

No. 19-46

In the Supreme Court of the United States

UNITED STATES PATENT AND TRADEMARK OFFICE,
ET AL., PETITIONERS

v.

BOOKING.COM B.V.

*ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT*

JOINT APPENDIX

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PETITION FOR A WRIT OF CERTIORARI FILED: JULY 5, 2019
CERTIORARI GRANTED: NOV. 8, 2019

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UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

Docket No. 17-2458

BOOKING.COM B.V., PLAINTIFF-APPELLEE

v.

UNITED STATES PATENT & TRADEMARK OFFICE;
ANDREI IANCU, IN HIS OFFICIAL CAPACITY AS UNDER
SECRETARY OF COMMERCE FOR INTELLECTUAL
PROPERTY AND DIRECTOR OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE; JOSEPH MATAL,
PERFORMING THE FUNCTIONS AND DUTIES OF UNDER
THE SECRETARY OF COMMERCE FOR INTELLECTUAL
PROPERTY AND DIRECTOR OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE; MICHELLE K. LEE,
IN HER OFFICIAL CAPACITY AS DIRECTOR OF THE
UNITED STATES PATENT AND TRADEMARK OFFICE,
DEFENDANTS-APPELLANTS

DOCKET ENTRIES

DATE	DOCKET NUMBER	PROCEEDINGS
12/28/17	<u>3</u>	ORDER filed [1000215639] consolidating case 17-2459 with 17-2458. Cross-appeal appellants: United States Patent and Trademark Office, Joseph Matal. Copies to all parties. [17-2458, 17-2459] KH [Entered: 12/28/2017 03:03 PM]

* * * * *

DATE	DOCKET NUMBER	PROCEEDINGS
3/12/18	<u>21</u>	BRIEF by Appellants Andrei Iancu and United States Patent & Trademark Office in 17-2458, Appellees Andrei Iancu and United States Patent & Trademark Office in 17-2459 in electronic and paper format. Type of Brief: OPENING. Method of Filing Paper Copies: mail. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 03/13/2018. [1000256451] [17-2458, 17-2459] Tyce Walters [Entered: 03/12/2018 10:16 PM]
3/12/18	<u>22</u>	Joint FULL ELECTRONIC APPENDIX and full paper appendix by Appellants Andrei Iancu and United States Patent & Trademark Office in 17-2458, Appellees Andrei Iancu and United States Patent & Trademark Office in 17-2459. Method of Filing Paper Copies: mail. Date paper copies mailed dispatched or delivered to court: 03/13/2018. [1000256452] [17-2458, 17-2459] Tyce Walters [Entered: 03/12/2018 10:23 PM]
		* * * * *
3/19/18	<u>25</u>	AMICUS CURIAE BRIEF by American Intellectual Property

DATE	DOCKET NUMBER	PROCEEDINGS
		Law Association in electronic and paper format. Method of Filing Paper Copies: hand delivery. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 03/19/2018. [1000260391] [17-2458, 17-2459] Theodore Davis [Entered: 03/19/2018 03:49 PM]
		* * * * *
4/11/18	<u>31</u>	BRIEF by Appellee Booking.com B.V. in 17-2458 in electronic and paper format. Type of Brief: OPENING/RESPONSE. Method of Filing Paper Copies: mail. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 04/11/2018. [1000274793] [17-2458, 17-2459]—[Edited 04/12/2018 by MFT—text modified] Jonathan Moskin [Entered: 04/11/2018 05:36 PM]
		* * * * *
5/29/18	37	BRIEF by Appellants Andrei Iancu and United States Patent & Trademark Office in 17-2458, Appellees Andrei Iancu and United States Patent & Trademark Office in 17-2459 in electronic and paper format. Type of Brief: RESPONSE/REPLY. Method

DATE	DOCKET NUMBER	PROCEEDINGS
		of Filing Paper Copies: mail. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 05/30/2018. [1000303169] [17-2458, 17-2459] Tyce Walters [Entered: 05/29/2018 07:19 PM]
		* * * * *
6/12/18	<u>39</u>	BRIEF by Appellee Booking.com B.V. in 17-2458, Appellant Booking.com B.V. in 17-2459 in electronic and paper format. Type of Brief: REPLY. Method of Filing Paper Copies: mail. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 06/12/2018. [1000311279] [17-2458, 17-2459] Jonathan Moskin [Entered: 06/12/2018 04:48 PM]
		* * * * *
10/31/18	56	ORAL ARGUMENT heard before the Honorable Robert B. King, Allyson K. Duncan and James A. Wynn, Jr.. Attorneys arguing case: Tyce R. Walters for Appellants United States Patent & Trademark Office and Andrei Iancu and Jonathan Ellis Moskin for Appellee Booking.com B.V. in 17-2458, Jonathan Ellis Moskin for Appellant Booking.com B.V. and

DATE	DOCKET NUMBER	PROCEEDINGS
		<p>Tyce R. Walters for Appellees United States Patent & Trademark Office and Andrei Iancu in 17-2459. Courtroom Deputy: Emily Borneisen. [1000395324] [17-2458, 17-2459] EB [Entered: 10/31/2018 01:06 PM]</p> <p>* * * * *</p>
2/4/19	<u>59</u>	<p>JUDGMENT ORDER filed. Decision: Affirmed. Originating case number: 1:16-cv-00425-LMB-IDD. Entered on Docket Date: 02/04/2019. [1000450531] Copies to all parties and the district court/agency. [17-2458, 17-2459] TF [Entered: 02/04/2019 10:55 AM]</p> <p>* * * * *</p>
2/27/19	<u>61</u>	<p>AMENDED OPINION filed amending and superseding opinion dated February 4, 2019. Originating case number: 1:16-cv-00425-LMB-IDD. Copies to all parties. [17-2458, 17-2459] KH [Entered: 02/27/2019 09:12 AM]</p> <p>* * * * *</p>
3/21/19	<u>63</u>	<p>MOTION by Booking.com B.V. in 17-2459 to stay mandate. Date and method of service: 03/21/2019</p>

DATE	DOCKET NUMBER	PROCEEDINGS
		ecf. [1000479926] [17-2458, 17-2459] Jonathan Moskin [En- tered: 03/21/2019 06:55 PM]
3/21/19	<u>64</u>	PETITION for rehearing en banc by Andrei Iancu and United States Patent & Trademark Office in 17-2458, 17-2459. [17-2458, 17-2459]—[Edited 03/25/2019 by LDJ to modify event to reflect rehearing en banc relief only] Tyce Walters [Entered: 03/21/2019 07:32 PM]
3/22/19	<u>65</u>	Letter re: petition for rehearing en banc filed March 21, 2019, clarifying that the government does not request panel rehearing [64] Motion by Andrei Iancu and United States Patent & Trade- mark Office in 17-2458, 17-2459. [1000480638] [17-2458, 17-2459] Tyce Walters [Entered: 03/22/2019 06:07 PM]
		* * * * *
4/5/19	<u>67</u>	COURT ORDER filed [1000488096] denying Motion for rehearing en banc [64] Copies to all parties. [17-2458, 17-2459] KH [Entered: 04/05/2019 09:14 AM]

DATE	DOCKET NUMBER	PROCEEDINGS
4/5/19	<u>68</u>	COURT ORDER filed [1000488625] Court order filed deconsolidating 17-2458 and 17-2459, staying the mandate in 17-2459 pending Supreme Court decision in Iancu v. Nantkwest. [63] Copies to all parties. [17-2458, 17-2459] KH [Entered: 04/05/2019 04:03 PM]
4/15/19	<u>69</u>	Mandate issued. Referencing: [61] amending order/opinion, [59] Judgment order. Originating case number: 1:16-cv-00425-LMB-IDD. [17-2458] KH [Entered: 04/15/2019 11:24 AM]

* * * * *

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(ALEXANDRIA)

Civil Docket for Case: 1:16-cv-00425-LMB-IDD

BOOKING.COM B.V., PLAINTIFF

v.

MICHELLE K. LEE, IN HER OFFICIAL CAPACITY AS
DIRECTOR OF THE UNITED STATES PATENT AND
TRADEMARK OFFICE; THE UNITED STATES PATENT
AND TRADEMARK OFFICE; JOSEPH MATAL, PERFORMING
THE FUNCTIONS AND DUTIES OF UNDER THE SECRETARY
OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND
TRADEMARK OFFICE, DEFENDANTS

DOCKET ENTRIES

DATE	DOCKET NUMBER	PROCEEDINGS
4/15/16	<u>1</u>	COMPLAINT against Michelle K. Lee, The United States Patent and Trademark Office filed by Booking.com B.V. (Filing fee \$400.00, receipt number 14683058547). (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Civil Cover Sheet, # <u>3</u> Receipt) (pmil,) (Entered: 04/19/2016)
		* * * * *
6/28/16	<u>15</u>	ANSWER to <u>1</u> Complaint by Michelle K. Lee, The United States Patent and Trademark

DATE	DOCKET NUMBER	PROCEEDINGS
		Office. (Barghaan, Dennis) (Entered: 06/28/2016)
		* * * * *
12/9/16	<u>60</u>	MOTION for Summary Judgment by Michelle K. Lee, The United States Patent and Trademark Office. (Barghaan, Dennis) (Entered: 12/09/2016)
12/9/16	<u>61</u>	Memorandum in Support re <u>60</u> MOTION for Summary Judgment filed by Michelle K. Lee, The United States Patent and Trademark Office. (Attachments: # <u>1</u> Exhibit A part 1, # <u>2</u> Exhibit A part 2, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G) (Barghaan, Dennis) (Entered: 12/09/2016)
		* * * * *
12/9/16	<u>63</u>	MOTION for Summary Judgment by Booking.com B.V.. (Kapatkin, Brian) (Entered: 12/09/2016)
12/9/16	<u>64</u>	Memorandum in Support re <u>63</u> MOTION for Summary Judgment filed by Booking.com B.V.. (Attachments: # <u>1</u> Exhibit 1—Poret Report, # <u>2</u> Exhibit 2—Leslie Report, # <u>3</u> Affidavit A—Dunlap

DATE	DOCKET NUMBER	PROCEEDINGS
		Declaration, # <u>4</u> Affidavit B—Supp. Dunlap Declaration, # <u>5</u> Affidavit C—Moskin Declaration, # <u>6</u> Affidavit D—Poret Declaration, # <u>7</u> Affidavit E—Leslie Declaration) (Kapatkin, Brian) (Entered: 12/09/2016)
		* * * * *
1/13/17	<u>71</u>	Memorandum in Opposition re <u>63</u> MOTION for Summary Judgment filed by Michelle K. Lee, The United States Patent and Trademark Office. (Attachments: # <u>1</u> Exhibit H) (Barghaan, Dennis) (Entered: 01/13/2017)
1/13/17	<u>72</u>	Memorandum in Opposition re <u>60</u> MOTION for Summary Judgment filed by Booking.com B.V.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Affidavit Moskin Declaration, # <u>5</u> Affidavit Leslie Declaration) (Kapatkin, Brian) (Entered: 01/13/2017)
		* * * * *
1/25/17	<u>74</u>	Reply to Motion re <u>63</u> MOTION for Summary Judgment filed by Booking.com B.V.. (Kapatkin, Brian) (Entered: 01/25/2017)

DATE	DOCKET NUMBER	PROCEEDINGS
1/25/17	<u>75</u>	REPLY to Response to Motion re <u>60</u> MOTION for Summary Judgment filed by Michelle K. Lee, The United States Patent and Trademark Office. (Attachments: # <u>1</u> Exhibit I, # <u>2</u> Exhibit J) (Barghaan, Dennis) (Entered: 01/25/2017) * * * * *
8/9/17	<u>87</u>	MEMORANDUM OPINION re: Cross-Motions for Summary Judgment. Signed by District Judge Leonie M. Brinkema on 08/09/17. (pmil,) (Entered: 08/09/2017)
8/9/17	<u>88</u>	ORDER, for the reasons in the accompanying Memorandum Opinion, pltf's <u>63</u> Motion for Summary Judgment is GRANTED IN PART AND DENIED IN PART; Defts' <u>60</u> Motion for Summary Judgment is GRANTED IN PART AND DENIED IN PART; the United States Patent and Trademark Office register pltf's marks in the '998 Application and '097 Application as to the Class 43 services; the '365 and '366 Applications be and are remanded to the USPTO for further adminis-

DATE	DOCKET NUMBER	PROCEEDINGS
8/9/17	<u>89</u>	<p>trative proceedings consistent with the findings and conclusions of the accompanying Memorandum Opinion to determine whether the design and color elements in those two applications, in combination with the protectable word mark, are eligible for protection as to the Class 43 services; Judgment be and is entered in favor of the depts as to the Class 39 services for all four applications and in favor of pltf for the marks in the '998 Application and '097 Application as to the Class 43 services (see Order for details). Signed by District Judge Leonie M. Brinkema on 08/09/17. (pmil,) (Entered: 08/09/2017)</p> <p>JUDGMENT is hereby entered in favor of the defendants as to the Class 39 services for all four applications and in favor of the plaintiff for the marks in the 998 Application and 097 Application as to the Class 43 services. (Entered by Clerk on 08/09/17 pursuant to FRCP 58) (pmil,) (Entered: 08/09/2017)</p> <p>* * * * *</p>

DATE	DOCKET NUMBER	PROCEEDINGS
9/6/17	<u>94</u>	MOTION to Alter Judgment by Joseph Matal, The United States Patent and Trademark Office. (Barghaan, Dennis) (Entered: 09/06/2017)
9/6/17	<u>95</u>	Memorandum in Support re <u>94</u> MOTION to Alter Judgment filed by Joseph Matal, The United States Patent and Trademark Office. (Barghaan, Dennis) (Entered: 09/06/2017) * * * * *
9/13/17	<u>97</u>	Memorandum <i>in Partial Opposition</i> to <u>94</u> MOTION to Alter Judgment filed by Booking.com B.V.. (Kapatkin, Brian) (Entered: 09/13/2017) * * * * *
9/19/17	<u>101</u>	REPLY to Response to Motion re <u>94</u> MOTION to Alter Judgment filed by Joseph Matal, The United States Patent and Trademark Office. (Barghaan, Dennis) (Entered: 09/19/2017) * * * * *
10/26/17	<u>110</u>	MEMORANDUM OPINION. Signed by District Judge Leonie

DATE	DOCKET NUMBER	PROCEEDINGS
		M. Brinkema on 10/26/17. (gwalk,) (Entered: 10/26/2017)
10/26/17	<u>111</u>	ORDER—For the reasons stated in the accompanying Memorandum Opinion, defendants’ Motion to Amend Judgment <u>94</u> is GRANTED IN PART AND DENIED IN PART; and defendants’ Motion for Expenses <u>98</u> is GRANTED; and it is hereby ORDERED that the Order issued on August 9, 2017 <u>88</u> be and is VACATED, and the Clerk shall file an Amended Judgment Order to be concurrently issued. Signed by District Judge Leonie M. Brinkema on 10/26/17. (gwalk,) (Entered: 10/26/2017)
10/26/17	<u>112</u>	AMENDED JUDGMENT ORDER. Signed by District Judge Leonie M. Brinkema on 10/26/17. (gwalk,) (Entered: 10/26/2017)
		* * * * *
12/22/17	<u>118</u>	NOTICE OF APPEAL as to <u>112</u> Order by Joseph Matal, The United States Patent and Trademark Office. (Barghaan, Dennis) (Main Document 118 replaced on 12/27/2017) to correct transmis-

DATE	DOCKET NUMBER	PROCEEDINGS
12/26/17	<u>119</u>	<p>sion error (acha,). (Entered: 12/22/2017)</p> <p>NOTICE OF CROSS APPEAL by Booking.com B.V.. Filing fee \$505, receipt number 0422-5873486. (Kapatkin, Brian) (Entered: 12/26/2017)</p> <p>* * * * *</p>

**IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE**

Mark:



Serial: 79/122366

Filing Date: Nov. 7, 2012

Applicant: Booking.com B.V.

Examiner: Nelson B. Snyder
Law Office 107

**DECLARATION UNDER 37 C.F.R. § 2.20 OF ACQUIRED
DISTINCTIVENESS UNDER SECTION 2(f)**

The undersigned hereby declares as follows:

1. I am an authorized representative of the Applicant corporation and am authorized to sign this Declaration on behalf of the Applicant.

2. Applicant was incorporated in 1996. Applicant has been providing hotels and consumers alike with an online hotel reservation service through which hotels all over the world can advertise their rooms for reservation and through which consumers all over the world can make reservations. Between 1996 and June 2006, Applicant provided this service using the mark BOOKINGS. In June 2006, Applicant modified its mark to BOOKING.COM and has been providing services under that mark since then.

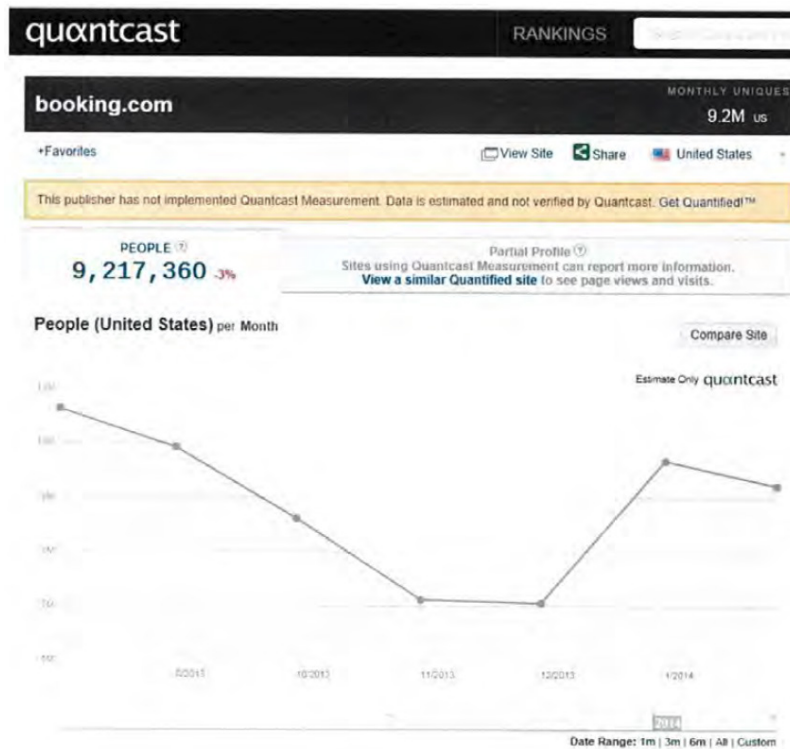
3. In connection with its mark BOOKING.COM, Applicant offers customers the ability to make reserva-

tions at over 446,000 hotels and accommodations-providers in over 200 countries.

4. The total transaction value of mobile accommodation reservations made through the BOOKING.COM website more than doubled from over \$3 billion in 2012 to over \$8 billion in 2013.

5. Applicant's BOOKING.COM branded website receives over thirty million (30,000,000) unique visitors each month.

6. Over the past six months, Applicant's BOOKING.COM branded website has received an average of 10.3 million (10,374,527) unique visitors from the United States per month. Below is a true screenshot of Quantcast, a web metrics tool, that shows the number of unique visitors to BOOKING.COM from the United States as follows: 10,631,010 (Aug. 2013), 9,918,025 (Sept. 2013), 8,618,932 (Oct. 2013), 7,122,169 (Nov. 2013), 7,061,055 (Dec. 2013), 9,678,611 (Jan. 2014).



7. Over 625,000 room nights are reserved through Applicant's BOOKING.COM service every day.

8. Applicant offers its BOOKING.COM service in more than 40 languages.

9. There are over 2.2 million United States-based subscribers to newsletters branded under the BOOKING.COM mark. These newsletters advertise Applicant's BOOKING.COM service and are sent out an average of 2-3 times per month.

10. Applicant has reached millions of American television viewers through BOOKING.COM television commercials aired on the following channels: ABC,

CBS, NBC, Sports, Fox Soccer, MSNBC, TBS, TNT, A&E, History, USA, Comedy Central, Bravo, HGTV, FX, IFC, Travel, Style, E!, TNT, AMC, ESPN, BBC, DIY, Fox Soccer, NBA TV, Science Channel, TLC, Nat Geo, SYFY, Spike, and TruTV, among others.

11. Applicant's BOOKING.COM services has received numerous industry awards, including, for example:

- J.D. Power and Associates, a premier research and analytics firm, ranked BOOKING.COM First in Consumer Satisfaction among independent travel websites based on a consumer survey (awarded in 2013);
- Hospitality Sales & Marketing Association International, the hospitality industry's leading advocate for intelligent, sustainable hotel revenue growth, awarded Booking.com a "Gold" level Adrian Award for its 2013 BOOKING.YEAH advertising campaign (awarded in 2014);
- Mobile Travel & Tourism awarded BOOKING.COM the "Best Tablet App" (awarded in 2014);
- Mobile Travel & Tourism awarded BOOKING.COM the Best Mobile Site. (awarded in 2014).

Copies of these awards or press about the awards is attached as composite *Exhibit A*.

12. In the first quarter of 2013, Applicant reached over 20 million (20,000,000) American consumers through BOOKING.COM commercials broadcast in movie theaters prior to the feature film.

13. In the first quarter of 2013, Applicant reached over 19 million (19,000,000) American consumers through BOOKING.COM Internet commercials streamed on websites such as Hulu.com, Tremor.com, and YouTube.com.

14. On the social media website, Facebook.com, over 1.8 million people have “liked” BOOKING.COM and nearly 58,000 consumers are “talking about” BOOKING.COM. Below is a true and correct screenshot from BOOKING.COM Facebook page.



15. On the micro-blogging site Twitter, over 42,000 people are “following” BOOKING.COM. Consumers frequently use @bookingcom to engage Applicant in dialogue through Twitter.

16. A search for Applicant’s mark BOOKING.COM on the Google News service generated over 2,000 unsolicited news articles. These news articles use BOOKING.COM to refer to Applicant, specifically. A representative sample of these articles include the following:

- NBC News, “Hotel booking giant Booking.com flexes muscle in US,” by Rob Lovitt, available at <http://www.nbcnews.com/travel/travelkit/hotel->

booking-giant-booking-com-flexes-muscle-us-1B8068233 (January 23, 2013).

- Orlando Business Journal, “Booking.com adding 200 positions in Orlando,” by Cindy Barth, available at <http://www.bizjournals.com/orlando/news/2013/01/30/bookingcom-adding-200-positions-in.html> (January 30, 2013).
- ADWEEK, “Ad of the Day: Booking.com,” by Gabriel Beltrone, available at <http://www.adweek.com/news/advertising-branding/ad-day-booking-com-146688> (January 22, 2013).
- Los Angeles Times, “Readers recommend: Booking.com for last-minute hotel reservations,” by John Alkema, available at <http://articles.latimes.com/2011/dec/10/travel/la-tr-recs-20111207> (December 10, 2011).
- Hospitality.net, “Booking.com Announces Distribution Agreement with Marriott International,” available at <http://www.hospitalitynet.org/news/154000320/4037753.html> (September 17, 2008).

Copies of these articles are enclosed as *Exhibit B* to this Declaration.

17. Although Booking.com maintains its actual advertising budgets and sales figures as confidential, based on the above evidence and my knowledge of the business, I am quite certain that the subject mark is recognized as a source-identifier and has become distinctive of Applicant’s services through its substantial sales and great commercial success, as well as its substantially exclusive and continuous use of the mark in U.S. commerce for many years, including Applicant’s

substantially exclusive and continuous use of the subject mark in U.S. commerce for at least five (5) years immediately before the date of this statement.

18. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statement may jeopardize the validity of the application or any resulting registration, declares that the facts set forth in this application and accompanying declaration are true: all statements are made of his own knowledge are true: and all statements made on information and belief are believed to be true.

Applicant,
Booking.com B.V.

Date: May 12, 2014

By: /s/ RUTGER MARINUS PRAKKE
Name: Rutger Marinus Prakke
Title: Director

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Mark:



Serial: 79/122.366

Filing Date: Nov. 7, 2012

Applicant: Booking.com B.V.

Examiner: Nelson B. Snyder III
Law Office 107

DECLARATION UNDER 37 C.F.R. § 2.20

The undersigned hereby declares as follows:

1. I am an authorized representative of the Applicant corporation and am authorized to sign this Declaration on behalf of the Applicant. I base this declaration on my personal knowledge and my complete access to the relevant books and records of Booking.com B.V.

2. Based on my experience, it is clear to me that Applicant's BOOKING.COM mark is distinctive and that it functions as a source-identifier for Applicant and its online accommodation reservation services.

3. Applicant has advertised its BOOKING.COM mark extensively in the United States through web advertisements, television commercials, movie theatre previews, cross-linking partnerships with other major websites, social media participation, direct mailings, and other channels of advertising.

4. Through its various forms of advertising, Applicant has consistently reached millions of American consumers over several years. As the examples in this declaration show, Applicant's BOOKING.COM mark is always used as a unitary mark and displayed in such a manner that consumers are likely to perceive "BOOKING.COM" as a unitary and distinctive mark.

5. The following web banners were displayed on the homepage of the popular travel website TripAdvisor.com in May 2013.



6. In each of the foregoing advertisements, BOOKING.COM is used as a unitary mark. Given the nature of use, prominent placement, and use of contrasting color scheme in which the color of the mark is tied to the color of the "action" button, BOOKING.

COM is presented to consumers viewing these advertisements as the brand name for Applicant's services, not as a generic term naming travel websites, generally. Applicant's use of the descriptive phrase "Planet Earth's #1 Accommodation Site" in close proximity to its trademark BOOKING.COM further underscores that consumers are likely to recognize Applicant's mark as a distinctive trademark. The descriptive term for the services is "Accommodation Site;" the trademark is BOOKING.COM.

7. BOOKING.COM partnered with the popular on-line movie ticket vendor Fandango.com for a Halloween-themed promotion from October 25, 2013 to October 31, 2013. Fandango sells approximately 80% of all online movie tickets.

8. The BOOKING.COM promotion on Fandango included a special "House of Horrors" tab on the home page for Fandango. When a user clicked on the tab, he or she would reach a "House of Horrors" home page featuring BOOKING.COM-created and branded movie posters and short videos about humorous "travel horrors." The following chart shows the user's experience from the home page, to the "House of Horrors" page, to a BOOKING.COM listing housed on the Fandango website.



9. Complementing this promotion, Booking.com also purchased the rights to the background “skin” on the Fandango website as shown below with “The Queen Anne Hotel” mock movie “presented by” BOOKING.COM.



10. Booking.com also created posters for mock movies, such as “The Gettysburg Hotel” “presented by” BOOKING.COM. The credits at the bottom of the movie poster provide information about the BOOKING.COM service and the actual Gettysburg Hotel.



11. Visitors that clicked on the BOOKING.COM promotions on the Fandango website were directed to related content on the BOOKING.COM website, which

resulted in an increase in web traffic to the BOOKING.COM website.



12. The Fandango promotion reached approximately 6.6 million viewers.

13. Through these and other creative, fun, and unconventional promotions, Booking.com has set itself apart as a unique service provider and has cultivated a distinctive public image and brand. In each of these advertisements, the BOOKING.COM mark appears as a prominent, unitary mark and is used in such a way that consumers are likely to perceive it as a source-indicator rather than as a generic or descriptive term for a type of travel website.

14. That consumers perceive BOOKING.COM as a source indicator is not mere conjecture; it is evident from the tens of thousands of unsolicited customer reviews and comments about BOOKING.COM available online. Each of these customer reviews plainly uses and recognizes BOOKING.COM as a trademark identifying a single source, not as a generic term referring to travel websites generally. Attached as Exhibit 1 to this Declaration are true and correct printouts from *Review Center* which has 9,672 reviews for BOOKING.COM with an average rating of 4.4 out of 5 stars (<http://www.reviewcentre.com/reviews195173.html>) and *Feefo* which has 57,396 reviews for BOOKING.COM

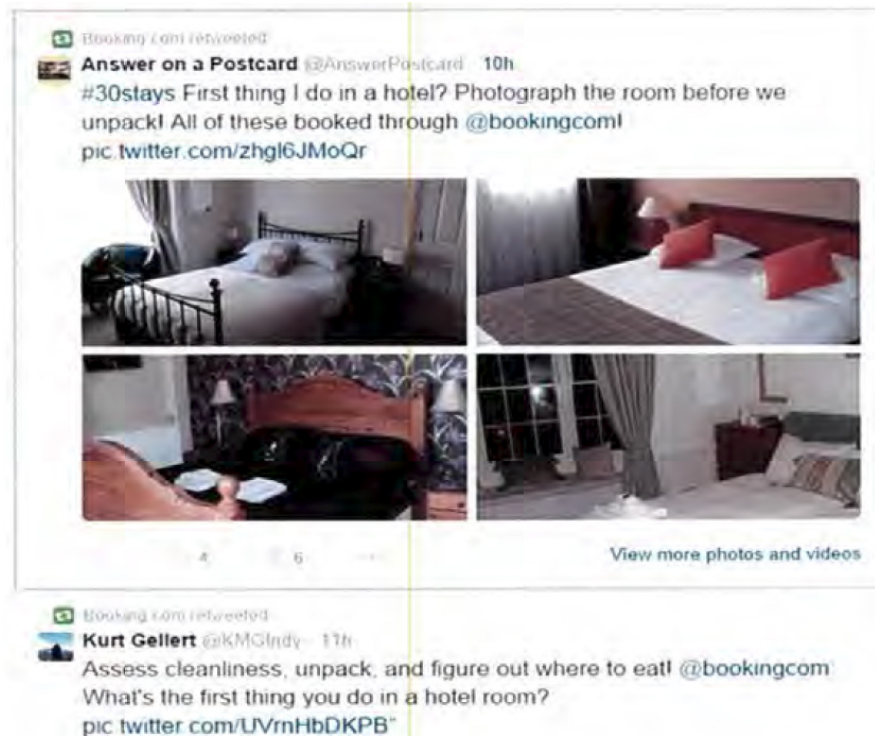
with an aggregate rating of 94% (http://www.feefo.com/GB/en/reviews/Bookingcom_gb/?id=575437&mode=service).

15. The fact that consumers perceive BOOKING.COM as a source indicator is also evident from the interactions between consumers and Applicant on social media. For example, over 54,300 individuals “follow” Booking.com on the social media site Twitter. Based on publicly available data from www.twitter.com, this is more “followers” than comparable travel accommodation sites such as HOTELS.COM (51,400 followers), TRIVAGO (16,700 followers) and HOTWIRE (18,500 followers). True and correct screenshots taken September 24, 2014 of portions of the Twitter pages for these companies showing the number of “followers” are reproduced below.



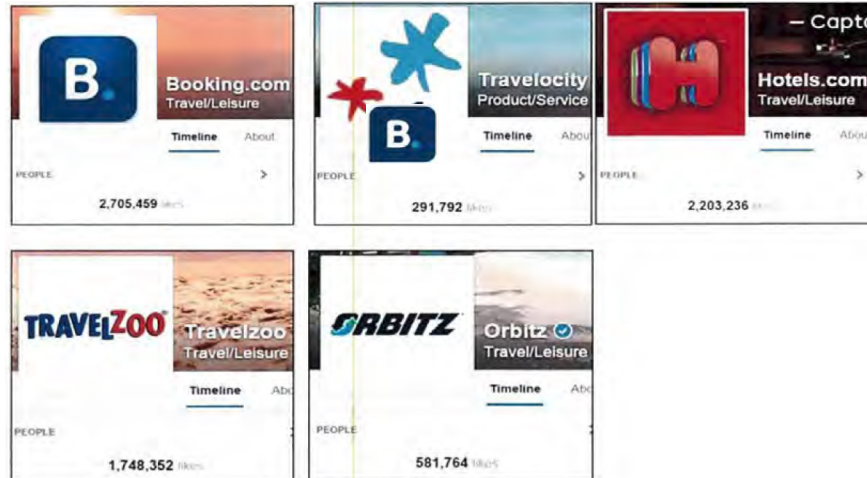


16. Customers regularly communicate directly with Applicant through Twitter. Below are screenshots taken September 23, 2014 of customers using the Twitter handle @bookingcom to contact Applicant. This further demonstrates that consumers perceive BOOKING.COM as a unitary mark that points uniquely and exclusively to Applicant, rather than as a generic name for a type of travel service.



17. Over 2,705,400 individuals have “liked” Booking.com’s BOOKING.COM branded page on the social media site Facebook. The number of “likes” by consumers demonstrates strong customer loyalty and recognition of BOOKING.COM as a brand. For context, the number of individuals that have “liked” the BOOKING.COM page on Facebook is significantly higher than those that have liked the pages of comparable companies such as Travelocity (291,792 “likes”), Hotels.com (2,203,236 “likes”), TravelZoo (1,748,350 “likes”), and Orbitz (581,764 “likes”), based on publicly available data from www.facebook.com. True and correct screenshots taken September 23, 2014 of por-

tions of the Facebook pages for the above-referenced companies showing the number of “likes” are reproduced below.



14. Booking.com frequently promotes its BOOKING.COM mark in conjunction with or in close proximity to its B-dot Logo (Reg. No. 4,460,494).¹ An example of this type of advertising is the Booking.com main website which uses the B-dot Logo as the “favicon” in the browser tab. The B-dot Logo appears adjacent to the word mark BOOKING.COM. The B-dot Logo also appears in alerts to customers and in the BOOKING.COM mobile app. This type of advertising underscores to consumers that BOOKING.COM must be viewed as a unitary mark in which the “dot” is an integral component.

¹ Copies of Applicant’s registrations for the B-dot Logo and BOOKING.YEAH are attached as Exhibit 2 to this Declaration.



15. Applicant's family of marks, including its BOOKING.COM, B-dot Logo, and BOOKING.YEAH (Reg. No. 4491012) marks use a consistent dark blue, light blue, and white color scheme, letter stylization and overall look. The unified branding contributes to the distinctiveness of Applicant's applied-for mark. An example of a BOOKING.YEAH advertisement appears below.



16. Based on the above evidence and my knowledge of the business, I am quite certain that the subject mark is recognized as a source-identifier by the relevant consumers.

17. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful statements may jeopardize the validity of the application or any resulting registration, declares that the facts set forth in this application and accompanying declaration are true; all statements are made of his own knowledge are true; and all statements made on information and belief are believed to be true.

Applicant,
Booking.com B.V.

Date: Oct. 10, 2014

By: /s/ JAAP VAN DEN BROEK

Name: Jaap van den Broek

Title: Legal Counsel

EXPERT REPORT OF HAL PORET

**SURVEY TO ASSESS WHETHER BOOKING.COM
IS PERCEIVED TO BE A TRADEMARK OR A
GENERIC NAME**

REPORT PREPARED FOR:
Foley & Lardner LLP

PREPARED BY:
Hal Poret
142 Hunter Ave
Sleepy Hollow, NY 10591

Sept. 2016

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BACKGROUND AND PURPOSE

Booking.com B.V. filed four applications for the mark BOOKING.COM for the following services:

Serial No. 79122365	Hotel reservation services for others; holiday accommodation
Serial No. 79122366	reservation services and resort reservation services, namely, providing hotel room reservation services and resort hotel reservation services and providing online hotel and resort hotel room reservation services; providing information about hotels, hotel accommodations and resorts accommodations, whether or not based on the valuation of customers; information, advice and consultancy relating to the aforesaid services; the aforesaid services also provided electronically, in International Class 43.
Serial No. 85485097	Travel agency services, namely, making reservations for transportation; travel and tour ticket reservation services; travel agency services, namely, making reservations for transportation for tourists; provision of travel information; providing consultation related to making reservations for transportation, and

	<p>travel and tour ticket reservation; all of the foregoing services rendered in-person and via the internet, in International Class 39.</p> <p>Making hotel reservations for others in person and via the internet; providing personalized information about hotels and temporary accommodations for travel in-person and via the Internet; providing on-line reviews of hotels; consultation services related to making hotel reservations for others, provision of personalized information about hotels and temporary accommodations for travel, and on-line reviews of hotels, in International Class 43.</p>
Serial No. 79114998	<p>Arranging of tours and arranging of tours online; reservation and sale of travel tickets and online reservation and sale of travel tickets; information, advice and consultancy regarding the arranging of tours and the reservation and sale of travel tickets; provision of information relating to travel and travel destinations; travel and tour agency services, namely, travel and tour ticket reservation services;</p>

travel agency services; tourist agency services; providing online travel and tourism services, namely, providing online travel and tour ticket reservation services, online travel agency services, online tourist agency services and providing online information relating to travel and travel destinations, in International Class 39.

Making hotel reservations for others; holiday accommodation reservation services and resort reservation services, namely, providing hotel room reservation services and resort hotel reservation services and providing online hotel and resort hotel room reservation services; providing information about hotels, holiday accommodations and resorts accommodations, whether or not based on the valuation of customers; providing information, advice and consultancy relating making hotel reservations and temporary accommodation reservations; providing online information, advice and consultancy relating making hotel reservations and temporary accommodation reservations, in International Class 43.

The applications were ultimately refused on the grounds of genericness, and the matters were appealed to the Trademark Trial and Appeal Board (“TTAB”), which affirmed the refusals to register the marks.

Foley & Lardner retained me to design and conduct a survey to determine the extent to which, if at all, the term BOOKING.COM is perceived to be a generic term by the relevant consumers.

In connection with designing my survey and preparing this report, I reviewed the following materials: (1) Booking.com website; (2) Application Nos. 79122365 and 7912236, 79114998, 85485097; (3) TTABVUE Online files for the relevant applications; (4) TTAB decision in *In re Booking.com B.V.* dated February 18, 2016 (Serial Nos. 79122365 and 7912236); (5) TTAB decision in *In re Hotels.com, L.P.*, 87 USPQ2d 1110 (TTAB 2008); (6) Federal Circuit decision in *In re Hotels.com, L.P.*, 91 USPQ2d 1532 (Fed. Cir. 2009).

The fee charged for the survey is \$40,000. This includes the fees paid to the survey programming and sampling services and preparation of this report. Any additional work in connection with this matter will be charged at my rate of \$625 per hour.

AUTHORSHIP AND QUALIFICATIONS

This study was designed, supervised, and implemented by Hal L. Poret, President at Hal Poret, LLC.

I have personally designed, supervised, and implemented approximately 1,000 surveys regarding the perceptions and opinions of consumers. Over 200 have involved consumer perception with respect to trademarks, and over 200 have been conducted online. I have personally designed numerous studies that have been admitted as evidence in legal proceedings and I have been accepted as an expert in survey research on numerous occasions by U.S. District Courts, the Trademark Trial and Appeal Board, the FTC, and the National Advertising Division of the Council of Better Business Bureaus (NAD).

I am a member of the American Association of Public Opinion Research, publisher of *Public Opinion Quarterly* and the *Journal of Survey Statistics and Methodology*, the Council of American Survey Research Organizations (CASRO), the International Trademark Association, and the National Advertising Division of the Council of Better Business Bureaus (NAD). I routinely conduct market research surveys for a variety of small to large corporations and organizations.

I have frequently spoken at major intellectual property and legal conferences on the topic of how to design and conduct surveys that meet legal evidentiary standards for reliability, including conferences held by the International Trademark Association (INTA), American Intellectual Property Law Association, Practicing Law Institute, Managing Intellectual Property, Promotions

Marketing Association, American Conference Institute, and various bar organizations.

In addition to my survey research experience, I hold bachelor's and master's degrees in mathematics and a J.D. from Harvard Law School. Additional biographical material, including lists of testimony and publications, is provided in Appendix A.

/s/ HAL PORET
HAL PORET

Dated: Sept. 6, 2016

STUDY DESIGN

A total of 400 respondents participated in this online survey among consumers who search for or make hotel or travel arrangements online.¹

The survey employed the well-accepted Teflon format for assessing whether a term is generic. Following the Teflon format, respondents in the survey were shown a series of terms (including the BOOKING.COM mark at issue) one at a time and for each term were asked if they believe the term is a trademark (i.e. a brand name) or a generic term (i.e. a common name), or if they don't know. In order to address possible concerns that survey respondents might answer that any DOT-COM name is a brand, I adapted the Teflon format in order to control for this issue. As discussed below, the list of terms shown in the Teflon study included other DOT-COM terms to assess and control for the extent to which respondents might assume and answer that any DOT-COM term is a brand name. This allows us to compare the perceptions of BOOKING.COM to other DOT-COM terms that clearly do or do not function as brands in order to assess whether consumer perception of BOOKING.COM as a brand name meaningfully exceeds the rate at which respondents will answer that a generic term with ".com" at the end is a brand.

In order to control for response-order bias, two versions of the survey were administered and each were taken by half of all respondents. Version 1 of the

¹ See the Sampling section of this report for more information regarding who qualified for and completed the survey.

survey first presented the concept of what a “brand name” is, followed by what a “common name” is. Meanwhile, Version 2 first presented the concept of what a “common name” is, followed by what a “brand name” is.

As this was an online survey, all of the instructions and questions were displayed on respondents’ computer screens and each question appeared on its own screen.

Version 1

After a series of initial screening questions, all respondents were prompted as follows:

This survey is about ***brand*** names and ***common*** names. In a few moments you will be asked about a number of terms that you may or may not have seen or heard before. But first, please read the next two screens about what we mean by a ***brand*** name and what we mean by a ***common*** name.

On a new screen, respondents were then informed:

Brand names are names that companies use to identify who a product or service comes from. Brands names primarily let the consumer know that a product or service comes from a specific company.

For example, TOYOTA, CHASE, and STAPLES.COM are all brand names. These terms primarily identify for a consumer who a product or service comes from.

STAPLES.COM was included in the examples of brands as an illustration of a DOT-COM term that is a trademark.

And then on the next screen:

Common names are words used to identify a type of product or service—in other words, what the product or service is, not who makes it. Common names primarily let the consumers know what type of product or service is being offered.

For example, unlike the brand names TOYOTA, CHASE, and STAPLES.COM; AUTOMOBILE, BANK, AND OFFICESUPPLIES.COM are all common names. These terms primarily identify for the consumer what type of product or service a company is selling, rather than who the product or service comes from.

OFFICESUPPLIES.COM was included as an example of a common term to illustrate that not all DOT-COM terms are brand names and that a term that takes a generic term such as OFFICE SUPPLIES and adds “.com” can be a generic term.

Since STAPLES.COM (as a brand) and OFFICESUPPLIES.COM (as a generic term) were both included in the examples, the survey neither gave emphasis to “brand” or “common” in the case of DOT-COM terms. Rather, it was balanced and objective, with no skewing in either direction.

Respondents were then asked:

Do you understand the difference between a brand name and a common name?

Respondents who answered “Yes” continued with the interview. Those who indicated they did not understand or were unsure about the concept of a “brand name” versus “common name” did not continue and did

not ultimately count toward the final number of completed interviews.

Next, respondents were asked:

Which type of name would you say **KELLOGG** is?

- Brand name
- Common name
- Don't know

Respondents were also asked:

Which type of name would you say **CEREAL** is?

- Brand name
- Common name
- Don't know

Respondents who correctly answered that **KELLOGG** is a brand name and that **CEREAL** is a common name continued with the survey. Respondents who did not correctly answer both these questions were excluded from the survey and are not included in the survey data or analysis.

Respondents who continued were then instructed:

You will now see a series of **bolded** terms, one at a time, that you may or may not have seen or heard before. Under each term, you will also see a description of products or services for that term. For each term shown in bold, please answer whether you think the term is a **brand** name or a **common** name in the context of the products or services described. Or if you don't know, you may select that option.

Then, one at a time, respondents were shown one of seven terms with product descriptions until all seven

terms had been seen. As each term appeared on screen, respondents were asked:

Do you think this is a . . .

- Brand name
- Common name
- Don't know

The list of terms and product descriptions shown to respondents included the following term at issue:

BOOKING.COM

Hotel and other lodging reservation services

Three trademark (i.e. brand name) terms:

ETRADE.COM

Stock and investor broker services

PEPSI

Cola and other soft drinks

SHUTTERFLY

Photo-sharing and photo gifts service

And three generic (i.e. common name) terms:

SPORTING GOODS

Products used in sports and other physical activity

WASHINGMACHINE.COM

Reviews and sales of washing machines

SUPERMARKET

Retail sale of food and other groceries

Asking respondents about all seven of these terms provided a benchmark against which to measure the pro-

portion of respondents who perceived BOOKING.COM as a brand name or common name.

There were four separate rotations in which the order of these terms were presented to respondents. Presenting the terms in four different rotations prevented biasing of results due to the order in which the terms were asked.

One quarter of all respondents were presented the terms and product descriptions in each rotation.

Rotation 1:

- BOOKING.COM Hotel and other lodging reservation services
- SPORTING GOODS Products used in sports and other physical activity
- ETRADE.COM Stock and investor broker services
- PEPSI Cola and other soft drinks
- SHUTTERFLY Photo-sharing and photo gifts service
- WASHINGMACHINE.COM Reviews and sales of washing machines
- SUPERMARKET Retail sale of food and other groceries

Rotation 2:

- WASHINGMACHINE.COM Reviews and sales of washing machines
- SHUTTERFLY Photo-sharing and photo gifts service

- BOOKING.COM Hotel and other lodging reservation services
- SPORTING GOODS Products used in sports and other physical activity
- PEPSI Cola and other soft drinks
- ETRADE.COM Stock and investor broker services
- SUPERMARKET Retail sale of food and other groceries

Rotation 3:

- SPORTING GOODS Products used in sports and other physical activity
- ETRADE.COM Stock and investor broker services
- PEPSI Cola and other soft drinks
- SUPERMARKET Retail sale of food and other groceries
- BOOKING.COM Hotel and other lodging reservation services
- SHUTTERFLY Photo-sharing and photo gifts service
- WASHINGMACHINE.COM Reviews and sales of washing machines

Rotation 4:

- WASHINGMACHINE.COM Reviews and sales of washing machines
- SHUTTERFLY Photo-sharing and photo gifts service

- SUPERMARKET Retail sale of food and other groceries
- SPORTING GOODS Products used in sports and other physical activity
- ETRADE.COM Stock and investor broker services
- PEPSI Cola and other soft drinks
- BOOKING.COM Hotel and other lodging reservation services

These rotations were carefully structured so as not to bias the responses to the term BOOKING.COM. Each of the other six terms and product descriptions were shown before BOOKING.COM in half of the rotations and after BOOKING.COM in the other half. In addition, in each rotation, the same number of brand names and common names were shown prior to BOOKING.COM so that the pattern of terms respondents saw before BOOKING.COM could not bias expectations as to whether BOOKING.COM is a brand name or common name.

As indicated above, ETRADE.COM was included in the lineup of terms as an example of a DOT-COM brand name and WASHINGMACHINE.COM was included as an example of a DOT-COM generic term. The inclusion of WASHINGMACHINE.COM in particular allows us to assess the extent to which respondents will identify a generic term as a brand when “.com” is added to the end, and to assess the extent to which the rate of perceiving BOOKING.COM as a brand exceeds this “noise” level.

Version 2

Respondents in Version 2 took an identical survey with the sole exception that the term “common name” was

always presented ahead of the term “brand name.” This consistently occurred in three scenarios throughout the survey.

First, in Version 2, the term “common name” was presented in front of “brand name” in all descriptions or questions regarding common name versus brand names. For example, the following instructions was initially shown to respondents in Version 2:

This survey is about ***common*** names and ***brand*** names. In a few moments you will be asked about a number of terms that you may or may not have seen or heard before. But first, please read the next two screens about what we mean by a ***common*** name and what we mean by a ***brand*** name.

Respondents were next shown the concept of what a common name is, followed by the concept of what a brand name is. In Version 1 of the survey these two concepts were presented in reverse order.

Second, any time respondents were given an option to select either “common name” or “brand name” as a possible answer, the order of these two response options was flipped. That is, response options to these types of questions were always presented as follows to respondents in Version 2:²

- Common name
- Brand name
- Don’t know

² In Version 1 “brand name” was the first option and “common name” was second.

Third, the order in which the following two questions (which assessed whether or not respondents correctly perceived KELLOGG to be a brand name and CEREAL to be a common name) were asked was reversed. Accordingly, respondents in Version 2 were first asked:

Which type of name would you say **CEREAL** is?

- Common name
- Brand name
- Don't know

Followed by:

Which type of name would you say **KELLOGG** is?

- Common name
- Brand name
- Don't know

Aside from these changes to the order in which “common name” and “brand name” were shown throughout the survey, all aspects of the survey between Version 1 and Version 2 were identical.

This concluded the survey for all respondents.

Screenshots of the survey will be provided in Appendix C.

SUMMARY OF KEY FINDINGS

This section details certain key survey findings. Other survey results are discussed further in the Detailed Findings section below.

- 1) 74.8% (299 out of 400) of all respondents identified BOOKING.COM to be a brand name.
- 2) The other trademarks included in the survey were also recognized as brand names by the majority of respondents:
 - PEPSI—was recognized as a brand name by 99.3% (397 out of 400).
 - ETRADE.COM—was recognized as a brand name by 96.8% (387 out of 400).
 - SHUTTERFLY—was recognized as a brand name by 96.8% (387 out of 400).
- 3) The generic names included in the survey were similarly recognized as common names by the vast majority of respondents:
 - SUPERMARKET—was recognized as a common name by 100% (400 out of 400).
 - SPORTING GOODS—was recognized as a common name by 99.5% (398 out of 400).
 - WASHINGMACHINE.COM—was recognized as a common name by 60.8% (243 out of 400).
- 4) Only 30% of respondents identified WASHINGMACHINE.COM as a brand, a dramatically lower rate than the 74.8% that identified BOOKING.COM as a brand. The

fact that the large majority of respondents assessed WASHINGMACHINE.COM to be a generic term validates that the survey produces reliable results with respect to DOT-COM names and does not lead to the conclusion that any DOT-COM name is a brand. Likewise, the fact that the “brand” response for BOOKING.COM exceeded the result for WASHINGMACHINE.COM by a margin of nearly 45% validates that the perception of BOOKING.COM is a brand is not the product of any flaw in the survey process that leads to a DOT-COM term being improperly deemed a brand because it is a web address.

- 5) It is my opinion that these results strongly establish that BOOKING.COM is not perceived by consumers to be a generic term.

See Detailed Findings section below for additional information on results. The full data will be provided in its original electronic form in Appendix D.

METHODOLOGY

THE RELEVANT UNIVERSE OF INTEREST

The appropriate sample universe for this survey consisted of U.S. consumers who search for or make hotel or travel arrangements online.

The following screening questions were employed to ensure the final survey sample was comprised of respondents from the appropriate sample universe.

First, after initial demographic questions, all potential respondents were asked:

In the past 6 months, which of the following, if any, have you used a website or mobile app for?

(Select all that apply)

Respondents could select as many as applied to them from the following list, or “None of the above:”

- To search for or make hotel or travel arrangements
- To network either personally or professionally
- To order groceries
- To find or make restaurant reservations
- To deposit or transfer money to a bank account

Respondents who selected “to search for or make hotel or travel arrangements” were considered part of the relevant sample universe and qualified to participate in the main survey. The other options on the list were provided in order to mask the survey topic and to provide respondents with a list of options from which they could select.

Next, respondents were asked:

In the next 6 months, which of the following, if any, are you likely to use a website or mobile app for?

(Select all that apply)

Respondents were shown an identical list of options as those that were presented in response to the previous question and could again select as many as applied to them, or “None of the above.”

Respondents who selected “to search for or make hotel or travel arrangements” in response to this question were also considered part of the relevant sample universe and qualified to participate in the main survey.

As is standard practice, respondents who work or have someone in their immediate household who works in advertising or market research were screened out.

Upon completion of the main survey, all respondents were asked the following final question for classification purposes.

Do you or does anyone in your household work in any of the following areas?

(Select all that apply)

The following table displays the randomized list of response options available to respondent and the proportion of final respondents who selected each:

Works in Related Field		
N=400	N	%
Travel	3	0.8%

Hotel/motel	3	0.8%
Real estate rental	8	2.0%
Hospitality	5	1.3%
None of these	382	95.5%

Including this question allowed me to exclude from my analysis any respondent who works or has someone in their household who works in a field related to the topic of the survey. The reason this question was asked at the end of the survey as opposed to during the initial screening questions was to avoid any potential bias to the survey results due to the mention of these industries as a key topic of the survey prior to respondents answering the main survey questions.

Excluding the eighteen respondents who indicated that they or someone in their household works in one of these areas would not impact the results of my analysis.

This concluded the screening and classification questions for all respondents.

The actual wording of the screening questions used is shown in Appendix B.

SAMPLING PLAN

The sampling plan involved a random selection of consumers who are part of an online panel.

Online surveys are well-accepted in the field of survey research as a standard, reliable methodology. Indeed, online surveys are now the most common method of conducting market research among consumers. Busi-

nesses and other organizations routinely make decisions of importance based on the results of online survey research, and online surveys have been accepted in evidence in numerous U.S. District Court cases. I have personally designed and executed numerous internet surveys that have been accepted by courts.

The sample of panelists used in the survey was provided by Research Now, a leading supplier of online sample for surveys. I have worked with Research Now on many surveys and have found its procedures and panels to be highly reliable. Research Now has a large and diverse panel consisting of millions of Americans and is highly regarded as a reputable source of respondents for online surveys within the field of market research. Research Now utilizes appropriate industry procedures for ensuring the integrity and quality of its panels. Research Now employs a “by-invitation-only” panel recruitment model to enroll pre-validated individuals and, therefore, maintains a panel comprised of the most credible survey takers who are less prone to self-selection bias. Quality and integrity of its research panel is also obtained and maintained in the following ways.

- It requires a double opt-in and agreement to provide truthful and well-considered answers to online market research surveys. First, potential panelists opt-in during the enrollment process, and then they are sent a follow-up email confirmation that requests the potential panelist to click a link to validate the opt-in. Then, he or she is sent a follow-up email providing access to their member account and they can begin receiving surveys.

- A unique email address is required to opt-in to the panel and physical addresses provided by panelists in the US are verified against government postal information.
- Research Now implements data quality measures by focusing on identifying and pursuing panelists who exhibit suspicious behaviors. This is done by identifying members through routine review of behaviors and sometimes with the help of its clients, and then evaluating a wider set of behaviors, particularly members profile information and survey performance.
- Research Now also employs a “Three Strikes Policy” in which panelists who commit survey offenses, such as speeding, inattentiveness, poor quality open ends, answering inconsistencies, and selecting dummy answers, are flagged with an “offense” code. Panelists who are flagged three times for such offenses are disqualified from panel membership and future surveys.

Throughout the initial field period, I continued to monitor the actual rate of qualification within each individual age and gender group. The calculated incidence of consumers who search for or make hotel or travel arrangements online within each age and gender group is shown in the following table:

Initial Incidence Within Each Age & Gender Group:		
	<u>Male</u>	<u>Female</u>
21 - 34	54.7%	52.6%

35 - 54	65.8%	53.7%
55 and older	64.6%	67.0%

I then calibrated these individual incidence rates against U.S. Census data by age and gender and set revised age and gender quotas for the final sample size of 400.

The following tables display the final proportion of sample achieved by age and gender:

Final Number of Respondents (N=400)		
	N	%
Male 21 - 34	48	12.0%
Male 35 - 54	84	21.0%
Male 55 and older	68	17.0%
Female 21 - 34	46	11.5%
Female 35 - 43	72	18.0%
Female 55 and older	82	20.5%

This methodology for producing a representative sample of the relevant category (here, consumers who search for or make hotel or travel arrangements online) is standard and well-accepted.

Invitations were also sent in proportion to U.S. Census data by region. The following table displays the final proportion of sample achieved by region:

Final Number of Respondents by Region (N=400)		
	N	%
Midwest	89	22.3%
Northeast	80	20.0%
South	125	31.3%
West	106	26.5%

Given that a clear majority of respondents identified BOOKING.COM as a brand name among both men and women, within all age groups, and in every geographic region, the precise demographics of the survey respondents was not important to the results. The results could be re-weighted based on any proportion of age, gender and geography and the conclusion would not change at all.

DATA PROCESSING

Data was collected by Focus Vision, a company specializing in web survey programming and data collection and processing, and made available to Hal Poret, LLC through an electronic portal on an ongoing basis. The data set showing each respondent's answers to all questions will be provided in electronic form.³

³ See Appendix D of this report.

INTERVIEWING PROCEDURES

The online survey was programmed and hosted by Focus Vision. My staff and I thoroughly tested the programmed survey prior to any potential respondents receiving the invitation to participate in the survey.

DOUBLE-BLIND INTERVIEWING

It is important to point out that the study was administered under “double-blind” conditions. That is, not only were the respondents kept uninformed as to the purpose and sponsorship of the study, but the services involved in providing the sample and administering the online interviews (Focus Vision and Research Now) were similarly “blind” with respect to the study’s purpose and sponsorship.

INTERVIEWING PERIOD

Interviewing was conducted from March 29, 2016 through April 4, 2016.

QUALITY CONTROL

Several measures were implemented in order to ensure a high level of quality control and validation with respect to respondents taking the survey.

Upon initially entering the survey, all respondents were required to pass a test to decipher that each respondent is a live person. The test employed in this survey is a CAPTCHA⁴ program that generates a task that humans can pass but current computer programs cannot. CAPTCHA is a well-known and widely-used tool in online survey research.

⁴ CAPTCHA is an acronym for “Completely Automated Public Turing test to tell Computers and Humans Apart.”

Upon successfully passing the CAPTCHA test, respondents were then asked to enter their age followed by their gender. This information was checked against the sample provider's (Research Now's) demographics on record for each respondent and any respondent providing an incorrect or inconsistent age and/or gender were unable to continue to the main survey.

These combined steps ensured that the survey was being taken by an actual live person and that each person was paying a certain level of attention to the survey questions and taking a certain level of care in entering responses.

The following question was also asked, permitting additional screening out of respondents who were paying insufficient attention or clicking responses indiscriminately:

People vary in the amount of attention they pay to surveys.

For quality assurance, please type the word "Yes" in the blank next to the "Other" box below and then click to continue.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree
- Other _____

Respondents who selected “other” and typed a response in the blank continue with the survey. A review was conducted of all the open-ended answers typed into the blank in order to verify that respondents had indeed typed in “yes,” as instructed.

Respondents were then also asked to carefully read these instructions:

- Please take the survey in one session without interruption.
- While taking the survey, please do not consult any other websites or other electronic or written materials.
- Please answer all questions on your own without consulting any other person.
- If you normally wear eye glasses or contact lenses when viewing a computer screen, please wear them for the survey.

Two options were provided in response to these instructions: 1) I understand and agree to the above instructions, and 2) I do not understand or do not agree to the above instructions. Only respondents who understood and agreed to the instructions were able to continue on to the main section of the survey.

Additionally, the survey program was set up in such a way as to restrict respondents from taking the survey via mobile phones. This contributed to ensuring respondents could easily and clearly view the images displayed in the survey as well as each question and corresponding response options.

DETAILED FINDINGS

I. Results Among All Respondents

The following table displays the proportion of all respondents who identified each trademark as a brand name versus a common name, compared to BOOKING.COM:

N=400	BOOKING.COM Hotel and other lodging reservation services	Brand Names		
		PEPSI Cola and other soft drinks	ETRADE.COM Stock and investor broker services	SHUTTERFLY Photo-sharing and photo gifts service
Brand name	74.8%	99.3%	96.8%	96.8%
Common name	23.8%	0.8%	3.0%	3.0%
Don't know	1.5%	0.0%	0.3%	0.3%

As illustrated in the table, 74.8% (299 out of 400) of all respondents identified BOOKING.COM to be a brand name.

The following table displays the proportion of all respondents who identified each generic term, as a brand name versus a common name, compared to BOOKING.COM:

N=400	BOOKING.COM Hotel and other lodging reservation services	Common Names		
		SUPERMARKET Retail sale of food and other groceries	SPORTING GOODS Products used in sports and other physical activity	WASHINGMACHINE.COM Reviews and sales of washing machines
Brand name	74.8%	0.0%	0.5%	33.0%
Common name	23.8%	100.0%	99.5%	60.8%
Don't know	1.5%	0.0%	0.0%	6.3%

The high rates at which respondents identified all three trademarks, as brand names—i.e. 99.3% (397 out of 400) of respondents answered that PEPSI is a brand name, 96.8% (387 out of 400) answered that ETRADE.COM is a brand name and 96.8% (387 out of 400) answered that SHUTTEFLY is a brand name—validates that these results are accurate and not due to guessing or other forms of error. In other words, the survey design does result in true trademarks being properly identified as a brand name by a clear majority of consumers.

Additionally, the high rates at which respondents identified the three generic terms, as common names—i.e. 100% (400 out of 400) of respondents answered that SUPERMARKET is generic, 99.5% (398 out of 400) answered that SPORTING GOODS is generic and 60.8% (243 out of 400) answered that WASHINGMACHINE.COM as common—further validates that these results are accurate and not due to guessing or other forms of error. In other words, the survey design does result in true generic terms being properly identified as common names by a clear majority of consumers.

In particular, the fact that the large majority of respondents identified WASHINGMACHINE.COM as a generic term validates that the survey design does not lead to the conclusion that any DOT-COM term is a

brand. Rather, the results support the conclusion that WASHINGMACHINE.COM is a generic term. This validates that the opposite result for BOOKING.COM, where three-quarters identified it as a brand, is reliable and not the product of any bias in the survey toward deeming a DOT-COM name to be a brand.

It is my opinion that these results strongly establish that BOOKING.COM is not perceived by consumers to be a generic or common name.

**THE FOLLOWING APPENDICES PROVIDED
SEPARATELY:**

**APPENDIX A — CURRICULUM VITAE OF STUDY'S
AUTHOR**

APPENDIX B — QUESTIONNAIRE

**APPENDIX C — SCREENSHOTS OF PROGRAMMED
SURVEY**

APPENDIX D — DATA FILE

Hal L. Poret (hal.inc42@gmail.com; 914-772-5087)

Education

- 1998 Harvard Law School, J.D., *cum laude*
- Editor/Writer—Harvard Law Record
 - Research Assistant to Professor Martha Minow
- 1995 S.U.N.Y. Albany, M.A. in Mathematics, *summa cum laude*
- Statistics
 - Taught calculus/precalculus/statistics
- 1993 Union College, B.S. in Mathematics with honors, *magna cum laude*
- Phi Beta Kappa
 - Resch Award for Achievement in Mathematical Research

Employment

- 2016 - President, Hal Poret LLC
- Design, supervise, and analyze consumer surveys, including Trademark, Trade Dress, Advertising Perception, Consumer Deception, Claims Substantiation studies, Damages, and Corporate Market Research Surveys
 - Consulting regarding survey design and review of other surveys
 - Provided expert testimony at deposition and/or trial regarding survey research in over 100 U.S. District Court

litigations and proceedings in front of TTAB, NAD, FTC and FCC.

2004 - 2015 Senior Vice President, ORC International

- Designed, supervised, and analyzed over 1,000 consumer surveys in legal and corporate market research areas, and provided expert testimony regarding survey research in legal cases.

2003-2004 Internet Sports Advantage

- Developed and marketed proprietary internet sports product, and licensed trademark and intellectual property rights.

1998 - 2003 Attorney, Foley Hoag & Eliot, Boston, MA

- Represented corporations and individuals in trademark, trade dress, advertising, product, and related legal disputes.
- Worked with survey experts in developing and using surveys as evidence in trademark, trade dress and advertising disputes.

Testimony at Trial or by Deposition Past 4 Years

(Party who retained me shown in bold)

2016	Universal Church v. Univ. Life Church (Deposition)	USDC Southern District of NY
2016	U. of Houston v. Houston Col. of Law (Deposition and PI Hearing Testimony)	USDC Southern District of TX
2016	Navajo Nation v. Urban Out- fitters (Daubert Hearing)	USDC Dis- trict of NM
2016	Beaulieu v. Mohawk Carpet Dist. (Deposition)	USDC Northern District of GA
2016	Efficient Frontiers v. Reserve Media (Deposition)	USDC Central District of CA
2016	McAirlaids v. Medline Indus- tries (Deposition)	USDC Eastern District of VA
2016	Under Armour v. Ass Armor (Deposition)	USDC Southern District of FL

2016	C5 & CoorsTek v. CeramTec (Deposition)	USDC Dis- trict of Col- orado
2016	BBC v. Stander (Deposition)	USDC Central District of CA
2016	Caterpillar v. Tigercat (Deposition)	USPTO Opposition
2016	Premier v. Dish Network (Deposition)	USPTO Opposition
2016	Omaha Steaks v. Greater Omaha (Rebuttal Testimony)	USPTO Opposition
2016	EMC v. Pure Storage (Deposition)	USDC District of MA
2016	Top Tobacco v. North Atlantic (Deposition)	USPTO Opposition
2016	Ascension Health v. Ascension Ins. (Deposition)	USDC Eastern District of MO
2016	Quoc Viet v. VV Foods (Deposition and trial)	USDC Cen- tral District of CA

2016	Joules v. Macy's Merchandising Group (Deposition and trial)	USDC Southern District of NY
2015	MMG v. Heimerl & Lammers (Deposition and trial)	USDC District of MN
2015	PRL USA v. Rolex (Deposition)	USDC Southern District of NY
2015	Adidas v. Skechers (Deposition and Injunction hearing)	USDC District of OR
2015	Bison Designs v. Lejon (Deposition)	USDC Dis- trict of CO
2015	Barrera v. Pharmavite (Deposition)	USDC Cen- tral District of CA
2015	Flowers v. Bimbo Bakeries (Deposition)	USDC Mid- dle District of GA
2015	Razor USA v. Vizio (Deposition)	USDC Cen- tral District of CA

2015	Allen v. Simalasan (Deposition)	USDC Southern District of CA
2015	Church & Dwight v. SPD (Deposition and trial)	USDC Southern District of NY
2015	BMG Rights Mgmt. v. Cox Enterprises (Deposition and trial)	USDC Eastern District of VA
2015	Verisign v. XYZ.COM LLC (Deposition)	USDC Eastern District of VA
2015	Select Comfort v. Personal Comfort (Deposition)	USDC District of Minn
2015	Farmer Boys v. Farm Burger (Deposition)	USDC Cen- tral District of CA
2015	Ono v. Head Racquet Sports (Deposition)	USDC Cen- tral District of CA
2015	Select Comfort v. Tempur Sealy (Deposition)	USDC Dis- trict of Minn

2015	ExxonMobil v. FX Networks (Deposition)	USDC Southern District of TX
2015	Mullins v. Premier Nutrition (Deposition)	USDC Northern District of CA
2015	Delta v. Network Associates (Deposition)	USDC Mid- dle District of FL
2015	Brady v. Grendene (Deposition)	USDC Cen- tral District of CA
2015	Zippo v. LOEC (Deposition)	USDC Cen- tral District of CA
2015	Maier v. ASOS (Deposition)	USDC Dis- trict of Mar- yland
2015	Converse In re: Certain Footwear (Deposition and trial)	International Trade Com- mission
2014	Scholz v. Goudreau (Deposition)	USDC Dis- trict of Mass

2014	Economy Rent-A-Car Economy Car Rentals (TTAB Testimony)	v. USPTO
2014	Weber v. Sears (Deposition)	USDC Northern District of IL
2014	Native American Arts v. Stone (Deposition)	USDC Northern District of IL
2014	Gravity Defyer v. Under Armour (Trial)	USDC Cen- tral District of CA
2014	Adams v. Target Corporation (Deposition)	USDC Cen- tral District of CA
2014	PODS v. UHAUL (Deposition and trial)	USDC Mid- dle District of FL
2014	Flushing v. Green Dot Bank (Deposition)	USDC Southern District of NY
2014	Amy's Ice Creams v. Amy's Kitchen (Deposition)	USDC Western District of TX

2014	Unity Health v. UnityPoint (Deposition)	USDC Western District of WI
2014	In re: NCAA Student-athlete litigation (Deposition and Trial)	USDC Northern District of CA
2014	Spiraledge v. SeaWorld (Deposition)	USDC Southern District of CA
2014	Diageo N.A. v. Mexcor (Deposition and Trial)	USDC Southern District of TX
2014	Pam Lab v. Virtus Pharmaceu- tical (Deposition and Trial)	USDC Southern District of FL
2014	US Soccer Federation v. Play- ers Ass'n (Arbitration Testimony)	Arbitration
2014	Estate of Marilyn Monroe v. AVELA (Deposition)	USDC Southern District of NY

2014	Kelly-Brown v. Winfrey, et al. (Deposition)	USDC Southern District of NY
2014	Virco Mfg v. Hertz & Academia (Deposition)	USDC Cen- tral District of CA
2014	In re: Hulu Privacy Litiga- tion (Deposition)	USDC Northern District of CA
2013	Jackson Family Wines v. Dia- geo (Deposition)	USDC Northern District of CA
2013	Bubbles, Inc. v. Sibu, LLC. (Deposition)	USDC Eastern District of VA
2013	Clorox v. Industrias Dalen (Deposition)	USDC Northern District of CA
2013	Globefill v. Elements Spirits (Deposition and trial)	USDC Cen- tral District of CA

2013	Active Ride Shop v. Old Navy (Deposition and trial)	USDC Central District of CA
2013	Macy's Inc. v. Strategic Marks LLC. (Deposition)	Northern District of CA
2013	Karoun Dairies, Inc. v. Karoun Dairies, Inc. (Deposition)	Southern District of CA
2013	Kraft Foods v. Cracker Barrel Old Country (Deposition and Trial)	Northern District of IL
2013	Bayer Healthcare v. Sergeants Pet Care (Deposition and Trial)	Southern District of NY
2013	JJI International v. The Bazar Group, Inc. (Deposition)	USDC Dis- trict of RI
2013	Fage Dairy USA v. General Mills (Deposition)	Northern District of NY
2013	Gameshow Network v. F.C.C. Cablevision (Deposition and trial)	
2013	Telebrands v. Meyer Marketing (Deposition)	USDC Eastern District of CA

2012	Marketquest v. BIC (Deposition)	USDC Southern District of CA
2012	Hornady v. DoubleTap (Deposition)	USDC Dis- trict of Utah
2012	Briggs/Kohler Opposition to Honda (Deposition)	TTAB
2012	Apple v. Samsung (Deposition and Trial)	USDC Northern District of CA
2012	Forest River v. Heartland (Deposition)	USDC Northern District of IN
2012	SPD v. Church & Dwight (Deposition)	USDC Dis- trict of NJ
2012	Brighton Collectibles v. Texas Leather (Deposition)	USDC Southern District of CA
2012	Cytosport v. Vital Pharmaceu- ticals (Deposition)	USDC Eastern District of CA

2012	Authors Guild v. Google (Deposition)	USDC Southern District of NY
2012	Clear Choice v. Real Choice (Opposition testimony)	TTAB
2011	Borghese v. Perlier et al. (Deposition)	USDC Southern District of NY
2011	My Favorite Company v. Wal-Mart (Deposition)	USDC Cen- tral District of CA
2011	PepsiCo v. Pirincci (Opposition testimony)	TTAB
2011	GAP Inc. v. G.A.P. Adventures (Trial)	USDC Southern District of NY
2011	Merck Eprova v. Brookstone (Deposition and trial)	USDC Southern District of NY
2011	Wella, Inc. v. Willagirl LLC (Deposition)	USDC Southern District of NY

2011	Bauer Bros. v. Nike (Deposition)	USDC Southern District of CA
2011	Aviva Sports v. Manley (Deposition)	USDC District of Minnesota
2011	American Express v. Black Card LLC (Deposition)	USDC Southern District of NY
2011	Gosmile v. Dr. Levine (Preliminary Injunction Trial)	USDC Southern District of NY

Presentations

What's New in Advertising Law, Claim Support and Self-Regulation? (ABA Seminar, November 17, 2015)

How Reliable is Your Online Survey
(2015 ASRC Annual Conference, September 29, 2015)

What Do Consumers Think? Using Online Surveys to Demonstrate Implied Claims (ANA Advertising Law and Public Policy Conference, April 1, 2015)

Cutting Edge Developments in Trademark Surveys
(Rocky Mountain Intellectual Property & Technology Institute, May 30, 2013)

Using Survey Experts in Trademark Litigation (DRI Intellectual Property Seminar, May 9, 2013)

Surveys in Trademark and Advertising Litigation (2013 National CLE Conference, Snowmass Colorado, January 2013)

Internet Survey Issues (PLI Hot Topics in Advertising Law Conference, March 2012)

Measuring Consumer Confusion Through Online Surveys (2011 Midwest IP Institute) (September, 2011)

Online Surveys as Evidence in Trademark Disputes (International Trademark Association Annual Conference, May 2011)

Managing Intellectual Property Trademark Roundtable (April 7, 2010)

Recent Trends in Trademark Surveys (Virginia State Bar Intellectual Property Conference, October 2009)

Trademark Surveys in US Litigation (presentation for International Trademark Association Annual Conference) (May 2009)

How to Conduct Surveys for use in Trademark Disputes (Practicing Law Institute Advanced Trademark Law Conference) (May 2009)

Trademark and Advertising Perception Studies for Legal Disputes (Opinion Research Corporation Seminar, June 2008)

Understanding Advertising Perception Surveys (Promotions Marketing Association Annual Law Conference) (November 2007)

Designing and Implementing Studies to Substantiate Advertising Claims (American Conference Institute Claims Substantiation Conference, October 2007)

Surveys in Trademark and False Advertising Disputes
(InfoUSA Webinar, June 2007)

Measuring Consumer Perception in False Advertising and Trademark Cases, (multiple presentations) (2007)

Potential Errors to Avoid In Designing a Trademark Dilution Survey (American Intellectual Property Association paper, April 2007)

Consumer Surveys in Trademark and Advertising Cases (presentation at Promotions Marketing Association Annual Law Conference) (December 2006)

Use of Survey Research and Expert Testimony in Trademark Litigation, (International Trademark Association Annual Conference, May 2006)

Survey Research as Evidence in Trademark/Trade Dress Disputes (multiple presentations) (2006)

Using Surveys to Measure Secondary Meaning of Trade Dress, Legal Education Seminar, Boston, April 2006

Publications/Papers

Cutting Edge Developments in Trademark Surveys
(Rocky Mountain Intellectual Property & Technology Institute, May 2013)

Hot Topics and Recent Developments in Trademark Surveys (paper for May 2013 DRI Intellectual Property Conference)

Surveys in Trademark and Advertising Litigation (2013 National CLE Conference, Snowmass Colorado, January 2013)

Trademark Litigation Online Consumer Surveys
(Practical Law Company Intellectual Property and Technology, May 2012)

Hot Topics in Advertising Law 2012 (Contributor to Practising Law Institute publication)

A Comparative Empirical Analysis of Online Versus Mall and Phone Methodologies for Trademark Surveys, 100 TMR 756 (May-June 2010)

Recent Trends in Trademark Surveys (paper for Virginia State Bar Intellectual Property conference, October 2009)

Trademark Dilution Revision Act breathes new life into dilution surveys (In Brief PLI website, June 2009)

The Mark (Survey Newsletter; three editions 2009)

Hot Topics in Trademark Surveys (paper for Practising Law Institute Advanced Trademark Law Conference) (May 2009)

The Mark (Survey Newsletter, 2008)

Trademark and Advertising Survey Report (Summer 2007)

Avoiding Pitfalls in Dilution Surveys under TDRA (AIPLA Spring Conference, Boston, May 2007)

Commentary

Comment on Hotels.com case (on TTABLOG.COM, July 24, 2009)

Comment on Nextel v. Motorola (on TTABLOG.COM, June 19, 2009)

PLI All-Star Briefing Newsletter, “What does the Trademark Dilution Revision Act mean for the future of Dilution Surveys?” (June 2009)

Professional Memberships/Affiliations

American Association of Public Opinion Research

Council of American Survey Research Organizations

International Trademark Association

National Advertising Division of Council of Better Business Bureaus

SCREENER

BASE: ALL RESPONDENTS

99. In order to access the survey, please enter the words and/or numbers you see in the box.

Insert Captcha [programmer: request respondent to enter unique alpha-numeric code]

BASE: ALL RESPONDENTS

100. Please enter your age. [PROGRAMMER: WHOLE NUMBER. TERMINATE IF DOES NOT MATCH PANELIST'S PRELOAD OR IF UNDER 21. CALCULATE AGE RANGES TO DETERMINE OPEN QUOTAS FOR AGE PRIOR TO CONTINUING.]

1. 21-34
2. 35-54
3. 55+

ASK IF: HAS NOT TERMINATED

105. Are you . . . [CHECK AGAINST PANEL VARIABLE AND TERMINATE IF IT DOES NOT MATCH]

1. Male [PROGRAMMER: FOR PANEL VARIABLE PLEASE ASSIGN VALUE OF "M" FOR MALE]
2. Female [PROGRAMMER: FOR PANEL VARIABLE PLEASE ASSIGN VALUE OF "F" FOR FEMALE]

ASK IF: HAS NOT TERMINATED

110. In what state do you live?

[PROGRAMMER: Drop down menu of states plus D.C. Include an option for “Other” and terminate if it is selected.]

ASK IF: HAS NOT TERMINATED

120. Do you or does anyone in your household work in either advertising or market research?

(Select all that apply)

[RANDOMIZE]

1. Yes, advertising [TERMINATE]
2. Yes, market research [TERMINATE]
3. No, neither of these [ANCHOR; EXCLUSIVE]

ASK IF: HAS NOT TERMINATED

135. In the past 6 months, which of the following, if any, have you used a website or mobile app for?

(Select all that apply)

[RANDOMIZE]

1. To search for or make hotel or travel arrangements
2. To network either personally or professionally
3. To order groceries
4. To find or make restaurant reservations
5. To deposit or transfer money to a bank account

6. None of the above [ANCHOR; EXCLUSIVE]

ASK IF: HAS NOT TERMINATED

140. In the next 6 months, which of the following, if any, are you likely to use a website or mobile app for?

(Select all that apply)

[REPEAT LIST FROM 135 AND IN THE SAME ORDER]

[MUST SELECT 135=1 AND/OR 140=1 TO CONTINUE; OTHERWISE, TERMINATE.]

ASK IF: HAS NOT TERMINATED

150. Which of these age ranges includes your age?
[TERMINATE IF AGE RANGE DOES NOT MATCH AGE BASED ON Q100]

1. Under 21
2. 21 to 34
3. 35 to 54
4. 55 or older

ASK IF: HAS NOT TERMINATED

160. People vary in the amount of attention they pay to surveys.

For quality assurance, please type the word “Yes” in the blank next to the “Other” box below and then click to continue.

1. Strongly agree
2. Agree
3. Neutral
4. Disagree
5. Strongly disagree
6. Other _____ [DO NOT FORCE TEXT BOX]

[TERMINATE IF SELECTED 160/1-5 OR DOES NOT TYPE IN ANY ANSWER]

ASK IF: HAS NOT TERMINATED

170. You have qualified to take this survey. Before continuing, please carefully read these instructions:

- * Please take the survey in one session without interruption.
 - * While taking the survey, please do not consult any other websites or other electronic or written materials.
 - * Please answer all questions on your own without consulting any other person.
 - * If you normally wear eye glasses or contact lenses when viewing a computer screen, please wear them for the survey.
1. I understand and agree to the above instructions
 2. I do not understand or do not agree to the above instructions [TERMINATE]

MAIN SURVEY—ONLY QUALIFIED RESPONDENTS CONTINUE.

[PROGRAMMER: Randomize whether respondent gets Version 1 or 2 in subsequent places where this is a variable.]

410.

[IF VERSION 1 INSERT, “*brand*” FIRST & “*common*” SECOND IN THE FIRST & LAST SENTENCES. IF VERSION 2 INSERT, “*common*” FIRST & “*brand*” SECOND.]

This survey is about (*insert “brand” or “common”*) names and (*insert “common” or “brand”*) names. In a few moments you will be asked about a number of terms that you may or may not have seen or heard before. But first, please read the next two screens about what we mean by a (*insert “brand” or “common”*) name and what we mean by a (*insert “common” or “brand”*) name.

420. [IF VERSION 1, SHOW Q420-1 FIRST. IF VERSION 2, SHOW Q420-2 FIRST.]

420-1

Brand names are names that companies use to identify who a product or service comes from. Brands names primarily let the consumer know that a product or service comes from a specific company.

For example, TOYOTA, CHASE, and STAPLES.COM are all brand names. These terms primarily identify for a consumer who a product or service comes from.

420-2

Common names are words used to identify a type of product or service—in other words, what the product or service is, not who makes it. Common names primarily let the consumers know what type of product or service is being offered.

For example, unlike the brand names TOYOTA, CHASE, and STAPLES.COM; AUTOMOBILE, BANK, AND OFFICESUPPLIES.COM are all common names. These terms primarily identify for the consumer what type of product or service a company is selling, rather than who the product or service comes from.

430. [IF VERSION 1 INSERT, “*brand*” IN FIRST BLANK & “*common*” IN SECOND. IF VERSION 2, VICE VERSA]

Do you understand the difference between a _____ name and a _____ name?

1. Yes → continue to 440
2. No → *terminate*
3. Don’t know → *terminate*

440. [IF VERSION 1, SHOW Q440-1 FIRST. IF VERSION 2, SHOW Q440-2 FIRST]

440-1 Which type of name would you say **KELLOGG** is?

[MAKE “*brand*” TOP CHOICE IN VERSION 1 & SECOND CHOICE IN VERSION 2]

1. Brand name → continue
2. Common name → *terminate*

3. Don't know → *terminate*

440-2 Which type of name would you say **CEREAL** is?

[MAKE “brand” TOP CHOICE IN VERSION 1 &
SECOND CHOICE IN VERSION 2]

1. Brand name → *terminate*

2. Common name → *continue*

3. Don't know → *terminate*

450. [IF VERSION 1, “brand” COMES FIRST & “common” SECOND IN SECOND SENTENCE. IF VERSION 2, “common” COME FIRST & “brand” SECOND] You will now see a series of **bolded** terms, one at a time, that you may or may not have seen or heard before. Under each term, you will also see a description of products or services for that term. For each term shown in bold, please answer whether you think the term is a (*insert “brand” or “common”*) name or a (*insert “common” or “brand”*) name in the context of the products or services described. Or if you don't know, you may select that option.

[FOR Q460 THERE ARE 4 ROTATIONS OF THE ORDER OF SEVEN TERMS. RESPONDENTS WILL BE ASKED ABOUT EACH TERM ONE AT A TIME. ONE-FOURTH OF RESPONDENTS IN EACH VERSION SHOULD GET EACH OF THE 4 ROTATIONS.]

<u>ROTATION 1</u>	<u>ROTATION 2</u>
BOOKING.COM Hotel and other lodging reservation services	WASHINGMACHINE.COM Reviews and sales of washing machines
SPORTING GOODS Products used in sports and other physical activity	SHUTTERFLY Photo-sharing and photo gifts service
ETRADE.COM Stock and investor broker services	BOOKING.COM Hotel and other lodging reservation services
PEPSI Cola and other soft drinks	SPORTING GOODS Products used in sports and other physical activity
SHUTTERFLY Photo-sharing and photo gifts service	PEPSI Cola and other soft drinks
WASHINGMACHINE.COM Reviews and sales of washing machines	ETRADE.COM Stock and investor broker services

SUPERMARKET Retail sale of food and other groceries	SUPERMARKET Retail sale of food and other groceries
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<u>ROTATION 3</u>	<u>ROTATION 4</u>
SPORTING GOODS Products used in sports and other physical activity	WASHINGMACHINE.COM Reviews and sales of washing machines
ETRADE.COM Stock and investor broker services	SHUTTERFLY Photo-sharing and photo gifts service
PEPSI Cola and other soft drinks	SUPERMARKET Retail sale of food and other groceries
SUPERMARKET Retail sale of food and other groceries	SPORTING GOODS Products used in sports and other physical activity
BOOKING.COM Hotel and other lodging reservation services	ETRADE.COM Stock and investor broker services
SHUTTERFLY Photo-sharing and photo gifts service	PEPSI Cola and other soft drinks

WASHINGMACHINE.COM	BOOKING.COM
Reviews and sales of washing machines	Hotel and other lodging reservation services

[AS Q460 7 TIMES FOR EACH RESPONDENT (ONE TIME FOR EACH TERM AND DESCRIPTION), FOR EACH OF THE SEVEN TERMS, DISPLAY THE TERM IN UPPERCASE BOLD LETTERS AND THEN THE DESCRIPTION, AND THEN THE QUESTION TEXT.]

Q460. Do you think this is a . . .

[MAKE “brand” TOP CHOICE IN VERSION 1 & SECOND CHOICE IN VERSION 2)

1. Brand name
2. Common name
3. Don’t know

[PROGRAMMER: IN DATA SHOW COMBINED RESULTS TO Q460 INDIVIDUALLY FOR EACH TERM, REGARDLESS OF ROTATION/VERSION—e.g. SHOW ALL RESULTS FOR “BOOKING.COM” TOGETHER IN ONE COLUMN/TABLE, ETC.]

ASK IF: ALL

500. Do you or does anyone in your household work in any of the following areas? *(Select all that apply)*

[RANDOMIZE]

1. Travel
2. Hotel/motel
3. Real estate rental

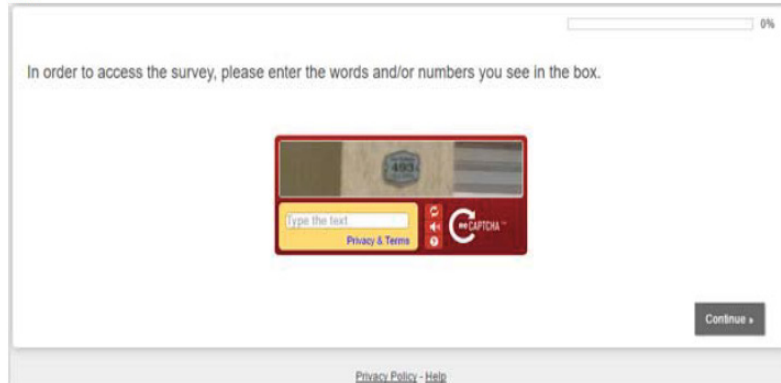
4. Hospitality
5. None of these [**ANCHOR; EXCLUSIVE**]

Appendix C: Survey Screenshots

2 Versions

SCREENER

99.



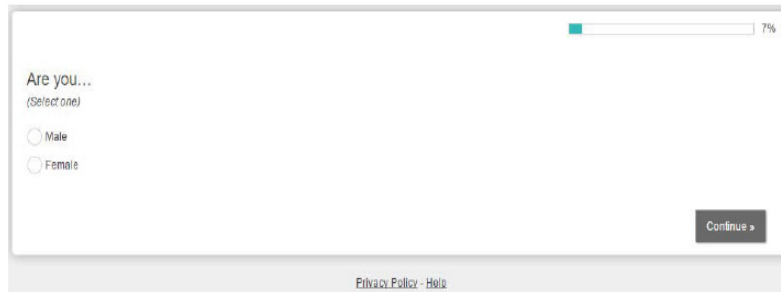
A screenshot of a CAPTCHA challenge. At the top right is a progress bar showing 0%. The main text reads: "In order to access the survey, please enter the words and/or numbers you see in the box." Below this is a rectangular box containing a CAPTCHA image. The image shows a license plate with the number "483" and a red "CAPTCHA" logo. Below the image is a text input field with the placeholder "Type the text" and a "Privacy & Terms" link. To the right of the input field is a red "CAPTCHA" logo. At the bottom right is a "Continue" button. At the bottom center is a link for "Privacy Policy - Help".

100.



A screenshot of an age input field. At the top right is a progress bar showing 3%. The main text reads: "Please enter your age." followed by "(Please enter a whole number)". Below this is a text input field. At the bottom right is a "Continue" button. At the bottom center is a link for "Privacy Policy - Help".

105.



A screenshot of a gender selection question. At the top right is a progress bar showing 7%. The main text reads: "Are you..." followed by "(Select one)". Below this are two radio button options: "Male" and "Female". At the bottom right is a "Continue" button. At the bottom center is a link for "Privacy Policy - Help".

110.

11%

In what state do you live?

Select one...

Continue »

Privacy Policy · Help

120.

15%

Do you or does anyone in your household work in either advertising or market research?
(Select all that apply)

☐ Yes, advertising

☐ Yes, market research

☐ No, neither of these

Continue »

Privacy Policy · Help

135.

18%

In the past 6 months, which of the following, if any, have you used a website or mobile app for?
(Select all that apply)

☐ To order groceries

☐ To find or make restaurant reservations

☐ To search for or make hotel or travel arrangements

☐ To network either personally or professionally

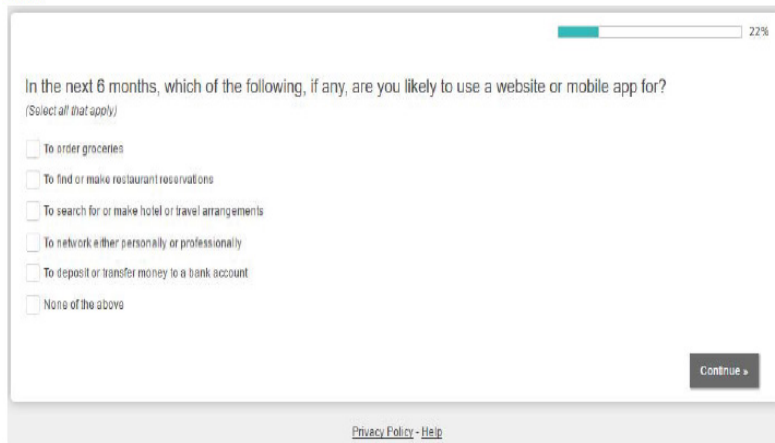
☐ To deposit or transfer money to a bank account

☐ None of the above

Continue »

Privacy Policy · Help

140.



Progress bar: 22%

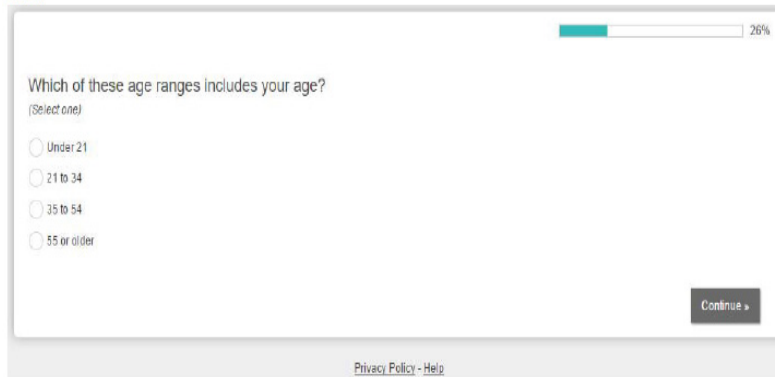
In the next 6 months, which of the following, if any, are you likely to use a website or mobile app for?
(Select all that apply)

- ☐ To order groceries
- ☐ To find or make restaurant reservations
- ☐ To search for or make hotel or travel arrangements
- ☐ To network either personally or professionally
- ☐ To deposit or transfer money to a bank account
- ☐ None of the above

[Continue »](#)

[Privacy Policy](#) - [Help](#)

150.



Progress bar: 26%

Which of these age ranges includes your age?
(Select one)

- ☐ Under 21
- ☐ 21 to 34
- ☐ 35 to 54
- ☐ 55 or older

[Continue »](#)

[Privacy Policy](#) - [Help](#)

160.

35%

People vary in the amount of attention they pay to surveys.

For quality assurance, please type the word "Yes" in the blank next to the "Other" box below and then click to continue.

(Select one)

☐ Strongly agree

☐ Agree

☐ Neutral

☐ Disagree

☐ Strongly disagree

☐ Other:

[Continue »](#)

[Privacy Policy](#) - [Help](#)

170.

33%

You have qualified to take this survey. Before continuing, please carefully read these instructions:

- Please take the survey in one session without interruption.
- While taking the survey, please do not consult any other websites or other electronic or written materials.
- Please answer all questions on your own without consulting any other person.
- If you normally wear eye glasses or contact lenses when viewing a computer screen, please wear them for the survey.

Select one

☐ I understand and agree to the above instructions

☐ I do not understand or do not agree to the above instructions

[Continue »](#)

[Privacy Policy](#) - [Help](#)

MAIN SURVEY

410.

42 %

This survey is about **brand** names and **common** names. In a few moments you will be asked about a number of terms that you may or may not have seen or heard before. But first, please read the next two screens about what we mean by a **brand** name and what we mean by a **common** name.

[Continue »](#)

[Privacy Policy](#) - [Help](#)

420-1

48 %

Brand names are names that companies use to identify **who** a product or service comes from. Brands names primarily let the consumer know that a product or service comes from a specific company.

For example, TOYOTA, CHASE, and STAPLES.COM are all **brand** names. These terms primarily identify for a consumer **who** a product or service comes from.

[Continue »](#)

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420-2

50 %

Common names are words used to identify a **type** of product or service – in other words, **what** the product or service is, not **who** makes it. Common names primarily let the consumers know what type of product or service is being offered.

For example, unlike the brand names TOYOTA, CHASE, and STAPLES.COM, AUTOMOBILE, BANK, AND OFFICESUPPLIES.COM are all **common** names. These terms primarily identify for the consumer what **type** of product or service a company is selling, rather than **who** the product or service comes from.

[Continue »](#)

[Privacy Policy](#) - [Help](#)

430.

54%

Do you understand the difference between a brand name and a common name?

(Select one)

☐ Yes

☐ No

☐ Don't know

Continue »

[Privacy Policy](#) - [Help](#)

440-1

57%

Which type of name would you say **KELLOGG** is?

(Select one)

☐ Brand name

☐ Common name

☐ Don't know

Continue »

[Privacy Policy](#) - [Help](#)

440-2

61%

Which type of name would you say **CEREAL** is?

(Select one)

☐ Brand name

☐ Common name

☐ Don't know

Continue »

[Privacy Policy](#) - [Help](#)

450.

65%

You will now see a series of **bolded** terms, one at a time, that you may or may not have seen or heard before. Under each term, you will also see a description of products or services for that term. For each term shown in bold, please answer whether you think the term is a brand name or a common name in the context of the products or services described. Or if you don't know, you may select that option.

Continue »

[Privacy Policy](#) - [Help](#)

69%

BOOKING.COM

Hotel and other lodging reservation services

Do you think this is a ...
(Select one)

☐ Brand name

☐ Common name

☐ Don't know

Continue »

[Privacy Policy](#) - [Help](#)

73%

SPORTING GOODS

Products used in sports and other physical activity

Do you think this is a ...
(Select one)

☐ Brand name

☐ Common name

☐ Don't know

Continue »

[Privacy Policy](#) - [Help](#)

76%

ETRADE.COM

Stock and investor broker services

Do you think this is a ...
(Select one)

☐ Brand name

☐ Common name

☐ Don't know

Continue »

[Privacy Policy](#) - [Help](#)

80%

PEPSI

Cola and other soft drinks

Do you think this is a ...
(Select one)

☐ Brand name

☐ Common name

☐ Don't know

Continue »

[Privacy Policy](#) - [Help](#)

84%

SHUTTERFLY

Photo-sharing and photo gifts service

Do you think this is a ...
(Select one)

☐ Brand name

☐ Common name

☐ Don't know

Continue »

[Privacy Policy](#) - [Help](#)

88%

WASHINGMACHINE.COM

Reviews and sales of washing machines

Do you think this is a ...
(Select one)

☐ Brand name

☐ Common name

☐ Don't know

Continue »

[Privacy Policy](#) - [Help](#)

92%

SUPERMARKET

Retail sale of food and other groceries

Do you think this is a ...
(Select one)

☐ Brand name

☐ Common name

☐ Don't know

Continue »

[Privacy Policy](#) - [Help](#)

500.

99%

Do you or does anyone in your household work in any of the following areas?

(Select all that apply)

- ☐ Hotel/motel
- ☐ Travel
- ☐ Hospitality
- ☐ Real estate rental
- ☐ None of these

Finish

[Privacy Policy](#) • [Help](#)

[FOLDOUT]

(Please remove this place holder)

[FOLDOUT]

(Please remove this place holder)

[FOLDOUT]

(Please remove this place holder)

[FOLDOUT]

(Please remove this place holder)

[FOLDOUT]

(Please remove this place holder)

[FOLDOUT]

(Please remove this place holder)

[FOLDOUT]

(Please remove this place holder)

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[FOLDOUT]

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[FOLDOUT]

(Please remove this place holder)

[FOLDOUT]

(Please remove this place holder)

[FOLDOUT]

(Please remove this place holder)

[FOLDOUT]

(Please remove this place holder)

[FOLDOUT]

(Please remove this place holder)

[FOLDOUT]

(Please remove this place holder)

[FOLDOUT]

(Please remove this place holder)

[FOLDOUT]

(Please remove this place holder)

[record]: Record As Number
 Values: 0-9999999999

[record]: Record number
 Open numeric response

[date]: Completion time and date
 Open text response

[status]: Respondent status
 Values: 1-4

- 1 Terminated
- 2 Overquota
- 3 Qualified
- 4 Partial

[Q99]:
 Open text response

[hCaptchaFails]: HIDDEN: How many times did
 the respondent fail the captcha?
 Values: 0-99

[vAge]: Panel Age
 Values: 0-999

[Q100]: Please enter your age.
 Values: 1-100

[Q105]: Are you . . .
 Values: 1-2

- 1 Male
- 2 Female

[vGender]: Are you . . .
 Values: 1-2

- 1 Male
- 2 Female

[Q110]: State

Values: 1-52

- 1 Alabama
- 2 Alaska
- 3 Arizona
- 4 Arkansas
- 5 California
- 6 Colorado
- 7 Connecticut
- 8 Delaware
- 9 District of Columbia
- 10 Florida
- 11 Georgia
- 12 Hawaii
- 13 Idaho
- 14 Illinois
- 15 Indiana
- 16 Iowa
- 17 Kansas
- 18 Kentucky
- 19 Louisiana
- 20 Maine
- 21 Maryland
- 22 Massachusetts
- 23 Michigan
- 24 Minnesota
- 25 Mississippi
- 26 Missouri
- 27 Montana
- 28 Nebraska
- 29 Nevada
- 30 New Hampshire
- 31 New Jersey

- 32 New Mexico
- 33 New York
- 34 North Carolina
- 35 North Dakota
- 36 Ohio
- 37 Oklahoma
- 38 Oregon
- 39 Pennsylvania
- 40 Rhode Island
- 41 South Carolina
- 42 South Dakota
- 43 Tennessee
- 44 Texas
- 45 Utah
- 46 Vermont
- 47 Virginia
- 48 Washington
- 49 West Virginia
- 50 Wisconsin
- 51 Wyoming
- 52 Other

[Region]: Region

Values: 1-4

- 1 Midwest
- 2 NorthEast
- 3 South
- 4 West

Q120: Do you or does anyone in your household work in either advertising or market research?

Values: 0-1

- 0 Unchecked
- 1 Checked

- [Q120r1] Yes, advertising
- [Q120r2] Yes, market research
- [Q120r3] No, neither of these

Q135: In the past 6 months, which of the following, if any, have you used a website or mobile app for?

Values: 0-1

- 0 Unchecked
- 1 Checked

- [Q135r1] To search for or make hotel or travel arrangements
- [Q135r2] To network either personally or professionally
- [Q135r3] To order groceries
- [Q135r4] To find or make restaurant reservations
- [Q135r5] To deposit or transfer money to a bank account
- [Q135r6] None of the above

Q140: In the next 6 months, which of the following, if any, are you likely to use a website or mobile app for?

Values: 0-1

- 0 Unchecked
- 1 Checked

- [Q140r1] To search for or make hotel or travel arrangements
- [Q140r2] To network either personally or professionally
- [Q140r3] To order groceries
- [Q140r4] To find or make restaurant reservations
- [Q140r5] To deposit or transfer money to a bank account
- [Q140r6] None of the above

[Q150]: Which of these age ranges includes your age?

Values: 1-4

- 1 Under 21
- 2 21 to 34
- 3 35 to 54
- 4 55 or older

[Q160]: People vary in the amount of attention they pay to surveys. For quality assurance, please type the word “Yes” in the blank next to the “Other” box below and then click to continue.

Values: 1-6

- 1 Strongly agree
- 2 Agree
- 3 Neutral
- 4 Disagree
- 5 Strongly disagree
- 6 Other

[Q160r6oe]: People vary in the amount of attention they pay to surveys. For quality assurance, please type the word “Yes” in the blank next to the “Other” box below and then click to continue. —Other Open text response

[Q170]: You have qualified to take this survey. Before continuing, please carefully read these instructions: Please take the survey in one session without interruption. While taking the survey, please do not consult any other websites or other electronic or written materials. Please answer all questions on your own without consulting any other person. If you normally wear eye glasses or contact lenses when viewing a computer screen, please wear them for the survey.

Values: 1-2

- 1 I understand and agree to the above instructions
- 2 I do not understand or do not agree to the above instructions

[vVersion]: Version Selected

Values: 1-2

- 1 Version 1
- 2 Version 2

[Q430]: Do you understand the difference between a [pipe: pQ410_V1] name and a [pipe: pQ410_V2] name?

Values: 1-3

- 1 Yes
- 2 No
- 3 Don't know

[Q440_1]: Which type of name would you say KEL-LOGG is?

Values: 1-3

- 1 Brand name
- 2 Common name
- 3 Don't know

[Q440_2]: Which type of name would you say CE-REAL is?

Values: 1-3

- 1 Brand name
- 2 Common name
- 3 Don't know

[vRotation]: Rotation Selected

Values: 1-4

- 1 Rotation 1
- 2 Rotation 2
- 3 Rotation 3
- 4 Rotation 4

[Q460_1]: BOOKING.COM Hotel and other lodging reservation services Do you think this is a . . .

Values: 1-3

- 1 Brand name
- 2 Common name
- 3 Don't know

[Q460_2]: SPORTING GOODS Products used in sports and other physical activity Do you think this is a . . .

Values: 1-3

- 1 Brand name
- 2 Common name
- 3 Don't know

[Q460_3]: ETRADE.COM Stock and investor broker services Do you think this is a . . .

Values: 1-3

- 1 Brand name
- 2 Common name
- 3 Don't know

[Q460_4]: PEPSI Cola and other soft drinks Do you think this is a . . .

Values: 1-3

- 1 Brand name
- 2 Common name
- 3 Don't know

[Q460_5]: SHUTTERFLY Photo-sharing and photo gifts service Do you think this is a . . .

Values: 1-3

- 1 Brand name
- 2 Common name
- 3 Don't know

[Q460_6]: WASHINGMACHINE.COM Reviews and sales of washing machines Do you think this is a . . .

Values: 1-3

- 1 Brand name
- 2 Common name
- 3 Don't know

[Q460_7]: SUPERMARKET Retail sale of food and other groceries Do you think this is a . . .

Values: 1-3

- 1 Brand name
- 2 Common name
- 3 Don't know

Q500: Do you or does anyone in your household work
in any of the following areas?

Values: 0-1

0 Unchecked
1 Checked

[Q500r1] Travel
[Q500r2] Hotel/motel
[Q500r3] Real estate rental
[Q500r4] Hospitality
[Q500r5] None of these

[vlist]: Sample source

Values: 1-1

1 Open Survey (list=0)

[vvar2]: vvar2

Values: 1-2

1 M
2 F

[qtime]: Total Interview Time

Values: -99999-999999

Booking.com BV v. Michelle Lee
Case No.: 16-cv-425-LMB-IDD

Export Report of

Sarah-Jane Leslie

Sept. 12th, 2016

* * * * *

14. I have not been asked to opine on the legal reasoning of the TTAB as expressed in its opinion. However, I have been asked to opine on the factual linguistic basis, if any, for the TTAB's statements and assumptions as set forth in that quotation in the above paragraph. I have also been asked to provide expert opinion on whether such terms or marks as "booking.com" "Booking.com" and even "www.booking.com" refer to a genus or some other thing entirely. Finally I have been asked to give expert opinion as to whether the science of linguistics, or any of its relevant subparts would support the idea that in order to determine whether a complex term or expression is generic it is sufficient to find that its semantically significant subparts are generic.

* * * * *

16. Based on my experience in the field of linguistics and the cognitive science of language understanding and my specialist knowledge of how generics are understood and how reference to a genus is understood by English speakers, my firm opinion is that none of the terms or marks "Booking.com", "Booking.Com" or "booking.com" are **understood by the general public** to refer to the genus *online service for making travel bookings*, the genus *online service for making hotel reservations*, or any similarly defined genus.

* * * * *

49. **There is no linguistic rule of English to the effect that if “X” refers to a kind or genus and “Y” refers to a kind or genus the concatenation “XY” refers to a kind or genus.** Explanation: the question of whether a complex expression refers to a kind or genus cannot be reliably settled by looking at whether, in other linguistic contexts, the parts of the expression refer to a kind or genus. “Fire” refers to a kind or genus of radiation and “Chief” to a kind or genus of rank or position, but “Fire Chief” might be a good name for a magazine appealing to aspiring firefighters who want to move up in the ranks. Therefore, without addressing the further fact that there are other meanings for the term “booking,” including making theatrical engagements, arguments like

Since the term “booking” can be used to pick out a kind or genus *making a reservation* and the term “.com” can be used to pick out the kind or genus *online business* it follows that “booking.com” is used to pick out a kind or genus of *making a reservation via an online business*

have no empirical basis from the linguistic point of view. From the point of view of the cognitive science of linguistic understanding, equally without empirical basis is the thought that if we can assume the relevant purchasing public understands the individual terms “booking” and “.com” as each referring to a separate kind or genus, the relevant purchasing public *therefore* understands the composite term “booking.com” as referring to a kind or genus. The principle

behind this argument would also imply that if there were a magazine known as *Fire Chief*, the relevant purchasing public would understand it to pick out a kind or genus, namely that consisting of fire chiefs. Again this attributes a baseless confusion to the relevant purchasing public, in this case aspiring firefighters who want to move up in the ranks.

* * * * *

86. In view of all the documentation and information provided to me coupled with my expertise in the fields of linguistics and cognitive science, it is my opinion bordering on a scientific certainty, that the following three positions are either outright inconsistent with uncontroversial principles of linguistics and cognitive science, including the sub-fields of semantics, syntax and psycho-linguistics, or without support from any of these fields or sub-fields:

- (i) the position of the Trademark Trial and Appeal Board in this case that: “Thus, while it might be true that “it is impossible to use BOOKING.COM in a grammatically coherent way to refer generically to anything”; or that “it is not at all logical to refer to a type of product or service as a ‘booking.com’”; that does not mean that this term could not be understood primarily to refer to an on-line service for making bookings. In other words, the test is not whether the public can use the term in a grammati-

cally correct sentence, but whether the public understands the term to refer to the genus.”

- (ii) the position of the Trademark Trial and Appeal Board in this case to the effect that if the purchasing public’s perception of the individual terms BOOKING and .COM are as generic terms, it follows that the purchasing public’s perception of the composite BOOKING.COM is as a generic term.
- (iii) the position of the Trademark Trial and Appeal Board in this case to the effect that the use of the character string B-O-O-K-I-N-G-.C-O-M in a longer term, such as <dubai-travelbooking.com> reliably indicates the public perception of the term BOOKING.COM per se.

* * * * *

FILENAME	COUNTRYNAME	AREA	CLASSES	STATUS	REG. NO.	REG. DATE	REN. DATE
BOOKING.COM	Colombia		43	Registered	462824	16-10-2012	16-10-2022
BOOKING.COM	Dominican Republic		43	Registered	198327	02-10-2012	02-10-2022
BOOKING.COM	Ecuador		43	Registered	163757	06-01-2015	06-01-2025
BOOKING.COM	India		43	Registered	2298594	13-03-2012	13-03-2022
BOOKING.COM	Kuwait		43	Registered	121023	20-03-2012	19-03-2022
BOOKING.COM	Lebanon		43	Registered	141776	22-03-2012	22-03-2027
BOOKING.COM	Malaysia		43	Registered	2012051464	07-05-2013	12-03-2022
BOOKING.COM	New Zealand		43	Registered	955385	12-03-2012	12-03-2022
BOOKING.COM	OAPI		43	Registered	70875	28-09-2012	05-04-2022
BOOKING.COM	Peru		43	Registered	72270	26-06-2012	26-06-2022
BOOKING.COM	Qatar		43	Registered	74259	21-09-2014	19-04-2022
BOOKING.COM	Saudi Arabia		43	Registered	143306054	11-11-2013	16-12-2021
BOOKING.COM	South Africa		43	Registered	2012/06530	13-03-2012	13-03-2022
BOOKING.COM	Tunisia		43	Registered	TN/E/2012/47	16-02-2013	14-03-2022
BOOKING.COM	Taiwan, Province of		43	Registered	1644284	16-05-2014	15-05-2024
BOOKING.COM	United Arab Emirates		43	Registered	170643	12-12-2013	15-03-2022
BOOKING.COM	Venezuela		43	Registered	S-053578	13-02-2013	13-02-2028
BOOKING.COM	Chile		43	Registered	1066765	20-12-2013	20-12-2023
BOOKING.COM	Bolivia		43	Registered	143550	29-05-2013	29-05-2023
BOOKING.COM	Andorra		43	Registered	30791	13-03-2012	13-03-2022
BOOKING.COM	Tajikistan	WO	39,43	Registered	1104711	01-11-2012	15-12-2021
BOOKING.COM	Singapore	WO	43	Registered	1104711	12-05-2015	15-12-2021
BOOKING.COM	Serbia	WO	39,43	Registered	1104711	15-12-2011	15-12-2021
BOOKING.COM	Saint Martin	WO	39,43	Registered	1104711	15-03-2012	15-12-2021
BOOKING.COM	Mozambique	WO	39,43	Registered	1104711	15-12-2011	15-12-2021
BOOKING.COM	Guernsey		43	Registered	GGGT7900	29-07-2013	29-07-2023
BOOKING.COM	Montenegro	WO	39,43	Registered	1104711	15-12-2011	15-12-2021
BOOKING.COM	Mongolia	WO	39,43	Registered	1104711	23-02-2013	15-12-2021
BOOKING.COM	Macedonia, The Former	WO	39,43	Registered	1104711	15-12-2011	15-12-2021

BOOKING.COM	Kyrgyzstan	WO	39,43	Registered	1104711	15-12-2011	15-12-2021
BOOKING.COM	Jersey		43	Registered			
BOOKING.COM	Jamaica		43	Registered	60368	09-05-2012	09-05-2022
BOOKING.COM	Jordan		43	Registered	123736	12-04-2012	12-04-2022
BOOKING.COM	Cambodia		43	Registered	KH/49419/14	10-01-2014	19-06-2022
BOOKING.COM	Korea, Democratic	WO	39,43	Registered	1104711	10-08-2015	15-12-2021
BOOKING.COM	Kazakhstan	WO	39,43	Registered	1104711	15-12-2011	15-12-2021
BOOKING.COM	Georgia	WO	39,43	Registered	1104711	15-12-2011	15-12-2021
BOOKING.COM	Curacao	WO	39,43	Registered	1104711	15-03-2012	15-12-2021
BOOKING.COM	Bosnia & Herzegovina	WO	39,43	Registered	1104711	15-12-2011	15-12-2021
BOOKING.COM	International Registration		39,43	Registered	1104711	15-12-2011	15-12-2021
BOOKING.COM	Anguilla		43	Registered	5267	19-06-2012	19-06-2022
BOOKING.COM	Aruba		43	Registered	31311	21-08-2013	23-05-2022
BOOKING.COM	Burundi		43	Registered	6369/BI	08-08-2012	08-08-2022
BOOKING.COM	Panama		43	Registered	224681 01	18-07-2013	18-07-2023
BOOKING.COM	Puerto Rico		43	Registered	208405	12-07-2012	12-07-2022
BOOKING.COM	Rwanda		43	Registered	RW-	15-06-2012	15-06-2022
BOOKING.COM	Seychelles		43	Registered	10096	16-04-2012	16-04-2019
BOOKING.COM	El Salvador		43	Registered	190217	08-10-2013	08-10-2023
BOOKING.COM	Turks and Caicos Islands		43	Registered	17465	02-08-2013	01-01-2018
BOOKING.COM	Tonga		43	Registered	02483	03-09-2012	03-09-2022
BOOKING.COM	Tuvalu		43	Registered	1512	16-07-2013	16-03-2020
BOOKING.COM	Bermuda		43	Registered	51731	09-05-2012	09-05-2019
BOOKING.COM	Argentina		43	Registered	2723069	30-04-2015	30-04-2025
BOOKING.COM	Uzbekistan	WO	39,43	Registered	1104711	25-12-2013	15-12-2021
BOOKING.COM	Ukraine	WO	39,43	Registered	1104711	15-12-2011	15-12-2021
BOOKING.COM	Djibouti		43	Registered	267/12	13-09-2012	06-09-2022
BOOKING.COM	Dominica		43	Registered	117/2012	10-08-2012	10-08-2022
BOOKING.COM	Fiji		43	Registered	657/12	06-09-2012	06-09-2026
BOOKING.COM	Grenada		43	Registered	439	28-10-2013	07-08-2023
BOOKING.COM	Guatemala		43	Registered	187377	15-02-2013	14-02-2023

BOOKING.COM	Gaza	43	Registered	16635	13-06-2013	18-06-2019
BOOKING.COM	Honduras	43	Registered	18165	19-11-2012	18-11-2022
BOOKING.COM	Haiti	43	Registered	39/192	06-05-2014	06-05-2024
BOOKING.COM	Cayman Islands	35,39,43	Registered	CT8955353	14-09-2012	15-03-2020
BOOKING.COM	Lao People's Democratic	43	Registered	26600	09-01-2013	09-01-2023
BOOKING.COM	Saint Lucia	43	Registered	2012/000097	23-04-2012	23-04-2022
BOOKING.COM	Myanmar	43	Registered	4/5573/2013	03-06-2013	03-06-2018
BOOKING.COM	Macau	43	Registered	N/065674	09-02-2015	09-02-2022
BOOKING.COM	Mauritius	43	Registered	13727/2012	31-08-2012	31-08-2022
BOOKING.COM	United Kingdom	39,43	Registered	2541988	11-01-2013	16-03-2020
BOOKING.COM	European Community	35,39,43	Registered	008955353	05-10-2011	15-03-2020
BOOKING.COM	Benelux	35,39,43	Registered	0911295	09-12-2011	05-12-2021
BOOKING.COM	Nicaragua	43	Registered	2014106893	19-09-2014	18-09-2024
BOOKING.COM	Nepal	43	Registered	34406	09-04-2013	09-04-2020
BOOKING.COM	Vanuatu	43	Registered	25368	06-06-2013	06-06-2023
BOOKING.COM	West Bank	43	Registered	20868	05-09-2012	18-04-2019
BOOKING.COM	Yemen	43	Registered	58433	18-04-2012	18-04-2022
BOOKING.COM	Zanzibar	43	Registered	ZN/S/2012/14	12-06-2012	12-06-2022
BOOKING.COM	Zimbabwe	43	Registered	536/2012	20-04-2012	20-04-2022
BOOKING.COM	Russian Federation	WO	Registered	1104711	23-05-2014	15-12-2021
BOOKING.COM	Turkey	WO	Registered	1104711	10-08-2014	15-12-2021
BOOKING.COM	Maldives	43	Registered			01-12-2018
BOOKING.COM	Australia	43	Registered	1660140	26-10-2016	24-11-2024
BOOKING.COM	Nigeria	43	Registered	98957	08-06-2012	08-06-2019
BOOKING.COM	Korea, Republic of	WO	Registered	1104711	11-07-2016	15-12-2021

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

Civil Action No. 1:16-cv-425-LMB-IDD

BOOKING.COM B.V., PLAINTIFF

v.

MICHELLE K. LEE, UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF
THE UNITED STATES PATENT AND TRADEMARK
OFFICE, ET AL., DEFENDANTS

DECLARATION OF TODD DUNLAP

1. My name is Todd Dunlap. I am Managing Director of Booking.com, Americas. I have held this position since September 2012. I am over eighteen (18) years of age and am competent to testify to the facts set forth herein.

2. In my role as Managing Director of Booking.com, Americas, I am responsible for all facets of growing and running the Americas' markets for Booking.com, B.V., including business development, marketing, sales, customer service, human resources, finance, and all support functions for the market. The facts set forth herein are based on my complete access to the business records of the company and/or my personal knowledge.

3. Booking.com is the worldwide leader in providing online accommodation reservation services. It offers these services through BOOKING.COM branded platforms, including a website and mobile app.

4. BOOKING.COM branded services are provided in 224 countries and territories and are available in 43 languages.

5. Customers of BOOKING.COM branded services can make reservations at over 1,027,450 hotels and accommodations providers throughout the world.

6. Booking.com's services are widely accessed. Its BOOKING.COM branded website received over 500 billion visits in 2015 and has received over 550 billion visits year-to-date in 2016.

7. Booking.com's mobile app is also hugely popular in the United States and is growing in popularity.

- a. 2014: An average of 2,886 U.S. based customers downloaded the BOOKING.COM branded mobile app every day, for an annual total of 1,053,380 downloads.
- b. 2015: An average of 5,209 U.S. based customers downloaded the BOOKING.COM branded mobile app every day, for an annual total of 1,901,347 downloads.
- c. 2016 (year to date): An average of 9,879 U.S. based customers have downloaded the BOOKING.COM branded mobile app every day, for a total of 2,489,387 downloads thus far.

8. In addition to its consumer-facing accommodation reservation services, Booking.com also provides valuable business-to-business services. For example, in 2015 there were 40 corporate accounts using BOOKING.COM branded services to monitor enterprise-wide corporate travel. In 2016, this number has already grown by 30% to 52 corporate accounts.

9. Booking.com has advertised and continues to advertise extensively throughout the United States and, in so doing, has reached millions of American consumers. The following is a brief summary of Booking.com's recent advertising in the United States.

a. Television Advertising

- i. 2014: Booking.com aired BOOKING.COM branded television commercials on the following national channels in the United States, reaching millions of U.S. viewers: ABC, CBS, NBC Sports, Fox Soccer, MSNBC, TBS, TNT, A&E, History, USA, Comedy Central, Bravo, HGTV, FX, IFC, Travel, Style, E!, TNT, AMC, ESPN, BBC, DIY, Fox Soccer, NBA TV, Science Channel, TLC, Nat Geo, SYFY, Spike, and TruTV.
- ii. 2015: Booking.com aired BOOKING.COM branded television commercials on the following national channels in the United States: ABC, CBS, FOX, ESPN, ESPN2, NFL Network, Adult Swim, TBS, TNT, Travel, CNN, Comedy, Discovery, E!, ESPN, ESPN2, Food, FX, FXX, FYI, Golf, HGTV, History, IFC, ID, Travel, MLB, NFL, Spike, Sundance, Syfy, TBS, Tennis, TNT, and USA. These television commercials received approximately 1,301,000,000 (1.3 billion) visual impressions from U.S. consumers.
- iii. In 2016, Booking.com aired BOOKING.COM branded television commercials on

the following national channels in the United States: ABC, CBS, CW, ESPN, FOX, NBC, Freeform, Adult Swim, Bravo, E!, FXX, HGTV, IFC, MSNBC, NBC Sports, Sundance, TBS, Food Network, TNT, TRU, Travel, TBS, Fox News, ESPN2, Comedy, and AMC. These television commercials have received approximately 1,096,000,000 (1.96 billion) visual impressions from U.S. consumers thus far.

b. Movie Theatre Advertising

- i. In 2015, Booking.com also aired commercials via various movie theatre chains. It placed advertisements through Screen Vision Media and National CineMedia, a cinema advertising company that operates in AMC Entertainment Inc., Cinemark Holdings, Inc., Regal Entertainment Group, and other regional and national movie theatre chains. These movie theatre commercials received approximately 40,000,000 (40 million) visual impressions from U.S. consumers.

c. Internet Advertising

- i. In 2015, Booking.com placed BOOKING.COM branded Internet advertisements on highly popular Internet channels, including: YouTube, Trade Desk, Yume, NBCU, Fandango, Hulu, Match.com, OKCupid, ESPN, Facebook, Maker, Tremor, Travora, Hulu, AdTheorent, and

Pandora. These advertisements received approximately 212,000,000 (212 million) visual impressions from U.S. consumers.

- ii. In 2016, Booking.com has continued to place BOOKING.COM branded Internet advertisements on highly popular Internet channels, including: Alphonso, BuzzFeed, Conde Nast, FOX, Hulu, The Knot, Viacom, Afar, Amazon, CBS, YouTube, Modi, AXS, LA Kings, E!, ESPN, Hulu, Roku, Yume, TubeMogul, The Trade Desk, Facebook, Twitter, Pinterest, Instagram. These advertisements received approximately 1,344,000,000 (1.34 billion) visual impressions from U.S. consumers.

10. Booking.com continues to receive substantial unsolicited press coverage in American media. In 2015, over 600 news articles referencing BOOKING.COM were published in the United States. Thus far in 2016, there have been over 650 news articles referencing BOOKING.COM published in the United States.

11. Booking.com is regularly recognized by consumers and the industry as a leading global brand. In was awarded “World’s Leading Online Travel Agency Website” by World Travel Awards in 2014 and 2015. In addition, Booking.com received a 2015 “Platinum” Adrian Award by Hospitality Sales & Marketing Association International, a leading advertising company in the U.S. hospitality industry. Further, Booking.com’s “Booking Now” mobile app was recognized as an honoree in the “Best use of GPS or Location Technology” category by the Webby Awards.

12. Booking.com is very popular on social media and has a large and growing customer base on the major social media platforms *Facebook* and *Twitter*.

a. 2014:

- i. Number of consumers that “liked” BOOKING.COM on *Facebook*: 3,082,336
- ii. Number of consumers that “follow” BOOKING.COM on *Twitter*: 61,100

b. 2015:

- i. Number of consumers that “liked” BOOKING.COM on *Facebook*: 4,332,372
- ii. Number of consumers that “follow” BOOKING.COM on *Twitter*: 87,443

c. 2016:

- i. Number of consumers that “liked” BOOKING.COM on *Facebook*: 5,189,714
- ii. Number of consumers that “follow” BOOKING.COM on *Twitter*: 103,640

* * * * *

17. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that the facts set forth in this application and accompanying declaration are true; all statements are made of his own knowledge are true; and all statements made on information and belief are believed to be true.

Date: Sept. 12, 2016

By: /s/ TODD DUNLAP
TODD DUNLAP

Name: Todd Dunlap

Title: Managing Director,
Booking.com, Americas

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

No. 1:16-cv-425-LMB-IDD
BOOKING.COM B.V., PLAINTIFF

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MICHELLE K. LEE, UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF
THE UNITED STATES PATENT AND TRADEMARK
OFFICE, ET AL., DEFENDANTS

New York, New York
Wednesday, Nov. 16, 2016

TELEPHONIC DEPOSITION OF EDWARD BLAIR, PhD.

* * * * *

[6]

Q. And just to confirm, I take it you are not taking any medication or suffering from any disability today that would impair your capacity to provide full, honest, and accurate answers to my questions; is that right?

A. I believe that is correct.

Q. Are you qualifying that answer? I am saying that jokingly. Note for the record there was a hint of reservation in your voice.

A. And my answer is somewhat joking that I was under some disability.

Q. That's fine. I will—particularly given that the written word does not necessarily convey humor, I am not trying to catch you or anything, and that's why I noted we are all being a little tongue-in-cheek there, and I will try to avoid that moving forward.

Dr. Blair, have you ever performed a survey on the subject of the genericness of a trademark?

A. Yes, I have.

Q. And how many times have you done that?

A. One that immediately comes to mind. I believe there is one or two others.

[7]

Q. Which is the one that comes to mind?

A. I cannot give you the specific styling of the case, but the term involved was “comfort fit” as applied to clothing.

Q. And whom were you representing in that case?

A. I do not remember. I believe that Haggar was one of the parties, but I don't recall whether I was working with Haggar or with another party.

Q. Were you testing the genericness or not of the claimed mark on behalf of the brand owner or on behalf of its adversary?

A. Again, I don't recall. I was testing the genericness of the mark but I don't recall.

Q. Do you recall the general format of that survey? Was it a Teflon type survey?

A. Yes, it was a Teflon survey.

Q. How long ago, as best you recall, was that?

A. Maybe 15 years ago. Ten to 15 I would say.

Q. Do you know if in that case the survey, your own or others, showed the mark to be generic [8] or rather whether it showed the mark to be a brand?

A. My recollection was that it showed the mark to be generic.

Q. And you said there might have been one or two other surveys that you had done on genericness. Can you recall, as it has been admittedly only a few moments, but have you been able to call to mind what those were, if there were any?

A. No. They would have been prior to the ComfortFit case and I do not recall.

Q. So the best of your knowledge, you have not done a genericness survey in the past 15 years?

A. Past ten years. I would say that's correct.

Q. The next question is going to follow from what you just answered.

Have you ever done a survey regarding the genericness of a trademark that included the extension ".com" or another top level domain?

A. I have not.

Q. Have you ever had a survey of any kind accepted by a court?

A. Yes.

[9]

Q. Can you identify any cases in which a survey of yours was accepted by a court?

A. I believe—do you have a copy of my report?

Q. We could go that route, and if that's the easier way to start, we can mark that as Blair Exhibit 1 if you would like. Well, you don't have to answer if you would like, but if that's the best way to start, that's what I will do if that's what you suggest.

A. Well, I can tell you—with or without the report, I can tell you that the case listed as 3M—no, not 3M. Excuse me. The case listed as Anheuser-Busch Incorporated v. Innvopak Systems, and for the court reporter, Innvopak is spelled I-N-N-V-O-P-A-K. I believe the court accepted the survey in that case. Court would have accepted a survey in Bell v. Starbucks, B-E-L-L, v. Starbucks, like the coffee.

Q. Okay. Any others that come to mind?

A. I believe—I believe there are others but they don't come to mind immediately.

Q. Well, why don't we pause here, and do you have with you a copy of your report dated I [10] think October was it 12th or 13th I think in this case?

A. Yes, I do.

Q. Let's mark that as Blair Exhibit 1.

A. May I ask a question? So Mr. Casagrande has a copy of the report. Should he be marking his in some way and handing it to me? Does the copy I brought in become an exhibit? What's the procedure of this?

Q. I think what we will simply do is use the copy that the reporter has here in New York which now has a sticker on it. But obviously, you can refer to whichever copy you have in front of you.

(Blair Exhibit 1, Report, marked for identification, as of this date.)

MR. CASAGRANDE: This is Tom. I am going to give him my copy that I wrote Blair Exhibit 1 on so he has it for his records.

MR. MOSKIN: That's fine.

Q. And just referring to the—well, first, can you identify what has been marked as Blair Exhibit 1 for the record?

A. It is a copy of my report in this [11] matter.

Q. And this was dated October 13th. Is that when you signed it?

A. That is correct.

Q. And on the final page of the report, there is a list of lawsuits in which you have testified in recent years. Do you see that?

A. Yes, I do.

Q. I see the Anheuser-Busch case mentioned there, not the Bell v. Starbucks case, but that doesn't alter your testimony, I take it, that those are the two that you recall where your surveys were accepted?

A. Yes. I believe that's correct.

Q. And seeing this list, does this refresh your memory of any other cases in which a survey of yours was accepted by the court?

A. No.

Q. Have there been any cases where a survey you performed was rejected by a court?

A. Not that I know of.

Q. When were you retained in this case by the US Patent and Trademark Office or by Director Lee?

[12]

A. I do not recall.

Q. As best you can recall, working back, for example, from the date of your report on October 13, 2016, how long before that did you start becoming involved?

A. I think it would have been around the time of Mr. Poret's report. Maybe shortly after but I can't say—cannot say for sure.

Q. I don't need you to—well, let me ask you this: Do you recall how you became involved in this case, how that process began?

A. I was contacted by Mary Beth Walker as best I recall, and she asked if she could discuss a case with me.

Q. Obviously you were retained. Can you tell me what you did from the time of that initial contact by Ms. Walker to the time of October 13th, when you finished your report, what you did in order to prepare that report?

A. I reviewed the materials that were listed in my report as materials that I reviewed. I thought about it right offhand. I don't recall anything else.

Q. Let's look at page 4 of your report [13] where it says "Assignment and materials reviewed".

A. Yes. I have it.

Q. Is that a complete list of all the materials you reviewed in preparing this report, Blair Exhibit 1?

A. As best I recall, yes.

Q. There was no other research you performed in preparing your report besides the materials you reviewed here?

A. I believe that's correct.

Q. Do you know how much time overall you spent from the inception of your call with Ms. Walker to the time you prepared your report?

A. I am going to say ballpark 30 hours.

Q. How did you come to select the materials that were identified on page 4 of your report that you say you reviewed?

MR. CASAGRANDE: This is Tom. I am just going to caution the witness that, you know, while he can talk about the fact of conversations with Ms. Walker and consulting, not to get into the actual substance of those calls. That would be attorney-client work product.

* * * * *

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

Civil Action No. 1:16-cv-425-LMB-IDD

BOOKING.COM B.V., PLAINTIFF

v.

MICHELLE K. LEE, UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF
THE UNITED STATES PATENT AND TRADEMARK
OFFICE, ET AL., DEFENDANTS

DECLARATION OF SARA JANE LESLIE

I, Sara-Jane Leslie, hereby declare:

1. I am the Class of 1943 Professor of Philosophy at Princeton University and Director of both the Program in Linguistics at Princeton University and of Princeton's Program in Cognitive Science. I have been retained as an expert in linguistics by Booking.com BV ("Booking.com").

2. I have reviewed the comments of the PTO regarding my report and my very brief deposition testimony. Although I was asked very few questions at my deposition, to avoid possible ambiguities, I can clarify that in linguistic science, there is no need to distinguish sharply between generic words or phrases and descriptive terms, which I understand in a general way is a distinction that is made in trademark law. However, I am not aware how that distinction would bear on my report. The report is limited to general principles of linguistic science (in particular the absence of any

scientific basis to say words can have meaning independent of use) and application of other general principles linguistics to assess whether the single term BOOKING.COM can be understood to function as a generic. As I understand the general legal principle, it is that genericness is understood based on what is the primary significance of a given term from the perspective of ordinary consumers of the relevant goods or services. I am not aware of any basis to suggest that individuals in their capacities as consumers use language in some way different from how they use language in general. Although I did not consider whether the term BOOKING.COM might be descriptive under the legal definition, I am not aware how that would otherwise bear on my other conclusions, which are based on non-controversial principles of linguistic science.

3. Although I believe it should be clear from the face of my report that I discuss only *individual* generic words and terms, in particular whether the specific term BOOKING.COM is generic, opposing counsel chose instead to ask me at my deposition about specific research I have conducted regarding “generic generalizations” such as “ducks lay eggs.” I am not aware how my research into generic generalizations renders inaccurate or unreliable my analysis of the general principles applicable to generic words (sometimes also referred to in linguistics as mass terms). I would be happy to provide further clarification if necessary.

I hereby declare under penalty of perjury this 10th day of January, 2017, that the foregoing is true and correct to the best of my knowledge.

/s/ SARAH-JANE LESLIE
SARAH-JANE LESLIE

**SUPPLEMENTAL EXPERT REPORT OF
HAL PORET IN MATTER OF
BOOKING.COM B.V. V. MICHELLE K. LEE**

**RESPONSE TO EXPERT REPORT OF
EDWARD A. BLAIR, PH.D.**

REPORT PREPARED FOR:
Foley & Lardner LLP

PREPARED BY:
Hal Poret
142 Hunter Ave
Sleepy Hollow, NY 10591

Oct. 2016

BACKGROUND AND PURPOSE

In connection with the above-referenced matter, Foley & Lardner retained me to design and conduct a survey to determine the extent to which, if at all, the term BOOKING.COM is perceived to be a generic term by relevant consumers. As detailed in my original report, 74.8% (299 out of 400) of all respondents identified BOOKING.COM to be a brand name. As also detailed in my original report, the survey included several control procedures to ensure that respondents do not believe that all dot-com terms are brand names, and to assess the tendency of respondents to answer that a plainly generic term combined with “DOT.COM” is a brand name. Only 33% of respondents identified the term WASHINGMACHINE.COM as a brand, validating that the dramatically higher 74.8% result for BOOKING.COM must represent genuine consumer perception of BOOKING.COM as a brand, and cannot be dismissed due to any flaw in the survey process that leads to a DOT-COM term being improperly deemed a brand merely because it is a web address.

I have now been shown the Expert Report of Edward A. Blair, Ph.D., in which Dr. Blair raises criticisms regarding my survey. This Supplemental Report contains my opinions regarding the Blair Survey. As discussed below, Dr. Blair’s criticisms are without merit, and contradict both the USPTO’s entire history of analyzing genericness surveys and the USPTO’s own position on why it believed BOOKING.COM should be denied registration on the grounds of genericness in the first place.

In connection with designing my survey and preparing this report, I reviewed the materials cited in my origi-

nal report, the Expert Report of Edward A. Blair, and other materials cited below. My additional work in connection with this matter will be charged at my rate of \$625 per hour. My qualifications are detailed in my original report and my updated CV is attached hereto as Appendix A.

OPINIONS REGARDING BLAIR REPORT

I. The Survey Universe

The universe for my survey was focused on consumers who search for or make hotel or travel arrangements online. Dr. Blair criticizes the survey as under-inclusive, pointing out that the description of goods and services in the applications is broader than the online context, and also includes service provided through methods other than the internet, such as in-person services. While Dr. Blair is correct about the breadth of the description of services in the relevant applications, the criticism ignores the fact that the focus of the survey on the online context was done in order to be as fair as possible to and squarely confront the USPTO's chief position, which was that the term BOOKING.COM is a generic term for a website service (a dot.com). The Trademark Examiner's concern that led to the determination that BOOKING.COM is generic is not that BOOKING.COM would be generic for travel services provided in person, but that "relevant customers would understand the term BOOKING.COM to refer to an online reservation service for lodgings."¹ Focusing the survey on the online context was as conservative as

¹ TTAB decision in *In re Booking.com B.V.* dated February 18, 2016 (Serial Nos. 79122365 and 7912236) pp. 32-33 (emphasis added).

possible, because the use of BOOKING.COM in connection with online services is clearly the core area that the Trademark Office considered to raise the question of genericness. Accordingly, measuring consumer perception of BOOKING.COM in the online context squarely tested the context in which the chance of consumers understanding a mark ending in “.COM” to be generic was greatest. If consumers do not regard a mark ending in “.COM” as generic in the context of online services, it makes no sense to imagine that surveying a broader context including in-person services could have resulted in consumers believing the term to be generic. Dr. Blair’s criticism that the survey was under-inclusive due to focusing only on online services is misplaced and contradicts the Trademark Office’s very reason for rejecting the mark—that it believed BOOKING.COM would be perceived as a generic term for an “online” reservation service.

II. Education of Respondents Regarding DOT-COM Names as Brand or Generic.

Dr. Blair next argues that the respondents were not sufficiently educated to understand the difference between brand names and generic names in the context of DOT-COM terms, and that the screening “test” questions did not weed out those who did not sufficiently understand the difference. Dr. Blair points to the fact that 33% of respondents in the main survey answered that WASHINGMACHINE.COM is a brand as supposed evidence of his point. While I disagree with Dr. Blair’s analysis² (as discussed in more detail below),

² As explained in my original report, the survey made very clear that some DOT-COM terms are generic terms by including

there is no need for speculative debates because there is an easy empirical way to resolve this issue. Even if we were to assume Dr. Blair is correct to say that those who identified WASHINGMACHINE.COM as a “brand” were incorrect or not sufficiently educated and should have been weeded out by prior questions testing understanding of DOT.COM terms (which I disagree with), we can remove such respondents and look at the remaining results. Removing all 132 respondents who answered that WASHINGMACHINE.COM is a brand yields a sufficiently large and robust sample size of 268 respondents who did not think WASHINGMACHINE.COM is a brand, and for whom there is no doubt as to their qualification and ability to distinguish between a term like WASHINGMACHINE.COM and brand names. The substantive result for BOOKING.COM among these 268 respondents is shown here:

OFFICESUPPLIES.COM as one of three examples of generic terms in the introductory section explaining generic terms. There is no basis for suggesting respondents would not understand that a DOT.COM term could be a generic term when a DOT.COM term was presented as one of three examples in defining generic terms.

N=268 (Respondents who answered that WASHINGMACHINE.COM is <u>not</u> a brand)	ANSWER FOR BOOKING.COM
Brand name	65%
Common name	33%
Don't know	2%

Accordingly, even if we were to weed out all respondents who answered that WASHINGMACHINE.COM is a brand and base the analysis exclusively on those who did not think WASHINGMACHINE.COM is a brand (thus proving their ability to understand such DOT.COM terms as not being brands as Dr. Blair desires), the remaining consumer base still overwhelmingly perceives BOOKING.COM as a brand. The 65% rate of identifying BOOKING.COM as a brand among this subset is far above 50% and virtually double the rate of answering that it is a common name (33%). While I don't agree that a Teflon Survey needs to be re-analyzed to discount results, this additional analysis is useful here as a simple demonstration that Dr. Blair's criticism has no substantive import, because even if we were to assume the criticism had any theoretical merit, we can precisely account for it by putting aside the results of those who answered that WASHINGMACHINE.COM is a brand and observing that the same result ensues—i.e., BOOKING.COM is clearly not perceived as a generic term even among those who proved their ability to understand DOT-COM terms as generic terms by identifying WASHINGMACHINE.COM as generic.

III. Analysis of Survey Results

Dr. Blair also attempts to attribute significance to the fact that if you were to subtract the 33.0% “brand” result for WASHINGMACHINE.COM from the 74.8% result for BOOKING.COM, you would have a difference of below 50% (41.8%). Dr. Blair cites no scientific or precedential basis for such an analysis, nor does one exist to my knowledge. As a matter of survey science, the Teflon format is designed to distinguish in a primarily binary sense whether or not a term is perceived to be generic. The only basis for looking at a 50% threshold would be to determine if more respondents view the term as generic or more view it as a brand, with a result over 50% establishing that more view it in one manner than the other. There is no basis at all for the position that the brand result for the key term needs to exceed the result for another term by a margin of 50%. The result for BOOKING.COM is that far more respondents (74.8%, far over 50%) perceived it to be a brand name than a common name (23.8%). The result for WASHINGMACHINE.COM was the opposite—far more respondents (60.8%) perceived it to be a generic term than perceived it to be a brand (33%, well below 50%). The conclusion from this is very simple. The survey successfully and reliably distinguishes between DOT-COM names that are brands and those that are generic, as the result for BOOKING.COM was heavily on the brand side and the result for WASHINGMACHINE.COM was heavily on the generic side. There is no reason at all that the result for BOOKING.COM would need to exceed the result for WASHINGMACHINE.COM by any particular threshold, let alone 50%.

Dr. Blair cites nothing to support his analysis of looking at a 50% threshold for the margin between the key term (BOOKING.COM) and another term in the survey (WASHINGMACHINE.COM), nor have I ever seen such an analysis performed or even suggested by any court, the Trademark Office, or any researcher or commentator. In the analysis of the original Teflon survey in *E.I. duPont de Nemours & Co. v. Yoshida Int'l, Inc.* 393 F. Supp. 502, 525-527, 185 U.S.P.Q. 597, 615-16 (E.D.N.Y. 1975), no such analysis was done. The analysis focused on the 68% result for term TEFLON and did not subtract any other result or reach a conclusion based on the numerical margin between the result for TEFLON and any of the other terms. Nor have I seen such an analysis done in any other case involving a TEFLON survey, include TEFLON surveys assessing the marks STEELHEAD, KISSES, UGG, BEANIES, COUNTRY MUSIC ASSOCIATION, SWISS ARMY, and MARCH MADNESS. In the recent ABA publication entitled *Trademark and Deceptive Advertising Surveys, Law, Science, and Design*, there is an entire chapter on genericness surveys, including a lengthy discussion of the TEFLON survey and numerous cases involving TEFLON surveys. There is no suggestion anywhere in the discussion of the TEFLON format or numerous applications of the format that the result from another term within the survey would be subtracted from the key result with the expectation that the resulting difference would exceed 50%.³ Based on my experience having

³ Jay, E. Deborah (2012) "Genericness Surveys in Trademark Disputes," in *Trademark and Deceptive Advertising Surveys:*

conducted many TEFLON surveys, seen many other TEFLON surveys from other researchers, and reviewed analyses of TEFLON surveys from courts, the Trademark Office, and commentators, Dr. Blair's methodology for looking at the results appears to have no support or precedent.

As already indicated above, even if one's concern was to control for the possible impact of respondent "misunderstanding" of DOT-COM terms, the far more logical way to account for that is not to arbitrarily subtract the result for WASHINGMACHINE.COM among all respondents from the result for BOOKING.COM for all respondents, but to simply put aside the data from respondents who answered that WASHINGMACHINE.COM is a brand. As explained above, this does not meaningfully change the analysis, as nearly twice as many respondents in the subset who did not think WASHINGMACHINE.COM is a brand perceived BOOKING.COM as a brand (65%) as perceived it as a common name (33%). This analysis plainly accounts for any of the issues Dr. Blair raises and shows them to be without substantive merit, and further demonstrates that consumer perception is squarely (well over 50%) on the side of perceiving BOOKING.COM as a brand.

IV. Variation in Results by Order

Finally, Dr. Blair attempts to suggest that variation in the results based on the order of the terms shown somehow undermines the results, because variation suggests that the context of the other terms had an impact

"law, Science, and Design", edited by Shari Seidman Diamond and Jerre B. Swann, American Bar Association (pp. 101-145).

on the responses. Dr. Blair is, of course, correct that the results varied based on the orderings of the terms. His analysis that this suggests a problem, however, completely misses the point. Virtually every TEFLON survey has variation in results based on the different ordering of terms, whether the terms relate to DOT-COMs or not. Indeed, the very reason that TEFLON surveys include various orderings of the terms is because it is well known and expected that responses to terms often vary in this manner. The purpose of having various orderings of terms as a standard feature of the TEFLON survey is to control for this phenomenon. By showing the term at issue in various positions (here, 1st, 3rd, 5th and 7th) and by showing the term at issue before each other term and after each other term an equal number of times, the overall result averages out and accounts for the expected order effects. The mere fact that results vary by order cannot possibly be considered a flaw that undermines the reliability of a TEFLON survey, when the fundamental design of the TEFLON survey is an acknowledgment that such variation is expected to occur and an agreed-upon methodology for controlling for it.

Dr. Blair's analysis also fails to confront the simple fact that the "brand" result for BOOKING.COM was over 50% and well-larger than the "common" result in every one of the orderings he discusses. Perhaps even more critically, Dr. Blair ignores the fact that the result for BOOKING.COM when it was the first term shown was as follows:

- 74% brand
- 24% common
- 2% don't know

If the concern is that the context can impact the results based on the other terms shown, it is a simple solution to look at the first rotation where BOOKING.COM is shown first and observe that the result is overwhelmingly (74%) in favor of “brand” when BOOKING.COM is asked about prior to any other terms and, thus, could not have been influenced by other terms.

Likewise, Dr. Blair points out that the lowest rate of answering that WASHINGMACHINE.COM was a brand (18.0%) occurred when it was the first dot.com term asked about in the survey. Again, this is an easy way to see how the term WASHINGMACHINE.COM is perceived before any other dot.com terms were shown that could have possibly impacted their perceptions of WASHINGMACHINE.COM.⁴

In sum, even if one were concerned about the impact of context due to the order of terms and was not satisfied by the fact that the TEFLON survey is inherently designed to deal with this issue by including various orderings and averaging out responses across the orderings, we can simply look at the fact that 74% of

⁴ Dr. Blair also points to the variation in results by ordering as supporting his position that respondents were not effectively educated about brand names versus common names. Again, even to the extent one believed this to be an issue, it is easily controlled for by looking at the subset of 268 respondents who all “correctly” answered that WASHINGMACHINE.COM is not a brand, thus proving their ability to correctly understand that such DOT-COM terms can be generic. The result among such respondents was 65% brand identification of BOOKING.COM.

respondents who saw BOOKING.COM as the first term (before it could be influenced by any other terms) thought it was a brand name and only 18% of respondents who saw WASHINGMACHINE.COM as the first dot.com term thought it was a brand name. Again, this overwhelmingly establishes that the survey successfully distinguishes brand names from common names in the DOT.COM context and that the issues Dr. Blair raises have no substantive merit and don't undermine the reliability of the survey's overall result or conclusions.

/s/ HAL PORET
HAL PORET

Dated: Oct. 28, 2016

APPENDIX A

Hal L. Poret (hal.inc42@gmail.com; 914-772-5087)

Education

- 1998 Harvard Law School, J.D., *cum laude*
- Editor/Writer—Harvard Law Record
 - Research Assistant to Professor Martha Minow
- 1995 S.U.N.Y. Albany, M.A. in Mathematics, *summa cum laude*
- Statistics
 - Taught calculus/precalculus/statistics
- 1993 Union College, B.S. in Mathematics with honors, *magna cum laude*
- Phi Beta Kappa
 - Resch Award for Achievement in Mathematical Research

Employment

- 2016- President, Hal Poret LLC
- Design, supervise, and analyze consumer surveys, including Trademark, Trade Dress, Advertising Perception, Consumer Deception, Claims Substantiation studies, Damages, and Corporate Market Research Surveys
 - Consulting regarding survey design and review of other surveys
 - Provided expert testimony at deposition and/or trial regarding survey research in over 100 U.S. District Court litigations and proceedings in front of TTAB, NAD, FTC and FCC.

2004-2015 Senior Vice President, ORC International

- Designed, supervised, and analyzed consumer surveys in legal and corporate market research areas, and provided expert testimony regarding survey research in legal cases.

2003-2004 Internet Sports Advantage

- Developed and marketed proprietary internet sports product, and licensed trademark and intellectual property rights.

1998-2003 Attorney, Foley Hoag & Eliot, Boston, MA

- Represented corporations and individuals in trademark, trade dress, advertising, product, and related legal disputes.
- Worked with survey experts in developing and using surveys as evidence in trademark, trade dress and advertising disputes.

Testimony at Trial or by Deposition Past 4 Years

(Party who retained me shown in bold)

2016	Booking.com B.V. v. Michelle Lee (Deposition)	USDC Eastern District of VA
2016	Variety Stores v. Walmart Stores, Inc. (Trial)	USDC Eastern District of NC
2016	American Cruise Lines v. American Queen Steamboat Company (Deposition)	USDC District of DE
2016	Ducks Unlimited v. Boondux LLC and Caleb Sutton (Deposition)	USDC Western District of TN
2016	Universal Church v. Univ. Life Church (Deposition)	USDC Southern District of NY
2016	U. of Houston v. Houston Col. of Law (Deposition and PI Hearing Testimony)	USDC Southern District of TX
2016	Navajo Nation v. Urban Outfitters (Daubert Hearing)	USDC District of NM

2016	Beaulieu v. Mohawk Carpet Dist. (Deposition)	USDC Northern District of GA
2016	Efficient Frontiers v. Reserve Media (Deposition)	USDC Central District of CA
2016	McAirlaids v. Medline Industries (Deposition)	USDC Eastern District of VA
2016	Under Armour v. Ass Armor (Deposition)	USDC Southern District of FL
2016	C5 & CoorsTek v. CeramTec (Deposition and trial)	USDC Dis- trict of Col- orado
2016	BBC v. Stander (Deposition)	USDC Cen- tral District of CA
2016	Caterpillar v. Tigercat (Deposition)	USPTO Opposition
2016	Premier v. Dish Network (Deposition)	USPTO Opposition

2016	Omaha Steaks v. Greater Omaha (Rebuttal Testimony)	USPTO Opposition
2016	EMC v. Pure Storage (Deposition)	USDC Dis- trict of MA
2016	Top Tobacco v. North Atlantic (Deposition)	USPTO Opposition
2016	Ascension Health v. Ascension Ins. (Deposition)	USDC Eastern District of MO
2016	Quoc Viet v. VV Foods (Deposition and Trial)	USDC Cen- tral District of GA
2016	Joules v. Macy's Merchandising Group (Deposition and trial)	USDC Southern District of NY
2015	MMG v. Heimerl & Lammers (Deposition and trial)	USDC Dis- trict of MN
2015	PRL USA v. Rolex (Deposition)	USDC Southern District of NY
2015	Adidas v. Skechers (Deposition and Injunction hearing)	USDC Dis- trict of OR

2015	Bison Designs v. Lejon (Deposition)	USDC Dis- trict of CO
2015	Barrera v. Pharmavite (Deposition)	USDC Cen- tral District of CA
2015	Flowers v. Bimbo Bakeries (Deposition)	USDC Mid- dle District of GA
2015	Razor USA v. Vizio (Deposition)	USDC Cen- tral District of CA
2015	Allen v. Simalasan (Deposition)	USDC Southern District of CA
2015	Church & Dwight v. SPD (Deposition and trial)	USDC Southern District of NY
2015	BMG Rights Mgmt. v. Cox Enterprises (Deposition and trial)	USDC East- ern District of VA
2015	Verisign v. XYZ.COM LLC (Deposition)	USDC Eas- tern District of VA
2015	Select Comfort v. Personal Comfort (Deposition)	USDC Dis- trict of Minn

2015	Farmer Boys v. Farm Burger (Deposition)	USDC Central District of CA
2015	Ono v. Head Racquet Sports (Deposition)	USDC Central District of CA
2015	Select Comfort v. Tempur Sealy (Deposition)	USDC District of Minn
2015	ExxonMobil v. FX Networks (Deposition)	USDC Southern Central District of TX
2015	Mullins v. Premier Nutrition (Deposition)	USDC Northern District of CA
2015	Delta v. Network Associates (Deposition)	USDC Middle District of FL
2015	Brady v. Grendene (Deposition)	USDC Central District of CA
2015	Zippo v. LOEC (Deposition)	USDC Central District of CA

2015	Maier v. ASOS (Deposition)	USDC District of Maryland
2015	Converse In re: Certain Footwear (Deposition and trial)	International Trade Commission
2014	Scholz v. Goudreau (Deposition)	USDC District of Mass
2014	Economy Rent-A-Car v. Economy Car Rentals (TTAB Testimony)	USPTO
2014	Weber v. Sears (Deposition)	USDC Northern District of IL
2014	Native American Arts v. Stone (Deposition)	USDC Northern District of IL
2014	Gravity Defyer v. Under Armour (Trial)	USDC Central District of CA
2014	Adams v. Target Corporation (Deposition)	USDC Central District of CA
2014	PODS v. UHAUL (Deposition and trial)	USDC Middle District of FL

2014	Flushing v. Green Dot Bank (Deposition)	USDC Southern District of NY
2014	Amy's Ice Creams v. Amy's Kitchen (Deposition)	USDC Western District of TX
2014	Unity Health v. UnityPoint (Deposition)	USDC Western District of WI
2014	In re: NCAA Student-athlete litigation (Deposition and Trial)	USDC Northern District of CA
2014	Spiraledge v. SeaWorld (Deposition)	USDC Southern District of CA
2014	Diageo N.A. v. Mexcor (Deposition and trial)	USDC Southern District of TX
2014	Pam Lab v. Virtus Pharmaceu- tical (Deposition and trial)	USDC Southern District of FL

2014	US Soccer Federation v. Play-ers Ass'n (Arbitration Testimony)	Arbitration
2014	Estate of Marilyn Monroe v. AVELA (Deposition)	USDC Southern District of NY
2014	Kelly-Brown v. Winfrey, et al. (Deposition)	USDC Southern District of NY
2014	Virco Mfg v. Hertz & Academia (Deposition)	USDC Cen- tral District of CA
2014	In re: Hulu Privacy Litiga- tion (Deposition)	USDC Northern District of CA
2013	Jackson Family Wines v. Dia- geo (Deposition)	USDC Northern District of CA
2013	Bubbles, Inc. v. Sibü, LLC. (Deposition)	USDC Eastern District of VA

2013	Clorox v. Industrias Dalen (Deposition)	USDC Northern District of CA
2013	Globefill v. Elements Spirits (Deposition and trial)	USDC Cen- tral District of CA
2013	Active Ride Shop v. Old Navy (Deposition and trial)	USDC Cen- tral District of CA
2013	Macy's Inc. v. Strategic Marks LLC. (Deposition)	Northern District of CA
2013	Karoun Dairies, Inc. v. Karoun Dairies, Inc. (Deposition)	Southern District of CA
2013	Kraft Foods v. Cracker Barrel Old Country (Deposition and Trial)	Northern District of IL
2013	Bayer Healthcare v. Sergeants Pet Care (Deposition and Trial)	USDC Southern District of NY
2013	JJI International v. The Bazar Group, Inc. (Deposition)	USDC Dis- trict of RI

2013	Fage Diary USA v. General Mills (Deposition)	Northern District of NY
2013	Gameshow Network v. Cablevision (Deposition and trial)	F.C.C.
2013	Telebrands v. Meyer Marketing (Deposition)	USDC Eastern District of CA
2012	Marketquest v. BIC (Deposition)	USDC Southern District of CA
2012	Hornady v. DoubleTap (Deposition)	USDC District of Utah
2012	Briggs/Kohler Opposition to Honda (Deposition)	TTAB
2012	Apple v. Samsung (Deposition and Trial)	USDC Northern District of CA
2012	Forest River v. Heartland (Deposition)	USDC Northern District of IN

2012	SPD v. Church & Dwight (Deposition)	USDC Dis- trict of NJ
2012	Brighton Collectibles v. Texas Leather (Deposition)	USDC Southern District of CA
2012	Cytosport v. Vital Pharmaceu- ticals (Deposition)	USDC Eastern District of CA
2012	Authors Guild v. Google (Deposition)	USDC Southern District of NY
2012	Clear Choice v. Real Choice (Opposition testimony)	TTAB
2011	Borghese v. Perlier et al. (Deposition)	USDC Southern District of NY
2011	My Favorite Company v. Wal-Mart (Deposition)	USDC Cen- tral District of CA
2011	PepsiCo v. Pirincci (Opposition testimony)	TTAB

2011	GAP Inc. v. G.A.P. Adventures (Trial)	USDC Southern District of NY
2011	Merck Eprova v. Brookstone (Deposition and trial)	USDC Southern District of NY
2011	Wella, Inc. v. Willagirl LLC (Deposition)	USDC Southern District of NY
2011	Bauer Bros. v. Nike (Deposition)	USDC Southern District of CA
2011	Aviva Sports v. Manley (Deposition)	USDC Dis- trict of Min- nesota
2011	American Express v. Black Card LLC (Deposition)	USDC Southern District of NY
2011	Gosmile v. Dr. Levine (Preliminary Injunction Trial)	USDC Southern District of NY

Presentations

What's New in Advertising Law, Claim Support and Self-Regulation? (ABA Seminar, November 17, 2015)

How Reliable is Your Online Survey (2015 ASRC Annual Conference, September 29, 2015)

What Do Consumers Think? Using Online Surveys to Demonstrate Implied Claims (ANA Advertising Law and Public Policy Conference, April 1, 2015)

Cutting Edge Developments in Trademark Surveys (Rocky Mountain Intellectual Property & Technology Institute, May 30, 2013)

Using Survey Experts in Trademark Litigation (DRI Intellectual Property Seminar, May 9, 2013)

Surveys in Trademark and Advertising Litigation (2013 National CLE Conference, Snowmass Colorado, January 2013)

Internet Survey Issues (PLI Hot Topics in Advertising Law Conference, March 2012)

Measuring Consumer Confusion Through Online Surveys (2011 Midwest IP Institute) (September, 2011)

Online Surveys as Evidence in Trademark Disputes (International Trademark Association Annual Conference, May 2011)

Managing Intellectual Property Trademark Roundtable (April 7, 2010)

Recent Trends in Trademark Surveys (Virginia State Bar Intellectual Property Conference, October 2009)

Trademark Surveys in US Litigation (presentation for International Trademark Association Annual Conference) (May 2009)

How to Conduct Surveys for use in Trademark Disputes (Practicing Law Institute Advanced Trademark Law Conference) (May 2009)

Trademark and Advertising Perception Studies for Legal Disputes (Opinion Research Corporation Seminar, June 2008)

Understanding Advertising Perception Surveys (Promotions Marketing Association Annual Law Conference) (November 2007)

Designing and Implementing Studies to Substantiate Advertising Claims (American Conference Institute Claims Substantiation Conference, October 2007)

Surveys in Trademark and False Advertising Disputes (InfoUSA Webinar, June 2007)

Measuring Consumer Perception in False Advertising and Trademark Cases, (multiple presentations) (2007)

Potential Errors to Avoid In Designing a Trademark Dilution Survey (American Intellectual Property Association paper, April 2007)

Consumer Surveys in Trademark and Advertising Cases (presentation at Promotions Marketing Association Annual Law Conference) (December 2006)

Use of Survey Research and Expert Testimony in Trademark Litigation, (International Trademark Association Annual Conference, May 2006)

Survey Research as Evidence in Trademark/Trade Dress Disputes (multiple presentations) (2006)

Using Surveys to Measure Secondary Meaning of Trade Dress, Legal Education Seminar, Boston, April 2006

Publications/Papers

Cutting Edge Developments in Trademark Surveys (Rocky Mountain Intellectual Property & Technology Institute, May 2013)

Hot Topics and Recent Developments in Trademark Surveys (paper for May 2013 DRI Intellectual Property Conference)

Surveys in Trademark and Advertising Litigation (2013 National CLE Conference, Snowmass Colorado, January 2013)

Trademark Litigation Online Consumer Surveys (Practical Law Company Intellectual Property and Technology, May 2012)

Hot Topics in Advertising Law 2012 (Contributor to Practising Law Institute publication)

A Comparative Empirical Analysis of Online Versus Mall and Phone Methodologies for Trademark Surveys, 100 TMR 756 (May-June 2010)

Recent Trends in Trademark Surveys (paper for Virginia State Bar Intellectual Property conference, October 2009)

Trademark Dilution Revision Act breathes new life into dilution surveys (In Brief PLI website, June 2009)

The Mark (Survey Newsletter; three editions 2009)

Hot Topics in Trademark Surveys (paper for Practising Law Institute Advanced Trademark Law Conference) (May 2009)

The Mark (Survey Newsletter, 2008)

Trademark and Advertising Survey Report (Summer 2007)

Avoiding Pitfalls in Dilution Surveys under TDRA (AIPLA Spring Conference, Boston, May 2007)

Commentary

Comment on Hotels.com case (on TTABLOG.COM, July 24, 2009)

Comment on Nextel v. Motorola (on TTABLOG.COM, June 19, 2009)

PLI All-Star Briefing Newsletter, “What does the Trademark Dilution Revision Act mean for the future of Dilution Surveys?” (June 2009)

Professional Memberships/Affiliations

American Association of Public Opinion Research

Council of American Survey Research Organizations

International Trademark Association

National Advertising Division of Council of Better Business Bureaus

Response to Office Action

The table below presents the data as entered

Input Field	Entered
SERIAL NUMBER	79122366
LAW OFFICE ASSIGNED	LAW OFFICE 107
MARK SECTION	
MARK FILE NAME	http://tsdr.uspto.gov/img/79122366/large
LITERAL ELEMENT	BOOKING.COM
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
ARGUMENT(S)	

In a Non-Final Office Action dated November 16, 2013, the U.S. Patent and Trademark Office refused registration of the mark BOOKING.COM (Stylized) on the basis that the mark is alleged to be generic. In the alternative, the PTO Examiner maintained the descriptiveness refusal, finding Applicant's evidence of acquired distinctiveness insufficient to overcome the descriptiveness refusal. Applicant submits that BOOKING.COM (Stylized) is neither generic nor de-

scriptive. In the alternative, Applicant's evidence of acquired distinctiveness demonstrates that its mark has acquired distinctiveness and is entitled to registration under Section 2(f).

I. BOOKING.COM is Inherently Distinctive

A mark is "merely descriptive" of the goods and services if it would *immediately convey* to one seeing or hearing it the thought of the product. *In re American Soc'y of Clinical Pathologists, Inc.*, 169 U.S.P.Q. 800, 801 (C.C.P.A. 1971). Conversely, "if the mental leap between the word and the product's attributes is not almost *instantaneous*, this strongly indicates suggestiveness, not direct descriptiveness." J. Thomas McCarthy, 2 McCarthy on Trademarks § 11:67 (4th ed. 1999, Rev. 3/2008) (emphasis supplied); *In re Tennis in the Round, Inc.*, 199 U.S.P.Q. 496, 497 (T.T.A.B. 1978) (TENNIS IN THE ROUND found not to be descriptive of tennis facilities); *Hasbro, Inc. v. Lanard Toys, Ltd.*, 858 F.2d 70 (2d Cir. 1988) (GUNG-HO found to be suggestive rather than descriptive of a cartoon-based toy action doll); *Tanel Corp. v. Reebok Int'l, Ltd.*, 774 F. Supp. 49 (D. Mass. 1990) (360° not descriptive of sports shoes). Applicant submits that the term BOOKING (and certainly the actual term for which registration is sought, BOOKING.COM) does not immediately convey the nature of the Applicant's services to the relevant purchasing public. Stated differently, and even assuming it is fair to dissect the word component of the mark into constituent elements, any meaning of the term BOOKING that would be relevant to the average purchasers in the United States, with respect to the services identified in the application, would not be *forthwith* understood *immediately* with

any *particularity*—the relevant standard. See *In re Stereotaxis, Inc.*, 429 F.3d 1039 (Fed. Cir. 2005) (emphasis added); TMEP § 1209.01(b); *In re Major League Baseball Properties, Inc.*, Serial Nos. 78/183,355 and 78/183,381 (T.T.A.B. March 2, 2005) (non-precedential).

Instead, BOOKING.COM is inherently ambiguous, as “booking” can refer to many different things, including entertainment * * *

* * * * *

group (such as a singer or band) to perform at a particular place”; again, not the services sought by Applicant;

(5) A dictionary definition from *Cambridge Dictionaries Online* for the British meaning of “Booking” which, again, is irrelevant to the question of how American consumers will perceive the mark;

(6) Registrations for the marks RESORT BOOKINGS, FLEXIBLE BOOKING, EBOOKING.COM, and EVENTBOOKING.COM. Applicant is not seeking to register the mark “BOOKING” or “BOOKINGS” and therefore the registrations for RESORT BOOKINGS and FLEXIBLE BOOKING are inapt. The registration for EBOOKING.COM, Reg. No. 3888087 was granted in 2010, alleging dates of first use of 2010. Applicant has been using the mark BOOKING.COM in U.S. commerce since at least as early as 2006, far prior to the date alleged by the registrant. Applicant considers the use and registration of EBOOKING.COM to be a potential infringement and submits that it is not probative that BOOKING.COM is commonly used within the industry. Moreover, the fact that the Trademark Office registered the term EBOOKING.

COM (merely the addition to Applicant's long-established mark of the designation "e," recognized to designate electronic commerce, demonstrates the fundamental inconsistency of the current contention that the term is generic). The registration for EVENTBOOKING.COM covers unrelated services and therefore is not probative of the significance of the mark in connection with Applicant's services;

(7) Dictionary definitions of ".com" and registrations containing ".com",

(8) Registrations for various marks which contain neither "BOOKING" nor ".COM" (it is unclear what relevant these marks have to the matter at hand); and

(8) A handful of websites with the character string "booking" somewhere in the URL. These websites are addressed in detail later in this response.

Conspicuously absent is any dictionary definition of BOOKING.COM. [1] Nor is there any evidence that the relevant public primarily understands the mark "BOOKING.COM" to refer to any genus of goods or services. It is scarcely imaginable that a consumer, wishing to speak to his or her human travel agent, might say "I am going to call my BOOKING.COM" or "I am going to drive over to the BOOKING.COM to pick up my tickets." Likewise, there is no evidence that consumers in the online world refer to any of the many competing travel sites such as Travelocity, Expedia, Orbitz, or any others, as "Booking.coms" or even "Bookings." Similarly, there is no evidence that travel agents in the bricks and mortar world or the online world call themselves "Booking.coms" or even "Bookings."

Not one of the uses cited by the Examining Attorney shows use of the actual composite term that is the actual trademark, BOOKING.COM. The United States Supreme Court has held, and it has always been an the unquestioned first principle of trademark law, that “The commercial impression of a trade-mark is derived from it as a whole, not from its elements separated and considered in detail. For this reason it should be considered in its entirety . . . ” *Estate of P.D. Beckwith, Inc. v. Comm’r of Patents*, 252 U.S. 538, 545-46 (1920); *In re Hutchinson Technology*, 852 F.2d 552 (Fed. Cir. 1988) (Board erroneously failed to consider the term HUTCHINSON TECHNOLOGY as a whole). The Examining Attorney has at no point sought to reconcile his views with this first principle of trademark law. Indeed, because the trademark also serves as a URL, it must by definition point to only one unique address on the internet. As a matter of law, it could not function even as a URL (much less as a trademark) if others could use the term to refer to an entire genus of services. Although Applicant recognizes that the PTO has long held that the TLD “.com” itself has no source indicating function, Applicant is not seeking rights in that designation. Rather, it is seeking to register the composite term “BOOKING.COM” in stylized lettering. Although the element .com may, in and of itself, have no source indicating function, that is not the same as saying it has no meaning whatsoever. It plainly does have meaning, and where the element is used as part of a composite term it plainly does have add meaning to the composite term—in some instances thoroughly transforming the source-indicating function of a word. For instance, “Amazon” is a river (or to classics scholars a tribe of wild * * *

* * * * *

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

Civil Action No. 1:16-cv-425-LMB-IDD

BOOKING.COM B.V., PLAINTIFF

v.

MICHELLE K. LEE, UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF
THE UNITED STATES PATENT AND TRADEMARK
OFFICE, ET AL., DEFENDANTS

Nov. 18, 2016

PLAINTIFF'S RESPONSES TO DEFENDANTS'
FIRST SET OF INTERROGATORIES

Plaintiff responds as follows to the first set of interrogatories of Defendants Michelle K. Lee, in her official capacity as Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, and the United States Patent and Trademark Office, which was served electronically by David Moskowitz, Assistant United States Attorney, on September 22, 2016.

INTERROGATORIES

1. Identify all domain names owned or controlled by you as of the date of the service of these interrogatories that forward, point, or redirect to a name server on bkngs.com.

OBJECTION:

Plaintiff objects to this Request on the grounds that the existence and identity of other domain names registered by Booking.com to prevent “typosquatting” is irrelevant, not proportional to the needs of the case, and not likely to lead to the discovery of admissible evidence.

RESPONSE:

Without prejudice to or waiver of the foregoing objections, pursuant to Fed. R. Civ. P. Rule 33(d), plaintiff will produce documents responsive to this request.

2. Attached as Interrogatory Exhibit A is a document titled “Bkngs.com Reverse Name Server Lookup.” Interrogatory Exhibit A identifies “3,457 domains pointed to a name server on bkngs.com.” To the extent not identified in response to Interrogatory No. 1, identify all domain names owned by you as of the date of the service of these interrogatories that are “pointed to a name server on Bkngs.com” (as that phrase is used in Interrogatory Exhibit A).

OBJECTION:

Plaintiff objects to this Request on the grounds that the existence and identity of other domain names registered by Booking.com to prevent “typosquatting” is irrelevant, not proportional to the needs of the case, and not likely to lead to the discovery of admissible evidence.

RESPONSE:

Without prejudice to or waiver of the foregoing objections, pursuant to Fed.R.Civ.P. Rule 33(d), plaintiff will produce documents responsive to this request.

3. Identify any instances in which Booking.com has argued that the .com portion of a domain name has no trademark significance.

OBJECTION:

Plaintiff objects to this Request on the grounds that it is irrelevant, not proportional to the needs of the case, not likely to lead to the discovery of admissible evidence.

RESPONSE:

Without prejudice to or waiver of the foregoing objections, and as Plaintiff understands this request based on the briefing of Defendants' motion, Plaintiff is not aware that it has ever taken the position that the character string ".com" alone has trademark significance, including in the "Bookit" litigation cited by the PTO (in which genericness was not at issue) and in the present action. In the portion of a brief in the "Bookit" litigation cited by Defendants, Booking.com quoted a McCarthy treatise, which stated "The '.com' portion of the domain name has no trademark significance and is essentially the generic locator for all names in that top level domain.") PTO-00033. Booking.com is currently unaware of any other instances in which it has relied upon this or a similar quote, but generally believes that it has always argued positions consistent with its current position that the trademark BOOKING.COM as a whole is protectable as a trade-

mark, not that the element “.com” alone has trademark significance.

Dated: Nov. 18, 2016

Respectfully submitted,

FOLEY & LARDNER LLP

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of November, 2016, I caused the foregoing **PLAINTIFF'S RESPONSE TO DEFENDANT'S FIRST SET OF INTERROGATORIES** to be served via email on the following counsel of record for Defendants:

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Domain Name	Reg. Organization	Nameservers
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Domain Name	Reg. Organization	Nameservers
hotel-manchester.net	Booking.com B.V.	ns1.bkngs.com, ns2.bkngs.com, ns0.bkngs.com, ns3.bkngs.com
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Domain Name	Reg. Organization	Nameservers
hotels-stbarthelemy.com	Booking.com B.V.	ns1.bkngs.com, ns2.bkngs.com, ns0.bkngs.com, ns3.bkngs.com
hotels-stcroix.com	Booking.com B.V.	ns1.bkngs.com, ns2.bkngs.com, ns0.bkngs.com, ns3.bkngs.com
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Domain Name	Reg. Organization	Nameservers
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Domain Name	Reg. Organization	Nameservers
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Domain Name	Reg. Organization	Nameservers
workingatbooking.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
worldwide-airport-hotels.com	Booking.com B.V.	ns1.bkngs.com, ns0.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
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Domain Name	Reg. Organization	Nameservers
xn-3ds07hezgv65awym11t.sg 在線客房預訂.sg	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-3ds07hezgv65awym11t.xn-55qx5d 在線客房預訂.公司	Booking.com B.V.	ns0.bkngs.com, ns2.bkngs.com, ns3.bkngs.com, ns1.bkngs.com
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Domain Name	Reg. Organization	Nameservers
xn-3dsx1xxcpqvizkoxr.xn-55qx5d.xn-j6w193g 環球訂房在線.公司.香港	Hong Kong Internet Holding Limited	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
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xn-90aemkp8a0j.xn-j1amh букінгс.укр	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-90aehq7a.xn-80ao21a букинг.қаз	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-90aehq7a.xn-90a3ac букинг.срб	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-90aehqda2a.xn-90a3ac боокингс.срб	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-90aehqda2a.xn-o1ac.xn-90a3ac боокингс.нр.срб	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-90aehqzj.com.ua букингс.срб	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-90aehqzj.com букингс.срб	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-90aehqzj.net букингс.срб	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-90aehqzj.xn-80ao21a букингс.қаз	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-90aehqzj.xn-p1ai букингс.срб	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-90aem2a9l.com букингс.срб	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-90aem2a9l.net букингс.срб	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com

Domain Name	Reg. Organization	Nameservers
xn--90aem2a9i.xn--j1amh 6ydxr.ykp	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-- 9csoc131ax48auym2kkujn3c.com.sg 國際酒店在線預訂.com.sg	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-- 9csoc131ax48auym2kkujn3c.sg 國際酒店在線預訂.sg	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-- 9csoc131ax48auym2kkujn3c.xn-- 55qx5d.xn--j6w193g 國際酒店在線預訂.公司.香港	Hong Kong Internet Holding Limited	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-- 9csoc131ax48auym2kkujn3c.xn-- yfro4i67o 國際酒店在線預訂.新加坡	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--bookingspaa-khb.com bookingspaa.com	Booking.com B.V.	ns0.bkngs.com, ns2.bkngs.com, ns3.bkngs.com, ns1.bkngs.com
xn--bookingspaa-ktb.com bookingspaa.com	Booking.com B.V.	ns0.bkngs.com, ns2.bkngs.com, ns3.bkngs.com, ns1.bkngs.com
xn--clc3ar2bi3dp2h.my பதிவுகள்.my	Integrity Corporation Sdn. Bhd.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--clc3ar2bi3dp2h.xn-- clchc0ea0b2g2a9gcd பதிவுகள்.சிங்கப்பூர்	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--d9be5d6b7ak54a.com ஃகிர்சு.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--d9be5d6b7ak54a.net ஃகிர்சு.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--d9be5d6b7ak54a.com ஃகிர்சு.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--d9be5d6b7ak54a.net ஃகிர்சு.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--espaabookings-lkb.com espaabookings.com	Booking.com B.V.	ns0.bkngs.com, ns2.bkngs.com, ns3.bkngs.com, ns1.bkngs.com
xn--hlctbv1atr3fta5cwec.my பதிவுசெய்தல்.my	Integrity Corporation Sdn. Bhd.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--hlctbv1atr3fta5cwec.xn-- clchc0ea0b2g2a9gcd பதிவுசெய்தல்.சிங்கப்பூர்	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--i1b1bh5fxcwbn4h.com ஃகிர்சு.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--i1b1bh5fxcwbn4h.net ஃகிர்சு.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--i2eaaa6b7bdra6d9qiafb8d7n.co m ராஜேஸ் குமாரன்.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--i2eaaa6b7bdra6d9qiafb8d7n.ne t ராஜேஸ் குமாரன்.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--i2eaaaaaa9ah3b9fddd6be6ey ahafc76diahm0jihc9lqi3fyk.com ராஜேஸ் குமாரன் பதிவுசெய்தல் பதிவுசெய்தல்.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--i2eaaaaaa9ah3b9fddd6be6ey ahafc76diahm0jihc9lqi3fyk.net ராஜேஸ் குமாரன் பதிவுசெய்தல் பதிவுசெய்தல்.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn-- lodaaagidgaibmrbc8d3cdkjaei8nx b1j.com ரெஸ்ஸா கிராஸ்டாடிஸ்ட்ஸ் ரெஸ்ஸா கிராஸ்டாடிஸ்ட்ஸ்	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--mgbged0a5k.xn--mgbaam7a8h حجوزات.امارات	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com

Domain Name	Reg. Organization	Nameservers
xn--mgbged0a5k.xn--mgbep4a5d4ar حجزات السعودية	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--mgbged0a5k.xn--wgbl6a حجزات قطر	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--mk1bu3r95nzub.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--modrbct0bl.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--modrbct0bl.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--modrbct0c.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--modrbct0c.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--nck0byc7f.asia	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--nck0byc7f.biz	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--nck0byc7f.jp	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--nck0byc7f.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--nckg9cyd7g.asia	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--nckg9cyd7g.biz	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--nckg9cyd7g.jp	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--nckg9cyd7g.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngb0b0amin.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngb0b0amin.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngb0b0amin.xn--mgb0aam7a8h	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngb0b0amin.xn--mgbep4a5d4ar	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngb0b0amin.xn--wgbl6a	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngb0b0amin.xn--ygbl2ammx	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngb6ccmin.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngb6ccmin.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngb6ccmin.xn--mgb0aam7a8h	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngb6ccmin.xn--mgbep4a5d4ar	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngb6ccmin.xn--wgbl6a	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngb8dg85anb.my	Integrity Corporation Sdn. Bhd.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngbi2emin.xn--mgb0aam7a8h	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngbi2emin.xn--mgbep4a5d4ar	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngbi2emin.xn--wgbl6a	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
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xn--ngbi2emin.xn--wgbl6a	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngbis0epkp.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngbis0epkp.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngbis0epkp.xn--mgb0aam7a8h	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngbis0epkp.xn--mgbep4a5d4ar	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngbis0epkp.xn--wgbl6a	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngbis0epkp.xn--ygbl2ammx	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngbis0epkp.xn--wgbl6a	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ngbis0epkp.xn--ygbl2ammx	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com

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Domain Name	Reg. Organization	Nameservers
xn--rcyygy58d5yl.my 环球预订.my	Integrity Corporation Sdn. Bhd.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--rcyygy58d5yl.net 环球预订.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--rcyygy58d5yl.sg 环球预订.sg	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--rcyygy58d5yl.xn--55qx5d.xn--j6w193g 环球预订.公司.香港	Hong Kong Internet Holding Limited	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--rcyygy58d5yl.xn--55qx5d 环球预订.公司	Booking.com B.V.	ns0.bkngs.com, ns2.bkngs.com, ns3.bkngs.com, ns1.bkngs.com
xn--rcyygy58d5yl.xn--fiqs8s 环球预订.中国	Booking.com B.V.	ns0.bkngs.com, ns2.bkngs.com, ns3.bkngs.com, ns1.bkngs.com
xn--rcyygy58d5yl.xn--io0a7i 环球预订.网络	Booking.com B.V.	ns0.bkngs.com, ns2.bkngs.com, ns3.bkngs.com, ns1.bkngs.com
xn--rcyygy58d5yl.xn--j6w193g 环球预订.香港	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--rgbq.xn--mgbam7a8h حجز امارات	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--rgbq.xn--wqbl6a حجز قطر	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--rvc1ba5h2el1he.com ၈၂၃၆၁၇၂၀၇.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--rvc1ba5h2el1he.net ၈၂၃၆၁၇၂၀၇.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--rvc1ba5h6c1bn3ieb.com ၈၂၃၆၁၇၂၀၇၂၀၇.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--rvc1ba5h6c1bn3ieb.net ၈၂၃၆၁၇၂၀၇၂၀၇.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--syd1gyg5eqy.com ၈၂၃၆၁၇၂၀၇.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--syd1gyg5eqy.net ၈၂၃၆၁၇၂၀၇.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--ubt393f.cn 缤客.cn	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--vcsud62x349akqnr6hn3itte.asia 国际酒店在线预订.asia	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--vcsud62x349akqnr6hn3itte.biz 国际酒店在线预订.biz	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--vcsud62x349akqnr6hn3itte.cn 国际酒店在线预订.cn	Booking.com B.V.	ns0.bkngs.com, ns2.bkngs.com, ns3.bkngs.com, ns1.bkngs.com
xn--vcsud62x349akqnr6hn3itte.com.sg 国际酒店在线预订.com.sg	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--vcsud62x349akqnr6hn3itte.com 国际酒店在线预订.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--vcsud62x349akqnr6hn3itte.my 国际酒店在线预订.my	Integrity Corporation Sdn. Bhd.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--vcsud62x349akqnr6hn3itte.net 国际酒店在线预订.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--vcsud62x349akqnr6hn3itte.org 国际酒店在线预订.org	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--vcsud62x349akqnr6hn3itte.sg 国际酒店在线预订.sg	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--vcsud62x349akqnr6hn3itte.xn--55qx5d 国际酒店在线预订.公司	Booking.com B.V.	ns0.bkngs.com, ns2.bkngs.com, ns3.bkngs.com, ns1.bkngs.com

Domain Name	Reg. Organization	Nameservers
xn--vcsud62x349akqnr6hn3itte.xn--fiqs8s 国际酒店在线预订.中国	Booking.com B.V.	ns0.bkngs.com, ns2.bkngs.com, ns3.bkngs.com, ns1.bkngs.com
xn--vcsud62x349akqnr6hn3itte.xn--io0a7i 国际酒店在线预订.网络	Booking.com B.V.	ns0.bkngs.com, ns2.bkngs.com, ns3.bkngs.com, ns1.bkngs.com
xn--vcsud62x349akqnr6hn3itte.xn--j6w193g 国际酒店在线预订.香港	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--y9aag0ecx7cct.com уаіпwаgпuі.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--y9aag0ecx7cct.net уаіпwаgпuі.net	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
xn--y9aagi6ecoo3eceu.com уаіпwаgпuіubp.com	Booking.com B.V.	ns0.bkngs.com, ns1.bkngs.com, ns2.bkngs.com, ns3.bkngs.com
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zaragoza-hotel-service.com	Booking.com B.V.	ns1.bkngs.com, ns0.bkngs.com, ns2.bkngs.com, ns3.bkngs.com

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Civil Action No. 1:16-cv-425-LMB-IDD

BOOKING.COM B.V., PLAINTIFF

v.

MICHELLE K. LEE, UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF
THE UNITED STATES PATENT AND TRADEMARK
OFFICE, ET AL., DEFENDANTS

DECLARATION OF EDWARD A. BLAIR

I, Edward A. Blair, hereby declare as follows:

1. I am over eighteen (18) years of age and believe in the obligations of an oath.

2. The attached is a true and correct copy of my expert report in this case. The statements I made in that report represent my professional opinion on the matters discussed.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: Oct. 14, 2016

/s/ E.A. BLAIR
EDWARD A. BLAIR PH.D.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

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FOR INTELLECTUAL PROPERTY AND DIRECTOR OF
THE UNITED STATES PATENT AND TRADEMARK
OFFICE, ET AL., DEFENDANTS

Filed: Dec. 9, 2016

EXPERT REPORT OF EDWARD A. BLAIR, PhD.

Summary

I was asked by the United States Patent and Trademark Office (USPTO) to render my opinion concerning the September, 2016, expert report submitted by Mr. Hal Poret in the above-captioned matter. Specifically, I was asked to examine the survey that Mr. Poret designed and caused to be conducted (the “Poret Survey”) and comment on any factors that might influence the results or interpretation of that survey regarding the extent to which BOOKING.COM is perceived to be a brand name or a common name.

In my opinion, the following factors are relevant to the results obtained or the proper interpretation of the Poret Survey regarding the extent to which BOOKING.COM is perceived to be a brand name or a common

name. First, the population surveyed is under-inclusive. The Poret Survey is restricted to “consumers who search for or make hotel or travel arrangements online.” However, none of the trademark applications at issue are limited to services provided online, and thus the relevant populations includes consumers who search for or make hotel or travel arrangements other than online. The restriction of respondents to those “who search for or make hotel or travel arrangements online” makes the Poret Survey under-inclusive. This is relevant to the results because consumers who do not use online services may be less aware of BOOKING.COM, and hence the percentage of respondents who said that BOOKING.COM is a brand name (given response options of brand name, common name, or don’t know) may have been lower if the survey included all relevant consumers. Second, the Poret Survey did not effectively educate or test respondents regarding the distinction between DOT-COM brand names and common names. It appears that there was some tendency for respondents to think that any DOT-COM name is a brand. Third, the order in which DOT-COM terms were presented to respondents made a significant difference in the results. These response order effects reinforce the idea that respondents were not effectively educated or tested regarding the distinction between DOT-COM brand names and common names, and indicate that respondents appear to be answering based on context and inference rather than actual knowledge.

EXPERT REPORT OF EDWARD A. BLAIR, Ph.D.

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Expert's Qualifications, Background and Compensation

My name is Edward A. Blair. I am the Michael J. Cemo Professor of Marketing & Entrepreneurship and Chairman of the Department of Marketing and Entrepreneurship in the C.T. Bauer College of Business at the University of Houston in Houston, Texas. I also work as an independent consultant, and it is in that capacity that I write this report.

I have served as chair of the American Statistical Association Committee on Energy Statistics which advises the U.S. Energy Information Administration on statistical matters. I previously served on the U.S. Census Bureau Advisory Committee. I also have served as national conference chair for the American Marketing Association (AMA).

I am the author of various publications on marketing and survey research procedures and have served on the editorial boards of the *Journal of Marketing Research*, *Journal of the Academy of Marketing Science*, and *Journal of Business Research*, and the policy board for the *Journal of Consumer Research*. Books that I have co-authored included *Designing Surveys (3e)* and *Applied Survey Sampling*.

I have taught graduate-level university courses on Marketing Research, Survey Methods, Sampling, Statistics, and Multivariate Analysis. I also taught Sampling and Survey Methods at the AMA's School of Marketing Research from its inception in 1980 through 1999.

I have testified in lawsuits and been accepted as an expert in state and federal courts. A professional resume showing further information including a list of

publications is shown as Appendix 1 to this report, and a list of lawsuits in which I have testified in recent years is shown as Appendix 2. My hourly consulting rate is \$500 per hour. My compensation is not contingent upon the results of this matter.

Assignment and Materials Reviewed

I was asked by the United States Patent and Trademark Office (USPTO) to render my opinions concerning the September, 2016 expert report submitted by Mr. Hal Poret in the above-captioned matter. Specifically, I was asked to examine the survey that Mr. Poret designed and caused to be conducted (the “Poret Survey”) and comment on any factors that might influence the results or interpretation of that survey regarding the extent to which BOOKING.COM is perceived to be a brand name or a common name.

In this regard, I have reviewed the following materials:

- Expert report of Hal Poret
- Plaintiff’s Complaint in this matter
- Defendant’s Answer
- Trademark Application Serial Nos. 79122365, 79122366, 79114998, and 85485097 for BOOKING.COM
- Trademark Trial and Appeal Board (TTAB) opinions regarding Application Serial Nos. 79122365, 79122366, 79114998, and 85485097 for BOOKING.COM
- Applicant’s January 16, 2007 Request for Remand of Application to Examining Attorney to Consider

New Evidence Pursuant to Trademark Rule 2.142(d) in *In Re Hotels.com* (Application Serial 78/277681, TTABVUE 10)

- TTAB opinion in *In re Hotels.com, L.P.*, 87 U.S.P.Q.2d 1100 (TTAB 2008)
- The Federal Circuit’s opinion in *In re Hotels.com, L.P.*, 573 F.3d 1300 (Fed. Cir. 2009);
- The Federal Circuit’s opinion in *In re 1800Mattress.com IP, LLC*, 586 F.3d 1359 (Fed. Cir. 2009)
- The Ninth Circuit’s opinion in *Advertise.com, Inc. v. AOL Advertising, Inc.*, 616 F.3d 974 (9th Cir. 2010)

Background on the Poret Survey

According to Mr. Poret’s report, the Poret Survey included the following elements.

Sample Qualifications

The survey was conducted online with a total of 400 respondents “among consumers who search for or make hotel or travel arrangements online.”¹

Potential respondents were asked: “In the past 6 months, which of the following, if any, have you used a website or mobile app for?” One of the response options was: “To search for or make hotel or travel arrangements.” Respondents who selected this option were considered part of the relevant population and qualified to participate in the survey.²

¹ Poret Report p. 8 (B-000008).

² Poret Report p. 19 (B-0000019).

Potential respondents also were asked “In the next 6 months, which of the following, if any, are you likely to use a website or mobile app for?” with the same list of options. Respondents who selected “To search for or make hotel or travel arrangements” in response to this question were also considered part of the relevant population and qualified to participate in the main survey.³

Measurement Procedures

The Poret Survey used a Teflon format for assessing whether a term is a brand name or a common name. There were two versions of the survey, one in which references to “brand name” always preceded references to “common name,” and one in which references to “common name” always came first.⁴ The version with brand name first proceeded as follows.⁵

Respondents saw a computer screen that said:

“This survey is about brand names and common names. In a few moments you will be asked about a number of terms that you may or may not have seen or heard before. But first, please read the next two screens about what we mean by a brand name and what we mean by a common name.”

On a new screen, respondents were told:

“Brand names are names that companies use to identify who a product or service comes from.

³ Poret Report p. 20 (B-0000020).

⁴ Poret Report p. 8, 15 (B-000008, B-000015).

⁵ The following description is taken from Poret Report p. 9-13 (B-000009 - B000013).

Brands names primarily let the consumer know that a product or service comes from a specific company.

For example, TOYOTA, CHASE, and STAPLES.COM are all brand names. These terms primarily identify for a consumer who a product or service comes from.”

On the next screen, respondents were told:

“Common names are words used to identify a type of product or service—in other words, what that product or service is, not who makes it. Common names primarily let the consumers know what type of product or service is being offered.

For example, unlike the brand names TOYOTA, CHASE, and STAPLES.COM; AUTOMOBILE, BANK, AND OFFICESUPPLIES.COM are all common names. These terms primarily identify for the consumer what type of product or service a company is selling, rather than who the product or service comes from.”

Respondents were then asked:

“Do you understand the difference between a brand name and a common name?”

Respondents who answered “Yes” continued with the interview. Those who indicated they did not understand or were unsure did not continue.

Next, respondents were asked:

“Which type of name would you say KELLOGG is?”

Respondents were also asked:

“Which type of name would you say CEREAL is?”

Response options to both questions were: Brand name, Common name, and Don't know. Respondents who correctly answered that KELLOGG is a brand name and that CEREAL is a common name continued with the survey. Respondents who did not correctly answer both these questions were excluded from the survey.

Respondents who continued were then instructed:

"You will now see a series of bolded terms, one at a time, that you may or may not have seen or heard before. Under each term, you will also see a description of products or services for that term. For each term shown in bold, please answer whether you think the term is a brand name or a common name in the context of the products or services described. Or if you don't know, you may select that option."

Then, one at a time, respondents were shown one of seven terms with product descriptions until all seven terms had been seen. For each term, respondents were asked:

"Do you think is a . . . " (Response options: Brand name, Common name, Don't know)

The list of terms and product descriptions shown to respondents included the following term at issue:⁶

BOOKING.COM
Hotel and other lodging reservation services

⁶ Poret Report p. 12-13 (B-000012 - B000013).

Three brand name terms:

ETRADE.COM

Stock and investor broker services

PEPSI

Cola and other soft drinks

SHUTTERFLY

Photo-sharing and photo gifts service

And three common name terms:

SPORTING GOODS

Products used in sports and other physical activity

WASHINGMACHINE.COM

Reviews and sales of washing machines

SUPERMARKET

Retail sale of food and other groceries

An issue of apparent concern to Mr. Poret was the possibility that respondents might think that any DOT-COM name is a brand. His report states that “in order to address possible concerns that survey respondents might answer that any DOT-COM name is a brand . . . the list of terms shown in the Teflon study included other DOT-COM terms to assess and control for the extent to which respondents might assume and answer that any DOT-COM term is a brand name. This allows us to compare the perceptions of BOOKING.COM to other DOT-COM terms that clearly do or do not function as brands in order to assess whether consumer perception of BOOKING.COM as a brand name meaningfully exceeds the rate at

which respondents will answer that a generic term with “.com” at the end is a brand.”⁷

Specifically, Mr. Poret’s report states that “ETRADE.COM was included in the lineup of terms as an example of a DOT-COM brand name and WASHINGMACHINE.COM was included as an example of a DOT-COM generic term. The inclusion of WASHINGMACHINE.COM in particular allows us to assess the extent to which respondents will identify a generic term as a brand when ‘.com’ is added to the end, and to assess the extent to which the rate of perceiving BOOKING.COM as a brand exceeds this ‘noise’ level.”⁸

Mr. Poret’s report also states that “STAPLES.COM was included in the examples of brands as an illustration of a DOT-COM term that is a trademark” and “OFFICESUPPLIES.COM was included as an example of a common term to illustrate that not all DOT-COM terms are brand names and that a term that takes a generic term such as OFFICESUPPLIES and adds ‘.com’ can be a generic term. Since STAPLES.COM (as a brand) and OFFICESUPPLIES.COM (as a generic term) were both included in the examples, the survey neither gave emphasis to ‘brand’ or ‘common’ in the case of DOT-COM terms.”⁹

According to Mr. Poret’s report, there were four separate rotations that varied the order in which terms were presented to respondents. Any given respondent received one of these rotations; in other words, the

⁷ Poret Report p. 8 (B-000008).

⁸ Poret Report p. 14 (B-000014).

⁹ Poret Report p. 9, 10 (B-000009, B-000010).

400 total respondents were divided into 100 per rotation. The order in which terms were presented in the four rotations is shown in the following table, with the first term presented on top and the last term presented on the bottom.¹⁰

TABLE 1			
Rotation 1	Rotation 2	Rotation 3	Rotation 4
BOOKING.COM	WASHINGMACHINE.COM	SPORTING GOODS	WASHINGMACHINE.COM
SPORTING GOODS	SHUTTERFLY	ETRADE.COM	SHUTTERFLY
ETRADE.COM	BOOKING.COM	PEPSI	SUPERMARKET
PEPSI	SPORTING GOODS	SUPERMARKET	SPORTING GOODS
SHUTTERFLY	PEPSI	BOOKING.COM	ETRADE.COM
WASHINGMACHINE.COM	ETRADE.COM	SHUTTERFLY	PEPSI
SUPERMARKET	SUPERMARKET	WASHINGMACHINE.COM	BOOKING.COM

Regarding the DOT-COM terms, it may be seen that WASHINGMACHINE.COM is presented before BOOKING.COM and ETRADE.COM in Rotations 2 and 4, and after both of those terms in Rotations 1 and 3.

It also may be seen that BOOKING.COM is presented after ETRADE.COM and before WASHINGMACHINE.COM in Rotation 3 (that is, after the brand name and before the common name), after WASHINGMACHINE.COM and before ETRADE.COM in Rotation 2 (that is, after the common name and before the brand name), after both other terms in Rotation 4, and before both other terms in Rotation 1.

Overall results of the survey, as reported by Mr. Poret are as follows:¹¹

¹⁰ Poret Report p. 13-14 (B-000013 - B-000014)

¹¹ Poret Report p. 28, 29 (B-000028, B-000029).

TABLE 2	
	Percentage of respondents who said this term is a brand name, given response options of brand name, common name, or don't know
BOOKING.COM	74.8%
PEPSI	99.3%
ETRADE.COM	96.8%
SHUTTERFLY	96.8%
SPORTING GOODS	0.5%
WASHINGMACHINE.COM	33.0% ¹²
SUPERMARKET	0.0%

Comments on the Poret Survey

In my opinion, the following factors are relevant to the results obtained or the proper interpretation of the Poret Survey regarding the extent to which BOOKING.COM is perceived to be a brand name or a common name.

The Population Surveyed Is Under-inclusive

The Poret Survey is restrict to “consumers” who search for or make hotel or travel arrangements online.” However, none of the trademark applications at issue are limited to services provided online.

Application Serial Nos. 79122365 and 79122366 are for “Hotel reservation services for others; holiday accommodation reservation services and resort reser-

¹² This is erroneously listed as 30% on Poret Report p. 17 (B-000017). Correspondingly, Poret Report p. 18 (B-000018) lists the difference between BOOKING.COM and WASHINGMACHINE.COM as “nearly 45%” rather than the actual 41.8%.

vation services, namely, providing hotel room reservation services and resort hotel reservation services and providing online hotel and resort hotel room reservation services; providing information about hotels, hotel accommodations and resorts accommodations, whether or not based on the valuation of customers; information, advice and consultancy relating to the aforesaid services; the aforesaid services also provided electronically,” in the International Class.¹³

Application Serial No. 85485097 is for “Travel agency services, namely, making reservations for transportation; travel and tour ticket reservation services; travel agency services, namely, making reservations for transportation for tourists; provision of travel information; providing consultation related to making reservations for transportation, and travel and tour ticket reservation; all of the foregoing services rendered in-person and via the internet,” in International Class 39. Also, “Making hotel reservations for others in person and via the internet; providing personalized information about hotels and temporary accommodations for travel in person and via the Internet; providing on-line reviews of hotels; consultation services related to making hotel reservations for others, provision of personalized information about hotels and temporary accommodations for travel, and on-line reviews of hotels,” in International Class 43.¹⁴

¹³ From Application Serial Nos. 79122365 (A1890) and 79122366 (A2898); underlining added for emphasis

¹⁴ From Application Serial No. 85485097 (A3565); underlining added for emphasis

Application Serial No. 79114998 is for “Arranging of tours and arranging of tours online; reservation and sale of travel tickets and online reservation and sale of travel tickets; information, advice and consultancy regarding the arranging of tours and the reservation and sale of travel tickets; provision of information relating to travel and travel destinations; travel and tour agency services, namely, travel and tour ticket reservation services; travel agency services; tourist agency services; providing online travel and tourism services, namely, providing online travel and tour ticket reservation services, online travel agency services, online tourist agency services and providing online information relating to travel and travel destinations,” in International Class 39. Also, “Making hotel reservations for others; holiday accommodation reservation services and resort reservation services, namely, providing hotel room reservation services and resort hotel reservation services and providing online hotel and resort hotel room reservation services; providing information about hotels, holiday accommodations and resorts accommodations, whether or not based on the valuation of customers; providing information, advice and consultancy relating making hotel reservations and temporary accommodation reservations; providing online information, advice and consultancy relating making hotel reservations and temporary accommodation reservations,” in International Class 43.¹⁵

If the applications are not limited to services provided online, then the relevant population includes

¹⁵ From Application Serial No. 79114998 (A670); underlining added for emphasis

consumers who search for or make hotel or travel arrangements other than online, and the restriction to “consumers who search for or make hotel or travel arrangements online” makes the Poret Survey under-inclusive.

This is relevant to the results because consumers who do not use online services may be less aware of BOOKING.COM, and hence the percentage of respondents who said that BOOKING.COM is a brand name (given response options of brand name, common name, or don’t know) may have been lower if the survey included all relevant consumers.

Respondents were not effectively educated or tested regarding the distinction between DOT-COM brand names and common names

The Poret Survey educated respondents on the distinction between brand names and common names by providing the following information.

“Brand names are names that companies use to identify who a product or service comes from. Brands names primarily let the consumer know that a product or service comes from a specific company.

For example, TOYOTA, CHASE, and STAPLES.COM are all brand names. These terms primarily identify for a consumer who a product or service comes from.”

And:

“Common names are words used to identify a type of product or service—in other words, what the product or service is, not who makes it. Common

names primarily let the consumers know what type of product or service is being offered.

For example, unlike the brand names TOYOTA, CHASE, and STAPLES.COM; AUTOMOBILE, BANK, AND OFFICESUPPLIES.COM are all common names. These terms primarily identify for the consumer what type of product or service a company is selling, rather than who the product or service comes from.”

The survey then tested respondents’ ability to make this distinction by asking:

“Which type of name would you say KELLOGG is?”

And:

“Which type of name would you say CERAL is?”

Respondents who correctly answered that KELLOGG is a brand name and that CEREAL is a common name continued with the survey. Respondents who did not correctly answer both these questions were excluded from the survey.

Procedurally, then, the information that was provided to educate respondents on the distinction between brand names and common names did not focus on DOT-COM terms and did not explain the difference between brand names and common names in a DOT-COM context. Also, respondents were not tested on their ability to distinguish a DOT-COM brand name from a DOT-COM common name.

The survey results indicate that these procedures did not effectively educate or test respondents regarding the distinction between DOT-COM brand names and common names. The results show that one-third

of the respondents, 33.0%, incorrectly identified WASHINGMACHINE.COM, the DOT-COM common name used in the survey, as a brand name. This compares with 0.5% and 0.0% for SPORTING GOODS and SUPERMARKET respectively, the non-DOT-COM common names. It appears that there was some tendency for respondents to think that any DOT-COM name is a brand.¹⁶

Mr. Poret's report suggests that this effect can be controlled by comparing the results for BOOKING.COM to the results for WASHINGMACHINE.COM. The report states that "The inclusion of WASHINGMACHINE.COM in particular allows us to access the extent to which respondents will identify a generic term as a brand when '.com' is added to the end, and to assess the extent to which the rate of perceiving BOOKING.COM as a brand exceeds this 'noise' level."¹⁷

Two points are in order. First, if this argument is accepted, the extent to which the rate of perceiving BOOKING.COM as a brand exceeds this "noise" level is 41.8%, or less than 50%.

¹⁶ In fact, in the pooled data for Rotations 1 and 3, where WASHINGMACHINE.COM was presented after the other DOT-COM terms, the number of respondents who incorrectly said this term is a brand name was larger than the number who said it is a common name. Of 200 respondents in Rotations 1 and 3, 48% chose the "brand name" response option for WASHINGMACHINE.COM, 44% chose "common name," and 8% chose "don't know." In Rotation 3 specifically, 58% incorrectly chose "brand name," 34% chose "common name," and 8% chose "don't know."

¹⁷ Poret Report p. 14 (B-000014).

Second, if respondents have not been effectively educated or tested regarding the distinction between DOT-COM brand names and common names, and to some extent are guessing whether any given DOT-COM term is a brand name, the effect may not be fully controlled by subtracting the results for WASHINGMACHINE.COM from the results for BOOKING.COM. The difference in results for these two terms may not only be attributable to recognition of BOOKING.COM as a brand name, but also to other factors such as the possibility that a washing machine is a more common object, or that the WASHINGMACHINE.COM term is more similar than BOOKING.COM to the OFFICESUPPLIES.COM example that respondents were told was a common name.

Respondents appear to be answering based on context and inference rather than actual knowledge

A comparison of results across the four rotations shows significant “response order” effects in the results for WASHINGMACHINE.COM and BOOKING.COM. These response order effects reinforce the idea that respondents were not effectively educated or tested regarding the distinction between DOT-COM brand names and common names, and indicate that respondents appear to be answering based on context and inference rather than actual knowledge.

The following table shows, for each term used in the Poret Survey, the percentage of respondents (of 100 in each rotation) who said the term is a brand name, given response options of brand name, common name, or don’t know.

TABLE 3				
Percentage of respondents (of 100 in each rotation) who said this term is a brand name, given response options of brand name, common name, or don't know				
	Rotation 1	Rotation 2	Rotation 3	Rotation 4
<i>BOOKING.COM</i>	74%	53%	94%	78%
PEPSI	99%	100%	98%	100%
ETRADE.COM	95%	94%	99%	99%
SHUTTERFLY	92%	100%	99%	97%
SPORTING GOODS	0%	0%	1%	1%
<i>WASHINGMACHINE.COM</i>	38%	19%	58%	17%
SUPERMARKET	0%	0%	0%	0%

As may be seen in the table, there are significant differences in results for *BOOKING.COM* and *WASHINGMACHINE.COM* across the four rotations; that is, across the four orders in which terms were presented.

Overall, 33.0% (132/400¹⁸) of respondents said that *WASHINGMACHINE.COM* is a brand name. However the results depend on whether *WASHINGMACHINE.COM* was presented before or after *BOOKING.COM* and *ETRADE.COM*. In Rotations 2 and 4, where *WASHINGMACHINE.COM* was presented before those other terms (and in closer proximity to the *OFFICESUPPLIES.COM* example), 18.0% (36/200) of respondents said that *WASHINGMACHINE.COM* is a

¹⁸ 38 of 100 in Rotation 1 plus 19 of 100 in Rotation 2 plus 58 of 100 in Rotation 3 plus 17 of 100 in Rotation 4 equals a total of 132 of 400 across all rotations.

brand name. This compares with 48.0% (96/200) in Rotations 1 and 3, where WASHINGMACHINE.COM was presented after those other terms. The comparison is shown in the following table.

TABLE 4	
WASHINGMACHINE.COM	Percentage of respondents that said this term is a brand name
When presented before ETRADE.COM and BOOKING.COM	18.0%
When presented after ETRADE.COM and BOOKING.COM	48.0%

Results for BOOKING.COM also depended on presentation order. Overall, 74.8% (299/400) of respondents identified BOOKING.COM as a brand name. However, in Rotation 2, where BOOKING.COM was presented after WASHINGMACHINE.COM and before ETRADE.COM (that is, after the common name and before the brand name), 53.0% (53/100) of respondents identified BOOKING.COM as a brand name. This compares with 94.0% (94/100) in Rotation 3, where BOOKING.COM was presented after ETRADE.COM and before WASHINGMACHINE.COM (that is, after the brand name and before the common name). The comparison is shown in the following table.

TABLE 5	
BOOKING.COM	Percentage of respondents that said this term is a brand name
When presented after WASHINGMACHINE.COM and before ETRADE.COM	53.0%
When presented after ETRADE.COM and before WASHINGMACHINE.COM	94.0%

It is apparent that order of presentation made a significant difference in the results for these terms.

These response order effects reinforce the idea that respondents were not effectively educated or tested regarding the distinction between DOT-COM brand names and common names, and indicate that respondents appear to be answering based on context and inference rather than actual knowledge.

Summary

To summarize, in my opinion, the following factors are relevant to the results obtained or the proper interpretation of the Poret Survey regarding the extent to which BOOKING.COM is perceived to be a brand name or a common name.

- First, the population surveyed is under-inclusive. The Poret Survey is restricted to “consumers who search for or make hotel or travel arrangements online.” However, none of the trademark applications at issue are limited to services provided online, and thus the relevant population includes consumers who search for or make hotel or travel arrangements other than online. The restriction of respondents to those “who search for or make hotel or travel arrangements online” makes the Poret Survey under-inclusive. This is relevant to the results because consumers who do not use online services may be less aware of BOOKING.COM, and hence the percentage of respondents who said that BOOKING.COM is a brand name (given response options of brand name, common name, or don’t know) may have been lower if the survey included all relevant consumers.
- Second, the Poret Survey did not effectively educate or test respondents regarding the distinction

between DOT-COM brand names and common names. It appears that there was some tendency for respondents to think that any DOT-COM name is a brand.

- Third, the order in which DOT-COM terms were presented made a significant difference in the results. These response order effects reinforce the idea that respondents were not effectively educated or tested regarding the distinction between DOT-COM brand names and common names, and indicate that respondents appear to be answering based on context and inference rather than actual knowledge.

I reserve the right to supplement this report based on further review of the data or any additional arguments or facts that may be presented to me.

Signature

(SIGNED) /s/ E.A. BLAIR (DATE) [10/13/16]
E.A. BLAIR

APPENDIX 1

BLAIR C.V.

VITAE
Edward A. Blair

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Education

B.S. (with High Honors), University of Illinois, 1973
Major Field: Business Administration
Minor Field: English Literature

Ph.D., University of Illinois, 1978
Major Field: Business Administration
Minor Field: Statistics

Academic Positions

2005 - Michael J. Cemo Professor and Chair,
Department of Marketing & Entrepreneurship, University of Houston

1996 - Chair, Department of Marketing & Entrepreneurship, University of Houston

1995-96 Visiting Professor, Rice University

1993 - Professor, Department of Marketing & Entrepreneurship, University of Houston

- 1991 - Visiting Associate Professor, Madrid Business School (Madrid, Spain)
- 1998 - Visiting Associate Professor, Rice University
- 1982-83 Associate Professor, Department of Marketing, University of Houston
- 1977-82 Assistant Professor, Department of Marketing, University of Houston

Research and Publications

Publications—Books

N. Bradburn and S. Sudman with E. Blair, W. Locander, C. Miles, E. Stinger and C. Stocking, Improving Interview Method and Questionnaire Design, San Francisco, CA: Josey-Bass, 1979

K. Cox and E. Blair (eds.), Marketing in Action, Englewood Cliffs, NJ: Prentice-Hall, 1989.

E. Blair and W. Kamakura (eds.), Marketing Theory and Applications: Proceedings of the 1996 AMA Winter Educators' Conference, Chicago, IL: American Marketing Association, 1996.

S. Sudman and E. Blair, Marketing Research, Burr Ridge, IL: Irwin/McGraw-Hill, 1997.

J. Blair, R. Czaja and E. Blair, Designing Surveys: A Guide to Decisions and Procedures (3rd Edition), Thousand Oaks, CA: SAGE Publications, 2013

E. Blair and J. Blair, Applied Survey Sampling, Thousand Oaks, CA: SAGE Publications (2015)

Publications – Journal Papers

E. Blair, “Marketing as Exchange: A Comment” Journal of Marketing, January 1977.

E. Blair, S. Sudman, N. Bradburn and C. Stocking, “How to Ask Questions About Drinking and Sex” Journal of Marketing Research, August 1977.

- Adapted as Chapter 2 in M. Bradburn et al., Improving Interview Method and Questionnaire Design, San Francisco: Jossey-Bass, 1979.
- Reprinted in R. Ferber (ed.) Readings in Survey Research, Chicago: American Marketing Assn., 1979.
- Reprinted in N. Fielding (ed.) Interviewing (Sage Benchmarks in Social Research Methods), London: Sage Publications Ltd., 2002.
- Reprinted in M. Bulmer (ed.), Questionnaire (Sage Benchmarks in Social Research Methods), London: Sage Publications Ltd., 2003.
- Earlier draft presented at American Marketing Association Educators’ Conference, 1976.

S. Sudman, N. Bradburn, E. Blair and C. Stocking, “Estimates of Threatening Behavior Based on Reports of Friends” Public Opinion Quarterly, Summer 1977.

- Adapted as Chapter 9 in N. Bradburn et al., Improving Interview Method and Questionnaire Design San Francisco: Jossey-Bass, 1979.

S. Sudman, E. Blair N. Bradburn and C. Stocking, "Modest Expectations: The Effects of Interviewers' Prior Expectations on Responses" Sociological Methods and Research, November 1977.

— Adapted as Chapter 4 in N. Bradburn et al., Improving Interview Method and Questionnaire Design, San Francisco: Jossey-Bass, 1979.

— Reprinted in D. Alwin (ed.) Survey Design and Analysis: Current Issues, Beverly Hills: Sage Publications, 1978.

E. Blair, "More on the Effects of Interviewers' Voice Intonations" Public Opinion Quarterly, Winter 1977.

N. Bradburn, S. Sudman, E. Blair and C. Stocking, "Question Threat and Response Bias" Public Opinion Quarterly, Summer 1978.

— Adapted as Chapter 5 in N. Bradburn et al., Improving Interview Method and Questionnaire Design, San Francisco: Jossey-Bass, 1979.

— Reprinted in E. Singer and S. Presser (eds.), Survey Research Methods, Chicago: University of Chicago Press, 1989.

— Reprinted in M. Bulmer (ed.), Questionnaires (Sage Benchmarks in Social Research Methods), London: Sage Publications Ltd., 2003.

E. Blair, "Using Practice Interviews to Predict Interviewer Behaviors" Public Opinion Quarterly, Summer 1980.

E. Blair and E. Laird Landon, "The Effects of Reference Prices in Retail Advertisements" Journal of Marketing, Spring 1981.

E. Blair, "When Four Months Equal a Year: A Comment" Public Opinion Quarterly, Summer 1982.

E. Blair, "Sampling Issues in Trade Area Maps Drawn from Shopper Surveys" Journal of Marketing, Winter 1983.

G. Zinkhan and E. Blair, "An Assessment of the Cloze Procedure as an Advertising Copy Test" Journalism Quarterly, Summer 1984.

E. Blair and S. Burton, "Cognitive Processes Used by Survey Respondents to Answer Behavioral Frequency Questions" Journal of Consumer Research, September 1987.

— Portions presented earlier in "Processes Used in the Formulation of Behavioral Frequency Reports in Surveys," American Statistical Association Conference, 1986.

E. Blair and S. Burton, "Response Frame Effects in Most Important Attribute Data" Applied Marketing Research, Spring 1988.

— Earlier draft presented at American Association for Public Opinion Research Conference, 1987.

E. Blair and G. Ganesh, "Characteristics of Interval-Based Estimates of Autobiographical Frequencies" Applied Cognitive Psychology, May-June 1991.

S. Burton and E. Blair, "Task Conditions, Response Formulation Processes, and Response Accuracy for

Behavioral Frequency Questions in Surveys” Public Opinion Quarterly, Spring 1991.

A. Biswas and E. Blair, “Contextual Effects of Reference Prices in Retail Advertisements” Journal of Marketing, July 1991.

S. Sudman and E. Blair, “Sampling in the 21st Century” Journal of the Academy of Marketing Science, Spring 1999

— Reprinted in D. de Vaus (ed.) Social Surveys (Sage Benchmarks in Social Research Methods), London: Sage Publications Ltd., 2002.

— Reprinted in N. Malhotra (ed.) Fundamentals of Marketing Research (Sage Library in Marketing), London: Sage Publications Ltd., 2007.

G. Oakenfull, E. Blair, B. Gelb and P. Dacin, “Measuring Brand meaning” Journal of Advertising Research, September-October, 2000.

K. Smith, E. Jones and E. Blair, “Managing Salesperson Motivation in a Territory Realignment,” Journal of Personal Selling and Sales Management, Fall, 2000.

P. Krishnamurthy, P. Carter and E. Blair, “Attribute Framing and Goal Framing Effects in Health Decisions,” Organizational Behavior and Human Decision Processes, July, 2001.

A. Baldinger, E. Blair and R. Echambadi, “Why Brands Grow,” Journal of Advertising Research, January-February, 2002.

E. Blair, J. Harris and K. Monroe, “Effects of Shopping Information on Consumers’ Responses to

Comparative Price Claims,” Journal of Retailing, Fall, 2002.

J. Harris and E. Blair, “Effects of Functional Risk Salience on Consumers’ Preference for Product Bundles,” Journal of the Academy of Marketing Science, January 2006.

E. Blair and G. Zinkhan, “Nonresponse and Generalizability in Academic Research,” Journal of the Academy of Marketing Science, January 2006.

E. Blair and J. Blair, “Dual Frame Web-Telephone Sampling for Rare Groups,” Journal of Official Statistics, June 2006.

J. Harris and E. Blair, “Consumer Preference for Product Bundles: The Role of Reduced Search Costs,” Journal of the Academy of Marketing Science, October, 2006.

B. Wansink, G. Cordua, E. Blair, C. Payne and S. Geiger, “Wine Promotions in Restaurants: Do Beverage Sales Contribute or Cannibalize,” Cornell Hotel and Restaurant Administration Quarterly, November 2006.

K. Aboulhasr, O. Narasimhan, E. Blair and R. Chandy, “Competitive Response to Radical Innovations,” Journal of Marketing, May 2008.

J. Noriega and E. Blair, “Advertising to Bilinguals: Does the Language of Advertising Influence the Nature of Thoughts?” Journal of Marketing, September, 2008.

J. Harris and E. Blair, “Consumer Processing of Bundled Prices: When Do Discounts Matter” Journal of Product & Brand Management, 2012.

R. Echambadi, R. Jindal and E. Blair, "Evaluating and Managing Brand Repurchase across Multiple Geographic Retail Markets," Journal of Retailing, 2013.

Publications – Chapters in Books (note cited above)

"Interviewer Variations in Asking Questions" Chapter 3 in N. Bradburn et al., Improving Interview Method and Questionnaire Design, San Francisco: Jossey-Bass, 1979.

- Portions presented earlier in "Occurrence and Recognition of Non-Programmed Interviewer Speech Behaviors," American Marketing Association Educators' Conference, 1978.
- Other portions presented earlier in "Testing Interviewer Effects on Survey Data," American Association for Public Opinion Research Conference, 1979.

"Interviewing in the Presence of Others" Chapter 8 in N. Bradburn et al., Improving Interview Method and Questionnaire Design, San Francisco: Jossey-Bass, 1979.

"On Providing Population Data to Improve Respondents' Estimates of Autobiographical Frequencies" (with K. Williamson) in N. Schwarz and S. Sudman, Autobiographical Memory and the Validity of Retrospective Reports, New York: Springer-Verlag, 1994.

- Previous draft presented at American Statistical Association Conference, 1990.

“Managerial Implications of Kent Monroe’s Research on Comparative Price Advertising” in Jagdish Sheth (ed.), Legends of Marketing: Kent Monroe, New Delhi: Sage Pvt. Ltd., 2011.

Publications – Conference Papers (not cited above)

“Wroe Alderson and Modern Marketing Theory” (with K. Uhl), American Marketing Association Marketing Theory Conference, August, 1977.

“Response Effects in Threatening Questions” (with S. Sudman), American Psychological Association Conference, Division 23, August, 1977.

“Alternative Measures of Frequency Bias in Shopper Surveys” (with S. Calcich), American Marketing Association Educators’ Conference, August, 1980.

“Questionnaire Design Manipulations and Response Rates to a Mail Consumer Finances Survey” (with V. Veth and E. L. Landon, Jr.), American Marketing Association Educators’ Conference, August, 1982.

“The Perceptual task in Acquisition of Package Information” (with S. Calcich), Association for Consumer Research Conference, October, 1982.

“Some Effects of Requesting Active Commitment from Survey Respondents” (with V. Veth and E. L. Landon, Jr.), American Association for Public Opinion Research Conference, May, 1983.

“Commitment Requests and Response Rates in Three Mail Surveys” (with G. Ganesh), American Marketing Association Educators’ Conference, August, 1984.

“Cognitive Processes Used to Answer Expenditure Questions” (with S. Burton and D. Lichtenstein), American Statistical Association Conference, August, 1988.

“On Estimating Distributional Characteristics from Categorized Data” (with L.R. LaMotte), American Statistical Association Conference, August, 1988.

“Yielding to Temptation Due to Depletion: Can Mental Budgets Help?” (with S. Prokopec and P. Krishnamurthy), Society for Consumer Psychology, February, 2009.

“Post-Choice Effects of Pre-Choice Uncertainty: Influences of Uncertainty on Satisfaction and Repurchase” (with D. Andrews), Society for Consumer Psychology, February, 2010.

“Investigating New Product Purchase Behavior: A Multi-Product Individual-Level Model for New Product Sales” (with C. Liutec and R. Du), INFORMS Marketing Science, June, 2012

Publications – Book Reviews

The Recall Method in Social Surveys by L. Moss and H. Goldstein; Journal of Marketing Research, May 1980

Question Framing and Response Consistency by R. Hogarth; Journal of Marketing Research, November 1982.

The Research Interview: Uses and Approaches by M. Brenner, J. Brown and D. Canter; Journal of Marketing Research, May 1986.

How Many Subjects? by H Kraemer and S. Thiemann; Journal of Marketing Research, May 1989.

An Experimental Comparison of Telephone and Personal Health Interview Surveys by O. Thornberry (National Center for Health Statistics monograph, Series 2, No. 106); Public Opinion Quarterly, Spring 1989.

Randomized Response: Theory and Techniques by A. Chaudhuri and R. Mukerjee; Journal of Marketing Research, November 1989.

Teaching

Academic Courses Taught

Principles of Marketing	(Undergraduate)
Marketing Research	(Undergraduate)
Retailing Management	(Undergraduate)
Overview of Entrepreneurship	(Undergraduate)
Entrepreneurial Costs & Budgeting	(Undergraduate)
Entrepreneurial Revenues	(Undergraduate)
Entrepreneurial Capital	(Undergraduate)
Marketing Management	(Masters)
Marketing Research	(Masters)
Entrepreneurship/Venture Planning	(Masters)
Business Consulting Lab	(Masters)
Statistics	(Masters)
Marketing Theory	(Doctoral)
Marketing Research Methods	(Doctoral)
Multivariate Analysis	(Doctoral)
Sampling Methods	(Doctoral)
Applied Survey Research	(Doctoral)

Professional Programs Taught

Lecturer on Sampling at the American Marketing Association's School of Marketing Research from its inception in 1980 to 1999; also taught Survey Methods and Conjoint Analysis in this program

Lecturer on Survey Methods at the American Marketing Association's Advanced Research Techniques Forum (ARTF)

Lecturer on Marketing, Marketing Research, and New Product Development in numerous programs at the University of Houston Center for Executive Development

Other Teaching Details

As lecturer in continuing education programs, have taught sampling and survey design to more than 1,000 marketing research professionals. Companies represented include Coca-Cola, Procter & Gamble, Union Pacific, Sears, General Electric, Union Carbide, Dow Chemical, Gerber Products, Federal Express, AT&T, Hallmark Cards and many others.

Taught the first Entrepreneurship course offered at UH and was founding instructor in the current Entrepreneurship program. Have directed the preparation of more than 150 business plans and have seen more than 30 former students start businesses.

Administration and Service

Chair, UH Department of Marketing & Entrepreneurship, 1996-present

Member, Journal of Consumer Research Policy Board, 2013-present

— Vice-President, JCR Policy Board, 2016

Member, American Statistical Association Committee on Energy Statistics (advisory to U.S. Energy Information Administration), 2007-2012

— Chair, ASA Committee on Energy Statistics, 2009-2012

Member, US Census Bureau Advisory Committee, 2002-2007

Editorial Board member: Journal of Marketing Research, 1991-2003

Journal of the Academy of Marketing Science, 2003-2007

Journal of Business Research, 1991-2014

Ad hoc reviewer: Journal of Marketing, Journal of Consumer Research, Public Opinion Quarterly, various other journals.

National Science Foundation panelist, Innovation and Organizational Change program, 2004-05

National Conference Chair, American Marketing Association Educators' Conference, 1996

Doctoral Program Coordinator, UH Marketing Department, 1983-1988

Created the UH Doctoral Symposium, 1982

Have served on various university, college, department, and civic committees.

Consulting Experience

Have served as a business consultant to various organizations, primarily with respect to market research procedures, new product development, and retail operations.

Have served as a consultant or expert witness in various commercial lawsuits, primarily with respect to intellectual property issues and/or economic damages.

APPENDIX 2

BLAIR LIST OF LAWSUITS

Lawsuits in which Edward A. Blair has testified in recent years:

Rosetta Stone, Ltd. v. Google, Inc., No. 1:09-cv-00736-GBL-TRJ (E.D. Va.)

Mattel, Inc. v. MGA Entertainment, Inc., Civ. No. 04-cv-9049 (C.D. Cal.)

Teri Heggelund et al. v. Schlumberger Technology Corporation, No. 50-198-T-00548-10 (AAA)

Anheuser-Busch Incorporated v. Innvopak Systems Pty Ltd, Opp. No. 91194148 (TTAB)

Eolas Technologies Incorporated v. Adobe Systems, Inc. et al., No. 6:09-cv-00446-LED (E.D. Tex)

3M Company v. Professional Gallery, Inc., Opp. No. 91173411 (TTAB)

Autodesk, Inc. v. Michelle K. Lee, No. 1:13-cv-1464 (E.D. Va.)

Invensys Systems, Inc. v. Emerson Electric Co. and Micro Motion Inc., No. 6:12-cv-00799 (E.D. Tex.)

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

BOOKING.COM B.V., PLAINTIFF

v.

MICHELLE K. LEE, UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF
THE UNITED STATES PATENT AND TRADEMARK
OFFICE, ET AL., DEFENDANTS

90 Park Avenue
New York, New York
Oct. 13, 2016
9:30 a.m.

DEPOSITION OF HAL PORET, BEFORE
SHARI COHEN, A NOTARY PUBLIC
OF THE STATE OF NEW YORK

* * * * *

[12]

Q. They were not dot-net for 2 example?

A. I believe that's true.

Q. Were any of those—in any of those situations where you conducted genericness surveys involving dot-com terms, did you give testimony in those cases?

A. No, I can think of four other times that I did surveys like this and none of them ever led to testimony or even a served expert report. Two of

them—actually three of them were surveys that didn't end up supporting what my client would have liked and never anything happened with and one of them did, but the situation resolved informally somehow and I never even had a report.

Q. Are you aware of any cases where a survey has been accepted to demonstrate that a dot-com term is not generic?

A. I don't know one way or the [13] other.

MR. MOSKIN: Objection; it calls for a legal conclusion.

Q. Mr. Poret, do you read materials on survey methodology?

A. Yes.

Q. In what context do you do that?

A. A number of contexts. A major one is I'm a member of the American Association of Public Opinion Research and so I get their journals Public Opinion Quarterly and Journal of Statistical Sampling. I'm a member of the International Trademark Association and I read the Trademark Reporter which sometimes has articles relating to surveys and then just in the course of my day-to-day working with companies in the market research industry I come across white papers and articles and things that companies are doing to discuss developments and survey research and I suppose the last thing is that through being involved in a number of legal [14] situations I end up seeing cases or articles certainly when major treatises come out.

In fact, I'm often consulted by people who are writing publications, Trademark Reporter articles, the

new ABA publication on surveys and so I certainly don't do anything comprehensive like search West Law regularly to look at cases, but things come across my radar pretty frequently.

Q. Those things include other cases, correct?

A. Sometimes. That would probably be the least of it because I don't necessarily check up on case law, but certainly when anybody in this field are writing articles, I'm usually aware of those and I'm often consulted on them in advance.

Q. Are you familiar with the TTABlog?

A. Yes.

Q. Did you offer any comments to [15] the TTABlog about the Hotels.com case?

A. Yes, John Welch who runs that asks me periodically, you know, to give comments and I do—I'm pretty sure that I gave—I'm pretty sure he asked me about that case and I commented about the use of Teflon, what you need—the ideas for doing something different with a Teflon survey to address issues specific to dot-coms.

Q. What do you mean by doing something different to address the issues with dot-coms?

A. The traditional Teflon survey did not include dot-com terms and what happened in the Hotels.com case there was a survey that showed a pretty high level of people answering that Hotels.com was a brand name and the TTAB and the Federal Circuit as I understand it said well, at least the TTAB said they were not really persuaded by the survey because they felt I believe, I don't know if this is their exact words, but there [16] is

a concern that people might say that any dot-com is a brand name because people know only one company uses any domain name and so they said without something built into the survey to address this issue that anybody might say that any dot-com is a brand name they were not persuaded by it and the only brand name that had been included—I'm sorry, the only dot-com name that had been included in that survey was I think Amazon which just being a very famous distinctive term didn't help them in any way in figuring out basically what tendency there would have been of survey respondents to say that any dot-com name is a brand so what I mean by do something to the Teflon survey is adapt it to include some other discussion of a dot-com in the instructions and include something in the main survey that would address this issue and that's what I have done in other cases including this one to attempt to address that issue which is actually something that I had [17] thought of even before the Hotels.com case.

I had previously done a survey where I had built in more things relating to dot-coms because that makes sense to try to do that.

MS. WALKER: I'm marking Exhibit 2.

(Defendant's Exhibit 2,
Article, marked for Identification.)

Q. Mr. Poret, you have been handed what's been marked as Exhibit 2. Can you review the first and second pages of that and tell me when you are finished?

A. Obviously I haven't read it all, but I recognize this as what we were talking about before the TTABlog section on the Hotels.com case where John Welch

asked me to give a comment on it and I said what I just told you before.

Q. On page two there is a comment that you said was from you and in that comment you said I have attempted to address [18] this problem by incorporating a discussion of domain names into the traditional Teflon introduction and by having most or all of the terms in a Teflon survey be dot-com marks. Was there any reason why most or all of the terms in your survey in this case could not have been dot-com marks?

A. Yes, because that was my thought in 2009 and I decided after trying that that it doesn't actually make sense to have all of them or even most of them be dot-com marks because that's not a natural experience when you are doing—when you are showing a set of terms in a Teflon survey you are trying to have it be non biased in any way and after I had done a survey like that once, it really occurred to me showing people a survey of all dot-com names or even most doesn't make sense. It's sort of giving away what the issue is so I think it makes—as I have developed how I have done these over the years and this was a long time ago, I have [19] shifted more to something that's more balanced which is giving a presentation of the definition of brand and commons that includes a dot-com, but also other terms and that when in the list of actual terms that are asked about it would be a more balance of the way terms are in the real world which is more terms that are not dot-coms, but some that are dot-coms and it only takes one dot-com as an example of a generic term to instruct respondents that a dot-com name can be treated as a generic term and it only takes one clearly on the generic side dot-com term in the main survey to

test the extent to which consumers are going to identify a generic term plus dot-com as generic which as you can see from my survey in this case washingmachine.com served that role and having multiple other dot-coms wouldn't add anything to that. It just makes the survey less realistic.

Q. What do you mean by giving away [20] the issue?

A. I mean when you do a survey, you don't want the person to realize that the issue in this survey is whether or not I think a dot-com name is a brand or a generic and that's why in surveys you have lists of terms when you ask about things and it's why in screening questions you don't typically say do you buy product A, yes or no. You say which of the following products do you buy and product A is on a list of a number of choices so that when the respondent is answering the survey, they don't say to themselves aha, I know exactly why they are asking me this question and it's the same thing in substantive surveys you typically want to mask what the purpose and issue of the survey is so it's more a natural test.

Q. But you agree that there could be both generic and non generic dot-com marks; is that correct?

MR. MOSKIN: Objection, calls [21] for a legal conclusion.

A. I don't technically know the answer to that question because that ultimately depends on I guess what the courts or the trademark office decide to do about dot-com marks, but I would agree that for the purposes of the survey I am presuming that there is the possibility of a dot-com being a brand and there is a

possibility of a dot-com being generic and so at least for the purposes of the survey I'm saying to the respondent as the consumer here's an example of a dot-com that's a brand and here's an example of a dot-com that's a generic in the instructions so that they are not bias in any direction and they understand it could be either and in the main survey I'm giving an example of a dot-com that I'm presuming to be a brand and one that I'm presuming to be generic for the purposes of the survey so that we could test how the consumer reacts to those.

[22]

Q. I'm still not sure that I understand your comment about balancing. Could you explain to me why using all dot-com terms as you suggest in your Hotels.com comment would be unbalanced?

A. You know, I'll give you an example of something that springs to mind that was for your former firm's client which I did just give testimony about so it's public and this is listed on my CV. There is a—I did a survey in a case for Finnigan Henderson's client Caterpillar about whether the term tiger cat could create a likelihood of confusion with the mark cat and the person on the other side did a survey where he showed people a bunch of marks.

He showed them cat, tiger cat, wild cat, bob cat, arctic cat and his questions related to are some of these from the same company and when you show somebody a whole bunch of marks that all say cat, the person will realize the whole point of this [23] survey is about whether the term cat is common or distinctive or is a basis for connecting two companies so to try to gauge

whether there would be likelihood of confusion in a situation like that it's biased. It's not balanced.

In the real world somebody would come across tiger cat and they would either be confused or they wouldn't be or maybe they would come across a cat tractor and a tiger cat tractor and maybe they would make that connection on their own, but nobody in the real world is saying to them focus on the term cat and think about what that means so what that other expert did in that survey is unrealistic and it's biased. It's basically signaling to the respondent that the point of this survey is what is the significance of the term cat and I think similarly in this context if you are basically saying to somebody here's a survey and we want to know whether you think each of [24] these terms are brand or generics and every term you show them ends in dot-com, I think you are just making it a little bit more unrealistic and biased in terms of taking them out of a natural consumer mindset and sort of signaling to them that here is what the survey is about. This is the issue we want to know what do you think about dot-com and that isn't the way consumer psychology functions in the real world.

Q. It's your opinion that consumers are not accustomed to seeing lists of various domain names; is that correct?

A. No.

Q. I'm sorry, it's your opinion that consumers are not accustomed to seeing a list of domain names?

A. No, that's not what I said.

Q. What did you say?

A. I said that I think in a survey when you present people with a whole list of terms in a way that reveals to them what the [25] issue is in the survey and is unnatural while I'm not saying people can't encounter numbers of domain names in the real world, that isn't—the typical person who comes across a domain name is also coming across lots of other terms in the real world.

Q. The Caterpillar survey that you referenced, that was a likelihood of confusion survey; is that correct?

A. Yes.

Q. That tests something different than a generic survey test; is that correct?

A. Yes.

Q. What is unnatural about a consumer seeing a list of domain names?

MR. MOSKIN: Asked and answered. You can answer again.

A. I didn't necessarily say it's unnatural for a consumer to see a list of domain names. That does seem like not a very common thing that somebody sees just a list of pure domain names floating in the abstract [26] without other non domain terms, but that's not really my point.

My point is let's say that Caterpillar survey was not a confusion survey, let's say it was a genericness survey and somebody was arguing that the term whatever for whatever reason tiger cat is generic. You wouldn't do a survey where all the terms end in cat. You wouldn't say we're going to show you a list of terms, here's cat, tiger cat, wild cat, bob cat, arctic cat.

You wouldn't do that because that would signal to the respondent that the point of this survey is cat. It would clue them in on the issue and it would render artificial what you're testing. You wouldn't be getting an unbiased response.

Q. Is the point of the survey here dot-com?

A. That's a big part of the point of it. The point of it is to determine whether Booking.com is perceived as a brand [27] name or a generic name and a key part of it is also having a term like washingmachine.com which is a clearly generic term plus a dot-com ending in it to test how people react to that.

I'm just saying I think it's more natural for people when they see the term Booking.com in the survey or the term washingmachine.com in the survey to have a more natural reaction to it rather than to be put in a mindset where they say to themselves okay, every term they are showing me is a dot-com. They are asking all about dot-coms.

I'm not saying that that wouldn't work as a survey. I'm just saying what I think I'm doing now is a somewhat better methodology than to do all dot-com names because I think it's a little bit more natural, but I don't think it changes anything because whether or not I had two or three other dot-com names in my survey doesn't change the fact that I have one that [28] very adequately measures exactly the concern that was expressed in the Hotels.com case.

Q. You don't know whether it would have changed the results if you added additional dot-com terms, do you?

A. I don't know for sure how it would have, but I'm confident that it couldn't have changed the outcome because I did have a dot-com term in there that was extremely highly recognized as a brand and I did have a dot-com in there that was mostly recognized as a generic so there is already a spectrum of dot-com names in there that Booking.com falls under and I don't think it's at all conceivable that Booking.com was recognized by more than three to one as a brand that that could have changed because there were also some other—two other dot-coms of each type in the survey particularly considering that if that happened there would have been two other brand ones and two other generic ones so it [29] wouldn't have biased anything in either direction results wise.

Q. You don't have any data that would support that conclusion; is that correct?

A. Yes.

Q. That's correct?

A. It's correct that I have no other data other than what has been disclosed.

Q. You mentioned a little while ago that you had conducted four other dot-com genericness surveys and that three of those did not get the results that the client hoped for. In those surveys did you use all or most dot-com terms?

A. No, not all of them. I did that in one survey.

Q. Were the results with the client helpful there?

A. I did prior to—well, actually I'm not 100 percent sure prior to, [30] but I first had done two surveys that—I first had done two surveys using mostly or all

dot-com names which is something I had thought about probably more like in 2007 or 2008 when I was first thinking about this and one of them was for somebody who wanted to show that something was generic, but it turned out the survey showed that it was a brand so it didn't go the way the client wanted it to.

The other survey that did go the way the client wanted it to was a survey where somebody wanted to show that it was a brand and it did show that it was a brand so I guess the older two surveys that I did where I used more dot-com marks both showed that the mark that I was testing was a brand.

In one case it supported what my client had hoped for and one it didn't.

Q. If both of those showed that it was a brand, then why didn't you use all dot-com marks here as well to test the same [31] thing?

MR. MOSKIN: Asked and answered.

A. Because my methodology is not based on what I think is going to show a result that my client wants, it's based on what I think is the best methodology and just as with confusion and secondary meaning surveys, I have tried to continue to improve my designs over the years as I do more and more surveys and become more and more expert and so I did what has been the methodology that I now think with more experience doing these is better.

Q. Did you conduct any internet searches in connection with this case?

A. I'm sure I did some kind of internet searches in the process of thinking about what other terms could be included in the survey.

Q. Do you recall what you searched for?

* * * * *

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

Serial No. 79122365

Serial No. 79122366

IN RE BOOKING.COM B.V.

Hearing: Jan. 5, 2016

Mailed: Feb. 18, 2016:

Jonathan E. Moskin and Katherine Califa of Foley &
Lardner LLP for Booking.com B.V.

Caitlin Watts-Fitzgerald, Trademark Examining At-
torney, Law Office 111 (Robert L. Lorenzo, Manag-
ing Attorney).

Before SHAW, ADLIN and MASIELLO, Administrative
Trademark Judges.

Opinion by MASIELLO, Administrative Trademark
Judge:

Booking.com B.V. (“Applicant”) filed two applica-
tions for extension of protection to the United States of
two International Registrations for the marks shown
below:

U.S. Serial No. 79122365

The logo for Booking.com, featuring the word "Booking" in dark blue and ".com" in light blue.

The colors dark blue and light blue are claimed as a feature of the mark;¹ and

U.S. Serial No. 79122366

The logo for Booking.com, featuring the word "Booking" in white and ".com" in light blue, set against a dark blue rectangular background.

The colors dark blue, light blue, and white are claimed as a feature of the mark.²

The services identified in the two applications (as amended) are the same:

Hotel reservation services for others; holiday accommodation reservation services and resort reservation services, namely, providing hotel room reservation services and resort hotel reservation services and providing online hotel and resort hotel room reservation services; providing information about hotels, hotel accommodations and resorts accommodations, whether or not based on the valuation of customers; information, advice and consul-

¹ Application Serial No. 79122365 was filed on November 7, 2012 under Trademark Act Section 66(a), 15 U.S.C. § 1141f(a), based on International Registration No. 1140887 dated November 7, 2012.

² Application Serial No. 79122366 was filed on November 7, 2012 under Trademark Act Section 66(a), 15 U.S.C. § 1141f(a), based on International Registration No. 1140888 dated November 7, 2012.

tancy relating to the aforesaid services; the aforesaid services also provided electronically, in International Class 43.

In each case, the original Examining Attorney³ refused the requested extension of protection under Section 2(e)(1) of the Trademark Act, 15 U.S.C. § 1052(e)(1), on the ground that Applicant's mark is merely descriptive of Applicant's services. When Applicant claimed, in the alternative, that Applicant's marks have acquired distinctiveness and are entitled to registration under Section 2(f), 15 U.S.C. § 1052(f), the Examining Attorney issued new refusals on the ground that the marks are generic as applied to the services; he also maintained, in the alternative, the mere descriptiveness refusals and found Applicant's showings of acquired distinctiveness to be insufficient. When the Examining Attorney made each of the refusals final, Applicant requested reconsideration and simultaneously appealed to this Board. The Examining Attorney denied the request for reconsideration and these appeals proceeded.

At Applicant's request, these two cases were consolidated with two other pending appeals of refusals to register the marks in Applicant's related applications Serial Nos. 79114998 and 85485097.⁴ Applicant chose to address all four cases in a single set of briefs, having been granted leave to exceed

³ The applications were examined through final refusal and Applicant's request for reconsideration by Nelson B. Snyder, III of Law Office 107. They were then assigned to the current Examining Attorney.

⁴ Board order of December 12, 2014, 10 TTABVUE.

the page limit for its main brief.⁵ The cases are fully briefed, including extra supplemental briefs filed by both Applicant and the Examining Attorney. An oral hearing was held January 5, 2016.

The evidentiary records in Serial Nos. 79122365 and 79122366 are essentially identical. Accordingly, we issue our decision regarding them in this single order. Our citations refer to the record in Serial No. 79122366 unless otherwise noted. The other two of the four consolidated cases have somewhat different evidentiary records; separate decisions in those cases will issue in due course.

Applicant and the Examining Attorney have focused virtually all of their attention on the word portion of Applicant's marks, BOOKING.COM, with little discussion of the color and design elements. We too will first address the obviously more important word portion of the marks.

A mark is generic if it refers to the class or category of goods or services on or in connection with which it is used. *In re Dial-A-Mattress Operating Corp.*, 240 F.3d 1341, 57 USPQ2d 1807 (Fed. Cir. 2001), *citing H. Marvin Ginn Corp. v. Int'l Ass'n of Fire Chiefs, Inc.*, 782 F.2d 987, 228 USPQ 528 (Fed. Cir. 1986) ("*Marvin Ginn*"). The test for determining whether a mark is generic is its primary significance to the relevant public. *In re Am. Fertility Soc'y*, 188 F.3d 1341, 51 USPQ2d 1832 (Fed. Cir. 1999); *Magic Wand Inc. v. RDB Inc.*, 940 F.2d 638, 19 USPQ2d 1551 (Fed. Cir. 1991); and *Marvin Ginn, supra*. Making this determination "involves a two-

⁵ Board order of January 30, 2015, 12 TTABVUE.

step inquiry: First, what is the genus of goods or services at issue? Second, is the term sought to be registered . . . understood by the relevant public primarily to refer to that genus of goods or services?” *Marvin Ginn*, 228 USPQ at 530. The Examining Attorney has the burden of establishing by clear evidence that a mark is generic. *In re Merrill Lynch, Pierce, Fenner and Smith, Inc.*, 828 F.2d 1567, 4 USPQ2d 1141 (Fed. Cir. 1987); *In re Am. Fertility Soc’y, supra*; and *Magic Wand Inc., supra*. “Doubt on the issue of genericness is resolved in favor of the applicant.” *In re DNI Holdings Ltd.*, 77 USPQ2d 1435, 1437 (TTAB 2005).

1. The genus of Applicant’s services.

Applicant’s recitation of services describes, in a variety of ways, lodging accommodation reservation services, *e.g.* “hotel room reservation services,” “holiday accommodation reservation services” and “resort hotel reservation services,” including such services provided “online” and “electronically.” It also describes “providing information” and “information, advice and consultancy relating to the aforesaid services.”

The Examining Attorney suggests that the genus of the services is “hotel reservation services.”⁶ Applicant contends that the relevant genus is the broader “travel agency services.”⁷ Applicant argues that the “information” and “information, advice and consultancy” services listed in the recitation “are all the types of services that are typically provided by

⁶ Examining Attorney’s brief, 15 TTABVUE 8.

⁷ Applicant’s brief at 6, 13 TTABVUE 7.

travel agencies”; and argues that the designation “travel agency services” is broad enough to cover all of the identified services, while “the much narrower and more specific alleged genus ‘hotel reservation services’ covers . . . few of the services in Class 43.”⁸

The identification of goods or services in an application defines the scope of rights that will be accorded the owner of any resulting registration under Section 7(b) of the Trademark Act. Therefore, generally, “a proper genericness inquiry focuses on the description of services set forth in the [application or] certificate of registration.” *Magic Wand*, 19 USPQ2d at 1552, *citing Octocom Sys., Inc. v. Houston Computer Servs., Inc.*, 918 F.2d 937, 942, 16 USPQ2d 1783, 1787 (Fed. Cir. 1990). In this case, the recitation of services in each application is substantially more precise than the general term “travel agency services.” Moreover, the words “travel agency” are not used, and there is no reference to a fundamental element of typical travel agency services, which is making arrangements for transportation. We note the following dictionary definitions:

travel agency: “an office or enterprise engaged in selling, arranging or furnishing information about personal transportation or travel.”

2433 WEBSTER’S THIRD NEW INTERNATIONAL DICTIONARY (1993).

⁸ Applicant’s reply brief at 3-4, 16 TTABVUE 4-5.

travel agent: “a person engaged in selling or arranging personal transportation, tours, or trips.”

Id.

travel agency: “a business that accommodates travelers, as by securing tickets, arranging for reservations, and giving information.”

2014 RANDOM HOUSE DICTIONARY OF THE ENGLISH LANGUAGE (2nd ed. 1987).⁹

The recitations’ reference to “information, advice and consultancy,” expressly related to the core “aforesaid services” of helping customers to make lodging reservations, does not convert the identified services to travel agency services such as those offered by a full-scale travel agency. Therefore, the genus of “travel agency services” is substantially broader than the services set forth in the applications and would merely draw our attention away from the more precise questions before us. We note, moreover, that the evidence of record regarding Applicant’s actual activities does not show that Applicant provides reservation services relating to transportation.

Accordingly, focusing on the actual wording of the recitations of services, the genus of Applicant’s services is “hotel room reservation services and

⁹ The Board may take judicial notice of dictionary definitions. *Univ. of Notre Dame du Lac v. J.C. Gourmet Food Imp. Co.*, 213 USPQ 594 (TTAB 1982), *aff’d*, 703 F.2d 1372, 217 USPQ 505 (Fed. Cir. 1983).

other lodging reservation services, with related information, advice and consultancy, including such services provided online.”

2. Public understanding of the term BOOKING.COM.

We next consider whether BOOKING.COM would be understood by the relevant public primarily to refer to the genus of hotel room and lodging reservation services. The relevant public consists of all persons having an interest in arranging a reservation for a room in a hotel, resort, or other lodging. The Examining Attorney’s refusal and supporting arguments focus almost exclusively on Applicant’s *online* reservation services, and we will do the same.¹⁰ Registration is properly refused if the mark is generic with respect to *any one* of the services for which registration is sought. *In re Analog Devices, Inc.*, 6 USPQ2d 1808, 1810 (TTAB 1988), *aff’d*, 871 F.2d 1097, 10 USPQ2d 1879 (Fed. Cir. 1989) (unpublished); *Cf. In re Stereotaxis Inc.*, 429 F.3d 1039, 77 USPQ2d 1087, 1089 (Fed. Cir. 2005), *quoting, Application of Richardson Ink Co.*, 511 F.2d 559, 185 USPQ 46, 48 (CCPA 1975) (“Our predecessor court . . . has stated that registration should be refused if the mark is descriptive of any of the goods for which registration is sought”).

(a) Salient evidence of record.

With respect to the relevant public’s understanding of Applicant’s marks, the Examining At-

¹⁰ While Applicant’s brief refers to its “brick and mortar services,” 13 TTABVUE 28, there is no evidence showing that Applicant’s services are available otherwise than online.

torney and Applicant have made of record various definitions of the word “booking,” including:

- : an arrangement for a person or group (such as a singer or band) to perform at a particular place
- : an arrangement to have something (such as a room) held for your use at a later time

. . .

: RESERVATION¹¹

* * * * *

1. an arrangement to buy a travel ticket, stay in a hotel room, etc. at a later date *Increasingly, travelers are using the Internet for both information and bookings.*

make a booking: *You can make a booking on the phone with a credit card.*

2. an arrangement made by a performer to perform at a particular place and time in the future.¹²

* * * * *

1. An engagement, as for a performance by an entertainer.

2. A reservation, as for accommodations at a hotel.¹³

¹¹ <merriam-webster.com>, Office Action of November 16, 2013 at 61.

¹² <macmillandictionary.com>, Office Action of November 16, 2013 at 64.

* * * * *

1. a contract, engagement, or scheduled performance of a professional entertainer.
- 2 reservation (def 5).
3. the act of a person who books.¹⁴

* * * * *

an engagement, as for a lecture or concert.¹⁵

The Examining Attorney has also made of record the following definitions:

.com:

ABBREVIATION COMPUTING

commercial organization: used in the email and website addresses of companies.¹⁶

* * * * *

.com:

abbr.

commercial organization (in Internet addresses).¹⁷

¹³ <education.yahoo.com/reference/dictionary>, Office Action of March 17, 2013 at 10-11.

¹⁴ <dictionary.reference.com>, Applicant's response of May 15, 2014 at 47.

¹⁵ <collinsdictionary.com/dictionary/American>, Applicant's response of May 15, 2014 at 43.

¹⁶ MACMILLAN DICTIONARY, at <macmillandictionary.com>, Office Action of November 16, 2013 at 81.

* * * * *

.com (dot-com):

Part of the Internet address of many companies and organizations. It indicates that the site is commercial, as opposed to educational or governmental.

Note: The phrase *dot-com* is used to refer generically to almost anything connected to business on the Internet.¹⁸

The Examining Attorney has also made of record excerpts from numerous websites that use the term “booking” to describe Applicant’s online services and similar online services of others. Such services have been called (among other things):

Booking service;¹⁹ hotel booking service;²⁰ booking online;²¹

Booking website;²² booking sites;²³

¹⁷ THE AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE (Fifth ed. 2011), Office Action of November 16, 2013 at 154.

¹⁸ Definition at <dictionary.com>, Office Action of November 16, 2013 at 79.

¹⁹ “Expedia to pay Baltimore \$1.6M,” Dolan Media Newswires, June 20, 2011. Office Action of November 16, 2013 at 46-47. “Online hotel brokers can proceed with Durham County, North Carolina tax challenge,” Dolan Media Newswires, June 7, 2013, Office Action of November 16, 2013 at 17-18.

²⁰ “How to Get Spring Break Or Basketball Playoff Hotels at Up To 50% Off,” University Wire, March 20, 2013, Office Action of November 16, 2013 at 23-24.

²¹ “Booking Travel Online?,” Travel + Leisure, April 2008, Office Action of November 16, 2013 at 147-8.

Hotel booking websites;²⁴ hotel booking site;²⁵
hotel booking.²⁶

The record contains numerous other uses of the word “booking” in similar contexts, in phrases such as “online travel booking sites”;²⁷ “online hotel-room booking company”;²⁸ “hotel-only booking sites”;²⁹ “finalize the booking”;³⁰ “vacation-booking websites” and “booking app”;³¹ and “travel booking websites.”³² Notably, Applicant’s own website uses “booking,” both as a noun meaning a hotel reservation and as a verb meaning to make such a reservation:

Our Vision

Booking.com is an informative, user-friendly website—that guarantees the best available prices. Our

²² “How to Save Money When Booking Travel Online, at <huffingtonpost.com>, October 22, 2103, Office Action of November 16, 2013 at 149-52. (at 151-2); <usatoday.com>, Office Action of March 17, 2013 at 30-31.

²³ <hotelpricescompare.com>, Office Action of March 17, 2013 at 13-14.

²⁴ <frommers.com>, Office Action of March 17, 2013 at 8-9; <hotelpricescompare.com>, Office Action of March 17, 2013 at 13-14; <budgettravel.com>, *id.* at 17-18.

²⁵ <budgettravel.com>, Office Action of March 17, 2013 at 22-23.

²⁶ <budgettravel.com>, *id.* at 17-18.

²⁷ “Booking Travel Online?,” Travel + Leisure, April 2008, Office Action of November 16, 2013 at 147-8.

²⁸ “Expedia to pay Baltimore \$1.6M,” Dolan Media Newswires, June 20, 2011. Office Action of November 16, 2013 at 46-47.

²⁹ <frommers.com>, Office Action of March 17, 2013 at 8-9;

³⁰ <budgettravel.com>, *id.* at 22-23.

³¹ <cntraveler.com>, *id.* at 25-27.

³²³² <usatoday.com>, *id.* at 30-31.

goal is to provide business and leisure travelers with the most accessible and cost-effective way of discovering and **booking** the broadest selection of accommodations in every corner of the world.³³

Easily manage all your **bookings**³⁴

Applicant's website sets forth a selection of available hotels in various cities, indicating when the latest "booking" was made at various hotels:

New York City
421 properties

. . . .

Helmsley Park Lane Hotel * * * * from \$230
Score from 2574 reviews. Very good, 8.1
Latest **booking**: 10 minutes ago
There are 26 people looking at this hotel

New York Marriott Marquis * * * * from \$299
Score from 1042 reviews. Very good, 8.3
Latest **booking**: 2 hours ago
There are 16 people looking at this hotel³⁵

The Examining Attorney has made of record excerpts of websites whose domain names include the designation "booking.com" or "bookings.com":

<u>Domain name</u>	<u>Nature of website</u>
hotelbooking.com	website called hotelbooking.com, offering "your best

³³ <booking.com>, *id.* at 12 (emphasis added).

³⁴ *Id.* at 35-36 (emphasis added).

³⁵ *Id.* (emphasis added).

	hotel web search engine.” ³⁶
francehotelbooking.com	website called Link Paris .com, offering to “find you a great Paris hotel” and hotel search for other French cities. ³⁷
instantworldbooking.com	website called Instant World Booking.com, offering “Online booking for hotels, youth hostels, and bed and breakfast accommodations at world heritage destinations.” ³⁸
blinkbooking.com	website offering mobile application called Blink: “In just a few taps, you can book a room in Europe’s best hotels: it’s that simple!” ³⁹
cancunhotelbooking.com	website called Cancun Hotel Booking.com offering “Cancun Hotel Reservation—Best Price Guarantee!” ⁴⁰

³⁶ Website at <hotelbooking.com>, Office Action of November 16, 2013 at 179-80.

³⁷ Office Action of November 16, 2013 at 181-2.

³⁸ *Id.* at 184-6.

³⁹ *Id.* at 131-2.

⁴⁰ Office Action of November 4, 2014 at 62.

drakehotelbookings.com	website of The Drake Hotel, with function marked “BOOK THIS HOTEL.” ⁴¹
ezyhotelbooking.com	website of ezyHotelBooking, offering “Web based booking software and reservation manager for your hotel.” ⁴²
frbobookings.com	website of FRBObookings.com “Making Vacation Properties ‘For Rent by Owner’ Easy.” ⁴³
netbookings.com	website of NETBOOKINGS providing “Online Availability and Reservation System options.” ⁴⁴
roomsbooking.com	website called roomsbooking.com, with “Featured Hotel Deals.” ⁴⁵
treehousebookings.com	website of Treehouse Lodge, stating, “BOOK A TREE HOUSE.” ⁴⁶

⁴¹ *Id.* at 64.

⁴² *Id.* at 69.

⁴³ *Id.* at 71.

⁴⁴ *Id.* at 72.

⁴⁵ *Id.* at 73.

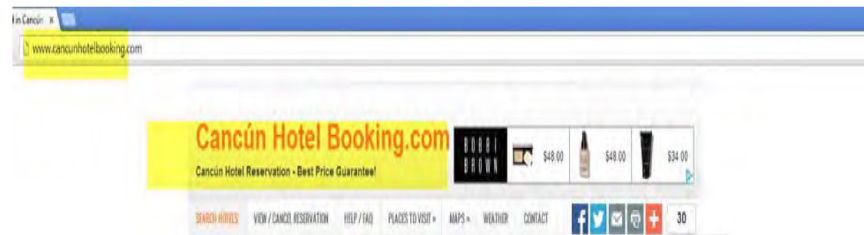
⁴⁶ *Id.* at 74.

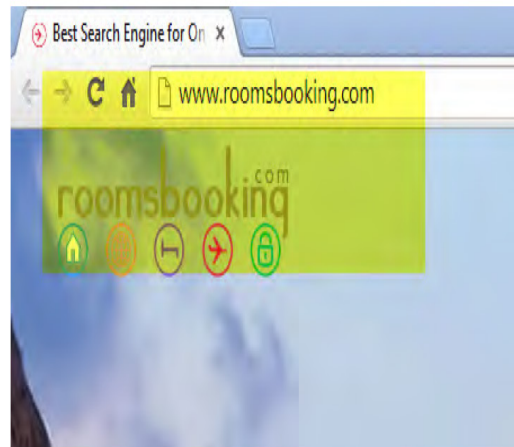
Some of these websites make clear trade name use of designations that include “booking.com,” as shown below:

<http://www.hotelbooking.com/en/index.html> 10/28/2013 03:16:45 PM



<http://www.instantworldbooking.com/> 10/28/2013 03:19:23 PM





The record also includes evidence of domain names that combine “.com” with various combinations of the words “booking” or “book,” including the following:⁴⁷

Bookingcenter.com

Bookingplusinc.com

Bookingwiz.com

Hotelbookingsolutions.com

Fastbooking-hotels.com

Bookingbuddy.com

Ebookers.com

Hotelbook.com

Quikbook.com

Bookit.com

To demonstrate public understanding of BOOKING.COM, Applicant has made of record and focuses heavily on a two-page, 2012 press release by J.D. Power & Associates relating to its rankings of independent travel websites based upon a consumer survey, accompanied by a one-page chart. Neither the survey itself nor any supporting or background material about the survey is of record. Salient excerpts of the press release are set forth below:

⁴⁷ See *id.* at 59-74 and Office Action of November 16, 2013 at 130-174.

J.D. Power and Associates Reports:**Pricing Is the Strongest Driver of Satisfaction with Independent Travel Websites**Booking.com Ranks Highest in Overall Satisfaction among Independent Travel Websites

. . . Satisfaction with the price paid on a travel website drives high overall satisfaction among consumers with their overall website experience, according to the J.D. Power and Associates 2012 Independent Travel Website Satisfaction ReportSM released today.

“ . . . the highest-ranked travel websites in overall satisfaction all have significantly higher price satisfaction scores than the report average,” said Sara Wong Hilton . . . “While other factors certainly affect overall satisfaction, 75 percent of online travel website consumers indicate price as a primary purchase reason, so there is no denying price greatly impacts the overall website experience.”

The report measures consumers’ overall satisfaction with their purchase experience on an independent travel website, which consists of a vacation package, flight, hotel or rental car. The report examines seven factors (listed in order of importance): competitiveness of pricing; usefulness of information; availability of booking/reservation options; website/online store; ease of booking/reserving; competitiveness of sales and promotions; and contact with customer service. . . .

Independent Travel Website Satisfaction Rankings

Booking.com ranks highest with a score of 816, performing particularly well in availability of booking/reservation options; ease of booking/reserving; and pricing. Following Booking.com in the rankings are Hotwire.com (813) and Priceline.com (808).

The 2012 Independent Travel Website Satisfaction Report is based on responses from 2,009 consumers who made an online purchase from an independent travel website in the past 12 months. . . .⁴⁸

The chart accompanying the press release is set forth below:⁴⁹

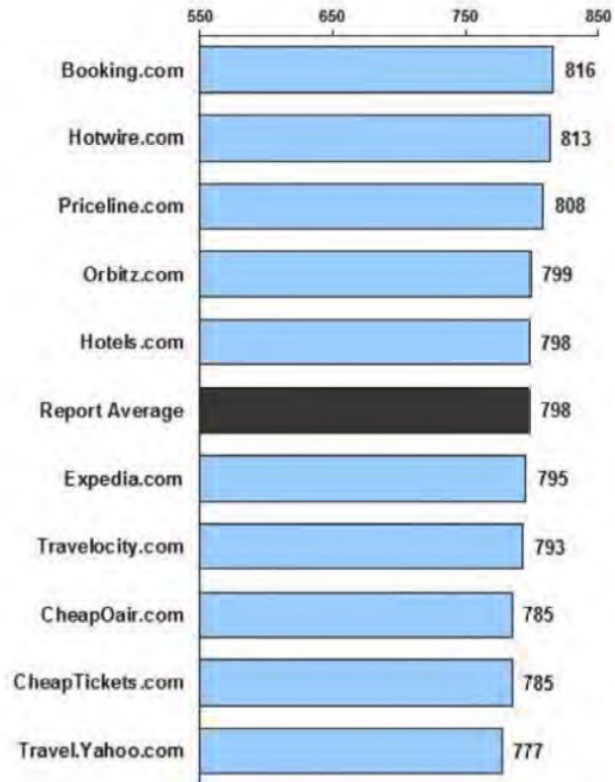
⁴⁸ Applicant's response of September 17, 2013 at 31-32.

⁴⁹ *Id.* at 33.

**J.D. Power and Associates
2012 Independent Travel Website
Satisfaction ReportSM**

Customer Satisfaction Index Ranking

(Based on a 1,000-point scale)



The press release is discussed in the declaration of Applicant's Director, Rutger Marinus Prakke, which states:

Applicant's BOOKING.COM service has received numerous industry awards, including, for example:

- J.D. Power and Associates, a premier research and analytics firm, ranked BOOKING.COM First in Consumer Satisfaction among independent travel websites based on a consumer survey (awarded in 2013); . . .⁵⁰

The Prakke Declaration also states that Applicant has won awards for a 2013 advertising campaign; for "Best Tablet App"; and "Best Mobile Site."⁵¹ It also sets forth figures for the following aspects of Applicant's business:

- countries served;
- accommodations-providers accessible via the service;
- transaction value of accommodation reservations made (worldwide);
- unique monthly U.S. visitors to website;
- roomnights reserved daily (worldwide);
- languages in which the service is offered;
- U.S.-based subscribers to Applicant's newsletters;
- television channels on which commercials have been aired;

⁵⁰ Declaration of Rutger Marinus Prakke, ¶ 11, Applicant's response of May 15, 2014 at 85.

⁵¹ *Id.*

- American consumers reached through commercials in movie theatres and streamed internet commercials;
- Facebook “likes” and “talking about”;
- Twitter followers;
- number of unsolicited news articles found in a Google News search.⁵²

Applicant also submitted a declaration from its legal counsel Jaap van den Broek which contains color examples of web advertising; details of an advertising campaign in partnership with Fandango.com (online movie ticket vendor); references to unsolicited customer reviews; information regarding Applicant’s presence on Twitter and Facebook; and information regarding Applicant’s use of colors, logos and other marks.⁵³

(b) Discussion.

It is clear from the dictionary definitions that an accepted meaning of “booking” is a reservation for a room in a hotel; and it is clear from the internet evidence that the term “booking” has been widely used to describe the service of arranging reservations for hotel rooms, as described in Applicant’s recitation of services and as comprehended by the applicable genus.

Applicant contends that the dictionary definitions show that the primary descriptive meaning of “booking” does not relate to travel, but instead to theatre

⁵² *Id.* at 83-90.

⁵³ Declaration of Jaap van den Broek, Applicant’s response of October 13, 2014 at 50-61. (Applicant apparently did not file certain exhibits referred to in the Broek declaration.)

bookings, referring to definitions such as “a contract, engagement, or scheduled performance of a professional entertainer”; “An engagement, as for a performance by an entertainer”; and “an arrangement for a person or group (such as a singer or band) to perform at a particular place.” Applicant also refers to definitions from THE ONLINE SLANG DICTIONARY and URBAN DICTIONARY showing that “book,” when used as an adjective, may mean “cool,” that “to book” may mean “to leave quickly,” and that “booking” may mean “running really fast.”⁵⁴ Applicant argues:

The existence of alternate meanings of the wording at issue precisely calls into question what is the “primary” significance of the term “booking” (not even BOOKING.COM) to consumers. . . . Indeed, it is fundamentally inconsistent for the Examiner both to assert that the Board should give weight to dictionary definitions of the word “booking” while at the same time telling the Board to shield its eyes from some of those definitions (including the *primary* definition) that undermine the Examiner’s argument.⁵⁵

Applicant’s arguments are unavailing. The question before us is the understanding of “the relevant public,” which in this case consists of persons having an interest in “hotel room reservation services and other lodging reservation services, with related information, advice and consultancy, including such services pro-

⁵⁴ Applicant’s brief at 21, fn5, 13 TTABVUE 22, referring to evidence submitted with Applicant’s Response of May 15, 2014 at 56-59.

⁵⁵ Applicant’s reply brief at 12, 16 TTABUE 13.

vided online.” Those persons would be exposed to the mark in the context of those services and, accordingly, that is the context in which we must consider the primary meaning of the term at issue. In one of the most lucid discussions of this point, *Abercrombie & Fitch Co. v. Hunting World, Inc.*, 537 F.2d 4, 189 USPQ 759 (2d Cir. 1976), the Court acknowledged that in the spectrum of distinctiveness (generic/descriptive/suggestive/arbitrary/fanciful) “a term that is in one category for a particular product may be in quite a different one for another, . . . [and] a term may have one meaning to one group of users and a different one to others . . . ,” 189 USPQ at 764; and that “a word may have more than one generic use.” 189 USPQ at 766.⁵⁶ See also *Gear Inc. v. L.A. Gear California Inc.*, 670 F. Supp. 508, 4 USPQ2d 1192, 1197 (S.D.N.Y. 1987) (“that the word ‘gear’ is more frequently used in its several other meanings than as a term for wearing apparel” does not save it from a finding of genericness for apparel; “the term at issue is still generic if its principal meaning in the relevant market is generic”), *vacated in part, dismissed*, 13 USPQ2d 1655 (S.D.N.Y. 1989); *In re ActiveVideo Networks, Inc.*, 111 USPQ2d 1581, 1588 (TTAB 2014) (meteorological meanings of “cloud” irrelevant as to whether CLOUDTV is generic for computer goods and services); and *In re Rosemount Inc.*, 86 USPQ2d 1436, 1439 (TTAB 2008) (“It is well established that we must look to the meaning of the term within the context of the identified goods.”).

⁵⁶ In *Abercrombie*, the word “safari,” as applied to apparel, was at issue. The fact that “safari” had a specific meaning in the unrelated context of “an expedition into the African wilderness” did not prevent the Court from finding the term generic in the field of fashion apparel. 18 USPQ at 766.

Applicant correctly points out that we must consider each mark in its entirety.⁵⁷

Applicant argues that:

In each of the Office Actions, the Examiners have submitted evidence showing descriptive use of “booking” and “.com” separately as evidence that the composite mark BOOKING.COM is generic. This analytical structure sets a lower bar for genericness for domain name marks than other marks, ignores the realities of the marketplace and is contrary to settled law.

There is no evidence whatsoever that consumers isolate and separately consider “BOOKING” and “.COM” in Applicant’s mark . . .⁵⁸

We do not agree that the Examining Attorney’s approach is improper. In *In re Hotels.com LP*, 573 F.3d 1300, 91 USPQ2d 1532 (Fed. Cir. 2009), in which the mark HOTELS.COM was at issue, the Court said, “We discern no error in the Board’s consideration of the word ‘hotels’ for genericness separate from the ‘.com’ suffix.” 91 USPQ at 1535. The Court implicitly approved the same approach in *In re Reed Elsevier Properties Inc.*, 77 USPQ2d 1649 (TTAB 2005), *aff’d*, 82 USPQ2d 1378 (Fed. Cir. 2007), in which the Board

⁵⁷ We must point out that the Examining Attorney was wrong to say, in her brief, “Applicant is *incorrect* in its brief in claiming that the required standard for a finding of genericness is that the *composite* mark BOOKING.COM as a full phrase be generic.” 15 TTABVUE 12 (emphasis in original). The opposite is true: to affirm the Examining Attorney’s refusal we must find that a mark, in its entirety, is generic.

⁵⁸ Applicant’s brief at 7, 13 TTABVUE 8.

considered separate dictionary definitions of “lawyer” and “.com”; and the Court expressly approved this approach in *In re 1800Mattress.com IP LLC*, 586 F.3d 1359, 92 USPQ2d 1682, 1684 (Fed. Cir. 2009) (“[T]he Board considered each of the constituent words, “mattress” and “.com,” and determined that they were both generic. . . . The Board then considered the mark as a whole . . . ”). In all of these cases, the Court held to be generic marks that were similar in structure to Applicant’s marks on the basis of analysis and evidence that were highly similar to those now before us. The fact that “booking” and “.com” appear in dictionaries separately, but not together, does not mean that their combination cannot be generic. The relevant analysis under *Marvin Ginn* is to determine what relevant customers would understand from the combination of these two terms. As the Court stated in *Hotels.com*, “the generic term ‘hotels’ did not lose its generic character by placement in the domain name HOTELS.COM.” 91 USPQ2d at 1535.

Addressing the term BOOKING.COM as a whole, the Examining Attorney contends:

Each of the terms BOOKING and .COM has a clear and readily understood meaning and the combined term communicates just as clearly and directly that Applicant operates a commercial website that provides its customers with *booking* information and reservation *booking* services.⁵⁹

This contention is supported by the dictionary definitions, quoted above, indicating that “booking” means

⁵⁹ Examining Attorney’s brief, 15 TTABVUE 13 (emphasis in original).

“reservation” or “an arrangement to . . . stay in a hotel room . . . ” and that “.com” is an abbreviation meaning “commercial organization (in Internet addresses)” and is “Part of the Internet address [that] indicates that the site is commercial . . . ” It is also supported by the Internet evidence showing how third parties use the words “booking” and the suffix “.com”; and how they use the combination “booking.com” as a component of domain names and trade names.

Applicant suggests that the question before us is as follows:

the Examiners must show that the “primary significance” of BOOKING.COM “to the relevant consuming public” is simply to designate the genus or class of services identified in the applications [citing *Magic Wand*].⁶⁰

[The question is whether] the *entire term* is used or recognized by consumers to designate a genus of goods or services *and* that the *primary significance* of such usage is the generic designation. . . . BOOKING.COM is not literally a genus or class name, but it at most contains elements descriptive or suggestive of the class.⁶¹

The above formulations overstate the rule that we must apply. *Marvin Ginn* does not require that the public use a term to designate the genus; only that the public understand the term to refer to the genus. *Marvin Ginn* does not require that a term literally be the name of the genus; only that it be understood primarily to

⁶⁰ Applicant’s brief at 5, 13 TTABVUE 6.

⁶¹ *Id.* at 10, 13 TTABVUE 11.

refer to the genus. This was restated in *In re 1800Mattress.com*:

The test is not only whether the relevant public would itself *use* the term to describe the genus, but also whether the relevant public would *understand* the term to be generic. See *H. Marvin Ginn*, 782 F.2d at 990 (describing the test as whether the term is “understood by the relevant public primarily to refer to [the appropriate] genus of goods or services”). Thus, it is irrelevant whether the relevant public refers to online mattress retailers as “mattress.com.” Instead, as the Board properly determined, the correct inquiry is whether the relevant public would understand, when hearing the term “mattress.com,” that it refers to online mattress stores.

92 USPQ2d at 1685 (emphasis in original). Thus, while it might be true that “it is impossible to use BOOKING.COM in a grammatically coherent way to refer generically to anything”; or that “it is not at all logical to refer to a type of product or service as a ‘booking.com’”;⁶² that does not mean that this term could not be understood primarily to refer to an online service for making bookings. In other words, the test is not whether the public can use the term in a grammatically correct sentence, but whether the public understands the term to refer to the genus.

The Examining Attorney’s contentions as to the public’s understanding of the combination BOOKING.COM are supported by the dictionary evidence; the internet evidence showing how third parties use the words “booking” and the suffix “.com”; and, perhaps

⁶² *Id.* at 12, 13 TTABVUE 13.

most importantly, the evidence of how third parties use the combinations “booking.com” and “bookings.com” as components of domain names and trade names in the field of hotel reservations.

We must, however, balance the Examining Attorney’s evidence against Applicant’s evidence of public perceptions, including the J.D. Power survey. Applicant argues:

It defies logic that consumers would rank BOOKING.COM as the most trusted accommodations website if consumers failed to recognize BOOKING.COM as a source-identifier. Stated another way, if BOOKING.COM merely designated a type or category of services, consumers would not be able to attribute any particular level of quality to services offered under the designation. This is plainly not the case . . .⁶³

It bears noting, before we proceed, that Applicant’s characterization of the J.D. Power survey as showing that Applicant is “the most trusted accommodations website” is a substantial overstatement. As the press release, quoted above, indicates, the survey related to customers’ “satisfaction,” and trust was not one of the seven factors measured by the survey. Even if we were to accept the J.D. Power press release for the truth of the matters asserted in it,⁶⁴ we find that it is at best a very indirect demonstration of what relevant customers understand “booking.com” to mean. The

⁶³ *Id.* at 3, 13 TTABVUE 4.

⁶⁴ “The Board generally takes a somewhat more permissive stance with respect to the admissibility and probative value of evidence in an *ex parte* proceeding than it does in an *inter partes* proceeding.” TBMP § 1208.

press release tells us that survey subjects were asked about seven factors—pricing; information provided; booking options; the online “store”; ease of booking; sales and promotions; and customer service—with respect to specific travel websites. These are not the types of questions that would be posed to subjects of a typical genericness survey (*e.g.*, a “Teflon” or “Thermos” survey), which would test whether subjects perceive a term as a brand or a generic term. *E. I. Du Pont de Nemours & Co. v. Yoshida Int’l, Inc.*, 393 F. Supp. 502, 185 USPQ 597 (E.D.N.Y. 1975); *Am. Thermos Prods. Co. v. Aladdin Indus., Inc.*, 207 F. Supp. 9, 134 USPQ 98 (D. Conn. 1962), *aff’d sub nom. King-Seeley Thermos Co. v. Alladin Indus., Inc.*, 321 F.2d 577, 138 USPQ 349 (2d Cir. 1963). What the survey does tell us is that subjects had used Applicant’s website and expressed a higher level of satisfaction with it (based on some unknown combination of the seven factors) than with other competing websites. Although this survey tells us something about Applicant’s business success—*i.e.*, that its customers are highly satisfied—it says little or nothing about what customers understand the term BOOKING.COM to mean. (Even if the survey had posed more directly relevant questions, the data presented to the Board are extremely non-specific: we do not know the actual questions that were posed to the survey subjects, nor do we have their responses or a tabulation of their responses, much less an expert’s opinion on the validity and meaning of the survey’s results.)

We have considered all of Applicant’s evidence, including the testimony in its representatives’ declarations and the exhibits thereto. These materials demonstrate the scope of Applicant’s business and the suc-

cess that Applicant has achieved in marketing its services. However, compared to the J.D. Power survey, the information these materials provide is even farther afield from the crucial question: whether customers perceive BOOKING.COM as a brand or a generic term. The fact that Applicant has served many customers, or that its advertising and other communications have reached many customers and potential customers, does not answer this central question.

By contrast, the Examining Attorney's evidence is directly relevant to the question of public perception. We accept the dictionary definitions as evidence of the generally accepted meanings of the component terms of Applicant's mark; and the Internet evidence of actual third-party uses of the component terms and the combined term "booking.com" is presented with sufficient context to allow us to understand the use and public perception of these terms.

In *Hotels.com, supra*, where the USPTO relied on evidence of genericness similar to the Examining Attorney's evidence here, the applicant presented in rebuttal a "Teflon" genericness survey showing that 76% of respondents perceived the term at issue as a brand name; together with 64 declarations of individuals stating that the term was not generic. Noting the Board's critique of the survey, the Court found:

[O]n the entirety of the evidence before the TTAB, and with cognizance of the standard and burden of proof borne by the PTO, the TTAB could reasonably have given controlling weight to the large number of similar usages of "hotels" with a dot-com suffix, as well as the common meaning and dictionary definition of "hotels" and the standard usage of ".com" to

show a commercial internet domain. We conclude that the Board satisfied its evidentiary burden, by demonstrating that the separate terms “hotel” and “.com” in combination have a meaning identical to the common meaning of the separate components. The Board’s finding that HOTELS.COM is generic was supported by substantial evidence.

91 USPQ2d at 1537. The applicant’s evidence in *Hotels.com* was far more extensive and supportive of allowing registration than is Applicant’s evidence in this case.

In *In re Reed Elsevier Properties Inc.*, 82 USPQ2d 1378 (Fed. Cir. 2007), the Court found evidence similar to that in this case sufficient to demonstrate genericness:

[I]n determining what the relevant public would understand LAWYERS.COM to mean, the board considered eight websites containing “lawyer.com” or “lawyers.com” in the domain name, e.g., *www.massachusetts-lawyers.com*, *www.truckerlawyers.com*, and *www.medialawyer.com*. It discussed the services provided by these websites in order to illuminate what services the relevant public would understand a website operating under Reed’s mark to provide. These websites are competent sources under *In re Merrill Lynch*, 828 F.2d at 1570, and they provide substantial evidence to support the board’s finding.

82 USPQ2d at 1381. See also *In re 1800Mattress.com IP LLC*, 92 USPQ2d at 1684 (“[H]ere, the Board permissibly gave controlling weight to the large number of

similar uses of ‘mattress.com’ as well as the common meanings of ‘mattress’ and ‘.com.’”).

Applicant argues that the existence of “ample readily available terms for the genus of services, such as ‘travel agency’ (or even ‘travel site’ or ‘accommodation site’)” constitutes “positive evidence the disputed term is *not* generic.”⁶⁵ This is a fallacy. The existence of numerous alternative generic terms does not negate the genericness of any one of them. In *1800Mattress.com*, the Court said:

We also disagree with Dial-A-Mattress’s assertion that there can only be one generic term, which is “online mattress stores.” Instead, any term that the relevant public understands to refer to the genus of “online retail store services in the field of mattresses, beds, and bedding” is generic.

92 USPQ2d 1685. The cases upon which Applicant relies, *In re Dial-A-Mattress Operating Corp.*, 240 F.3d 1341, 57 USPQ2d 1807 (Fed. Cir. 2001); *Elliott v. Google Inc.*, 45 F. Supp. 3d 1156 (D. Arizona 2014); and *Salton, Inc. v. Cornwall Corp.*, 477 F. Supp. 975 (D.N.J. 1979), do not support the principle that Applicant posits; they do not hold that a failure to show competitive need disproves genericness, but only that it lends no support to a claim of genericness. In any event, in the case before us there is evidence of competitors’ use of the designations “booking.com” and “bookings.com” as parts of trade names and domain names that describe the nature of their services (*e.g.*, “hotelbooking.com,” “ezhotelbooking.com,” “drakehotelbookings.com,” and “roomsbooking.com,” among others). If such busi-

⁶⁵ Applicant’s brief at 6, 13 TTABVue 7.

nesses could not use “booking.com” as a part of their domain names or trade names, they would be meaningfully hampered in their ability to communicate the nature of their online booking services. In *Reed Elsevier*, the Board relied on similar evidence, 77 USPQ2d at 1657 (“In short, this case does not involve a perceived need for others to use a term, but involves a demonstrated use of the term by others.”); and the Federal Circuit subsequently affirmed the finding of genericness. *Reed Elsevier*, 82 USPQ2d 1378.

Applicant argues that it is impossible for a term in the form of a domain name, like “booking.com,” to identify an entire class or genus of goods or services precisely because “a specific URL can identify only one entity.”⁶⁶ In fact, a URL points not to an *entity*, but to one specific Internet *address*, which can be occupied by any entity that secures the address by entering into an arrangement with the registrar of that address. As domain name registrations are not perpetual, Applicant may be supplanted as the registrant of that Internet address or may voluntarily transfer its domain name registration. Moreover, Applicant’s argument ignores the use of “booking.com” by third parties to identify their internet addresses.

Applicant also argues that refusing to register its mark would be contrary to the policies underlying trademark law and the Trademark Act, stating that Congress’s “two purposes” were (1) to protect the public from source confusion; and (2) to protect a busi-

⁶⁶ Applicant’s brief at 14; *see also id.* at 24, 13 TTABVUE 15, 25.

ness's investment of energy, time, and money from misappropriation by pirates.⁶⁷ Applicant argues:

Given the stature of the brand among consumers, the purposes of trademark law are advanced by permitting Applicant to protect its great investment in its mark and to protect consumers against the confusion that would inevitably result if others were free to copy the name. Denying registration to the most trusted brand in the field undermines the purposes of trademark law by betraying the trust consumers place in the brand.⁶⁸

Applicant's policy argument addresses the reasons for protecting *marks*, but neglects to mention the policy underlying the legal exclusion of generic matter from the category of "marks." That policy is based upon concerns relating to fair competition:

Generic terms, by definition incapable of indicating sources, are the antithesis of trademarks, and can never attain trademark status. [Citation omitted.] The reason is plain:

To allow trademark protection for generic terms, i.e., names which describe the genus of goods being sold, *even when these have become identified with a first user*, would grant the owner of the mark a monopoly, since a competitor could not describe his goods as what they are.

In re Merrill Lynch, 4 USPQ at 1142, quoting *CES Publ'g Corp. v. St. Regis Publ'ns, Inc.*, 531 F.2d 11, 188 USPQ 612, 615 (2d Cir. 1975) (emphasis added). See

⁶⁷ *Id.* at 18, 13 TTABVUE 19.

⁶⁸ *Id.* at 3, 13 TTABVUE 4.

also *In re Pennington Seed Inc.*, 466 F.3d 1053, 80 USPQ2d 1758, 1763 (Fed. Cir. 2006). As in *Merrill Lynch*, courts have repeatedly noted the possibility that a business might invest in, and acquire name recognition in, an unprotectable generic term:

[N]o matter how much money and effort the user of a generic term has poured into promoting the sale of its merchandise *and what success it has achieved in securing public identification*, it cannot deprive competing manufacturers of the product of the right to call an article by its name.

Abercrombie & Fitch, 189 USPQ at 764, *citing J. Kohnstam, Ltd. v. Louis Marx and Co.*, 280 F.2d 437, 126 USPQ 362, 364 (CCPA 1960) (emphasis added).

While it is always distressing to contemplate a situation in which money has been invested in a promotion in the mistaken belief that trademark rights of value are being created, merchants act at their peril in attempting, by advertising, to convert common descriptive names, which belong to the public, to their own exclusive use. *Even though they succeed* in the creation of de facto secondary meaning, due to lack of competition or other happenstance, the law respecting registration will not give it any effect.

Weiss Noodle Co. v. Golden Cracknel and Specialty Co., 290 F.2d 845, 129 USPQ 411, 414 (CCPA 1961) (emphasis added).

Applicant seeks to demonstrate that the USPTO has registered numerous marks in the form of a domain name in which a generic term is combined with a

top-level domain indicator like “.com.”⁶⁹ Such demonstrations of purportedly inconsistent conduct of the USPTO are not persuasive, because we must decide each case on its own merits, *In re Owens-Corning Fiberglas Corp.*, 774 F.2d 1116, 1127, 227 USPQ 417, 424 (Fed. Cir. 1985), and are not bound by the USPTO’s allowance of prior registrations. *In re Nett Designs Inc.*, 236 F.3d 1339, 57 USPQ2d 1564, 1566 (Fed. Cir. 2001). In any event, in this case the proffered registrations do not support Applicant’s position. That is, the purportedly “generic” terms are registered not for the services that the terms directly identify, but for other services that are obliquely related to the terms. For example, ENTERTAINMENT.COM is not registered for providing entertainment of any kind, but for advertising services, promoting the goods and services of others, and discount programs. Reg. No. 4294532, registered under Section 2(f).⁷⁰

Applicant compares the present case to *In re Steelbuilding.com*, 415 F.3d 1293, 75 USPQ2d 1420 (Fed. Cir. 2005), in which the Court reversed the Board’s finding that STEELBUILDING.COM was generic. In that case, evidence before the Court persuaded it that the applicant’s services, as identified in the application, included not only the retail sale of steel buildings but also the online, interactive design and manufacture of structures made of steel; and that in that context customers would appreciate the dual meaning of “steelbuilding” as used in the applicant’s mark (*i.e.*, a building made of steel and the process of designing and

⁶⁹ *Id.* at 24-25, 13 TTABVue 25-26; and Applicant’s response of May 15, 2014 at 67-83.

⁷⁰ Applicant’s response of May 15, 2014 at 79.

constructing a structure with steel). In this case, Applicant urges that its services are not merely reservation services but also include “soliciting and collating user-generated content such as reviews of lodgings and other travel related items”; and that customers would appreciate that BOOKING.COM “conveys much more than mere ‘reservation’ services.”⁷¹ We do not agree that, in the context of Applicant’s identified services, customers would perceive any ambiguity or dual meaning in the term BOOKING.COM. Rather, in that context, BOOKING.COM would be obviously and immediately understood as having the meaning of booking lodgings through an internet service.

We therefore find that the Examining Attorney’s dictionary and usage evidence demonstrates, *prima facie*, that relevant customers would understand the term BOOKING.COM to refer to an online reservation service for lodgings; and that Applicant’s evidence of its business success and high level of customer satisfaction does not rebut this showing. To complete our consideration of Applicant’s marks in their entirety, we next consider whether the design elements of the marks would justify registration notwithstanding our finding that BOOKING.COM is generic for the identified services.

3. The design elements of the marks.

If the design elements of Applicant’s marks were found to be distinctive, whether inherently or through acquired distinctiveness, registration of the marks on the Principal Register would be permissible, provided that Applicant were to disclaim the exclusive right to

⁷¹ Applicant’s brief at 27, 13 TTABVUE 28.

use the wording of the marks. (Applicant has not requested a registration in such form, nor indicated any willingness to enter such a disclaimer.) One of Applicant's marks is presented in stylized letters in two colors and the other is presented in stylized letters with a rectangular "carrier," in three colors. We must decide whether these design and color elements are sufficiently distinctive, whether inherently or through acquired distinctiveness, to create a commercial impression separate and apart from the generic term BOOKING.COM. *In re Northland Aluminum Prods, Inc.*, 777 F.2d 1556, 227 USPQ 961 (Fed. Cir. 1985) ("The Board also correctly found that the form of the lettering of the mark is 'not so distinctive as to create a commercial impression separate and apart from the term BUNDT.' . . . The record is devoid of evidence of public recognition of this overall format as a trademark." [citing *G. D. Searle*, 360 F.2d at 655-656, 149 USPQ at 623]); see also *In re Cordua Rests. LP*, 110 USPQ2d 1227, 1232 (TTAB 2014) ("[T]he display of Applicant's mark, consisting primarily of stylized letters, does not make the applied-for matter registrable, despite the genericness of the term CHURRASCOS, since it does not create a separate commercial impression over and above that made by the generic term.").

The lettering in which the marks are presented is conventional. There is no evidence of record indicating that the font has style elements that are unusual in any way; if there are any refinements in the font that could distinguish it from conventional lettering styles, they consist only of a slight rounding of the corners of the letters. Customers would not recognize the style of lettering as an indicator of source. The blue rectangular carrier in one of the marks is extremely con-

ventional and certainly would not be perceived as a source-indicating element. The color schemes of light blue and dark blue; and of light blue, dark blue, and white are, inherently, insufficiently distinctive to indicate source. All of the design and color elements, considered together, are, inherently, not so distinctive as to create a commercial impression separate and apart from the term BOOKING.COM.

Applicant has submitted a substantial amount of evidence to show that BOOKING.COM has allegedly acquired distinctiveness, but none of it focuses on the design and color elements of the marks; it does not demonstrate that the color or design elements have received particular notice or have developed market recognition as an indicator of Applicant as the source of services. We find that the respective design elements of the two marks at issue are not, in themselves, distinctive and that they therefore do not justify registration of the marks.

4. The refusal, in the alternative, on grounds of mere descriptiveness.

Bearing in mind the possibility that our finding that Applicant's marks are generic may be reversed on appeal, we find it appropriate to consider the Examining Attorney's refusal to register the marks on the ground that they are merely descriptive of Applicant's services and that Applicant has failed to demonstrate that they have acquired distinctiveness.

The dictionary and usage evidence submitted by the Examining Attorney demonstrates, at the very least, that BOOKING.COM is highly descriptive and would require significant evidence of acquired distinctiveness in

order to allow registration of the two marks. *Yamaha International Corp. v. Hoshino Gakki Co.*, 840 F.2d 1571, 6 USPQ2d 1001 1008 (Fed. Cir. 1988) (The kind and amount of evidence of acquired distinctiveness required to secure a registration will necessarily vary with the subject matter for which registration is sought.).

Applicant's evidence of acquired distinctiveness focuses on the wording BOOKING.COM and does not address the specific stylized marks at issue in this appeal. Applicant has made of record the following evidence showing the scope and success of its business in the field of reservations for hotels and other lodging:

- The J.D. Power survey discussed above.
- The Prakke declaration stating that Applicant commenced use of BOOKING.COM in June, 2006; that Applicant's websites have averaged 10.3 million unique visitors from the United States per month; that there are over 2.2 million U.S.-based subscribers to Applicant's newsletters, which are distributed two or three times per month; that Applicant has advertised extensively on television, the internet, and in movie theatres; that in the first quarter of 2013, its movie theatre commercials reached over 20 million U.S. consumers; and its streamed advertisements on third-party internet websites reached 19 million U.S. consumers; and that Applicant's services under the BOOKING.COM mark have received notice in the press and in the hospitality and advertising industries. Mr. Prakke also states his belief that BOOKING.COM "is recognized as a source-identifier and has become distinctive of Applicant's services through its

substantial sales and great commercial success, as well as its substantially exclusive and continuous use of the mark in U.S. Commerce for many years.”

The declaration states the number of roomnights booked daily (625,000) and the transaction value of its reservations in 2012 and 2013 (exceeding \$3 billion and \$8 billion, respectively); however, these figures are not limited to services provided to U.S. customers. The declaration also sets forth figures for Twitter followers and Facebook “likes,” but again these are not limited to U.S. persons.

- Information (submitted as exhibits to the Prakte declaration) regarding Applicant’s receipt of a Gold level Adrian Award from Hospitality Sales & Marketing Association International; and “Best Tablet App” and “Best Mobile Site” awards for 2014 from Mobile Travel & Tourism.
- Five news items taking note of Applicant’s business (from NBCNews.com; Orlando Business Journal; Adweek; Los Angeles Times; and Hospitality Net).

This evidence would not under any circumstances render a generic term registrable. *See In re Northland Aluminum Prods., Inc., supra.* Assuming for the sake of analysis that Applicant’s marks are not generic, but highly descriptive, we must consider whether the evidence suffices to render them registrable under Section 2(f).

The Examining Attorney’s evidence showing that third parties make use of the term “booking.com” in their trade names and domain names seriously undercuts Applicant’s claim to have made “substantially

exclusive” use of the term, as well as Applicant’s claim to have acquired distinctiveness. *See Levi Strauss & Co. v. Genesco, Inc.*, 742 F.2d 1401, 222 USPQ 939, 940-1 (Fed. Cir. 1984) (“When the record shows that purchasers are confronted with more than one (let alone numerous) independent users of a term or device, an application for registration under Section 2(f) cannot be successful, for distinctiveness on which purchasers may rely is lacking under such circumstances.”); and *In re Boston Beer Co. L.P.*, 198 F.3d 1370, 53 USPQ2d 1056, 11058 (Fed. Cir. 1999) (“The examples of use of the phrase by others in its descriptive form support the board’s conclusion that the mark had not acquired distinctiveness.”) Such evidence confirms what is suggested by the evidence of the meanings of the terms “booking” and “.com” and the ways in which people use these terms: that is, the combination of these terms not only appears to be a likely way for people to describe reservation services provided online, but has actually already been adopted for that purpose by businesses in Applicant’s field.

In view of the highly descriptive nature of Applicant’s marks and the actual use of BOOKING.COM in the marketplace by third parties, very strong evidence of acquired distinctiveness would be required to render the marks registrable. We find Applicant’s demonstration of its business success to be insufficient for this purpose, especially because it does not focus on demonstrating actual market recognition of BOOKING.COM as a source indicator. The press notices are few in number, and while one of them refers to Applicant as a “[h]otel booking giant,” the same article also states, “even though *many Americans are unfamiliar with the brand*, Booking.com is the largest hotel-booking site in

the world . . . ”⁷² The record contains no statements by customers indicating the degree of their recognition of the term as Applicant’s source-indicator; and the record has very few examples of Applicant’s advertising materials to show how Applicant has sought to replace, in the minds of consumers, the general descriptiveness of the term with an impression of single-source identification. The press release relating to the J.D. Power survey, which neither sets forth the questions asked nor the answers received from the survey respondents, does not present the unmediated views of consumers, but merely an undetailed digest of their responses, indicating general satisfaction with Applicant’s services. Considering that the structure of the term BOOKING.COM indicates that it refers to an internet address, the survey does not show that customers recognize BOOKING.COM as a single-source indicator, but only that they were satisfied with the services provided at a particular internet address. Overall, we find Applicant’s evidence to be too sparse and equivocal to indicate that a term as highly descriptive as BOOKING.COM has acquired distinctiveness under Section 2(f). We therefore affirm the Examining Attorney’s refusal to register Applicant’s marks on the ground that they are merely descriptive and that Applicant has failed to demonstrate that they have acquired distinctiveness within the meaning of Section 2(f).

Decision: The refusal to register Applicant’s marks is AFFIRMED on the ground that they are generic as applied to Applicant’s services; and on the ground

⁷² Applicant’s response of May 15, 2014 at 106-7 (emphasis added).

that they are merely descriptive of Applicant's services and have not been shown to have acquired distinctiveness.

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

Proceeding	79122366
Applicant	Booking.com B.V.
Applied for Mark	BOOKING.COM
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Submission	Appeal to District Court
Attachments	Notice of Civil Action - BOOKING.com.pdf(719871 bytes)
Filer's Name	Jonathan E. Moskin
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Signature	/jonathan e. moskin/
Date	04/19/2016

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

BOOKING.COM B.V., PLAINTIFF

v.

MICHELLE K. LEE, UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF
THE UNITED STATES PATENT AND TRADEMARK
OFFICE, ET AL., DEFENDANTS

Nov. 14, 2016

DEPOSITION OF SARAH-JANE LESIE Ph.D.

* * * * *

[5]

PROCEEDINGS

WHEREUPON,

SARAH-JANE LESLIE, PH.D.

called as a witness, and having been first duly sworn,
was examined and testified as follows:

EXAMINATION BY COUNSEL
FOR DEFENDANTS

BY MS. WALKER:

Q Good morning, Dr. Leslie. Could you please
state your name for the record.

A Sarah-Jane Leslie.

Q And can you spell that for me, please.

A Sarah Jane is S-A-R-A-H, hyphen, J-A-N-E, and Leslie is L-E-S-L-I-E.

Q And what is your business address?

A My business address is Room 223 in 1879 Hall, Princeton University, Princeton, New Jersey 08544.

Q And is that where you are appearing this morning?

A Correct.

Q Thank you. Have you ever been deposed before, Dr. Leslie?

[6]

A I have not.

Q I like to go over procedures just to make sure that we're on the same page. One of the most important things today because you're appearing by telephone is for you to speak clearly and loudly.

A Uh-huh.

Q And I also want to just go over some rules so that you understand what's going to happen. I'm going to ask you a series of questions. You should answer those questions to the best of your ability. If I ask you a question you don't understand or you need clarification, please feel free to ask me to rephrase it or clarify it. Do you understand that?

A Okay. I do.

Q One of the other very important things about any deposition and especially a telephone deposition is to let me completely finish my question before you

begin speaking. Otherwise the court reporter can't record my question or your answer. Do you understand that?

A I do.

Q If you need a break for anything, just let [7] me know. I'll ask you to answer any outstanding question before we take a break. Do you understand that?

A I do.

Q Is there any reason that you might not be able to give complete and accurate answers to the questions I'll be asking you today?

A No.

Q Okay. Dr. Leslie, do you have any materials in front of you right now?

A I have the materials that you shared with Jonathan for this purpose.

Q Okay. And I would ask that you just put those to the side right now and that you not reference any materials unless I specifically ask you to do so. Do you understand that?

A Yes.

Q How many hours would you estimate that you spent working on this case?

A I believe it was approximately 35 hours. I would need to double check to be certain.

Q Okay. Thank you. What did you do to [8] prepare for this deposition?

A I read the case documents that were provided to me by Jonathan.

Q And what do you mean by case documents?

A The decisions that had been made previously.

Q Are those the decisions made by the Trademark Trial and Appeal Board?

A Correct.

Q And no other decisions; is that correct?

A Correct.

Q So the only documents reviewed in anticipation of this deposition were the Trademark Trial and Appeal Board decisions?

A Correct.

Q Speaking more generally, other than the documents you referenced in the report, did you review any other documents in connection with this case?

A No. Not specifically. No.

Q I'd like to ask you some questions about your education and experience. What was the subject [9] of your Ph.D.?

A The subject of my Ph.D. was generic generalizations, their semantics and the cognition of them.

Q What do you mean by generic generalizations?

A I mean generalizations of the form ravens are black, ducks lay eggs, ticks carry Lyme disease. They are generalizations articulated in language that don't answer the question of how much or how many.

Q And are those sometimes—have you—excuse me. Have you referred to what you just referred to as generic generalizations as generics?

A Yes.

Q And is that a common usage of the word “generics?”?

A Absolutely.

MR. MOSKIN: Object to form.

BY MS. WALKER:

Q And I’m sorry. Can you repeat that answer?

[10]

MR. MOSKIN: That’s okay. You can answer. I’m just stating an objection to the—the form is ambiguous. You can answer.

A That term “generics” is commonly used in philosophy linguistics and psychology to describe those particular statements.

BY MS. WALKER:

Q Have you ever—have you done any research on generic terms in the trademark context?

A I have not.

Q Can you explain to me the difference between a generic term and a descriptive term in the trademark context?

A That is something that I have learned for the purposes of this case. I’m not sure that I am best placed to articulate that legal distinction.

Q So you had no prior knowledge before this case about the distinction between a generic term and a descriptive term; is that correct?

A Correct. In the legal sense, that is correct.

Q In any other sense?

[11]

A Those terms are used in linguistics in somewhat different ways, related but different ways than they are used in the legal context.

Q Dr. Leslie, I'm going to have marked as Exhibit 1 your expert report. If you could now turn to that.

A Okay.

(Leslie Exhibit No. 1 was marked for identification.)

(Discussion off the record.)

MS. WALKER: She asked me if I wanted the deposition exhibit marked as 1 or Leslie 1 and I identified it as Leslie 1.

MR. MOSKIN: That's absolutely fine. Again, I just wanted you to know since we're not all together.

MS. WALKER: Sure. I understand. Thank you for letting me know.

BY MS. WALKER:

Q Dr. Leslie, if you could turn to Paragraph 86 of your report.

A All right. Yes.

[12]

Q That paragraph starts out, In view of all the documentation and information provided to me. Can you explain to me what the documentation and information was—that was provided to you?

A That was what is listed in Section III.

Q So the information and documentation that you're referring to in Paragraph 86 is just the three Trademark Trial and Appeal Board decisions; is that correct?

A Correct.

Q Can you turn to Paragraph 11 for me, please?

A Yes.

Q Paragraph 11 states, I also understand that there have been conflicting findings as to whether certain trademarks that also serve as domain names are generic or descriptive.

How did you come to that understanding?

A That was through conversation with Jonathan.

Q And you have no other basis for that understanding; is that correct?

[13]

A That is correct.

Q So you couldn't tell me what, for example, In re Hotels.com was about, could you?

A My understanding, though I have not read the case, is that that was a decision about trademarking about a particular name.

Q And that would be true for each of the cases listed in that paragraph; your understanding as to those cases came from counsel? Is that correct?

A That is correct.

Q Do you know what the Trademark Trial and Appeal Board is?

A I learned of it from this case. I didn't previously know what it was.

Q Has any of your research, prior research addressed the concept of a genus?

A The concept of a genus as it is used in biology or in philosophy, yes; in the legal sense, no.

Q And what is a genus in terms of philosophy?

[14]

A A genus in terms of philosophy would be a sort of higher-level collective of which there are particular instances.

Q And is that the genus that you're referring to in your report?

A Yes. So perhaps you could give me a particular example so I could answer most accurately.

Q Well, can you give me an example?

A Well, you're saying that I used that word in the report.

Q Oh, I'm sorry. I understand. Well—sure.

So Paragraph 14—

A Okay.

Q —the third sentence—

A Yes.

Q —begins with, I have also been asked to.

A Uh-huh.

Q And that sentence ends with, refer to a genus or some other thing entirely.

A So in that I mean it in the philosophical [15] sense also similar to the biological sense whereby that's, as it were, a higher-level kind of category that has particular instances rather than being a first-order individual.

Q So can you give me an example of something that is a genus?

A Something that would be a genus would be ducks, for example.

Q And what would be a generic for ducks?

A Ducks lay eggs. I want to be clear that I mean generic there, again, in the philosophical/linguistic sense.

Q So if we are talking about the genus that you identified in your report, for example, in Paragraph 41, online service for making bookings, what is a generic—

A Let me just find Paragraph 41.

41. Okay. I found it.

Q Thank you. So the genus that you identify in Paragraph 41 is online service for making bookings.

A Correct.

[16]

Q What is a generic for that genus?

A A generic for that genus would be something like online services for making travel or hotel bookings are useful.

Q So the word “booking” would not be generic for online service for making bookings; is that correct?

A It could be. One could say something like bookings are useful.

Q But you would need that whole phrase in order for it to be considered a generic?

A Not necessarily.

Q When would you not need that whole phrase?

A As I say, if one says, for example, bookings are useful things to have.

Q Is it possible to have a single-word generic?

A It is possible if the term is what we call a mass term. So, for example, an instance of that would be furniture or water. So you might say, water is healthy to drink, and that would be a generic even though it's just one word. However, [17] mass terms are very distinctive semantic properties. For example, it's always appropriate to use an additional word to pick out a portion of them. So, for example, one might say instances of water are composed of H₂O molecules. One might say, pieces of furniture are necessary for furnishing a home, so on and so forth.

So there's a very specific way of identifying these mass terms. If we do not have a mass term, then a generic does require either multiple words or a plural marking.

Q And I'm sorry. I'm having a little bit of trouble understanding. Are you saying mass, M-A-S-S, or—

A Correct, M-A-S-S.

Q Thank you. So I asked you for an example of a single-word generic, and I thought I understood that you said your example was water is healthy. Was that your example?

A So water there are figures of a single term in the subject position.

Q I see. But the entire generic would be [18] the phrase “water is healthy”; is that correct?

A As the term “generic” is used in philosophy and linguistics, that is correct.

Q And is your report relating to how the term “generic” is used in philosophy and linguistics?

A I took the trouble to understand to the best of my ability how it’s being used in the legal point of view, and I do understand that that is a somewhat different sense, an extended sense if you like whereby it would not be required to figure an entire sentence.

Q But you don’t have any expertise in the legal point of view; is that correct?

A I do not.

Q Dr. Leslie, do you have any expertise in the travel industry?

A In the what?

Q Sorry. Excuse me—

MR. MOSKIN: Travel.

A No.

BY MS. WALKER:

[19]

Q I'll just ask that again so we're clear.

You are not an expert in the travel industry; is that correct?

A I am not an expert in the travel industry. I was asked to give my opinion in this matter as pertains to uncontroversial linguistic principles pertinent to this case. That's the entire scope of my contribution.

Q I understand. Thank you.

Can you turn to Paragraph 75 of your report?

A Yes.

Q The second sentence in that paragraph says, An immense publicity campaign has succeeded in conditioning the purchasing public to make certain associations with the use of that term, and that term refers to Travelocity.com.

A Uh-huh.

Q How did you reach that conclusion?

A That seems to me just common knowledge.

Q What did you do to confirm that common knowledge?

[20]

A I drew upon my experiences as a member of the purchasing public having been subjected to Travelocity's publicity campaign.

Q So you made that comment just as a layperson; isn't that correct?

A Yes.

Q Dr. Leslie, if you applied the same analysis in your report that you applied to Booking.com—

A Uh-huh.

Q —are there any .com terms that you would consider generic?

A I wasn't asked to consider the entire range of possibilities here. That was not something that I spent time considering.

Q But if you follow your analysis, can you think of any examples where a .com term would be generic?

A Not at this time.

Q Dr. Leslie, you were provided a copy of one of your articles, the title of which begins Do All Ducks Lay Eggs.

[21]

A Correct.

Q Can you turn to that. I'm going to have that marked as Exhibit—Leslie Exhibit 2.

(Leslie Exhibit No. 2 was marked for identification.)

BY MS. WALKER:

Q That's been marked as Leslie Exhibit 2. Dr. Leslie, is that article an example of your research on generics?

A It is.

Q Thank you.

MS. WALKER: Jonathan, can we take about a five-minute break?

MR. MOSKIN: Fine with me.

MS. WALKER: Thank you.

(Whereupon, a brief recess was had.)

MS. WALKER: I have no further questions.

MR. MOSKIN: Oh, okay. Give me two seconds.

MS. WALKER: Sure.

MR. MOSKIN: I have no questions for Dr. Leslie either.

[22]

MS. WALKER: Okay. Thanks very much.

THE WITNESS: Thank you.

MS. WALKER: I'm sorry. Read or waive, Jonathan?

MR. MOSKIN: We'll review. We're not waiving the right to read the transcript.

(Whereupon, at 9:58 a.m., the deposition of SARAH-JANE LESLIE, PH.D., was concluded.)

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