

04-22-1999

PATENT AND TRADEMARK OFFICE  
Request to Register Documents



101017630

Honorable Commissioner of Patents and Trademarks:  
record the attached original document or copy thereof.

1. Name of Party(ies) conveying an interest:

TRANSMEDIA

2. Name and Address of Party(ies) receiving an interest:

Name: Stephen M. Shaw

Internal Address: \_\_\_\_\_

Street Address: P.O. Box 2353

City: Honolulu

State: HI Zip: 96804

Entity: \_\_\_\_\_

Individual

Association

General Partnership

Limited Partnership

Corporation-State

Other Sole Proprietor

Citizenship \_\_\_\_\_

Entity:

Individual(s)

Association

General Partnership

Limited Partnership

Corporation-State

Other Sole Proprietor

3. Interest Conveyed:

Assignment

Change of Name

Security Agreement

Merger

Other Notice of Opposition

If not domiciled in the United States, a domestic representative designation is attached:

Yes

No

(The attached document must not be an assignment)

4. Application number(s) or registration number(s). Additional sheet attached?  Yes  No

A. Trademark Application No.(s)

75-592277

75-592278

B. Trademark Registration No.(s)

Refund Ref: 04/19/1999 DNGUYEN 0000080341

CHECK Refund Total: \$50.00



02-26-1999

U.S. Patent & TMO/TM Mail Rpt Dt: #70

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Barbara R. Shufro, Esq.

Internal Address: \_\_\_\_\_

Street Address: Pillsbury et al  
2550 Hanover Street

City: Palo Alto,

State: CA Zip: 94304

04/19/1999 DNGUYEN 00000001 75592277

6. Number of applications and registrations involved

two

7. Amount of fee enclosed or authorized to be charged:

Law Office of Stephen M. Shaw  
P.O. Box 2353, Honolulu, HI 96804

8. Deposit account number (Attach duplicate copy of this form if paying by deposit account):

DO NOT USE THIS SPACE

9. Date of execution of attached document 2/26/99

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on:

2/26/99  
Date

Signature


Stephen M. Shaw

Name of Person Signing

U.S. PATENT AND TRADEMARK OFFICE  
Request to Register Documents

TRADEMARKS ONLY


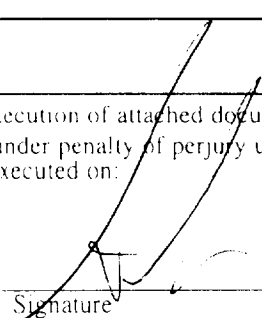
To the Honorable Commissioner of Patents and Trademarks:  
Please record the attached original document or copy thereof.

1. Name of Party(ies) conveying an interest:  TRANSMEDIA		2. Name and Address of Party(ies) receiving an interest: Name: <u>Stephen M. Shaw</u> Internal Address: _____ Street Address: <u>P.O. Box 2353</u> City: <u>Honolulu</u> State: <u>HI</u> Zip: <u>96804</u> Entity: _____ <input checked="" type="checkbox"/> Individual <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Corporation-State _____ <input checked="" type="checkbox"/> Other <u>Sole Proprietor</u> <input type="checkbox"/> Citizenship _____	
3. Interest Conveyed: <input type="checkbox"/> Assignment <input type="checkbox"/> Change of Name <input type="checkbox"/> Security Agreement <input type="checkbox"/> Merger <input checked="" type="checkbox"/> Other <u>Notice of Opposition</u>		If not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No  (The attached document must not be an assignment.)	
4. Application number(s) or registration number(s). Additional sheet attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No A. Trademark Application No.(s)  <u>75-592277</u>  <u>75-592278</u>		B. Trademark Registration No.(s)    <u>02-26-1999</u>  U.S. Patent & TMO/c/TM Mail Rpt Dt. #70	
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Barbara R. Shufro, Esq.</u> Internal Address: _____ Street Address: <u>Pillsbury et al</u> <u>2550 Hanover Street</u> City: <u>Palo Alto,</u> State: <u>CA</u> Zip: <u>94304</u>		6. Number of applications and registrations involved  <u>two</u> 7. Amount of fee enclosed or authorized to be charged <u>Law Office of Stephen M. Shaw</u> <u>P.O. Box 2353, Honolulu, HI 96804</u> 8. Deposit account number (Attach duplicate copy of this form if paying by deposit account):	
DO NOT USE THIS SPACE			
9. Date of execution of attached document <u>2/26/99</u>			
10. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on:			
_____ Signature		_____ Date <u>2/26/99</u>	
_____ Signature		_____ Name of Person Signing <u>Stephen M. Shaw</u>	

U.S. PATENT AND TRADEMARK OFFICE  
Request to Register Documents

TRADEMARKS ONLY

To the Honorable Commissioner of Patents and Trademarks:  
Please record the attached original document or copy thereof.

1. Name of Party(ies) conveying an interest:  TRANSMEDIA		2. Name and Address of Party(ies) receiving an interest: Name: <u>Stephen M. Shaw</u> Internal Address: _____ Street Address: <u>P.O. Box 2353</u> City: <u>Honolulu</u> State: <u>HI</u> Zip: <u>96804</u> Entity: _____ <input checked="" type="checkbox"/> Individual <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Corporation-State _____ <input checked="" type="checkbox"/> Other <u>Sole Proprietor</u> <input type="checkbox"/> Citizenship _____	
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DO NOT USE THIS SPACE			
9. Date of execution of attached document <u>2/26/99</u>			
10. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on:  <u>2/26/99</u> Date			
Signature 		Stephen M. Shaw Name of Person Signing	



“B”. Notice of copyright TX 3-812-536 (reg. 2-4-94) in TRANSMEDIA’s product is attached as “C” and a copy of the 1994 certificate of registration is attached as “D”. All such notices referred to Opposer’s trade name.

3. Opposer’s trade name has become incontestable.

4. Opposer believes that Applicant Transmedia Communications, Inc. is a Delaware Corporation whose business address is 20 Great Oaks Blvd., Suite 210, San Jose, CA 95119.

5. Applicant has filed an application Serial No. 75-592278 to register the mark TRANSMEDIA in International Class 9, claiming no use in commerce date.

6. Opposer believes it would be damaged by registration of the mark of Serial No. 75-592277 and Serial No. 75-592278 within the meaning of section 1063 of Title 15, United States Code.

7. Opposer has used the trade name in connection with its products and services long before Applicant’s use of any of its classes listed including prints and publications.

8. Applicant’s mark TRANSMEDIA is confusingly similar to Opposer’s trade name TRANSMEDIA. Opposer’s mark is used in commerce with published materials sold in many countries where Applicant’s products and services will also be displayed to consumers and wholesalers alike. These consumers and others are likely to believe there is some association between goods sold in connection with the same or similar work.

9. The registration and use by Applicant for TRANSMEDIA is likely to cause members of the purchasing public, as well as members of the trade, to be confused and deceived as to source, origin, affiliation and sponsorship. Such member will believe that Applicant’s use of the TRANSMEDIA mark is in some way associated with or connected with or sponsored by or authorized by or warranted by Opposer.

10. Opposer believes that Applicant’s registration of the mark TRANSMEDIA for the services set forth in the application, has and will continue to damage Opposer’s established goodwill and reputation.

11. Opposer believes that the contemporaneous registration by Applicant of the mark TRANSMEDIA will dilute and impair Opposer's trade name and trademark rights and will eventually result in lack of designation or indication of origin, and loss of distinctiveness and exclusivity, thereby damaging Opposer.

12. Registration of mark sought to be registered in application Serial No. 75-592277 or 75-592278 is barred by provisions of Section 2(d) of the Trademark Act, 15 U.S.C. Section 1052(d), for the reason that it consists of or comprises a mark which so resembles a mark previously used in the United States by Opposer on related services, and not abandoned, as to be likely to cause confusion, or to cause mistake or to deceive.

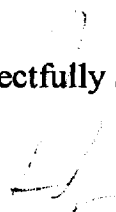
WHEREFORE, Opposer respectfully prays that the registration sought by the Applicant be refused and that this opposition be sustained.

Please direct all communications to:

Stephen M. Shaw, Esq.  
P.O. Box 2353  
Honolulu, Hawaii 96804

A duplicate copy of the Notice of Opposition is filed herewith.

Respectfully submitted,

  
\_\_\_\_\_  
Dated: 2 126 1 99

(Certificate of Services Attached)

All rights reserved throughout  
the world. This book, or parts  
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duced in any form without  
permission of the publisher.

First Edition

**THE SURFBOARD BUILDERS'  
MANUAL**

Copyright ©1963

Library of Congress  
Card No. 627489

Second Edition

Revised

Copyright ©1964

Third Edition

Revised

Copyright ©1966

Fourth Edition

Revised

Copyright ©1967

Fifth Edition

Revised

Copyright ©1969

Sixth Edition

**SURFBOARD BUILDERS'  
YEARBOOK**

Revised

Copyright ©1971

by

Stephen M. Shaw

Published by Transmedia

Printed in U.S.A.

**EXHIBIT**

A

TRADEMARK  
REEL: 1886 FRAME: 0363







This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters  
REGISTER OF COPYRIGHTS  
United States of America

For a Literary Work  
UNITED STATES COPYRIGHT OFFICE

TX 3-812-536



EFFECTIVE DATE OF REGISTRATION

2 4 94  
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

TITLE OF THIS WORK

1 SURF BOARD

PREVIOUS OR ALTERNATIVE TITLES Surfboard Builders Manual, Surfboard Builders Yearbook

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work N/A

If published in a periodical or serial give: Volume N/A Number Issue Date On Pages

2 NAME OF AUTHOR

a Stephen M. Shaw

DATES OF BIRTH AND DEATH  
Year Born Year Died

Was this contribution to the work a "work made for hire"?  
 Yes  
 No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country  
OR Citizen of America  
OR Domiciled in America

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymous?  Yes  No  
Pseudonymous?  Yes  No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed

Author, co author, editorial revisions and new text

NAME OF AUTHOR

DATES OF BIRTH AND DEATH  
Year Born Year Died

Was this contribution to the work a "work made for hire"?  
 Yes  
 No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country  
OR Citizen of  
OR Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymous?  Yes  No  
Pseudonymous?  Yes  No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed

NAME OF AUTHOR

DATES OF BIRTH AND DEATH  
Year Born Year Died

Was this contribution to the work a "work made for hire"?  
 Yes  
 No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country  
OR Citizen of  
OR Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymous?  Yes  No  
Pseudonymous?  Yes  No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED  
1994 Year

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK  
Complete this information ONLY if this work has been published. U.S. Publisher, Hong Kong Printer  
Month January Day 24 Year 1994

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2  
Stephen M. Shaw,  
733 Bishop St,  
#170-479  
HONOLULU HAWAII 96813

APPLICATION RECEIVED  
SEP 19 1995 / Feb 4  
ONE DEPOSIT RECEIVED  
TWO DEPOSITS RECEIVED  
Feb 4, 1994  
REMITTANCE NUMBER AND DATE

IF the claimant(s) named here in space 4 are different from the author(s) named give a brief statement of how the claimant(s) obtained ownership of the copyright.

DO NOT WRITE IN THIS OFFICE USE ONLY

BACK Complete all applicable spaces (numbers 5-11) on the reverse side of this page. See detailed instructions. Sign the form at line 10.

DO NOT WRITE Page 1 of 2

TRADEMARK  
REEL: 1886 FRAME: 0365

NOTE

Under the law the author of a work made for hire is generally the employer, not the employee (see instructions). For any part of the work that was made for hire check "Yes" in the space provided. Give the employer for the person for whom the work was prepared as "Author" of that part, and leave the space for dates of birth and death blank.

06346864

EXHIBIT C

EXAMINED BY

JAK

FORM TX

CHECKED BY

CORRESPONDENCE  
Yes

FOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes  No  If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▾

a.  This is the first published edition of a work previously registered in unpublished form.

b.  This is the first application submitted by this author as copyright claimant.

c.  This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▾

Year of Registration ▾

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▾

previous editions of work

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▾

new text and editorial revisions in English and Japanese

See instructions  
before completing  
this space

6

—space deleted—

7

REPRODUCTION FOR USE OF BLIND OR PHYSICALLY HANDICAPPED INDIVIDUALS

A signature on this form at space 10, and a check in one of the boxes here in space 8, constitutes a non-exclusive grant of permission to the Library of Congress to reproduce and distribute solely for the blind and physically handicapped and under the conditions and limitations prescribed by the regulations of the Copyright Office (1) copies of the work identified in space 1 of this application in Braille (or similar tactile symbols), or (2) phonorecords embodying a fashion of a reading of that work; or (3) both

a.  Copies and Phonorecords

b.  Copies Only

c.  Phonorecords Only

See instructions

8

DEPOSIT ACCOUNT. If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.  
Name ▾ Account Number ▾

9

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▾

STEPHEN M. SHAW, ATTORNEY

733 Bishop St., #170-470

Honolulu, Hawaii 96813

(808) 521-0800

Area Code & Telephone Number ▾

Be sure to  
give your  
daytime phone  
number

CERTIFICATION I, the undersigned, hereby certify that I am the

Check one ▾

- author
- other copyright claimant
- owner of exclusive right(s)
- authorized agent of

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Name of author or other copyright claimant, or owner of exclusive right(s) ▾

Typed or printed name and date ▾ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Stephen M. Shaw

date ▾ 9/15/94

10

Handwritten signature (X) ▾

MAIL  
CERTIFI-  
CATE TO

Certificate  
will be  
mailed in  
window  
envelope

Name ▾	0080-125-0800
STEPHEN M. SHAW, ATTORNEY	(808) 521-0800
733 Bishop St., #170-470	Honolulu, Hawaii 96813
Honolulu, Hawaii 96813	733 Bishop St., #170-470
0080-125-0800	STEPHEN M. SHAW, ATTORNEY

**INSTRUCTIONS**

- 1. Complete all necessary spaces
- 2. Sign your application in space 10

**MAILING INSTRUCTIONS**

- 1. Application form
- 2. Nonrefundable \$30 filing fee in check or money order payable to Register of Copyrights
- 3. Deposit material

**REGISTER OF COPYRIGHTS**  
Library of Congress  
Washington, DC 20540

Copyright fees are to be listed at 1-year intervals. Based on the amount of decrease in the Consumer Price Index. The next survey made in June 1991. Contact the Copyright Office in January 1991 for the new fee schedule.

11

17 U.S.C. § 506(e). Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 405 or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Published by Stephen M. Shaw  
733 Bishop Street, Ste. 170-479 • Honolulu, HI 96813, USA.

This book was first published in 1963 under the title, *Surfboard Builder's Manual*;  
and from 1971 to 1979 under the title, *Surfboard Builder's Yearbook*;  
and from 1979 to 1983, Under the present title, *Surfboard*.

© 1994 by Stephen M. Shaw

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Printed by Dai Nippon Printing Co. (Hong Kong) Ltd.  
Distributed worldwide by Transmedia, La Jolla, California USA.

Cover Art: Stephen Adams and Yuko Kasai

International Standard Book Number (ISBN) 0-912750-04-09

All rights to materials used in this publication will be treated as unconditionally assigned for publication and copyrighted by Stephen M. Shaw.

発行人：スティーブン M. ショウ  
733 Bishop Street, Ste. 170-479  
Honolulu, HI 96813, U.S.A.

本書は最初に1963年「サーフボード製作者便覧」  
(*Surfboard Builder's Manual*)として出版され、  
1971-1979年には「サーフボード製作者年鑑」  
(*Surfboard Builder's Yearbook*),  
そして1983年には現在の名称「サーフボード」(*SURFBOARD*)  
として発行されてきました。

1994 by Stephen M. Shaw

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その中には、限定なしに、コンピューター、機械、  
あるいは、電子インフォメーション・システムによるもの一切が含まれます。

印刷者：大日本印刷株式会社（香港）

配給元：トランスメディア(Transmedia)  
La Jolla, California U.S.A.

国際標準書籍番号 (ISBN) 0-912750-04-09

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EXHIBIT "D"

TRADEMARK

REEL: 1886 FRAME: 0367



TRANSMEDIA  
P.O. Box 2353,  
Honolulu, Hawaii 96804  
Tel: (808) 521-0800  
Opposer

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

TRANSMEDIA, )  
 )  
 Opposer, )  
 )  
 vs. )  
 )  
 TRANSMEDIA COMMUNICATIONS )  
 INC., 20 Great Oaks Blvd., Suite 210, )  
 San Jose, CA 95119 )  
 \_\_\_\_\_ )

In The Matter Of Application  
Serial No. 75-592278

Published In The Official  
Gazette/Filed 11-19-98



02-26-1999

U.S. Patent & TMO/TM Mail Rcpt Dt. #70

NOTICE OF OPPOSITION

Transmedia, located and doing business at P.O. Box 2353, Honolulu, Hawaii 96804 believes that it will be damaged by registration of the above-identified mark in Application Serial No. 75-592277 and hereby opposes the same.

As grounds of opposition it is alleged that:

1. Opposer is a sole proprietorship engaged in the business of publishing under the trade name TRANSMEDIA. This trade name is well-known and famous. The trade name TRANSMEDIA is extensively advertised in connection with Opposer's products and services. Opposer has built up a valuable reputation and tremendous good-will in the trade name TRANSMEDIA, as applied to and in connection with Opposer's business.

2. Opposer is the owner of the trade name TRANSMEDIA, a name in use since prior to 1971. Additionally the owner(s) of TRANSMEDIA own copyrights bearing the trade name TRANSMEDIA as early as 1971. A copy of the 1971 copyright notice is attached as exhibit "A". A copy of the copyright notice of 1975 is attached as Exhibit

“B”. Notice of copyright TX 3-812-536 (reg. 2-4-94) in TRANSMEDIA’s product is attached as “C” and a copy of the 1994 certificate of registration is attached as “D”. All such notices referred to Opposer’s trade name.

3. Opposer’s trade name has become incontestable.

4. Opposer believes that Applicant Transmedia Communications, Inc. is a Delaware Corporation whose business address is 20 Great Oaks Blvd., Suite 210, San Jose, CA 95119.

5. Applicant has filed an application Serial No. 75-592277 to register the mark TRANSMEDIA in International Class 9, claiming no use in commerce date.

6. Opposer believes it would be damaged by registration of the mark of Serial No. 75-592277 and Serial No. 75-592278 within the meaning of section 1063 of Title 15, United States Code.

7. Opposer has used the trade name in connection with its products and services long before Applicant’s use of any of its classes listed including prints and publications.

8. Applicant’s mark TRANSMEDIA is confusingly similar to Opposer’s trade name TRANSMEDIA. Opposer’s mark is used in commerce with published materials sold in many countries where Applicant’s products and services will also be displayed to consumers and wholesalers alike. These consumers and others are likely to believe there is some association between goods sold in connection with the same or similar work.

9. The registration and use by Applicant for TRANSMEDIA is likely to cause members of the purchasing public, as well as members of the trade, to be confused and deceived as to source, origin, affiliation and sponsorship. Such member will believe that Applicant’s use of the TRANSMEDIA mark is in some way associated with or connected with or sponsored by or authorized by or warranted by Opposer.

10. Opposer believes that Applicant’s registration of the mark TRANSMEDIA for the services set forth in the application, has and will continue to damage Opposer’s established goodwill and reputation.

11. Opposer believes that the contemporaneous registration by Applicant of the mark TRANSMEDIA will dilute and impair Opposer's trade name and trademark rights and will eventually result in lack of designation or indication of origin, and loss of distinctiveness and exclusivity, thereby damaging Opposer.

12. Registration of mark sought to be registered in application Serial No. 75-592277 or 75-592278 is barred by provisions of Section 2(d) of the Trademark Act, 15 U.S.C. Section 1052(d), for the reason that it consists of or comprises a mark which so resembles a mark previously used in the United States by Opposer on related services, and not abandoned, as to be likely to cause confusion, or to cause mistake or to deceive.

WHEREFORE, Opposer respectfully prays that the registration sought by the Applicant be refused and that this opposition be sustained.

Please direct all communications to:

Stephen M. Shaw, Esq.  
P.O. Box 2353  
Honolulu, Hawaii 96804

A duplicate copy of the Notice of Opposition is filed herewith.

Respectfully submitted,

---

Dated:     /     /

(Certificate of Services Attached)

11. Opposer believes that the contemporaneous registration by Applicant of the mark TRANSMEDIA will dilute and impair Opposer's trade name and trademark rights and will eventually result in lack of designation or indication of origin, and loss of distinctiveness and exclusivity, thereby damaging Opposer.

12. Registration of mark sought to be registered in application Serial No. 75-592277 or 75-592278 is barred by provisions of Section 2(d) of the Trademark Act, 15 U.S.C. Section 1052(d), for the reason that it consists of or comprises a mark which so resembles a mark previously used in the United States by Opposer on related services, and not abandoned, as to be likely to cause confusion, or to cause mistake or to deceive.

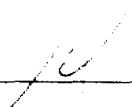
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Stephen M. Shaw, Esq.  
P.O. Box 2353  
Honolulu, Hawaii 96804

A duplicate copy of the Notice of Opposition is filed herewith.

Respectfully submitted,

  
\_\_\_\_\_

Dated: 2 126 199

(Certificate of Services Attached)



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First Edition

**THE SURFBOARD BUILDERS'  
MANUAL**

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Card No. 627489

Second Edition

Revised

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Third Edition

Revised

Copyright ©1966

Fourth Edition

Revised

Copyright ©1967

Fifth Edition

Revised

Copyright ©1969

Sixth Edition

**SURFBOARD BUILDERS'  
YEARBOOK**

Revised

Copyright ©1971

by

Stephen M. Shaw

Published by Transmedia

Printed in U.S.A.

**EXHIBIT**

A

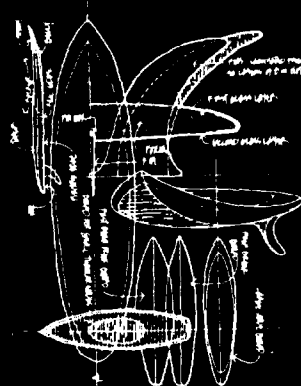
**TRADEMARK**  
**REEL: 1886 FRAME: 0373**

# THE SURFBOARD BUILDERS' YEARBOOK

The surfboard construction techniques described in this book can be utilized in, and adapted to, any foam and fibreglass (foam-skin) project. Currently the foam-skin system has found application in many major industries. The expertise, technical skill and artistry of surfboard construction is an undeniable contribution to civilization.

Presently the shapes of surfboards vary according to fads, gimmicks, experiments and genuine improvement. The basic building methods remain the same. If, at some time in the future, wave machines crop up all-over the world and wave-vehicle demands exceed the supply, the technology of board building may shift drastically. No matter what conveyance is provided, waves will be ridden — from the small, crisp, fresh water curls of inland lakes to distant vortices of space and time.

For the time being . . . render the dream, cover it with permanence . . .



## THE SURFBOARD BUILDERS' YEARBOOK Copyright©1975 by Transmedia

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ISBN Number 0-912750-02-2

EXHIBIT B

Editor  
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Spanish Translation  
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Typesetting

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Photo Production  
Illustration

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David Shaw  
Mercedes La Fond and Lizzeth Richards  
Patricia Cope  
David Santana  
Gordon Clark  
Carl Ekstrom  
Bill Gorenc  
Aileen Brown  
Janice LaRue of Reprographics  
Intertipos Unidos of Mexico  
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The SURFBOARD BUILDERS' YEARBOOK is published by Transmedia, Box 2847, La Mesa, California, 92041.



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*Marybeth Peters*  
REGISTER OF COPYRIGHTS  
United States of America

For a Literary Work  
UNITED STATES COPYRIGHT OFFICE

TX 3-812-536



EFFECTIVE DATE OF REGISTRATION

2 4 94  
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK

SURF BOARD

PREVIOUS OR ALTERNATIVE TITLES *Surfboard Builders Manual, Surfboard Builders Yearbook*

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work *NA*

If published in a periodical or serial give: Volume *N/A* Number *N/A* Issue Date *N/A* On Pages *N/A*

2

NAME OF AUTHOR

a *Stephen M. Shaw*

DATES OF BIRTH AND DEATH  
Year Born *N/A* Year Died *N/A*

Was this contribution to the work a "work made for hire"?  Yes  No  
AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country *America*  
OR Citizen of *America*  
OR Domiciled in *America*

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymous?  Yes  No  
Pseudonymous?  Yes  No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed *Author, co author, editorial revisions and new text*

NAME OF AUTHOR

b

DATES OF BIRTH AND DEATH  
Year Born *N/A* Year Died *N/A*

Was this contribution to the work a "work made for hire"?  Yes  No  
AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country *America*  
OR Citizen of *America*  
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WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
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Pseudonymous?  Yes  No

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NAME OF AUTHOR

c

DATES OF BIRTH AND DEATH  
Year Born *N/A* Year Died *N/A*

Was this contribution to the work a "work made for hire"?  Yes  No  
AUTHOR'S NATIONALITY OR DOMICILE  
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DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK  
Complete this information Month *January* Day *24* Year *1994*  
ONLY if this work has been published. *U.S. Publisher, Hong Kong Printer*

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2 *Stephen M. Shaw, 733 Bishop St, #170-479, HONOLULU HAWAII 96813*

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ONE DEPOSIT RECEIVED  
TWO DEPOSITS RECEIVED *Feb 4, 1994*  
REMITTANCE NUMBER AND DATE

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Page 1 of 2

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06346864

EXHIBIT "C"

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JAK

FORM TX

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CORRESPONDENCE  
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  - a.  This is the first published edition of a work previously registered in unpublished form.
  - b.  This is the first application submitted by this author as copyright claimant.
  - c.  This is a changed version of the work, as shown by space 6 on this application.
- If your answer is "Yes," give: Previous Registration Number ▾ Year of Registration ▾

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▾

previous editions of work

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▾

new text and editorial revisions in English and Japanese

See instructions before completing this space

6

—space deleted—

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c.  Phonorecords Only

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8

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Name ▾

Account Number ▾

9

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▾

STEPHEN M. SHAW, ATTORNEY

733 Bishop St., #170-479

Honolulu, Hawaii 96813

(808) 521-0800

Area Code & Telephone Number ▾

Be sure to give your daytime phone number

CERTIFICATION I, the undersigned, hereby certify that I am the

Check one ▾

- author
- other copyright claimant
- owner of exclusive right(s)
- authorized agent of

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Name of author or other copyright claimant, or owner of exclusive right(s) ▾

Typed or printed name and date ▾ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Stephen M. Shaw

date ▾ 9/15/94

10

Handwritten signature (X) ▾

MAIL CERTIFICATE TO Certificate will be mailed in window envelope

Name ▾

STEPHEN M. SHAW, ATTORNEY  
733 Bishop St., #170-479  
Honolulu, Hawaii 96813  
(808) 521-0800

0090-125 (808)  
Honolulu, Hawaii 96813  
733 Bishop St., #170-479  
STEPHEN M. SHAW, ATTORNEY  
(808) 521-0800

REQUIREMENTS

- Complete all necessary spaces
- Sign your application in space 10

NEED ALL FEES PAID IN THE SAME ENVELOPE

1. Application form
2. Nonrefundable \$20 filing fee in check or money order payable to Register of Copyrights
3. Deposit material

REGISTERED

Register of Copyrights  
Library of Congress  
Washington, D.C. 20540

Copyright fees are as listed at 9-year intervals, based on increases in the Consumer Price Index. The most adverse date is that in 1983. Contact the Copyright Office in January 1984 for the new fee schedule.

11

\* 17 U.S.C. § 506(e) Any person who knowingly makes a false representation of a material fact in the application for copyright registration granted for by section 409 or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Published by Stephen M. Shaw  
733 Bishop Street, Ste. 170-479 • Honolulu, HI 96813, USA.

This book was first published in 1963 under the title, *Surfboard Builder's Manual*;  
and from 1971 to 1979 under the title, *Surfboard Builder's Yearbook*;  
and from 1979 to 1983, Under the present title, *Surfboard*.

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733 Bishop Street, Ste. 170-479  
Honolulu, HI 96813, U.S.A.

本書は最初に1963年「サーフボード製作者便覧」  
(Surfboard Builder's Manual)として出版され、  
1971-1979年には「サーフボード製作者年鑑」  
(Surfboard Builder's Yearbook),  
そして1983年には現在の名称「サーフボード」(SURFBOARD)  
として発行されてきました。

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TRADEMARK

REEL: 1886 FRAME: 0377

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

TRANSMEDIA, )  
 )  
 Opposer, )  
 )  
 vs. )  
 )  
 TRANSMEDIA COMMUNICATIONS )  
 INC., 20 Great Oaks Blvd., Suite 210, )  
 San Jose, CA 95119 )  
 \_\_\_\_\_ )

In The Matter of Application  
 Serial No. 75-592278

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the following party by U.S. Mail, postage prepaid, 2/26/99 to Barbara R. Shufro, Esq., Pillsbury Madison & Sutro LLP, 2550 Hanover Street, Palo Alto, CA 94304.

DATED: Honolulu, Hawaii, 2/26/99

\_\_\_\_\_

TRANSMEDIA  
P.O. Box 2353,  
Honolulu, Hawaii 96804  
Tel: (808) 521-0800  
Opposer

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

TRANSMEDIA, )  
 )  
 Opposer, )  
 )  
 vs. )  
 )  
 TRANSMEDIA COMMUNICATIONS )  
 INC., 20 Great Oaks Blvd., Suite 210, )  
 San Jose, CA 95119 )  
 \_\_\_\_\_ )

In The Matter Of Application  
Serial No. 75-592277

Published In The Official  
Gazette/Filed 11-19-98



02-26-1999

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #70

NOTICE OF OPPOSITION

Transmedia, located and doing business at P.O. Box 2353, Honolulu, Hawaii 96804 believes that it will be damaged by registration of the above-identified mark in Application Serial No. 75-592277 and hereby opposes the same.

As grounds of opposition it is alleged that:

1. Opposer is a sole proprietorship engaged in the business of publishing under the trade name TRANSMEDIA. This trade name is well-known and famous. The trade name TRANSMEDIA is extensively advertised in connection with Opposer's products and services. Opposer has built up a valuable reputation and tremendous good-will in the trade name TRANSMEDIA, as applied to and in connection with Opposer's business.

2. Opposer is the owner of the trade name TRANSMEDIA, a name in use since prior to 1971. Additionally the owner(s) of TRANSMEDIA own copyrights bearing the trade name TRANSMEDIA as early as 1971. A copy of the 1971 copyright notice is attached as exhibit "A". A copy of the copyright notice of 1975 is attached as Exhibit

“B”. Notice of copyright TX 3-812-536 (reg. 2-4-94) in TRANSMEDIA’s product is attached as “C” and a copy of the 1994 certificate of registration is attached as “D”. All such notices referred to Opposer’s trade name.

3. Opposer’s trade name has become incontestable.

4. Opposer believes that Applicant Transmedia Communications, Inc. is a Delaware Corporation whose business address is 20 Great Oaks Blvd., Suite 210, San Jose, CA 95119.

5. Applicant has filed an application Serial No. 75-592277 to register the mark TRANSMEDIA in International Class 9, claiming no use in commerce date.

6. Opposer believes it would be damaged by registration of the mark of Serial No. 75-592277 and Serial No. 75-592278 within the meaning of section 1063 of Title 15, United States Code.

7. Opposer has used the trade name in connection with its products and services long before Applicant’s use of any of its classes listed including prints and publications.

8. Applicant’s mark TRANSMEDIA is confusingly similar to Opposer’s trade name TRANSMEDIA. Opposer’s mark is used in commerce with published materials sold in many countries where Applicant’s products and services will also be displayed to consumers and wholesalers alike. These consumers and others are likely to believe there is some association between goods sold in connection with the same or similar work.

9. The registration and use by Applicant for TRANSMEDIA is likely to cause members of the purchasing public, as well as members of the trade, to be confused and deceived as to source, origin, affiliation and sponsorship. Such member will believe that Applicant’s use of the TRANSMEDIA mark is in some way associated with or connected with or sponsored by or authorized by or warranted by Opposer.

10. Opposer believes that Applicant’s registration of the mark TRANSMEDIA for the services set forth in the application, has and will continue to damage Opposer’s established goodwill and reputation.



11. Opposer believes that the contemporaneous registration by Applicant of the mark TRANSMEDIA will dilute and impair Opposer's trade name and trademark rights and will eventually result in lack of designation or indication of origin, and loss of distinctiveness and exclusivity, thereby damaging Opposer.

12. Registration of mark sought to be registered in application Serial No. 75-592277 or 75-592278 is barred by provisions of Section 2(d) of the Trademark Act, 15 U.S.C. Section 1052(d), for the reason that it consists of or comprises a mark which so resembles a mark previously used in the United States by Opposer on related services, and not abandoned, as to be likely to cause confusion, or to cause mistake or to deceive.

WHEREFORE, Opposer respectfully prays that the registration sought by the Applicant be refused and that this opposition be sustained.

Please direct all communications to:

Stephen M. Shaw, Esq.  
P.O. Box 2353  
Honolulu, Hawaii 96804

A duplicate copy of the Notice of Opposition is filed herewith.

Respectfully submitted,



---

Dated: 2/20/99

(Certificate of Services Attached)

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First Edition

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Revised

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Third Edition

Revised

Copyright ©1966

Fourth Edition

Revised

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**SURFBOARD BUILDERS'  
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Revised

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by

Stephen M. Shaw

Published by Transmedia

Printed in U.S.A.

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A

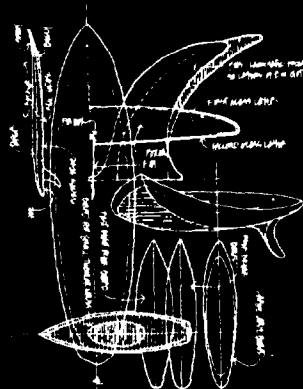
**TRADEMARK**  
**REEL: 1886 FRAME: 0382**

# THE SURFBOARD BUILDERS' YEARBOOK

The surfboard construction techniques described in this book can be utilized in, and adapted to, any foam and fibreglass (foam-skin) project. Currently the foam-skin system has found application in many major industries. The expertise, technical skill and artistry of surfboard construction is an undeniable contribution to civilization.

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## THE SURFBOARD BUILDERS' YEARBOOK

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ISBN Number 0-912750-02-2

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*Marybeth Peters*  
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United States of America

For a Literary Work  
UNITED STATES COPYRIGHT OFFICE

TX 3-812-536



EFFECTIVE DATE OF REGISTRATION

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Month Day Year

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TITLE OF THIS WORK ▼

**1** SURF BOARD

PREVIOUS OR ALTERNATIVE TITLES ▼

Surfboard Builders Manual, Surfboard Builders Yearbook

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼ *N/A*

If published in a periodical or serial give: Volume ▼ *N/A* Number ▼ Issue Date ▼ On Pages ▼

NAME OF AUTHOR ▼

**2** a Stephen M. Shaw

DATES OF BIRTH AND DEATH  
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?  
 Yes  
 No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country  
OR Citizen of ▼ *America*  
OR Domiciled in ▼ *America*

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymous?  Yes  No  
Pseudonymous?  Yes  No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed ▼

Author, co author, editorial revisions and new text

NAME OF AUTHOR ▼

**b**

Was this contribution to the work a "work made for hire"?  
 Yes  
 No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country  
OR Citizen of ▼  
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NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed ▼

NAME OF AUTHOR ▼

**c**

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 Yes  
 No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country  
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OR Domiciled in ▼

DATES OF BIRTH AND DEATH  
Year Born ▼ Year Died ▼

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*1994* Year

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*Stephen M. Shaw,  
733 Bishop St.  
#170-479  
HONOLULU HAWAII 96813*

APPLICATION RECEIVED  
*SEP 19 1995 / Feb 4*  
ONE DEPOSIT RECEIVED  
TWO DEPOSITS RECEIVED  
*Feb 4, 1994*  
REMITTANCE NUMBER AND DATE

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Page 1 of 2

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063468641

EXHIBIT "C"

EXAMINED BY JAK

FORM TX

CHECKED BY \_\_\_\_\_

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Yes

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Yes  No  If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▾

a.  This is the first published edition of a work previously registered in unpublished form.

b.  This is the first application submitted by this author as copyright claimant.

c.  This is a changed version of the work, as shown by space 6 on this application.

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Year of Registration ▾

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DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▾

previous editions of work

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▾

new text and editorial revisions in English and Japanese

See instructions  
before completing  
this space

6

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c.  Phonorecords Only

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Name ▾ Account Number ▾

9

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▾

STEPHEN M. SHAW, ATTORNEY

733 Bishop St., #170-478

Honolulu, Hawaii 96813

(808) 521-0800

Area Code & Telephone Number ▾

Be sure to  
give your  
daytime phone  
number

CERTIFICATION I, the undersigned, hereby certify that I am the

author

other copyright claimant

owner of exclusive right(s)

authorized agent of

Name of author or other copyright claimant, or owner of exclusive right(s) ▾

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▾ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Stephen M. Shaw

date ▾ 9/15/94

Handwritten signature (X) ▾

10

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CATE TO

Certificate  
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window  
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Name ▾	0080-521-0800
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<u>Honolulu, Hawaii 96813</u>	<u>733 Bishop St., #170-478</u>
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11

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