; vacuum bottles; waste baskets; drinking straws; barbecue mitts; oven mitts; pot holders in Class 21
DISNEY MOANA	86453658	11/13/14	Apparatus for recording, transmission or reproduction of sound or images; pre-recorded optical and magneto-optical discs, CDs and DVDs all featuring music, stories, dramatic performances, non-dramatic performances, learning activities for children, and games; audio books featuring fiction; audio books featuring non-fiction; audio recordings featuring music, stories, dramatic performances, non-dramatic performances, learning activities for children, and games; downloadable ringtones and sound recordings featuring music and other sounds, all for wireless communications devices; audio and visual recordings featuring live-action entertainment, animated entertainment, music, stories, and games for children; musical recordings; video game software; computer game software; computer software featuring learning activities for children; encoded electronic chip cards containing musical recordings; computer hardware and peripheral devices; mouse pads;

**EXHIBIT K11**

Application Serial No. 86416943

<b>MARK</b>	<b>APP./ REG. NO.</b>	<b>FILING / REG. DATE</b>	<b>GOODS AND SERVICES</b>
			<p>wrist and arm rests for use with computers; calculators; electrical and optical cables; electronic personal organizers; personal digital assistants; camcorders; cameras; digital cameras; optical and magneto-optical disc players and recorders for audio, video and computer data; radios; television sets; audio speakers; headphones; earphones; walkie-talkies; pagers; telephones; videophones; headsets for cellular telephones; adapters for cellular telephones; batteries for cellular telephones; cellular telephone cases; face plates for cellular telephones; eyeglasses; sunglasses; eyeglass and sunglass cases; binoculars; decorative magnets; graduated rulers; microphones in Class 9</p> <p>(Approved for publication; to be published for opposition 10/6/15)</p>
DISNEY MOANA	86453720	11/13/14	<p>Clocks; jewelry; jewelry boxes; jewelry cases; key rings of precious metals; non-monetary coins; watches; watch bands in Class 14</p> <p>(Approved for publication; to be published for opposition 10/6/15)</p>
DISNEY MOANA	86453742	11/13/14	<p>All purpose carrying bags; all purpose sport bags; baby backpacks; backpacks; beach bags; book bags; calling card cases; coin purses; diaper bags; duffel bags; fanny packs; gym bags; handbags; knapsacks; key cases; leather key chains; luggage tags; luggage; overnight bags; purses; satchels; shopping bags made of leather, mesh or textile; tote bags; umbrellas; waist packs; wallets, all of the foregoing related to an animated film in Class 18</p>
DISNEY MOANA	86453771	11/13/14	<p>Bakery goods; biscuits; breakfast cereals and preparations made from cereal, namely, ready to eat, cereal derived food bars; oatmeal; brownie and cake mixes; candy; cereal-based snack foods; confectionery chips for baking; chewing gum; cocoa; cookie mixes; corn chips; muffin bars; pancakes; pancake mixes and</p>

<b>MARK</b>	<b>APP./ REG. NO.</b>	<b>FILING / REG. DATE</b>	<b>GOODS AND SERVICES</b>
			syrup; pies; popcorn; pretzels; puddings; rice; sugar and sugar substitutes; tortilla chips; waffles, all of the foregoing related to an animated film in Class 30

**Applicant and its THE MOANA Mark**

6. Applicant EpicStone Group, Inc. (“Applicant”), is a corporation of the State of Florida, with an address of 1825 Ponce Delleon Boulevard, #414, Miami, Florida 33134.

7. Applicant is the listed owner of Application Serial No. 86416943 (the “Application”), filed on October 7, 2014, under Section 1(b), 15 U.S.C. § 1051(b), for the mark THE MOANA for a long list of goods, including: “Action figure toys; Articles of clothing for toys; Bath toys; Battery operated action toys; Bendable toys; Children's dress up accessories, namely, toy helmets for play; Children's educational toys for developing fine motor, oral language, numbers, counting, colors and alphabet skills sold in a fabric bag which has a clear vinyl window for viewing small trinkets and toys securely contained within the bag itself; Children's educational toys for developing knowledge of planets; Children's multiple activity toys; Children's multiple activity toys sold as a unit with printed books; Children's wire construction and art activity toys; Clockwork toys; Clockwork toys; Collectable toy figures; Construction toys; Educational toy for the purpose of the demonstration of alternative energy sources; Educational toys for teaching and testing knowledge relating to the politics, political process, and political history of the United States; Educational toys for teaching math principles to children, namely, manipulative blocks for displaying patterns and groupings; Educational toys for

teaching music principles to children, namely, hand-held music notation symbols and music related figures, such as individual hand-held piano keys; Educational toys in the nature of an illustrated wall map; Fantasy character toys; Mechanical action toys; Mechanical toys; Modeled plastic toy figurines; Music box toys; Non-electronic toy vehicles; Pet toys; Plastic character toys; Play houses and toy accessories therefor; Play mats containing infant toys; Play mats for use with toy vehicles; Plush toys; Pop up toys; Positionable printed toy figures for use in games; Positionable printed toy figures for use in puzzles; Positionable three dimensional toys for use in games; Positionable toy figures; Positionable two dimensional toys for use in games; Printing toys; Pull toys; Push toys; Ride-on toys; Ride-on toys and accessories therefor; Role playing toys in the nature of play sets for children to imitate real life occupations; Rubber character toys; Sand toys; Sketching toys; Squeeze toys; Stuffed toy animals; Stuffed toy bears; Stuffed toys; Talking electronic press-down toy; Talking toys; Toy action figures; Toy airplanes; Toy armor; Toy building blocks; Toy buildings and accessories therefor; Toy clocks and watches; Toy construction sets; Toy figures; Toy model cars; Toy model hobby craft kits for constructing toy model landscapes, scenery, and action figures; Toy model kit cars; Toy model vehicles and related accessories sold as units; Toy models; Toy music boxes; Toy robots; Toy swords; Toy vehicles; Toy weapons; Toys for domestic pets; Toys, namely, children's dress-up accessories; Toys, namely, puppets and accessories therefor; Transforming robotic toy vehicles; Transforming robotic toys; Two and three dimensional positionable figures sold as an integral component of toys; Two and three dimensional positionable toy figures sold as a unit with educational books; Two and three dimensional positionable toy figures sold as a unit with memory

training equipment.; Two and three dimensional positionable toy figures sold as a unit with other toys; Water squirting toys” (“Applicant’s Goods”).

8. On October 7, 2014, Applicant’s Director, Jose Barreto, signed a declaration in support of the Application, stating, in relevant part: “the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention to use or use through the applicant’s related company or licensee the mark in commerce on or in connection with the goods/services in the application. The signatory believes that the best of the signatory’s knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true” (the “Declaration”).

9. On information and belief, Applicant, Applicant’s Director, and other related companies have an established pattern of filing numerous intent-to-use applications for marks that are identical or nearly identical to well-known third-party marks for films, television shows, books, and characters.

10. In 2006, for example, Mr. Barreto filed an intent-to-use application for the mark THE UGLY BETTY (Serial No. 77010055) for goods in Class 28 similar to those in the opposed Application, and well after Opposer first aired its famous, award-winning

television series *UGLY BETTY*. Opposer filed Opposition No. 91179463, which was subsequently sustained following the abandonment of Barreto's application for THE UGLY BETTY mark.

11. On information and belief, since 2006, Applicant, Applicant's Director, and other related companies have continued a pattern bad faith trademark filings for well-known third-party marks, including the representative list of such marks is shown below.

<b>MARK</b>	<b>APP./ REG. NO.</b>	<b>FILING/ REG. DATE</b>	<b>FILING BASIS</b>	<b>CLASS</b>
THE ALF	86035341	Aug 12, 2013	1B	28
THE UGLY BETTY	77010055	Sept. 28, 2006	1B	28
THE INDEPENDENCE DAY	86609137	April 24, 2015	1B	9
THE INDEPENDENCE DAY	85195946 Reg. 4505623	Dec. 10, 2010 April 1, 2014	1B	28
THE MILLION DOLLAR MAN	86333581	July 20, 2014	1B	9
20,000 LEAGUES UNDER THE SEA	86400114	Sept. 19, 2014	1B	28
SPACE X ONE	86229446	Mar. 23, 2014	1B	28
MY LITTLE PRINCE	86454764	Nov. 14, 2014	1B	28

**COUNT I: LIKELIHOOD OF CONFUSION**

12. Opposer repeats and realleges each and every allegation set forth in Paragraphs 1 through 11 above.

13. Opposer has priority based on its prior common law use analogous to trademark use of Opposer's MOANA Marks in commerce in connection with Opposer's film and other merchandise before the filing date of the opposed Application Serial No. 86416943 and any date of first use that may be alleged by Applicant.

14. Applicant's Goods are highly related to Opposer's film and merchandise that will be tied to the film. Indeed, Opposer has a history of merchandising toys, dolls, and other playthings in connection with its animated films. Thus, consumers will be



confused to believe that Applicant's Goods are sponsored by, authorized by, or originate from Opposer when they do not.

15. Applicant's THE MOANA Mark so resembles Opposer's previously used MOANA Marks as to be likely, when registered and used in connection with Applicant's Goods, to cause confusion, or to cause mistake, or to deceive under Section 2(d) of the Lanham Act, as amended, 15 U.S.C. § 1052(d).

**COUNT II: LACK OF BONA FIDE INTENT TO USE**

16. Opposer repeats and realleges each and every allegation set forth in Paragraphs 1 through 15.

17. On information and belief, Applicant lacked the requisite bona fide intent to use the mark in commerce under Section 1(b), 15 U.S.C. § 1051(b), on or in connection with all of Applicant's Goods as of the filing date of the Application and continuing to date.

18. On information and belief, Applicant was aware of the publicity and media attention regarding Opposer's animated film entitled the unusual and Hawaiian term—*MOANA*—before filing the opposed Application.

19. On information and belief, Applicant filed the Application for THE MOANA mark in Class 28 with a bad faith intent to trade-off of the goodwill of Opposer's animated film, characters, and marks, to interfere with legitimate its business, and to gain financial rewards through such bad faith filing.

20. On information and belief, Applicant, through its related entities, directors, officers, and/or owners, has a pattern of filing U.S. trademark applications for well-known names and marks owned by Opposer and others with a bad faith intent to trade-

off of the goodwill of such marks, to interfere with legitimate business, and to gain financial rewards through such bad faith filings.

21. On information and belief, Applicant's pattern of bad-faith trademark filings is further evidence of its lack of a bona fide intent to use THE MOANA mark in the Application.

22. Accordingly, Applicant lacks the required bona fide intent to use the mark in commerce, and the Application should be held void and refused registration.

**COUNT III: FRAUD**

23. Opposer repeats and realleges each and every allegation set forth in Paragraphs 1-22 above.

24. On information and belief, at the time Applicant signed and filed the Application and supporting Declaration before the PTO, Applicant was aware of the Opposer's MOANA Marks, and the significant publicity and media attention regarding Opposer's animated film, characters, and mark under the same name.

25. On information and belief, at the time Applicant signed and filed the Application and supporting Declaration before the PTO, Applicant knew or acted in a reckless disregard of the truth that it did not have a bona fide intent to use its mark in commerce; that it intended to trade-off of the goodwill of Opposer's MOANA film, characters, and MOANA Marks; that it intended to interfere with Opposer's legitimate business; and that it intended to commit fraud on the PTO to gain a registration for THE MOANA mark for which it was not entitled.

26. On information and belief, at the time Applicant signed and filed the Application and supporting Declaration before the PTO, Applicant knew or acted in a

reckless disregard of the truth that it was not the owner of THE MOANA mark; that it was not entitled to use such mark in commerce; that Opposer was the owner of the mark; and that Opposer has superior and exclusive rights in such mark.

27. On information and belief, at the time Applicant signed and filed the Application and supporting Declaration, Applicant knew or acted in a reckless disregard of the truth that its claims that Applicant is “entitled to use the mark in commerce,” and that “no other person has the right to use the mark in commerce, either in identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive” were false and misleading with an intent to deceive the PTO.

28. The PTO accepted and relied on Applicant’s false and misleading statements in its Declaration in approving the Application for THE MOANA mark for publication, by issuing the Notice of Publication on February 25, 2015, and by publishing the Application for THE MOANA mark on March 17, 2015.

29. On information and belief, but for Applicant’s false and misleading statements in its Declaration, the PTO would not have approved the Application for THE MOANA mark for publication, and it would not have allowed the mark to be published.

30. On information and belief, Applicant, in making such false and misleading statements in its Application and supporting Declaration filed before the PTO, intended to procure a registration to which it was not entitled, and thus committed fraud on the PTO.

WHEREFORE, Opposer believes that it will be damaged by the registration of the mark shown in Application Serial No. 86416943, and requests that the opposition be sustained, and that registration to Applicant be refused.

A filing fee has been submitted electronically. If the filing fee is found to be insufficient for any reason, please charge such deficiency to our Deposit Account No. 506154.

Respectfully submitted,

Dated: September 14, 2015

By: /Linda K. McLeod/  
David M. Kelly  
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Attorneys for Opposer  
Disney Enterprises, Inc.

**CERTIFICATE OF SERVICE**

I certify that a true and accurate copy of the foregoing NOTICE OF OPPOSITION was served by first class mail, postage prepaid, on September 14, 2015, upon Applicant's Counsel of record at the following correspondence address of record:

Michael D. Stewart  
Law Offices of Michael D. Stewart  
200 SE 1st St.  
Suite 701  
MIAMI, FLORIDA 33131

/Jacob T. Mersing/  
Jacob T. Mersing  
Senior Legal Assistant

# EXHIBIT A

# EXHIBIT K22

Generated on: This page was generated by TSDR on 2015-09-14 09:29:37 EDT

Mark: DISNEY MOANA

DISNEY MOANA

US Serial Number: 86453735

Application Filing Date: Nov. 13, 2014

Register: Principal

Mark Type: Trademark

Status: An Office action suspending further action on the application has been sent (issued) to the applicant. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Aug. 21, 2015

## Mark Information

Mark Literal Elements: DISNEY MOANA

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Translation: The English translation of MOANA in the mark is ocean.

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Series of fiction books; graphic novels; comic books; children's activity books; picture books; calendars; greeting cards; posters; stationery; postcards; stickers; decals; art prints; crayons; markers; pencils; colored pencils; ball point pens; decorative paper centerpieces; gift wrapping paper; paper party decorations; printed invitations; trading cards; temporary tattoo transfers; paper napkins; plastic party bags

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(b)

## Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: Disney Enterprises, Inc.

Owner Address: 500 South Buena Vista Street  
Burbank, CALIFORNIA 91521  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Catherine Bridge

Attorney Primary Email Address: [trademarks@disney.com](mailto:trademarks@disney.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: CATHERINE BRIDGE  
THE WALT DISNEY COMPANY  
500 S BUENA VISTA ST



# EXHIBIT K23

BURBANK, CALIFORNIA 91521-0007  
UNITED STATES

Phone: 818-560-1000

Fax: 818-848-6424

Correspondent e-mail: [trademarks@disney.com](mailto:trademarks@disney.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Aug. 21, 2015	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Aug. 21, 2015	LETTER OF SUSPENSION E-MAILED	6332
Aug. 21, 2015	SUSPENSION LETTER WRITTEN	91242
Aug. 12, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 11, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 11, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 09, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 09, 2015	NON-FINAL ACTION E-MAILED	6325
Mar. 09, 2015	NON-FINAL ACTION WRITTEN	91242
Mar. 04, 2015	ASSIGNED TO EXAMINER	91242
Nov. 20, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 17, 2014	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information

TM Attorney: KUNKLEMAN, SARAH E

Law Office Assigned: LAW OFFICE 105

### File Location

Current Location: TMEG LAW OFFICE 105 - EXAMINING  
ATTORNEY ASSIGNED

Date in Location: Aug. 21, 2015

# EXHIBIT K24

Generated on: This page was generated by TSDR on 2015-09-14 09:30:27 EDT

Mark: DISNEY MOANA

DISNEY MOANA

US Serial Number: 86453764

Application Filing Date: Nov. 13, 2014

Register: Principal

Mark Type: Trademark

Status: An Office action suspending further action on the application has been sent (issued) to the applicant. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Aug. 21, 2015

## Mark Information

Mark Literal Elements: DISNEY MOANA

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Translation: The English translation of MOANA in the mark is ocean.

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Afghans; bath linen; bath towels; bed blankets; bed canopies; bed linen; bed sheets; bed skirts; bed spreads; blanket throws; calico; children's blankets; cloth coasters; cloth doilies; cloth flags; cloth pennants; comforters; crib bumpers; curtains; fabric flags; felt pennants; golf towels; hand towels; handkerchiefs; hooded towels; household linens; kitchen towels; pillow cases; pillow covers; plastic table covers; quilts; receiving blankets; silk blankets; table linen; textile napkins; textile place mats; textile tablecloths; throws; towels; washcloths; woolen blankets

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 1(b)

## Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: Disney Enterprises, Inc.

Owner Address: 500 South Buena Vista Street  
Burbank, CALIFORNIA 91521  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Catherine Bridge

Attorney Primary Email Address: [trademarks@disney.com](mailto:trademarks@disney.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: CATHERINE BRIDGE  
THE WALT DISNEY COMPANY

# EXHIBIT K25

500 S BUENA VISTA ST  
BURBANK, CALIFORNIA 91521-0007  
UNITED STATES

Phone: 818-560-1000

Fax: 818-848-6424

Correspondent e-mail: [trademarks@disney.com](mailto:trademarks@disney.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Aug. 21, 2015	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Aug. 21, 2015	LETTER OF SUSPENSION E-MAILED	6332
Aug. 21, 2015	SUSPENSION LETTER WRITTEN	91242
Aug. 12, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 11, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 11, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 09, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 09, 2015	NON-FINAL ACTION E-MAILED	6325
Mar. 09, 2015	NON-FINAL ACTION WRITTEN	91242
Mar. 04, 2015	ASSIGNED TO EXAMINER	91242
Nov. 20, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 17, 2014	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information

TM Attorney: KUNKLEMAN, SARAH E

Law Office Assigned: LAW OFFICE 105

### File Location

Current Location: TMEG LAW OFFICE 105 - EXAMINING  
ATTORNEY ASSIGNED

Date in Location: Aug. 21, 2015

# EXHIBIT K26

**Generated on:** This page was generated by TSDR on 2015-09-14 09:31:10 EDT

**Mark:** DISNEY MOANA

DISNEY MOANA

**US Serial Number:** 86453776

**Application Filing Date:** Nov. 13, 2014

**Register:** Principal

**Mark Type:** Service Mark

**Status:** An Office action suspending further action on the application has been sent (issued) to the applicant. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

**Status Date:** Aug. 21, 2015

## Mark Information

**Mark Literal Elements:** DISNEY MOANA

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

**Translation:** The English translation of MOANA in the mark is ocean.

## Goods and Services

**Note:** The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*...\* identify additional (new) wording in the goods/services.

**For:** Presentation, distribution, and rental of motion picture films, television, and radio programs; providing websites featuring a variety of general interest entertainment information relating to motion picture films and television programs; providing online computer games

**International Class(es):** 041 - Primary Class

**U.S Class(es):** 100, 101, 107

**Class Status:** ACTIVE

**Basis:** 1(b)

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** No

**Amended Use:** No

**Filed ITU:** Yes

**Currently ITU:** Yes

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Disney Enterprises, Inc.

**Owner Address:** 500 South Buena Vista Street  
Burbank, CALIFORNIA 91521  
UNITED STATES

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Catherine Bridge

**Attorney Primary Email Address:** [trademarks@disney.com](mailto:trademarks@disney.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** CATHERINE BRIDGE  
THE WALT DISNEY COMPANY  
500 S BUENA VISTA ST  
BURBANK, CALIFORNIA 91521-0007  
UNITED STATES

# EXHIBIT K27

Phone: 818-560-1000

Fax: 818-848-6424

Correspondent e-mail: [trademarks@disney.com](mailto:trademarks@disney.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Aug. 21, 2015	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Aug. 21, 2015	LETTER OF SUSPENSION E-MAILED	6332
Aug. 21, 2015	SUSPENSION LETTER WRITTEN	91242
Aug. 12, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 11, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 11, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 09, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 09, 2015	NON-FINAL ACTION E-MAILED	6325
Mar. 09, 2015	NON-FINAL ACTION WRITTEN	91242
Mar. 04, 2015	ASSIGNED TO EXAMINER	91242
Nov. 20, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 17, 2014	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information

TM Attorney: KUNKLEMAN, SARAH E

Law Office Assigned: LAW OFFICE 105

### File Location

Current Location: TMEG LAW OFFICE 105 - EXAMINING  
ATTORNEY ASSIGNED

Date in Location: Aug. 21, 2015

# EXHIBIT K28

Generated on: This page was generated by TSDR on 2015-09-14 09:31:39 EDT

Mark: DISNEY MOANA

DISNEY MOANA

US Serial Number: 86453751

Application Filing Date: Nov. 13, 2014

Register: Principal

Mark Type: Trademark

Status: An Office action suspending further action on the application has been sent (issued) to the applicant. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Sep. 02, 2015

## Mark Information

Mark Literal Elements: DISNEY MOANA

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Translation: The English translation of MOANA in the mark is ocean.

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*.\* identify additional (new) wording in the goods/services.

**For:** Cushions; decorative glitter; decorative mobiles; figurines and statuettes made of plaster; figurines and statuettes made of plastic; figurines and statuettes made of wax; figurines and statuettes made of wood; flagpoles; furniture; gift package decorations made of plastic; hand fans; key fobs not of metal; mattresses; mirrors; non-Christmas ornaments made of plaster, plastic, wax or wood; party ornaments of plastic; picture frames; plastic banners; pillows; plastic flags; plastic cake decorations; plastic name badges; plastic novelty license plates; plastic pennants; plastic tissue box covers; sleeping bags; wind chimes; window blinds

International Class(es): 020 - Primary Class

U.S Class(es): 002, 013, 022, 025, 032, 050

Class Status: ACTIVE

Basis: 1(b)

## Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: Disney Enterprises, Inc.

Owner Address: 500 South Buena Vista Street  
Burbank, CALIFORNIA 91521  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Catherine Bridge

Attorney Primary Email Address: [trademarks@disney.com](mailto:trademarks@disney.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: CATHERINE BRIDGE  
THE WALT DISNEY COMPANY

# EXHIBIT K29

500 S BUENA VISTA ST  
BURBANK, CALIFORNIA 91521-0007  
UNITED STATES

Phone: 818-560-1000

Fax: 818-848-6424

Correspondent e-mail: [trademarks@disney.com](mailto:trademarks@disney.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Sep. 02, 2015	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Sep. 02, 2015	LETTER OF SUSPENSION E-MAILED	6332
Sep. 02, 2015	SUSPENSION LETTER WRITTEN	91242
Aug. 12, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 11, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 11, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 09, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 09, 2015	NON-FINAL ACTION E-MAILED	6325
Mar. 09, 2015	NON-FINAL ACTION WRITTEN	91242
Mar. 04, 2015	ASSIGNED TO EXAMINER	91242
Nov. 20, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 17, 2014	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information

TM Attorney: KUNKLEMAN, SARAH E

Law Office Assigned: LAW OFFICE 105

### File Location

Current Location: TMEG LAW OFFICE 105 - EXAMINING  
ATTORNEY ASSIGNED

Date in Location: Sep. 02, 2015



# EXHIBIT K30

Generated on: This page was generated by TSDR on 2015-09-14 09:32:08 EDT

Mark: DISNEY MOANA

DISNEY MOANA

US Serial Number: 86453757

Application Filing Date: Nov. 13, 2014

Register: Principal

Mark Type: Trademark

Status: An Office action suspending further action on the application has been sent (issued) to the applicant. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Sep. 02, 2015

## Mark Information

Mark Literal Elements: DISNEY MOANA

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Translation: The English translation of MOANA in the mark is ocean.

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Bakeware; beverageware; beverage glassware; bowls; brooms; busts of ceramic, crystal, china, terra cotta, earthenware, porcelain or glass; cake pans; cake molds; candle holders not of precious metal; candle snuffers; candlesticks; canteens; coasters not of paper and not being table linen; cookie jars; cookie cutters; cork screws; cups; decorating bags for confectioners; decorative crystal prisms; decorative glass not for building; decorative plates; dinnerware; dishes; figurines made of ceramic, china, crystal, earthenware, glass, or porcelain; hair brushes; hair combs; heat-insulated vessels; household containers for food and beverages; insulating sleeve holders for beverage containers; kettles; lunch boxes; lunch kits comprising lunch boxes and insulated beverage containers for domestic use; mugs; napkin holders; napkin rings not of precious metals; non-metallic trays for domestic purposes; pie pans; pie servers; plates; portable coolers; servingware for serving food; sports bottles sold empty; soap dishes; tea pots; tea sets; thermal insulated containers for food or beverage; toothbrushes; trivets; vacuum bottles; waste baskets; drinking straws; barbecue mitts; oven mitts; pot holders

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(b)

## Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: Disney Enterprises, Inc.

Owner Address: 500 South Buena Vista Street  
Burbank, CALIFORNIA 91521  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Catherine Bridge

Attorney Primary Email Address: [trademarks@disney.com](mailto:trademarks@disney.com)

Attorney Email Authorized: Yes

# EXHIBIT K31

## Correspondent

**Correspondent Name/Address:** CATHERINE BRIDGE  
THE WALT DISNEY COMPANY  
500 S BUENA VISTA ST  
BURBANK, CALIFORNIA 91521-0007  
UNITED STATES

**Phone:** 818-560-1000

**Fax:** 818-848-6424

**Correspondent e-mail:** [trademarks@disney.com](mailto:trademarks@disney.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Sep. 02, 2015	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Sep. 02, 2015	LETTER OF SUSPENSION E-MAILED	6332
Sep. 02, 2015	SUSPENSION LETTER WRITTEN	91242
Aug. 12, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 11, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 11, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 09, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 09, 2015	NON-FINAL ACTION E-MAILED	6325
Mar. 09, 2015	NON-FINAL ACTION WRITTEN	91242
Mar. 04, 2015	ASSIGNED TO EXAMINER	91242
Nov. 20, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 17, 2014	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information

**TM Attorney:** KUNKLEMAN, SARAH E

**Law Office Assigned:** LAW OFFICE 105

### File Location

**Current Location:** TMEG LAW OFFICE 105 - EXAMINING  
ATTORNEY ASSIGNED

**Date in Location:** Sep. 02, 2015

Generated on: This page was generated by TSDR on 2015-09-14 09:32:36 EDT

Mark: DISNEY MOANA

DISNEY MOANA

US Serial Number: 86453658

Application Filing Date: Nov. 13, 2014

Register: Principal

Mark Type: Trademark

Status: Review prior to publication completed.

Status Date: Aug. 31, 2015

Publication Date: Oct. 06, 2015

Mark Information

Mark Literal Elements: DISNEY MOANA

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Translation: The English translation of "MOANA" in the mark is "ocean".

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
• Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
• Asterisks "\*" identify additional (new) wording in the goods/services.

For: Apparatus for recording, transmission or reproduction of sound or images; pre-recorded optical and magneto-optical discs, CDs and DVDs all featuring music, stories, dramatic performances, non-dramatic performances, learning activities for children, and games; audio books featuring fiction; audio books featuring non-fiction; audio recordings featuring music, stories, dramatic performances, non-dramatic performances, learning activities for children, and games; downloadable ringtones and sound recordings featuring music and other sounds, all for wireless communications devices; audio and visual recordings featuring live-action entertainment, animated entertainment, music, stories, and games for children; musical recordings; video game software; computer game software; computer software featuring learning activities for children; encoded electronic chip cards containing musical recordings; computer hardware and peripheral devices; mouse pads; wrist and arm rests for use with computers; calculators; electrical and optical cables; electronic personal organizers; personal digital assistants; camcorders; cameras; digital cameras; optical and magneto-optical disc players and recorders for audio, video and computer data; radios; television sets; audio speakers; headphones; earphones; walkie-talkies; pagers; telephones; videophones; headsets for cellular telephones; adapters for cellular telephones; batteries for cellular telephones; cellular telephone cases; face plates for cellular telephones; eyeglasses; sunglasses; eyeglass and sunglass cases; binoculars; decorative magnets; graduated rulers; microphones

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Disney Enterprises, Inc.

Owner Address: 500 South Buena Vista Street
Burbank, CALIFORNIA 91521
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

# EXHIBIT K33

## Attorney of Record

**Attorney Name:** Catherine Bridge

**Attorney Primary Email Address:** [trademarks@disney.com](mailto:trademarks@disney.com)

**Attorney Email Authorized:** Yes

## Correspondent

**Correspondent Name/Address:** CATHERINE BRIDGE  
THE WALT DISNEY COMPANY  
500 S BUENA VISTA ST  
BURBANK, CALIFORNIA 91521-0007  
UNITED STATES

**Correspondent e-mail:** [trademarks@disney.com](mailto:trademarks@disney.com)

**Correspondent e-mail Authorized:** Yes

## Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Aug. 31, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Aug. 26, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 19, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	70629
Aug. 19, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	70629
Aug. 12, 2015	ASSIGNED TO LIE	70629
Jul. 29, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 18, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 18, 2015	NON-FINAL ACTION E-MAILED	6325
Feb. 18, 2015	NON-FINAL ACTION WRITTEN	74304
Feb. 11, 2015	ASSIGNED TO EXAMINER	74304
Nov. 24, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 17, 2014	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information

**TM Attorney:** SPARACINO, MARK V

**Law Office Assigned:** LAW OFFICE 103

### File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Aug. 31, 2015

# EXHIBIT K34

Generated on: This page was generated by TSDR on 2015-09-14 09:33:06 EDT

Mark: DISNEY MOANA

DISNEY MOANA

US Serial Number: 86453720

Application Filing Date: Nov. 13, 2014

Register: Principal

Mark Type: Trademark

Status: Review prior to publication completed.

Status Date: Aug. 31, 2015

Publication Date: Oct. 06, 2015

## Mark Information

Mark Literal Elements: DISNEY MOANA

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Translation: The English translation of "MOANA" in the mark is "ocean".

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: Clocks; jewelry; jewelry boxes; jewelry cases; key rings of precious metals; non-monetary coins; watches; watch bands

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(b)

## Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: Disney Enterprises, Inc.

Owner Address: 500 South Buena Vista Street  
Burbank, CALIFORNIA 91521  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Catherine Bridge

Attorney Primary Email Address: [trademarks@disney.com](mailto:trademarks@disney.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: CATHERINE BRIDGE  
THE WALT DISNEY COMPANY  
500 S BUENA VISTA ST  
BURBANK, CALIFORNIA 91521-0007  
UNITED STATES

# EXHIBIT K35

Correspondent e-mail: [trademarks@disney.com](mailto:trademarks@disney.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Aug. 31, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Aug. 26, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 19, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	70629
Aug. 19, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	70629
Aug. 12, 2015	ASSIGNED TO LIE	70629
Jul. 29, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 18, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 18, 2015	NON-FINAL ACTION E-MAILED	6325
Feb. 18, 2015	NON-FINAL ACTION WRITTEN	74304
Feb. 11, 2015	ASSIGNED TO EXAMINER	74304
Nov. 24, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 17, 2014	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information

TM Attorney: SPARACINO, MARK V

Law Office Assigned: LAW OFFICE 103

### File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 31, 2015

# EXHIBIT K36

Generated on: This page was generated by TSDR on 2015-09-14 09:33:36 EDT

Mark: DISNEY MOANA

DISNEY MOANA

US Serial Number: 86453742

Application Filing Date: Nov. 13, 2014

Register: Principal

Mark Type: Trademark

Status: Applicant's response to a non-final Office action has been entered. The application is being returned to the examining attorney for further review. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Sep. 09, 2015

## Mark Information

Mark Literal Elements: DISNEY MOANA

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Translation: The English translation of MOANA in the mark is ocean.

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "\*" identify additional (new) wording in the goods/services.

**For:** All purpose carrying bags; all purpose sport bags; baby backpacks; backpacks; beach bags; book bags; calling card cases; coin purses; diaper bags; duffel bags; fanny packs; gym bags; handbags; knapsacks; key cases; leather key chains; luggage tags; luggage; overnight bags; purses; satchels; shopping bags made of leather, mesh or textile; tote bags; umbrellas; waist packs; wallets, all of the foregoing related to an animated film

International Class(es): 018 - Primary Class

U.S Class(es): 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 1(b)

## Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: Disney Enterprises, Inc.

Owner Address: 500 South Buena Vista Street  
Burbank, CALIFORNIA 91521  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Catherine Bridge

Attorney Primary Email Address: [trademarks@disney.com](mailto:trademarks@disney.com) [docketing@kelly-ip.com](mailto:docketing@kelly-ip.com) a  
[lison.kipp@kelly-ip.com](mailto:lison.kipp@kelly-ip.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: Catherine Bridge  
THE WALT DISNEY COMPANY  
500 S BUENA VISTA ST



# EXHIBIT K37

BURBANK, CALIFORNIA 91521-0007  
UNITED STATES

Phone: 818-560-1000

Fax: 818-848-6424

Correspondent e-mail: [trademarks@disney.com](mailto:trademarks@disney.com) [docketing@kelly-ip.com](mailto:docketing@kelly-ip.com) a  
[lison.kipp@kelly-ip.com](mailto:lison.kipp@kelly-ip.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Sep. 09, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 08, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 08, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 10, 2015	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 10, 2015	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 04, 2015	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 04, 2015	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 24, 2015	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 24, 2015	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 09, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 09, 2015	NON-FINAL ACTION E-MAILED	6325
Mar. 09, 2015	NON-FINAL ACTION WRITTEN	91242
Mar. 04, 2015	ASSIGNED TO EXAMINER	91242
Nov. 20, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 17, 2014	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information

TM Attorney: KUNKLEMAN, SARAH E

Law Office Assigned: LAW OFFICE 105

### File Location

Current Location: TMEG LAW OFFICE 105 - EXAMINING  
ATTORNEY ASSIGNED

Date in Location: Mar. 09, 2015

# EXHIBIT K38

Generated on: This page was generated by TSDR on 2015-09-14 09:34:03 EDT

Mark: DISNEY MOANA

DISNEY MOANA

US Serial Number: 86453771

Application Filing Date: Nov. 13, 2014

Register: Principal

Mark Type: Trademark

Status: Applicant's response to a non-final Office action has been entered. The application is being returned to the examining attorney for further review. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Sep. 09, 2015

## Mark Information

Mark Literal Elements: DISNEY MOANA

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

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## Goods and Services

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- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "\*" identify additional (new) wording in the goods/services.

**For:** Bakery goods; biscuits; breakfast cereals and preparations made from cereal, namely, ready to eat, cereal derived food bars; oatmeal; brownie and cake mixes; candy; cereal-based snack foods; confectionery chips for baking; chewing gum; cocoa; cookie mixes; corn chips; muffin bars; pancakes; pancake mixes and syrup; pies; popcorn; pretzels; puddings; rice; sugar and sugar substitutes; tortilla chips; waffles, all of the foregoing related to an animated film

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

## Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: Disney Enterprises, Inc.

Owner Address: 500 South Buena Vista Street  
Burbank, CALIFORNIA 91521  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Catherine Bridge

Attorney Primary Email Address: [trademarks@disney.com](mailto:trademarks@disney.com) [docketing@kelly-ip.com](mailto:docketing@kelly-ip.com) [lison.kipp@kelly-ip.com](mailto:lison.kipp@kelly-ip.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: Catherine Bridge  
THE WALT DISNEY COMPANY  
500 S BUENA VISTA ST

# EXHIBIT K39

BURBANK, CALIFORNIA 91521-0007  
UNITED STATES

Phone: 818-560-1000

Fax: 818-848-6424

Correspondent e-mail: [trademarks@disney.com](mailto:trademarks@disney.com) [docketing@kelly-ip.com](mailto:docketing@kelly-ip.com) a  
[lison.kipp@kelly-ip.com](mailto:lison.kipp@kelly-ip.com)

Correspondent e-mail Yes  
Authorized:

**Domestic Representative - Not Found**

## Prosecution History

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Sep. 09, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
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Nov. 17, 2014	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information

TM Attorney: KUNKLEMAN, SARAH E

Law Office Assigned: LAW OFFICE 105

### File Location

Current Location: TMEG LAW OFFICE 105 - EXAMINING  
ATTORNEY ASSIGNED

Date in Location: Mar. 09, 2015

Source URL: <http://www.hollywoodreporter.com/news/cineeuropa-disney-debuts-finest-hours-804929>

## CineEurope: Disney Debuts 'The Finest Hours' Trailer, 'Zootopia' Footage, Screens 'Ant-Man'

2:54 PM PDT 6/24/2015 by Alex Ritman

- 85
- 108
- 2



Marvel Studios  
'Ant-Man'

### But even the presenter said that he couldn't wait for 'Star Wars: The Force Awakens' to arrive.

*Star Wars: The Force Awakens* may have been the most hotly anticipated title at Disney's CineEurope presentation on Wednesday in Barcelona, but the studio still packed out its show with other memorable highlights from its upcoming slate.

For the seventh *Star Wars* episode, while no new footage was revealed, **J.J. Abrams** recorded a special message for the assembled exhibitors before introducing a video incorporating clips from the trailers, plus news clips encapsulating the building excitement.

"December 18 can't get here soon enough," said Disney's executive vp theatrical sales and distribution, **Dave Hollis**.

Other major titles in the presentation included upcoming new IP from Disney Animation Studios, *Zootropolis* (known as *Zootopia* in the U.S.), of which several unfinished extended scenes were shown.

{ "nid": 804566, "type": "news", "title": "Paul Rudd and Marvel's Kevin Feige Reveal 'Ant-Man's' Saga, from Director Shuffle to Screenplay Surgery to Studio's 'Phase Three' Plans", "path": "http://www.hollywoodreporter.com/features/ant-man-saga-paul-rudd-804566", "relative-path": "/features/ant-man-saga-paul-rudd-804566" }

"It's a world created for and designed by animals," said Disney's EMEA and U.K. studio marketing vp **Lee Jury**, who introduced several of the film's characters and settings.

For the Polynesia-based animation *Moana* (which Jury said was just a "tentative" name), due out towards the end of 2016, footage of the main character was shown. "It's a coming-of-age story," he added.



In Pixar's slate, among the two new IPs was *The Good Dinosaur*, that — according to Disney's head of EMEA and U.K. studio distribution **Tony Chambers** — asks the question: "what if the asteroid that hit Earth 60 million years ago actually missed."

A teaser trailer was unveiled, followed by extended footage of the film's main characters Arlo — a young Apatosaurus — and Spot, a young caveman. "We have a myriad of wonderful and memorable characters," added Chambers, adding that the technology used "pushed the boundaries of high definition photo realism."

**Jon Favreau** offered some words from the set of *The Jungle Book*, which he said was a combination of the "best of animation, live action and motion capture."

For naval rescue drama *The Finest Hours*, the audience was treated to the debut of its first trailer, which Jury said captured one of the most "heroic rescues in maritime history."

Behind the scenes footage and film clips were shown of *Alice Through The Looking Glass*, the sequel to the \$1 billion-earning film. Although **Tim Burton** is now acting as producer with *The Muppet's* director **James Bobin** at the helm, Chambers said that Burton "was deeply involved," describing him as an "ambassador to Underland."

In a video, star **Mia Wasikowska** said that "James [Bobin] had taken the world that Burton had created and made it his own."

On the Marvel side of things, extensive details were provided for *Captain America: Civil War*, currently shooting in Atlanta, with co-director **Joe Russo** stating that the story revolved around "collateral damage" after action by the Avengers results in the loss of life.

The video also highlighted the on-screen friction between Captain America and Iron-Man.

"The name Civil War implies there are sides," said **Robert Downey Jr.**

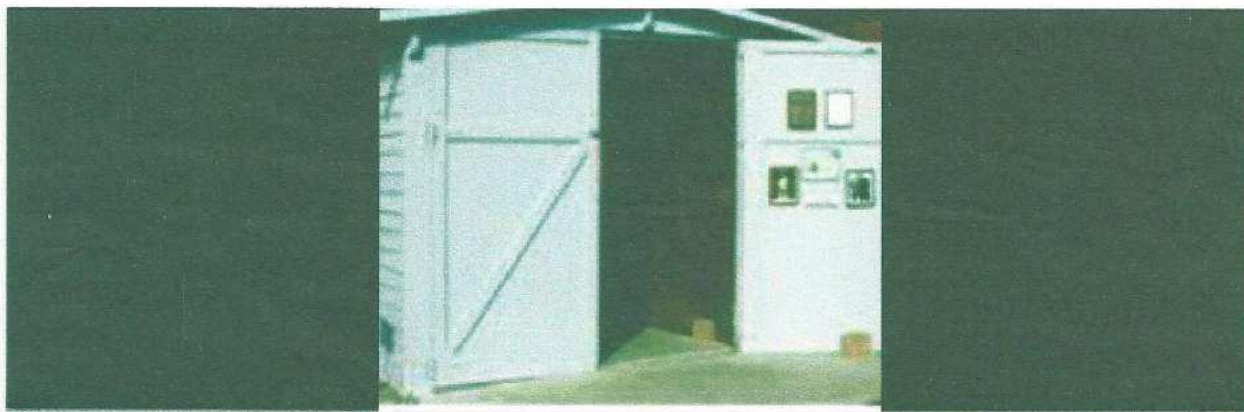
With production on *Doctor Strange* commencing soon, no footage was available of the upcoming new superhero IP, but artist impressions of **Benedict Cumberbatch** in the lead role were offered. In a video message, producer **Kevin Feige** said that the actor was perfect for the role, offering a "complicated emotional structure."

Disney's presentation concluded with a full — though unfinished — screening of *Ant-Man*, due to have its world premiere in Los Angeles next week.

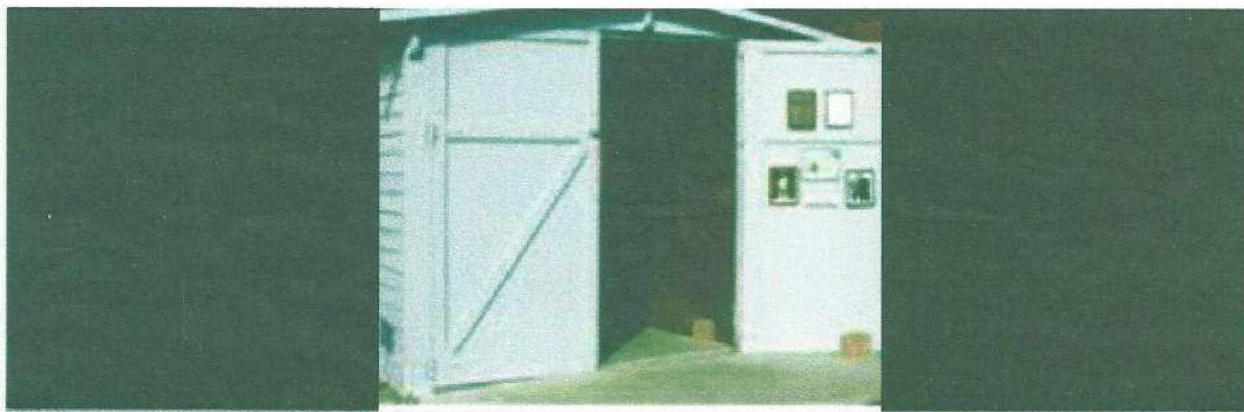
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"/news/cineeuropa-2015-can-barcelona-make-802625" }
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#### Links:

[1] [http://pinterest.com/pin/create/button/?url=www.hollywoodreporter.com/news/cineeuropa-disney-debuts-finest-hours-804929&media=http://www.hollywoodreporter.com/sites/default/files/imagecache/news\\_landscape/2015/06/antman\\_anthill.jpg&description=CineEurope: Disney Debuts &#039;The Finest Hours&#039; Trailer, &#039;Zootopia&#039; Footage, Screens &#039;Ant-Man&#039;](http://pinterest.com/pin/create/button/?url=www.hollywoodreporter.com/news/cineeuropa-disney-debuts-finest-hours-804929&media=http://www.hollywoodreporter.com/sites/default/files/imagecache/news_landscape/2015/06/antman_anthill.jpg&description=CineEurope: Disney Debuts &#039;The Finest Hours&#039; Trailer, &#039;Zootopia&#039; Footage, Screens &#039;Ant-Man&#039;)



"In 1923, the house belonged to **Walt Disney's** uncle, Robert **Disney**. **Walt** and his brother Roy moved in with their uncle and set up "The First **Disney Studio**" in the one-car **garage** out back. There they **started** filming the Alice Comedies which was part of the original



"In 1923, the house belonged to **Walt Disney's** uncle, Robert **Disney**. **Walt** and his brother Roy moved in with their uncle and set up "The First **Disney Studio**" in the one-car **garage** out back. There they **started** filming the Alice Comedies which was part of the original



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Format: DVD  
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Format: DVD

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DVD

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**Region:** Region 2 (Read more about DVD formats.)

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Format: DVD Be the first to review this item

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Format: DVD  
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**Playback Region 2**: This will not play on most DVD players sold in the U.S., U.S. Territories, Canada, and Bermuda. See other DVD options under "Other Formats & Versions". Learn more about DVD region specifications [here](#).

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**ASIN:** B00EQ13B3W  
**Amazon Best Sellers Rank:** #523,135 in Movies & TV (See Top 100 in Movies & TV)  
 #391786 in Movies & TV > DVD

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Moana - Featurette: Casting

**Customer Reviews**

There are no customer reviews yet.

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### moana - la clinica delle ispezioni anali (xxx adult) dvd Italian Import

Format: DVD

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Additional DVD options	Edition	Discs	Price	New from	Used from
DVD	—	—	—	\$49.99	—

Playback Region 2 :This will not play on most DVD players sold in the U.S., U.S. Territories, Canada, and Bermuda. See other DVD options under "Other Formats & Versions". Learn more about DVD region specifications here



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#### Product Details

Region: Region 2 (Read more about DVD formats.)

Average Customer Review: Be the first to review this item

ASIN: B00EQ12BFQ

Amazon Best Sellers Rank: #645,650 in Movies & TV (See Top 100 in Movies & TV) #473478 in Movies & TV > DVD

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#### Related Video Shorts



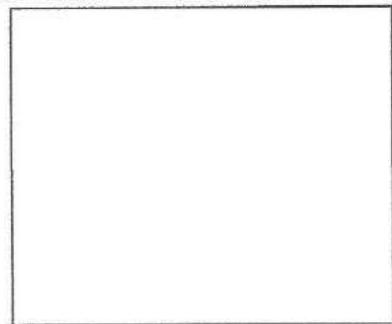
#### Customer Reviews

There are no customer reviews yet.

- 5 star
- 4 star
- 3 star
- 2 star
- 1 star

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#### Forums

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moana - valentina ragazza in calore (xxx adult)

dvd Italian Import

Format: DVD

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DVD from \$49.99

Additional DVD options	Edition	Discs	Price	New from	Used from
DVD	--	--	--	\$49.99	--

Playback Region 2 : This will not play on most DVD players sold in the U.S., U.S. Territories, Canada, and Bermuda. See other DVD options under "Other Formats & Versions". Learn more about DVD region specifications here.

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Region: Region 2 (Read more about DVD formats.)

Average Customer Review: Be the first to review this item

ASIN: B00EQ124R6

Amazon Best Sellers Rank: #605,200 in Movies & TV (See Top 100 in Movies & TV) #446923 in Movies & TV > DVD

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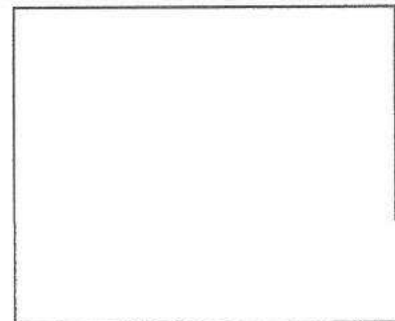
Customer Reviews

There are no customer reviews yet.

- 5 star
- 4 star
- 3 star
- 2 star
- 1 star

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Format: DVD  
Be the first to review this item

DVD						
Additional DVD options	Edition	Discs	Price	New from	Used from	
DVD	--	--	--	\$39.99	--	

**Playback Region 2**: This will not play on most DVD players sold in the U.S., U.S. Territories, Canada, and Bermuda. See other DVD options under "Other Formats & Versions". Learn more about DVD region specifications here.

Share

1 new from \$39.99

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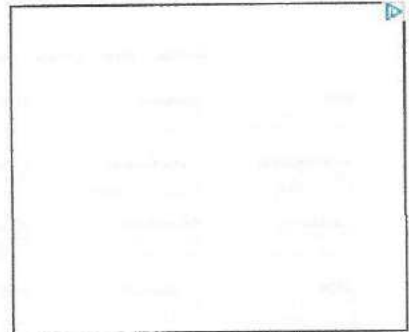
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# Moana (miniseries)

From Wikipedia, the free encyclopedia

*Moana* is a 2009 Italian biographical dramatic miniseries directed by Alfredo Peyretti.<sup>[1]</sup>

The miniseries premiered at the 2009 Roma Fiction Fest,<sup>[2][3]</sup> then it was broadcast in two parts on 1 and 2 December of the same year on Sky Cinema.<sup>[4][5]</sup> *Moana* tells the life of Italian iconic pornographic actress Moana Pozzi.<sup>[6][7]</sup> The actress Ilona Staller sued the production of the film for the unauthorized use of the character "Cicciolina", of which she owned the rights;<sup>[8]</sup> the case was finally dismissed by court.<sup>[9]</sup>

## Cast

- Violante Placido as Moana Pozzi
- Fausto Paravidino as Riccardo Schicchi
- Gaetano Amato as Pasquale
- Michele Venitucci as Antonio Di Ciesco
- Giorgia Würth as Cicciolina
- Antonella Salvucci as Ramba
- Elena Bouryka as Baby Pozzi

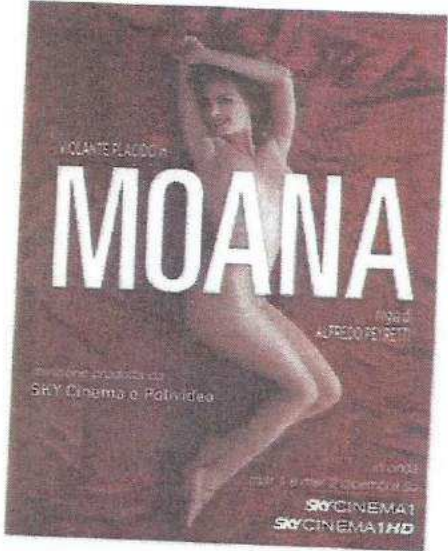
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4. Antonio Dipollina (3 December 2009). "Tutta Moana in due puntate: Mission Impossible". *La Repubblica*. Retrieved 4 June 2012.
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9. "Violante Placido e la "sua" Moana". *Il Secolo XIX*. 1 December 2009. Retrieved 4 June 2012.

## External links

[https://en.wikipedia.org/wiki/Moana\\_\(miniseries\)](https://en.wikipedia.org/wiki/Moana_(miniseries))

*Moana*



<b>Directed by</b>	Alfredo Peyretti
<b>Starring</b>	Violante Placido
<b>Music by</b>	Pivio & Aldo De Scalzi
<b>Release dates</b>	2009
<b>Country</b>	Italy
<b>Language</b>	Italian

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MOVIES

## Review: In 'Moana With Sound,' Island Songs and the Crash of Waves

By GLENN KENNY NOV. 12, 2015

*This film is designated as a Critics' Pick.*

The pioneering filmmaker Robert J. Flaherty, who made his name with "Nanook of the North" (1922) and collaborated with F. W. Murnau on the haunting 1931 "Tabu," was an undeniable master of cinema. But in recent years, his name has also become a flash point in controversies about representation and authenticity in so-called documentary filmmaking. A recent digital restoration of "Moana With Sound," a 1980 update of a 1926 "docufiction" film that Flaherty made with his wife, Frances Hubbard Flaherty, could add potentially dizzying dimensions to this debate.

The Flahertys spent two years with their children on the South Sea island of Savaii to make their film for Paramount, and a note at the beginning of this version tells of Frances's regret that the silent film could not include the songs of the Samoan natives depicted in the film. To this end, Monica Flaherty, the filmmakers' daughter, traveled back to the territory in 1975, with the cinéma-vérité practitioner Richard Leacock, and recorded a soundtrack. A soundtrack not just of songs, but also of dialogue and effects — of crashing waves, spouting blowholes and more. In synchronization with the original film, it works better than it ought to have a right to, although there's an occasional redundancy between the audio dialogue and the film's now-very-quaint intertitles.

Titled "Moana: A Romance of the South Seas," the original film is more focused on the labors of a small village — coconut shredding, spear fishing, the rather

dispiriting (to contemporary eyes) harvesting of tortoiseshell from a live turtle — than on its ostensible narrative, involving the courtship of the young man of the title and a “maiden” named Faangase, and a particular manhood ritual endured by Moana. The imagery, in scenes that always unfold slowly, is truly startling, particularly given that the film is almost 90 years old. Matters of fact and fiction aside, sights like the undulating, near-transparent sea, where the village men pursue their catches, are ultimately their own justification here.

*“Moana With Sound” is not rated. In Samoan with English-language intertitles. Running time: 1 hour 38 minutes.*

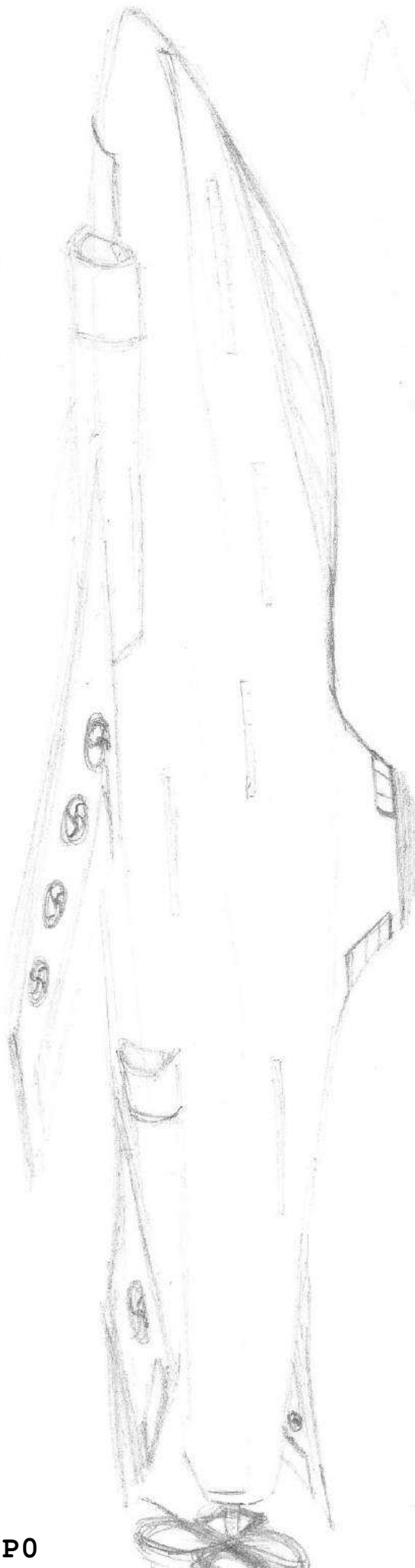
A version of this review appears in print on November 13, 2015, on page C7 of the New York edition with the headline: Samoan Voices, Preserved.

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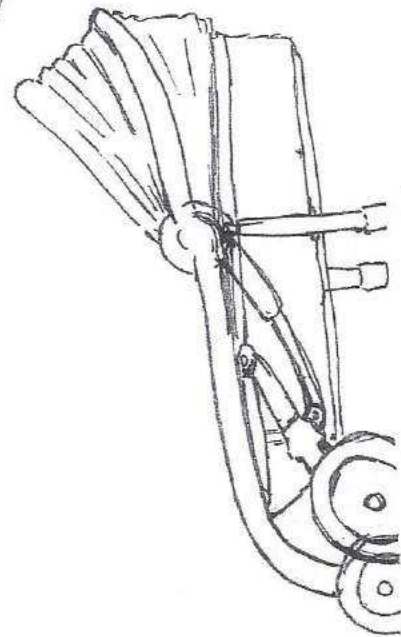
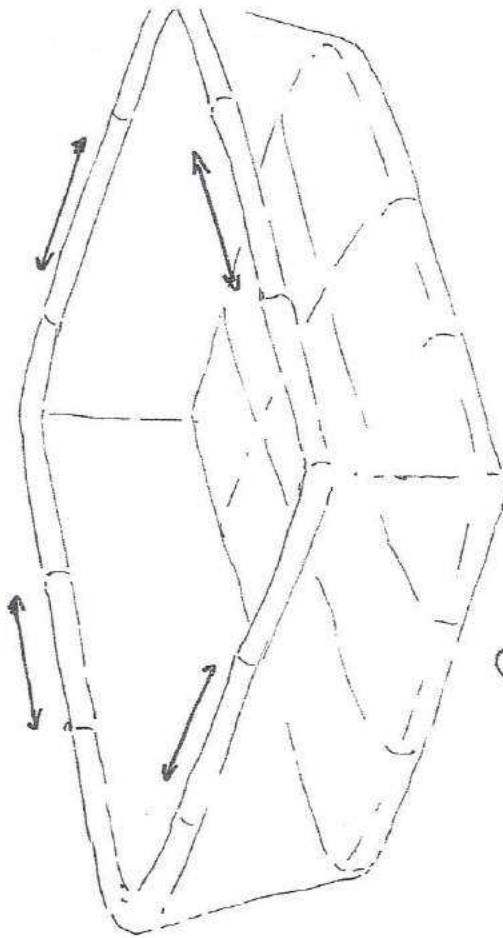
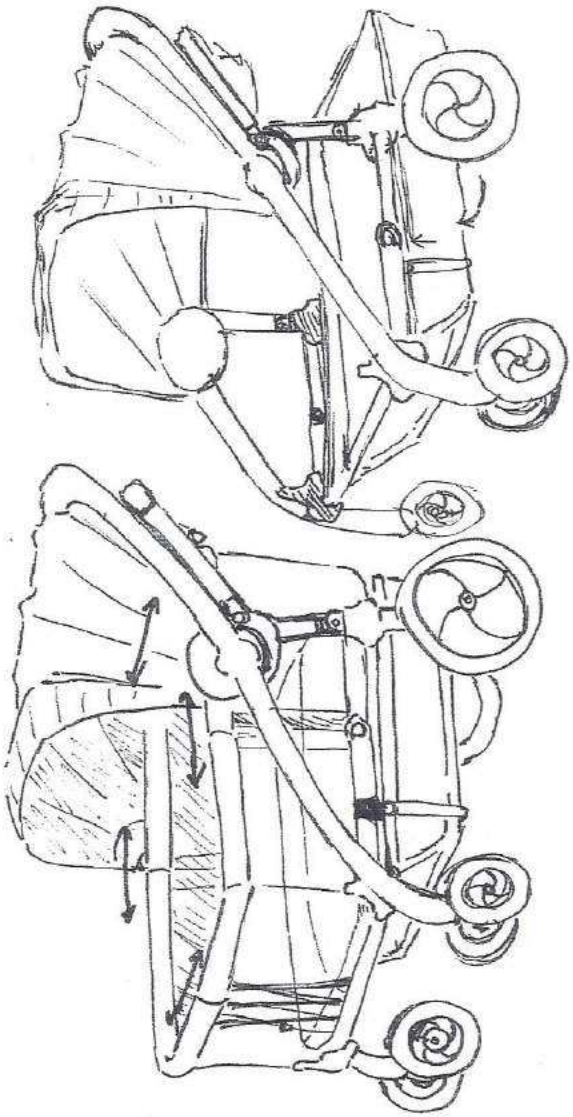


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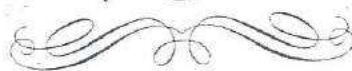
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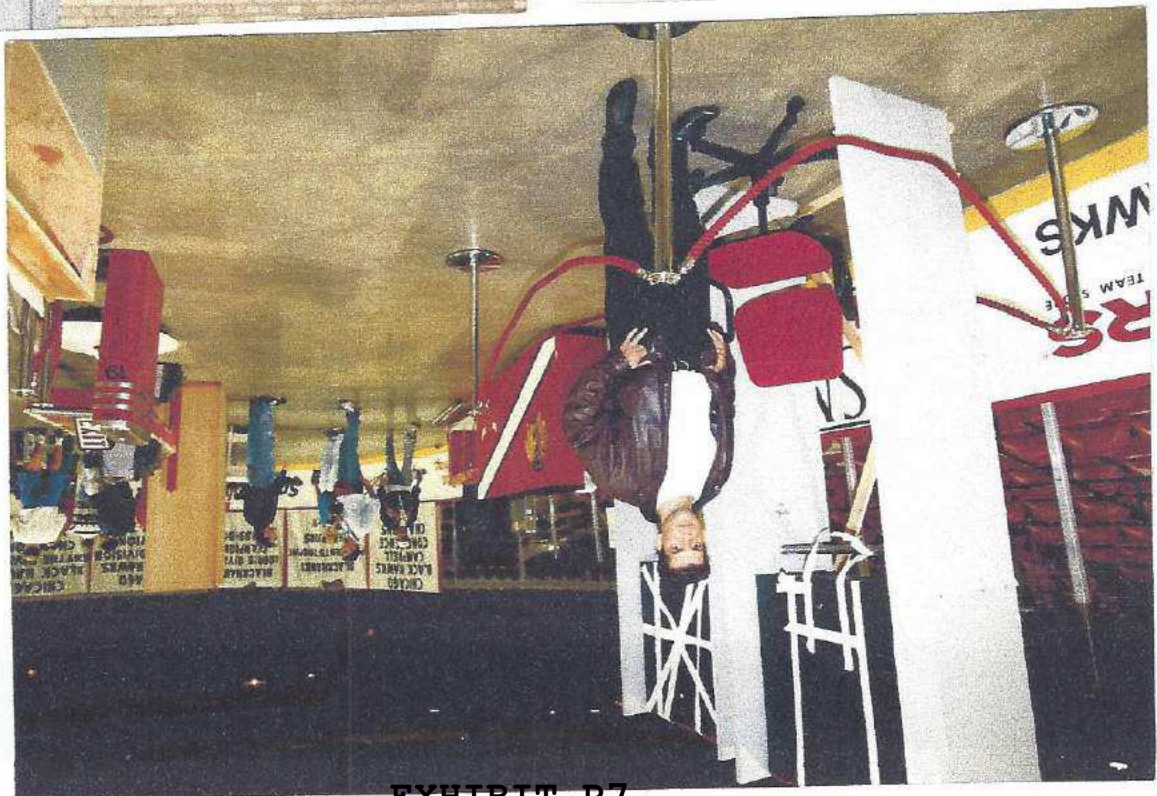


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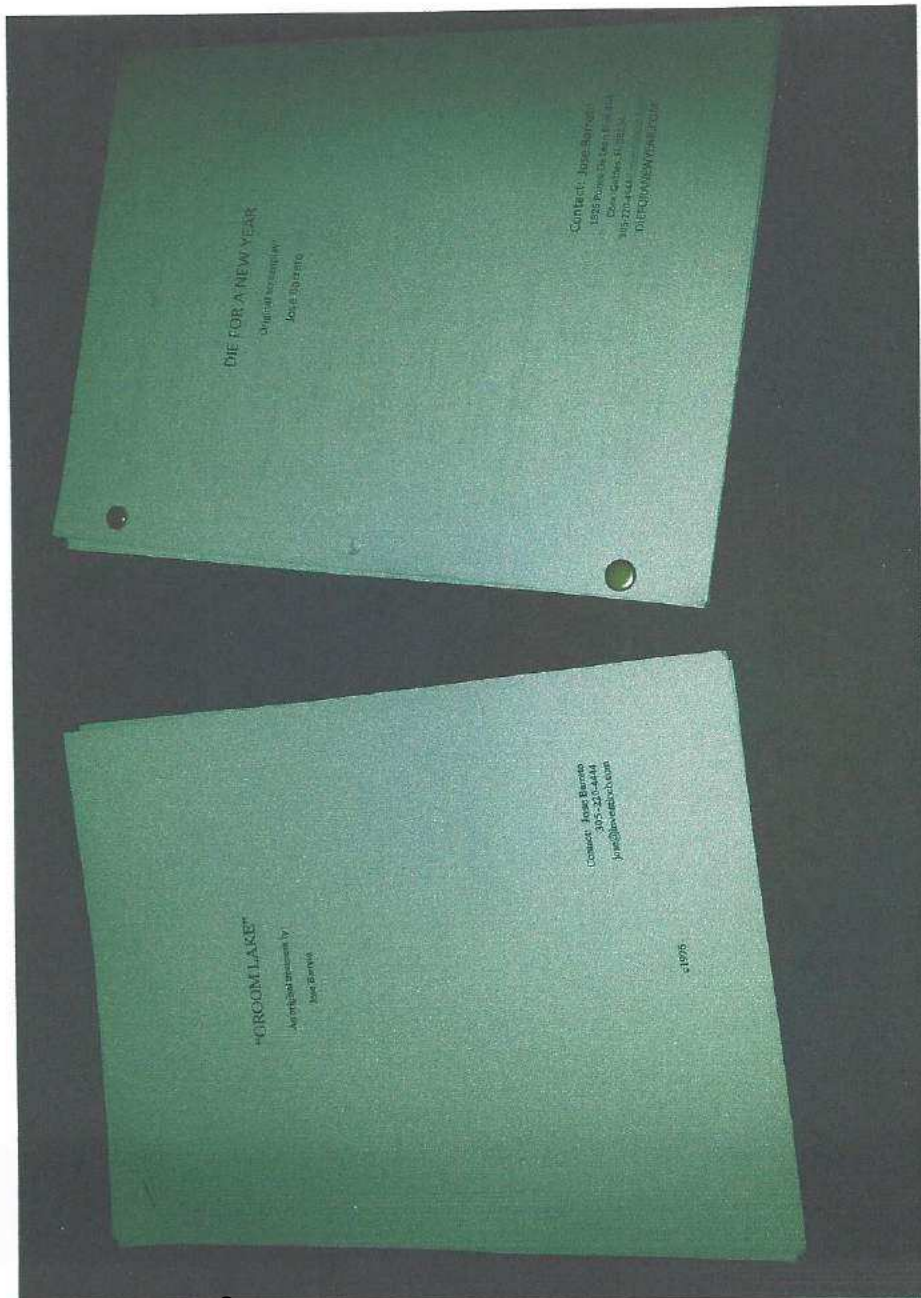
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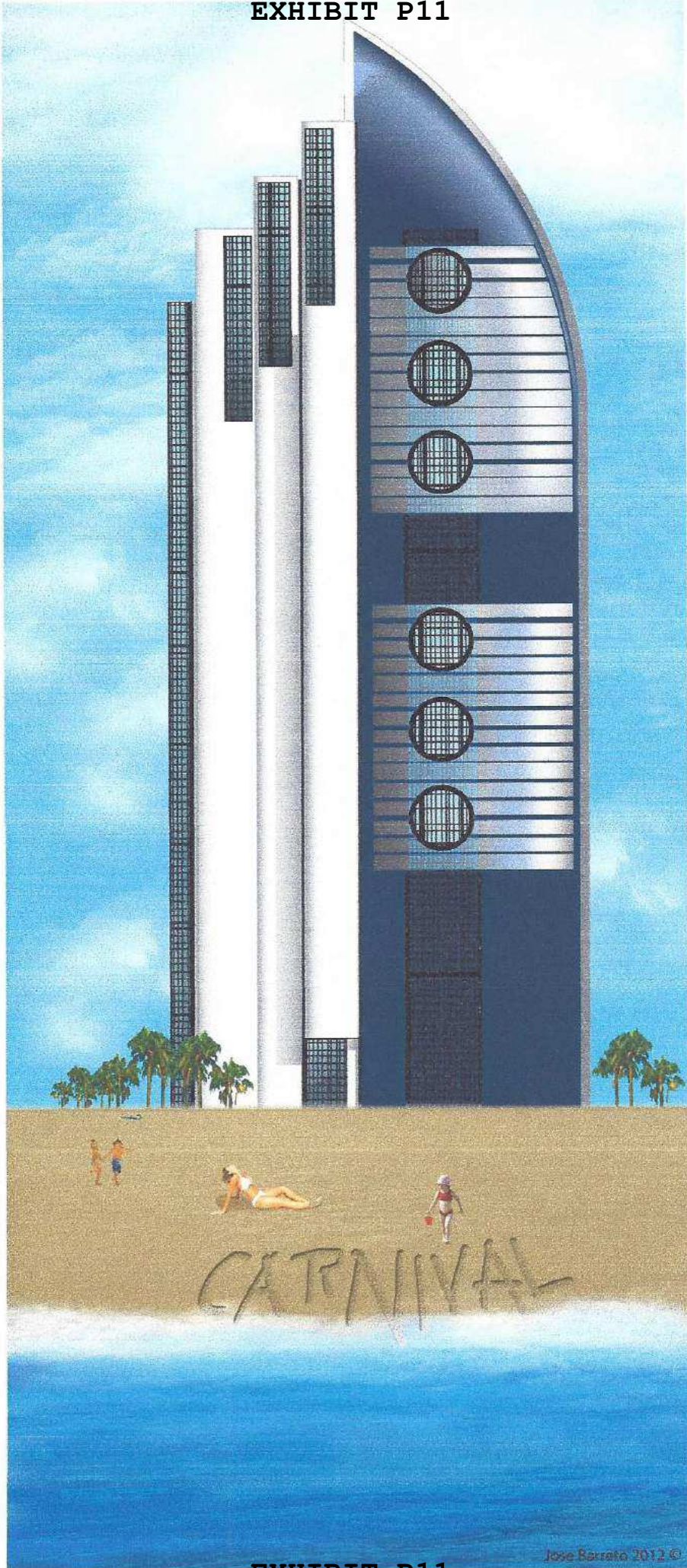
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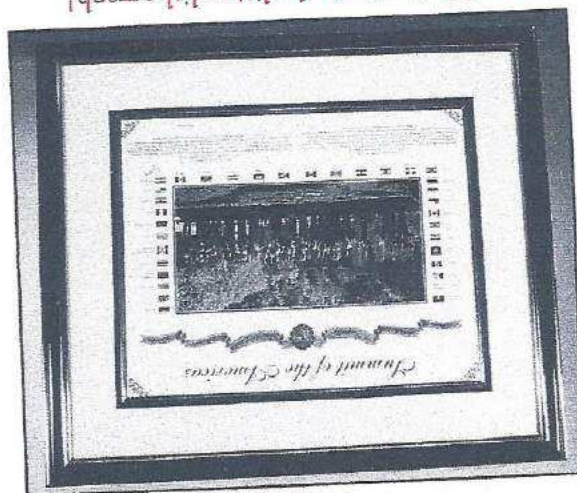






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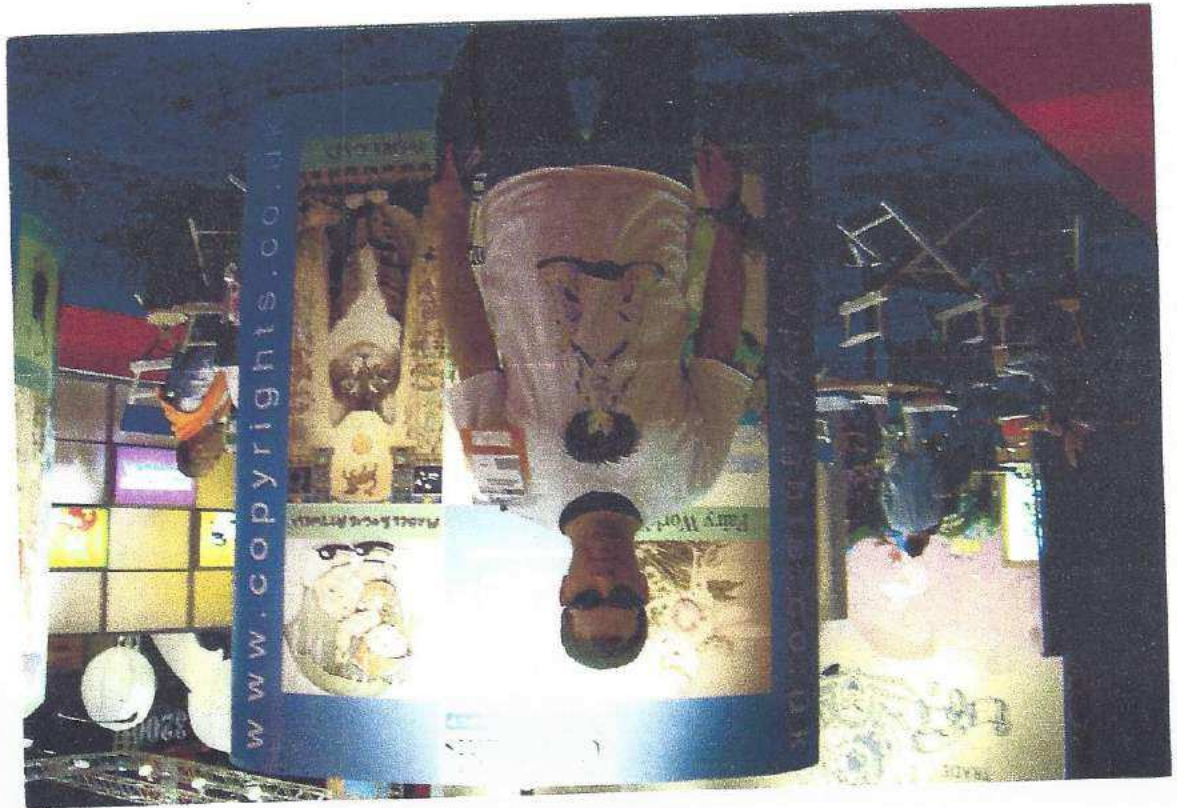
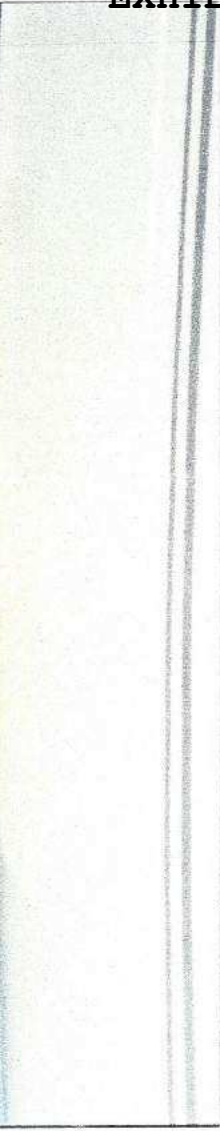
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Associate Producer Joe Barreto

Director of Photography Steven Francis

Mixed By Sam Peizer

The Cast

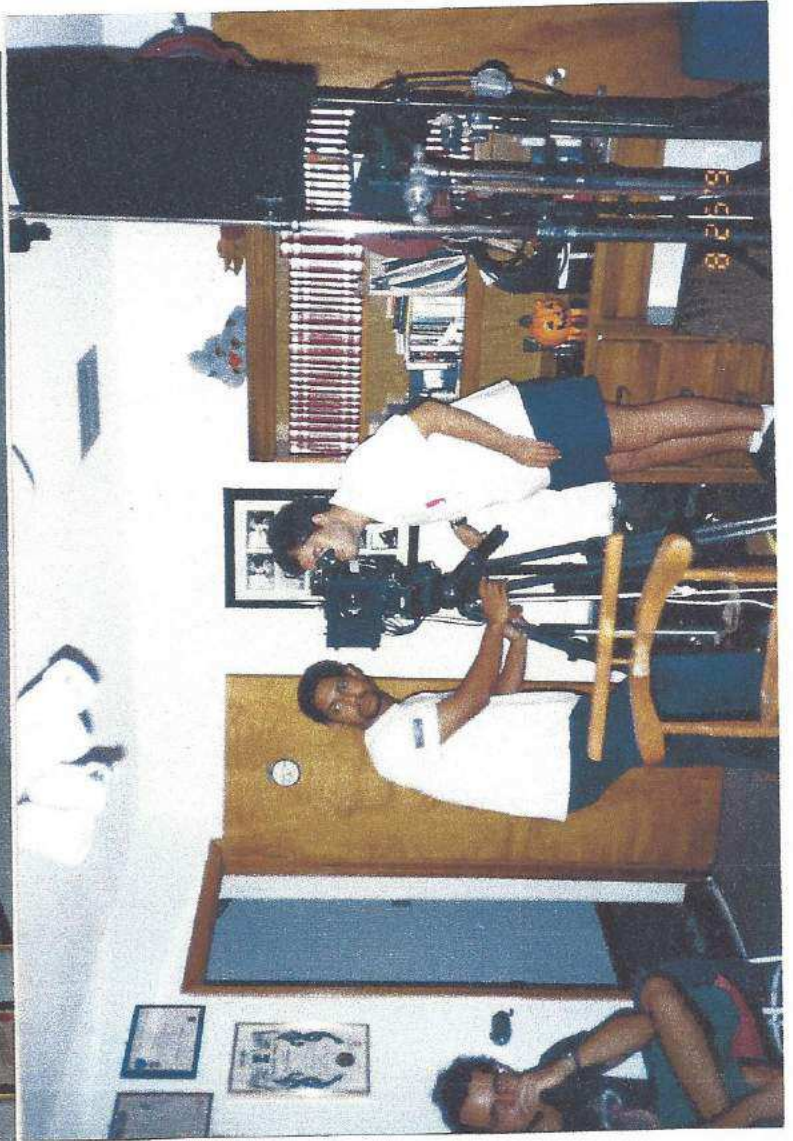
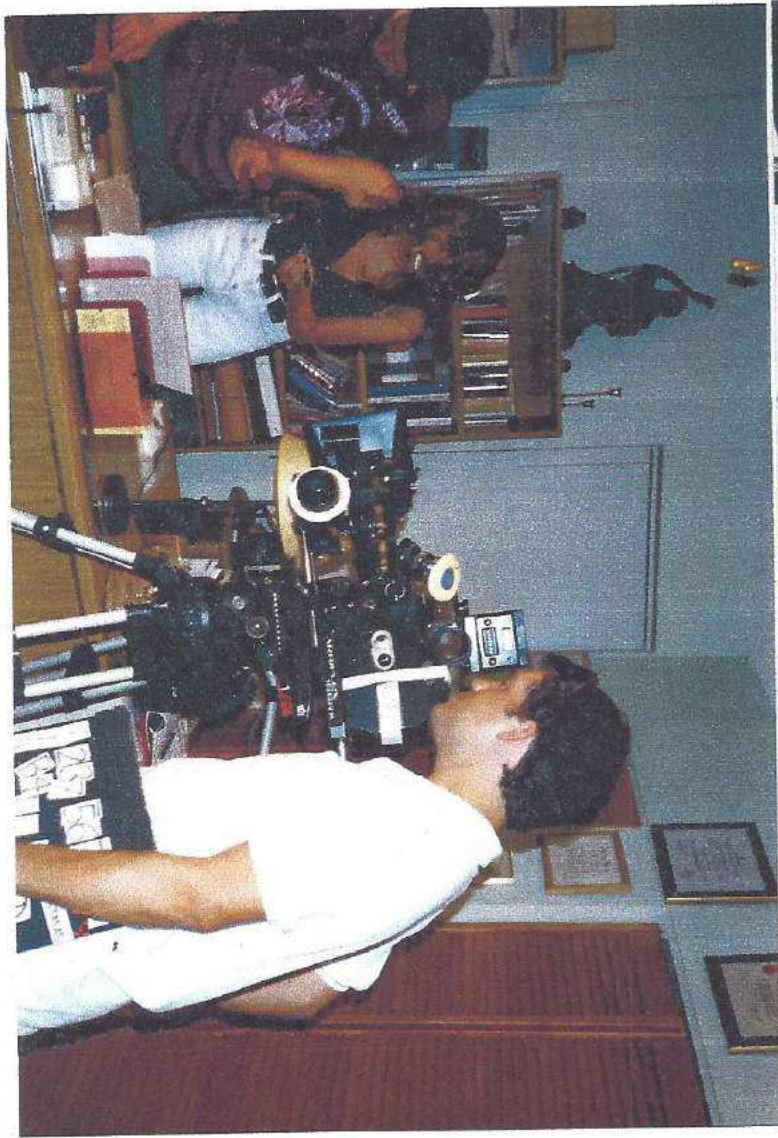
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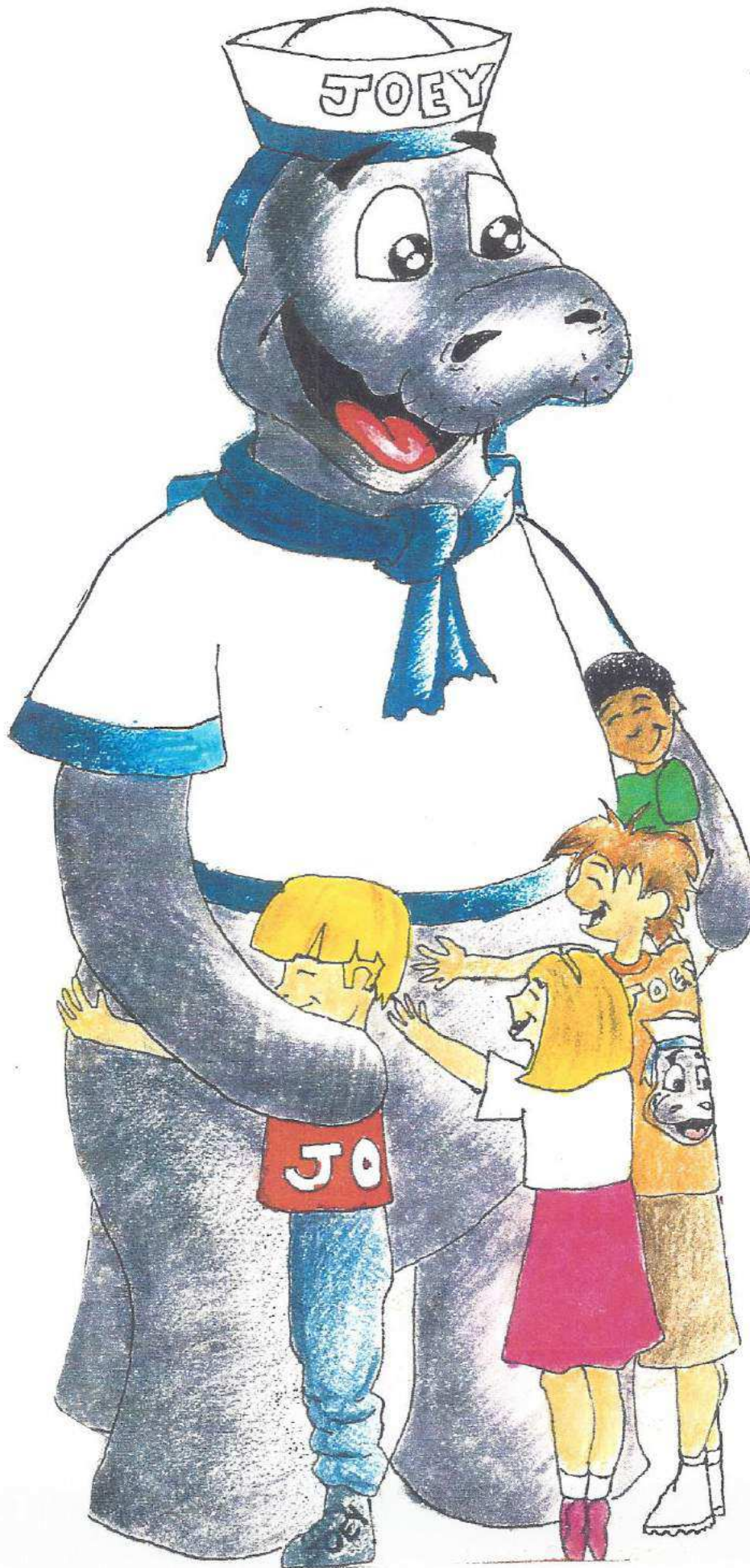
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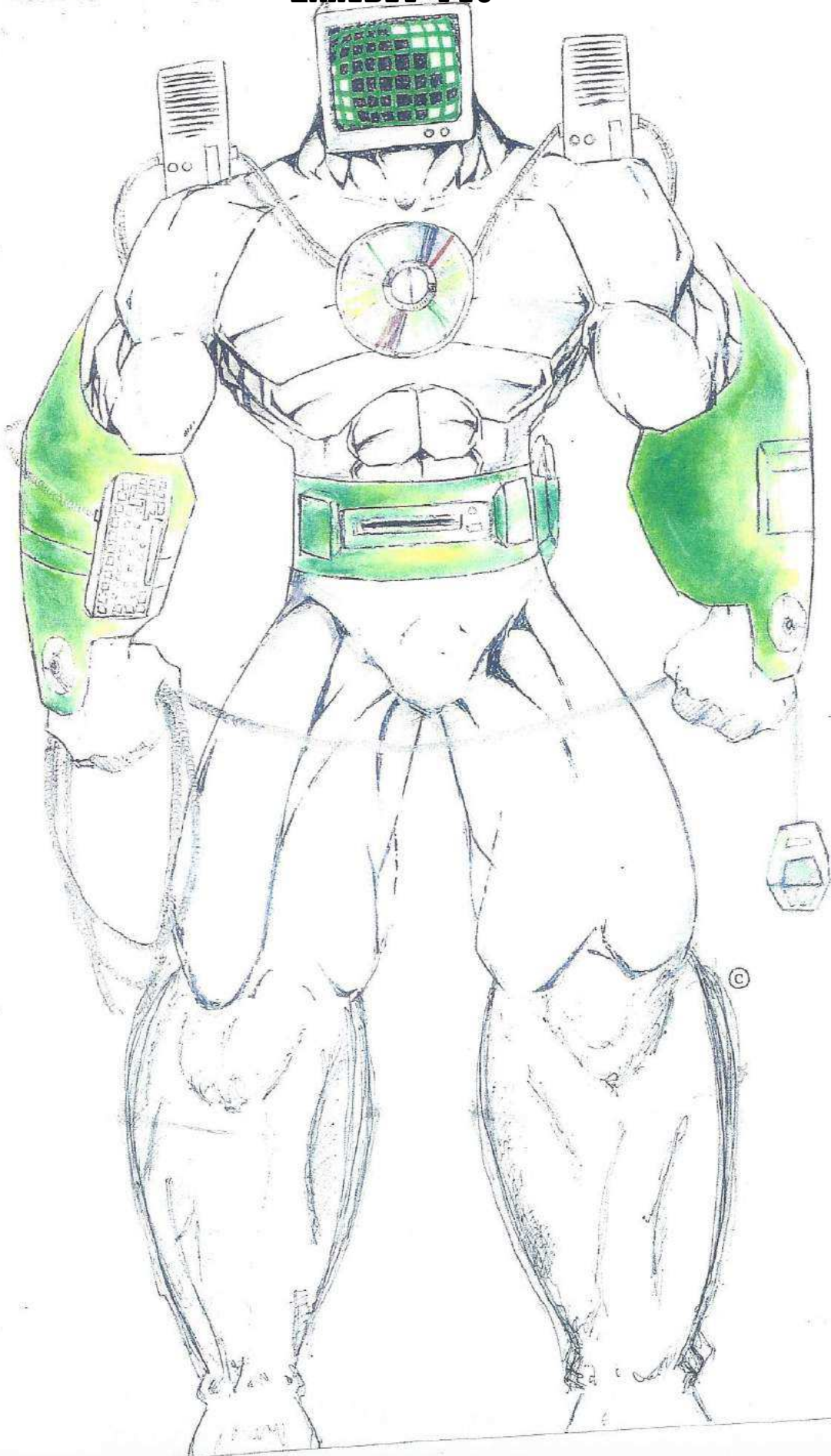
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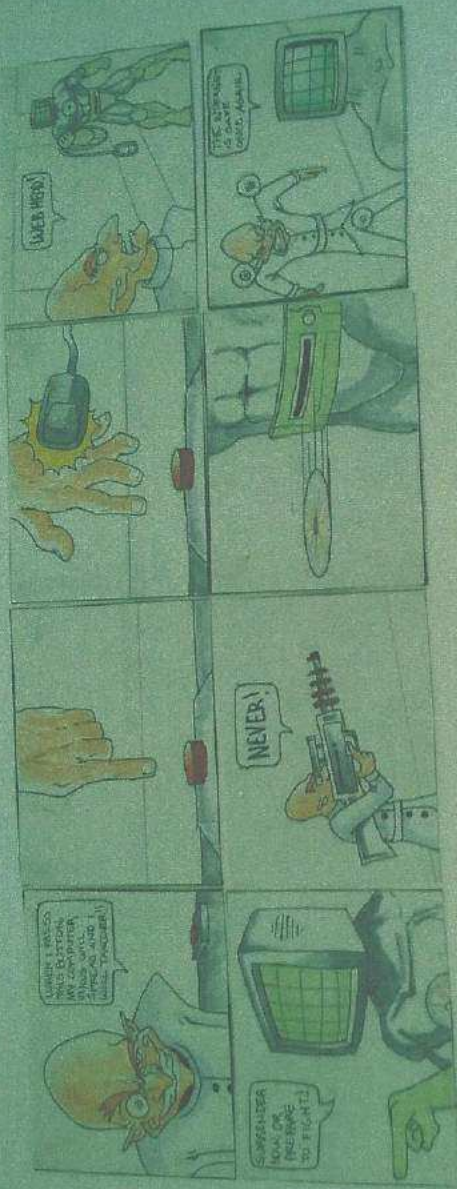


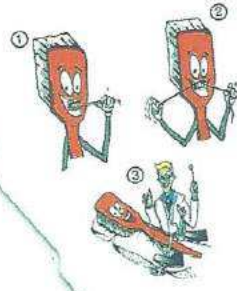
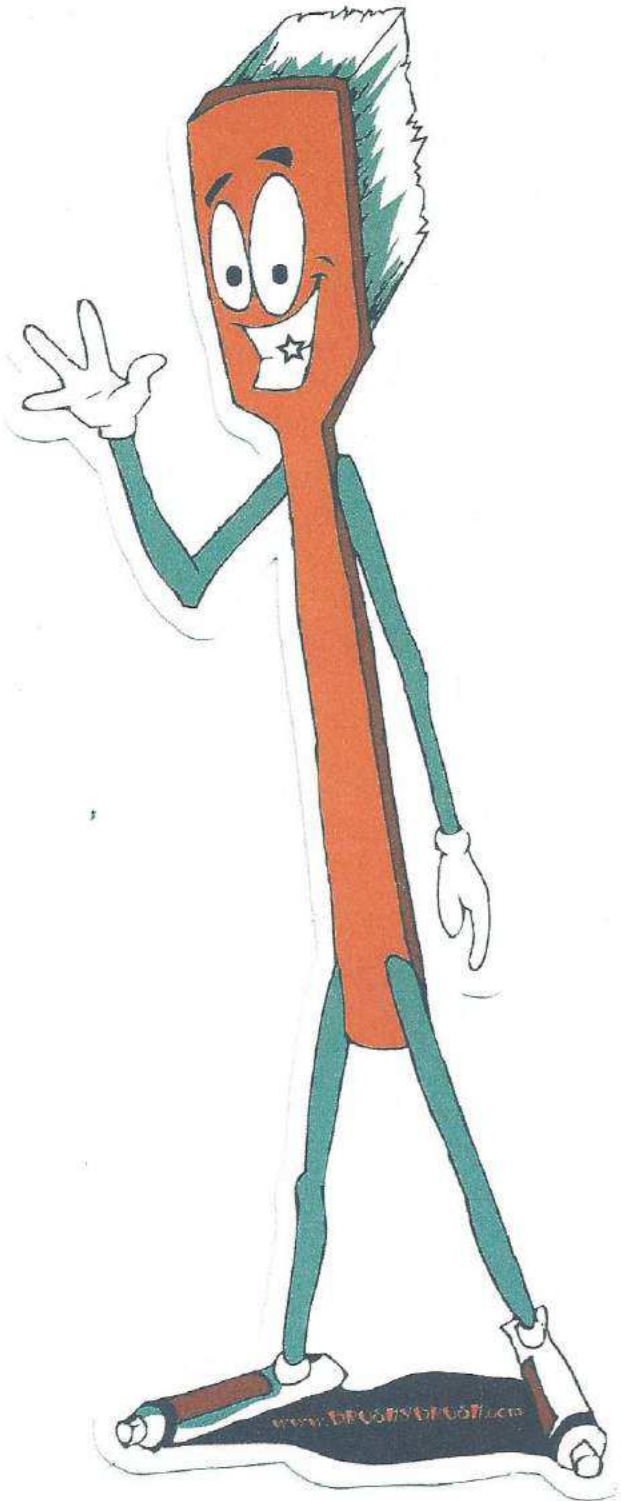


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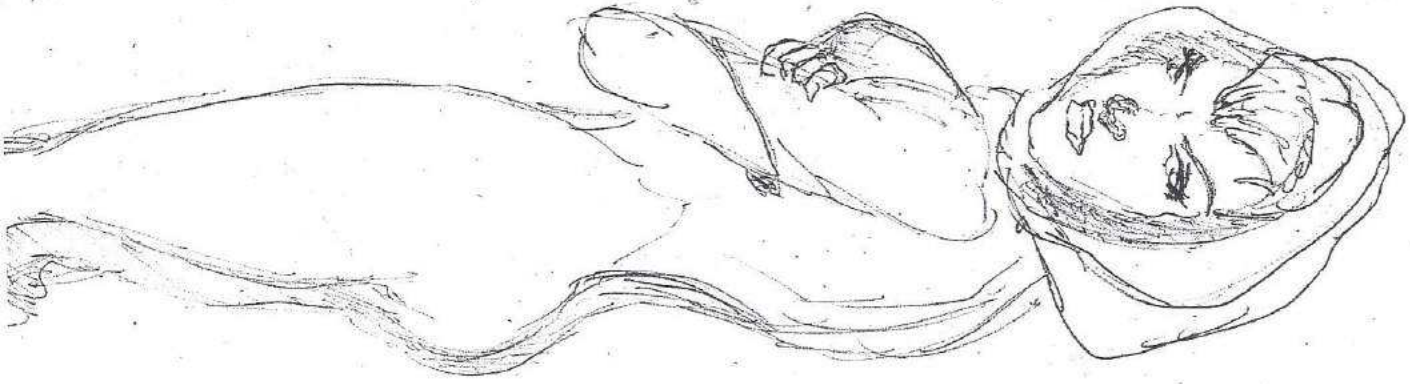
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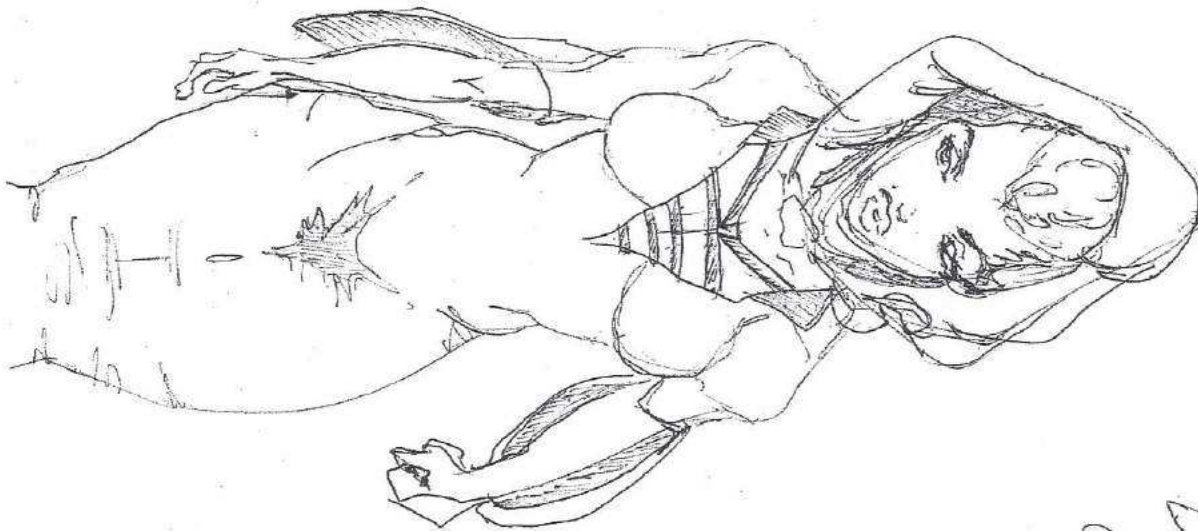
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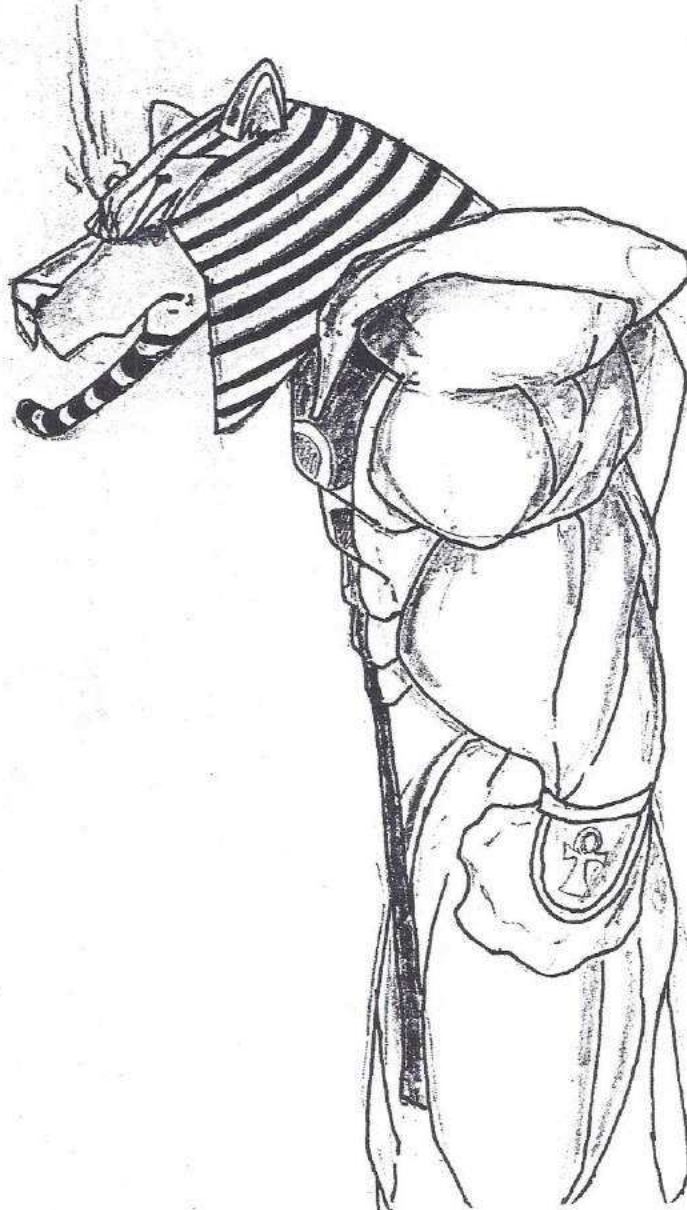
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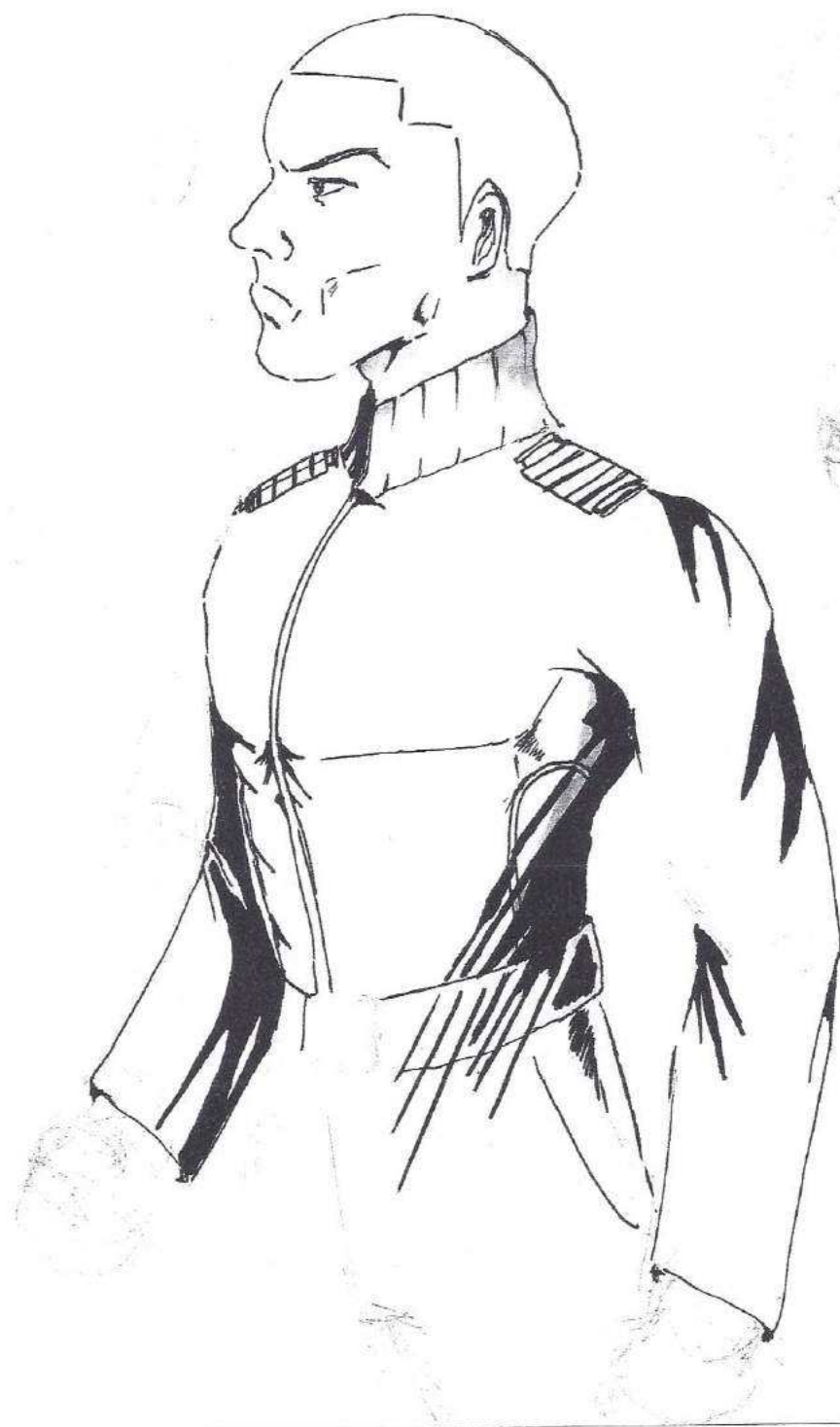


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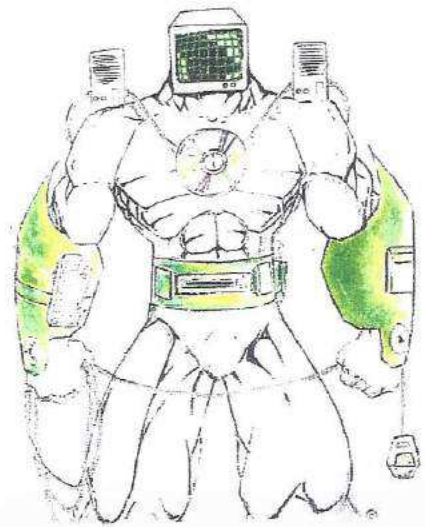
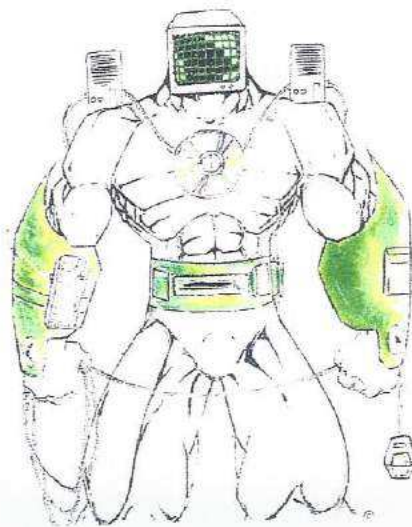
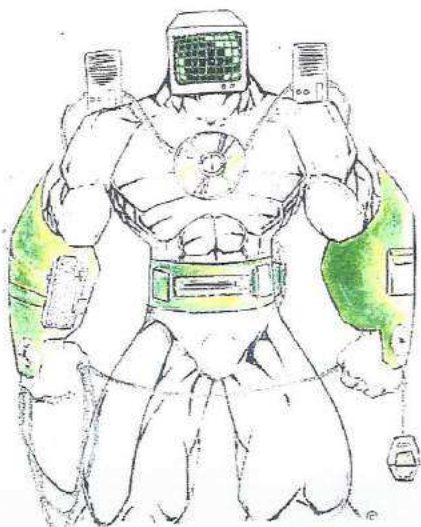
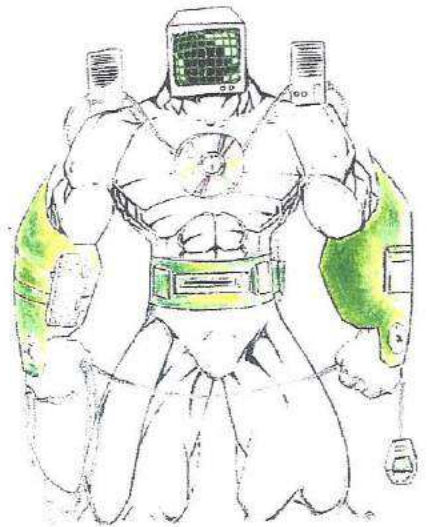
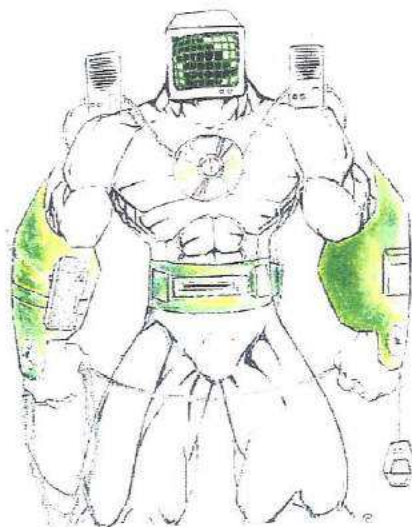
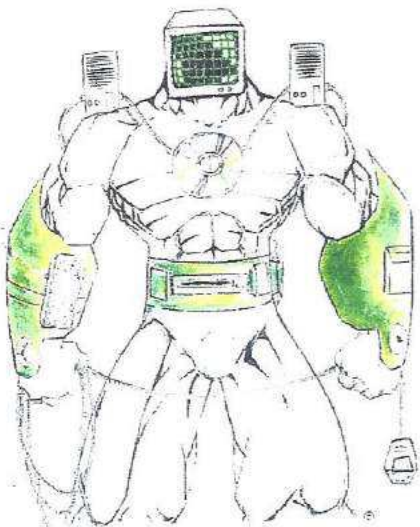
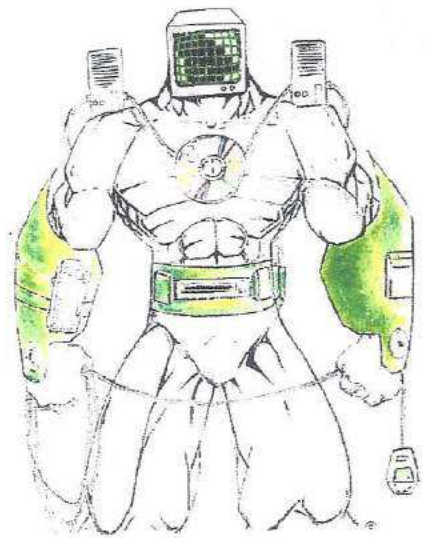
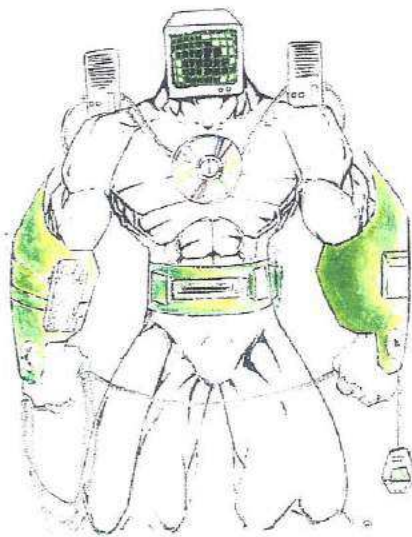
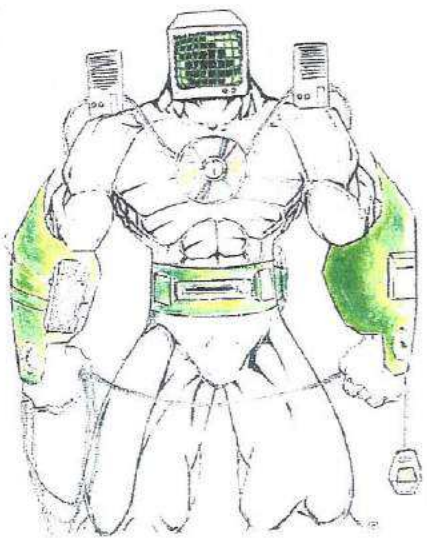


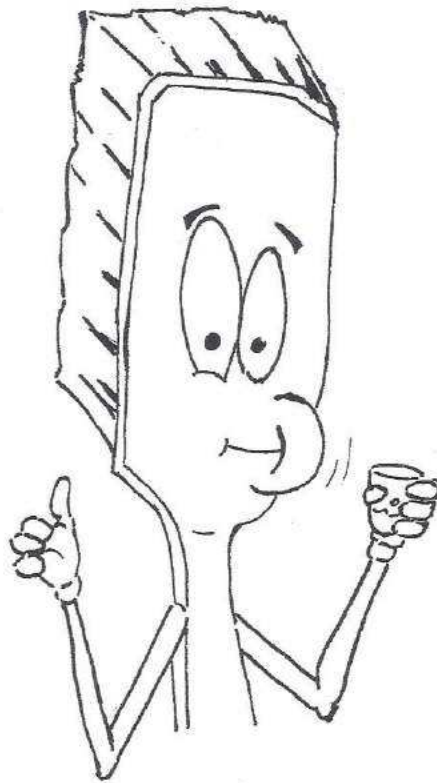
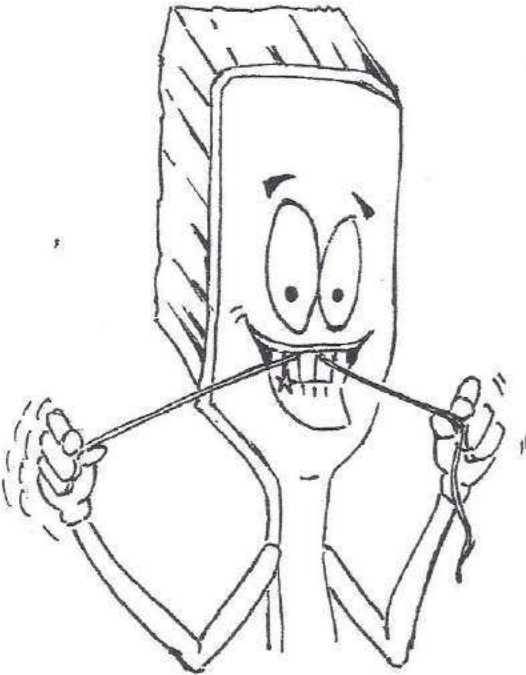
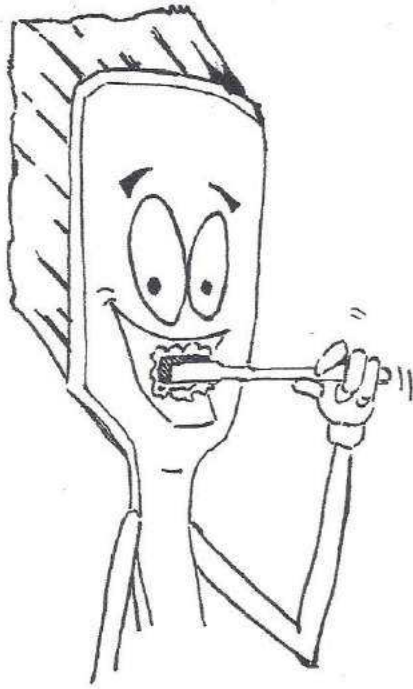
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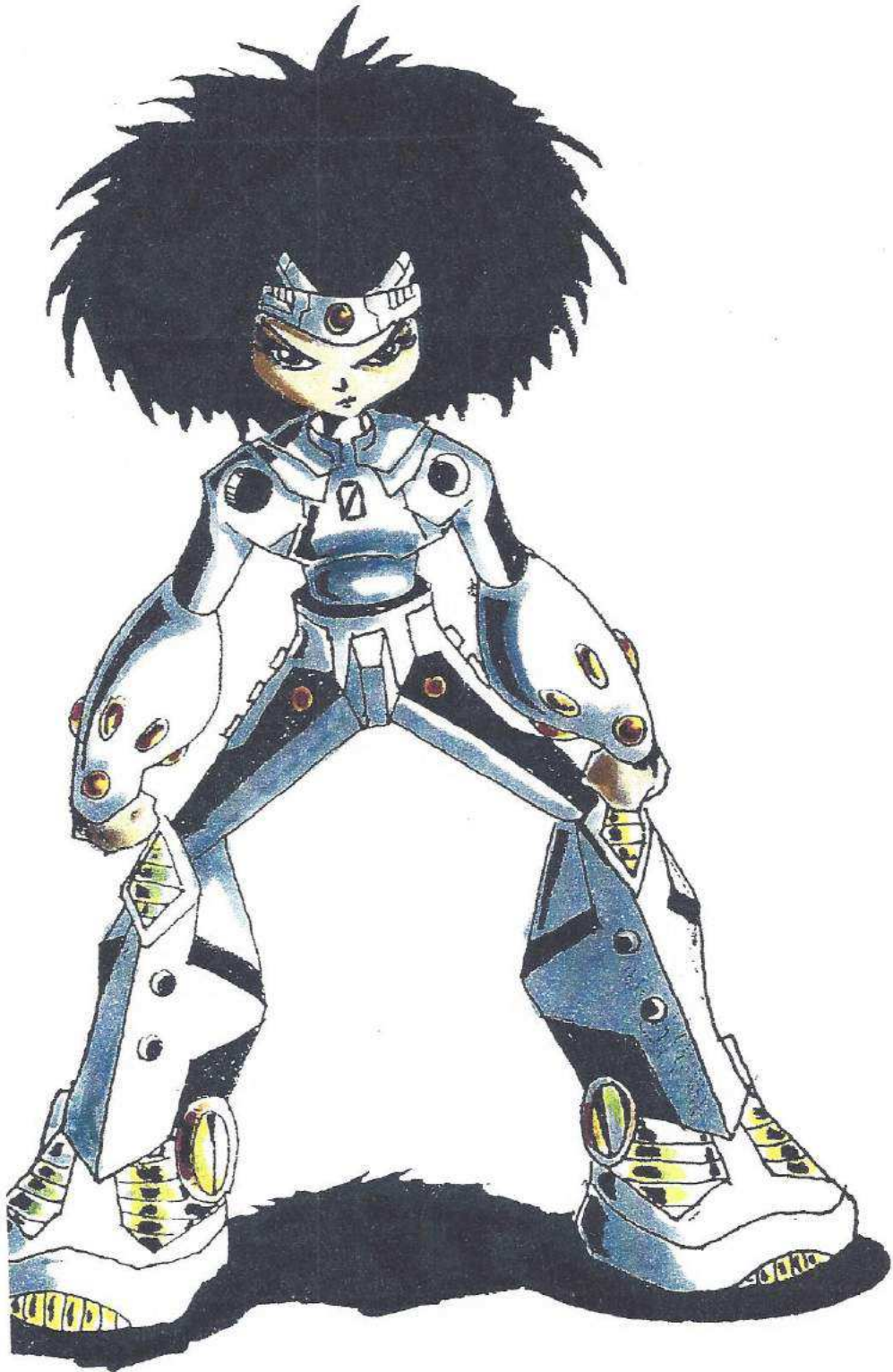






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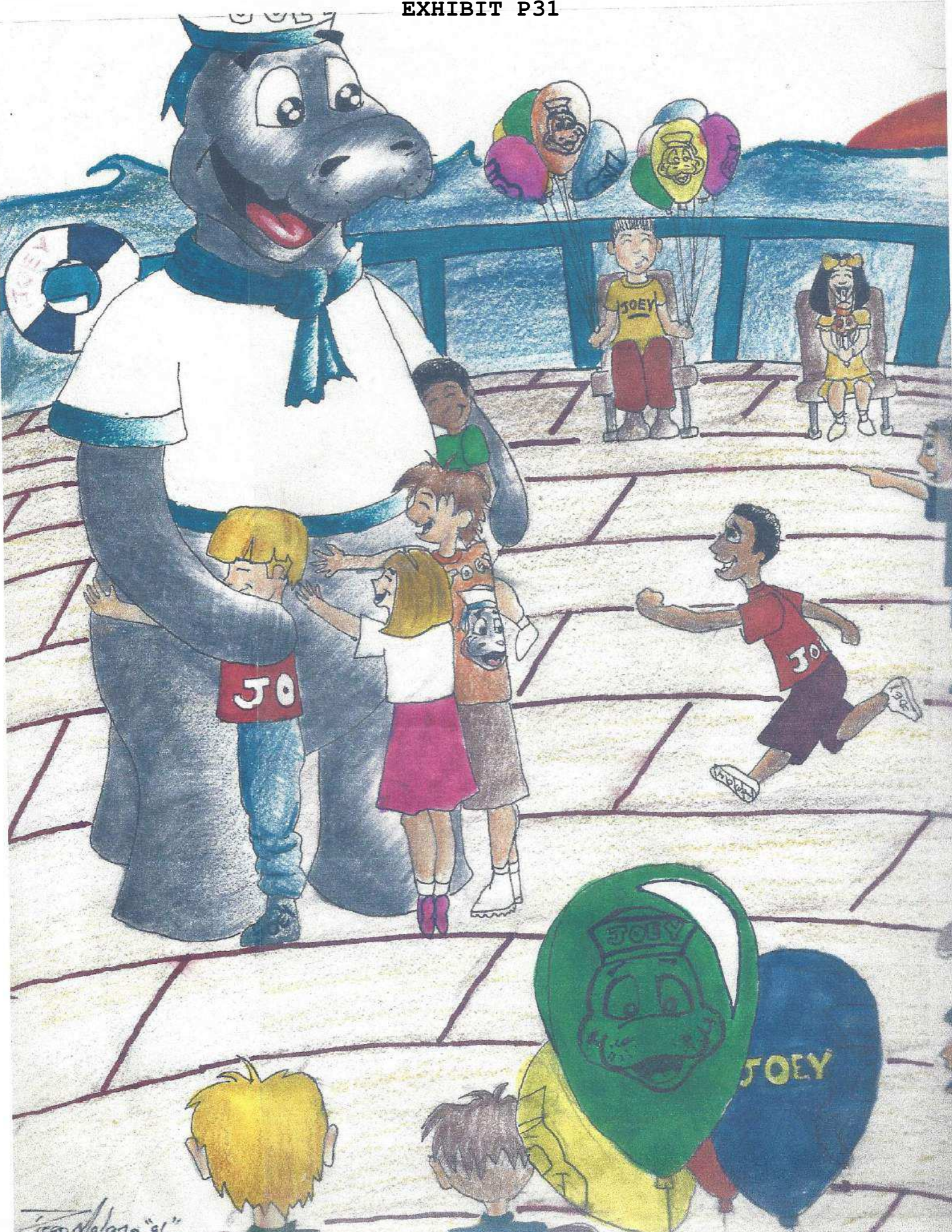


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