

**U.S. DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY (Louisville)**

**Charles L. Thomason,**  
Plaintiff,

v.

**Joseph R. Dreitler,  
Paul W. Reidl, and  
Jenifer deWolf (Paine),**  
Defendants.

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3:19-cv-0930-GNS

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**COMPLAINT FOR DEFAMATION**

The plaintiff alleges and states the following Complaint against the defendants, and each of them, and pleads, for the “injury done him in his ... reputation,” the plaintiff seeks “remedy by due course of law, and right and justice administered without sale, denial or delay,” (§14 Constitution of Kentucky), based on the following:

1. The plaintiff is a citizen of the Commonwealth of Kentucky and a resident of Jefferson County, Kentucky. Plaintiff is a private individual and not a public figure.
2. Defendants are not citizens or residents of Kentucky, and the plaintiff invokes the diversity jurisdiction of this Court, pursuant to 28 U.S.C. §1332. The amount in controversy exceeds the sum or value of \$75,000 exclusive of interest and costs.
3. Upon information and belief, defendant Joseph R. Dreitler is a citizen and resident of the State of Ohio, who maintains an office in Franklin County, Ohio.
4. Upon information and belief, defendant Gary W. Reidl is a citizen and resident of the State of California, who maintains an office in Half Moon Bay, San Mateo County, California.

5. Upon information and belief, defendant Jenifer deWolf (Paine) is a citizen and resident of the State of New York, who maintains an office in New York, NY.

### **JURISDICTION AND VENUE**

6. This Court has personal jurisdiction over the defendants because their tortious acts of publishing within this Commonwealth defamatory statements which caused injury in Kentucky to the plaintiff, who is and was at the time of the actions alleged here a resident of Kentucky. This Court has personal jurisdiction over the defendants pursuant to KRS § 454.210(2)(a), subsections (3), and (4). The defendants' torts alleged herein occurs wherever the offending material is circulated, according to *Keeton v. Hustler Magazine, Inc.*, 465 U.S. 770, 777 (1984).

7. Each defendant's tortious acts gave rise to defamation claims based upon the same common nucleus of operative fact, and upon each defendants' volitional contacts with readers in Kentucky of the defamatory comments that defendants published to those and other readers. Each defendant purposely availed themselves of the benefit of using an online publication knowing that their comments would reach readers in Kentucky, and elsewhere, connected to the stream of internet commerce and ideas. The defendants, and each of them, should have foreseen having to answer for their defamatory comments, directed at plaintiff, in the jurisdiction where those comments caused injury and where the plaintiff resides, and works.

8. Venue in this district is proper under 28 U.S.C. 1391(b) in that a substantial portion of the actions and harms occurred here. The forum state has an interest in adjudicating the matter and applying its laws against defamation and defamation *per se*. This forum will provide the most efficient resolution of the issues of local law.

9. Venue in the vicinage of this federal court is proper, as well as proper in Jefferson County, Kentucky, pursuant to KRS § 452.460 and KRS § 454.210(4).

### **FACTUAL BACKGROUND**

10. In an administrative proceeding before the Trademark Trial and Appeal Board of the United States Patent and Trademark Office (hereinafter the “TTAB”), the Plaintiff was counsel of record for Corcamore LLC, defending it against an action to cancel its trademark registration (hereinafter the “Cancellation Action”), pleaded by SFM LLC under 15 U.S.C. §1064 (§14 of the Lanham Act).

11. At the outset of the Cancellation Action, a motion on behalf of Corcamore challenged the “statutory standing” of SFM LLC to plead for cancellation of the trademark registration. That motion was based on the then-recent, unanimous decision of the U.S. Supreme Court in *Lexmark v. Static Control*, 572 U.S. 118 (2014). The argument was that the *Lexmark* decision changed the pleading requirements for standing to seek remedies under the Lanham Act, and that *Lexmark* should be applied to SFM LLC’s pleading in the Cancellation Action.

12. After SFM LLC interposed a First Amended Petition, the motion to dismiss was re-filed on behalf of Corcamore.

13. The TTAB denied the re-filed motion to dismiss, but just before that issued, the U.S. District Court for the Eastern District of Virginia (in another case) ruled that the *Lexmark* decision did apply to how standing must be pleaded in §1064 cancellation actions before the TTAB.

14. A motion for reconsideration, based on the then-recent ruling from the U.S. District Court for the Eastern District of Virginia was filed on behalf of Corcamore. That motion was denied in the Cancellation Action by the administrative judges of the TTAB.

15. After that motion for reconsideration was denied, the party in that Eastern District of Virginia court case appealed to the U.S. Court of Appeals for the Fourth Circuit. The TTAB stayed the Cancellation Action against Corcamore pending a ruling from the Fourth Circuit.

16. The U.S. Court of Appeals for the Fourth Circuit ruled that the Supreme Court's *Lexmark* decision applied to how a party must be plead its standing in §1064 Lanham Act cancellation actions before the TTAB.

17. Another motion for reconsideration, based on the ruling from the U.S. Court of Appeals for the Fourth Circuit, was filed on behalf of Corcamore in the Cancellation Action.

18. Corcamore's motion for reconsideration was denied. The administrative judges stated that the TTAB, an Article I administrative Board "need not consider a decision by a [U.S.] district court or that district court's primary reviewing court [*i.e.*, the U.S. Court of Appeals for the Fourth Circuit] which may appear to apply or analogize from *Lexmark Int'l* [decision of the U.S. Supreme Court] a standard for pleading standing in a Board proceeding."

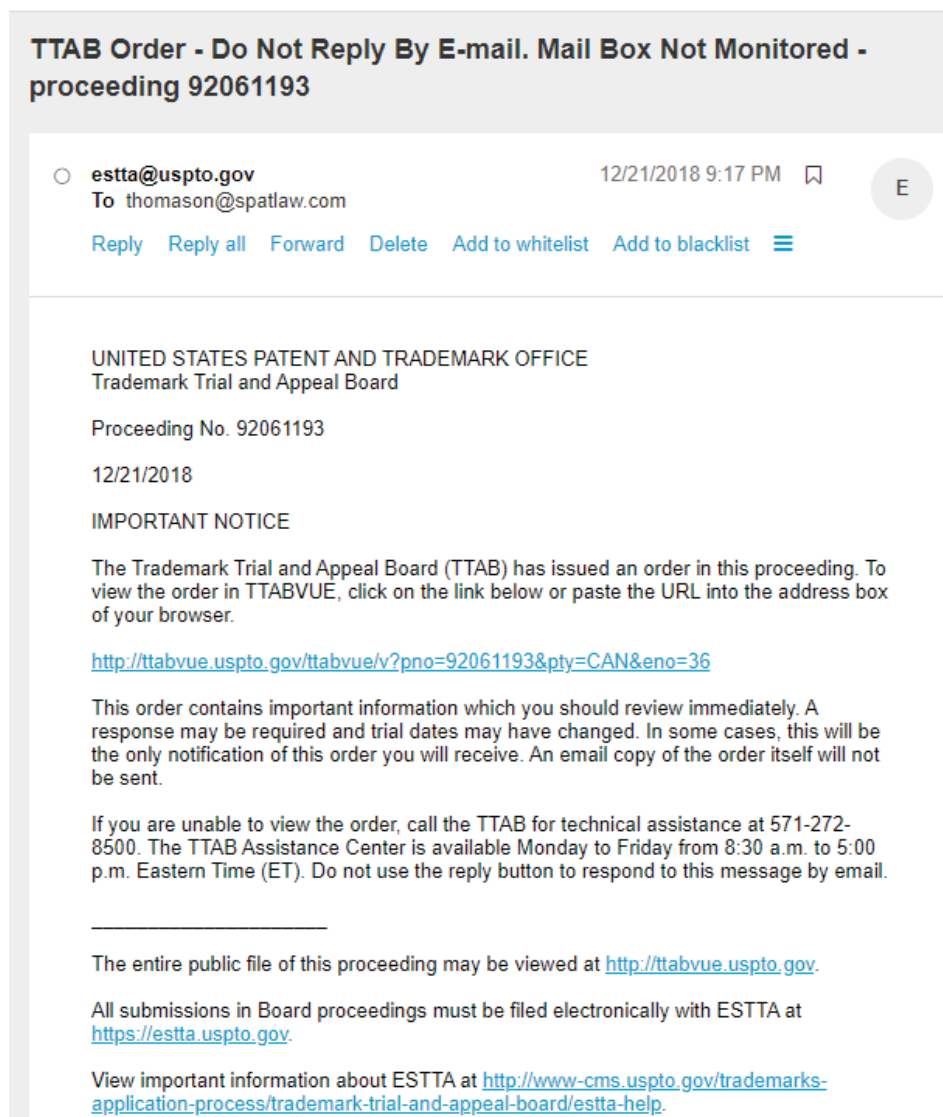
19. After denying the initial motion of Corcamore challenging "statutory standing" based on the Supreme Court's *Lexmark Int'l* decision, then denying the first reconsideration motion based on the U.S. District Court ruling, and denying the second reconsideration motion based on the U.S. Court of Appeals ruling in *Belmora v. Bayer*,<sup>1</sup> the TTAB invoked "inherent

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<sup>1</sup> *Belmora LLC v. Bayer Consumer Care AG*, 84 F.Supp.3d 490, 505 (E.D. Va. 2015), *aff'd in relevant part*, 819 F.3d 697, 714 (4<sup>th</sup> Cir. 2016), *subs. hist. omitted*.

authority” to impose a sanction for the filing of an “inordinate number” of motions on behalf of Corcamore in the Cancellation Action.

20. The Cancellation Action concluded on December 21, 2018 with a written order “issued” by the administrative judges of the TTAB, and plaintiff (here) was notified via email.



**Defamatory Comments of the Defendants.**

21. On or after December 21, 2018, non-party John Welch published a blog post about the final order in the Cancellation Action.

22. Non-party Welch routinely posts to his online blog about recent rulings from the Trademark Trial and Appeal Board of the United States Patent and Trademark Office (the “TTAB”). (See, *e.g.*, Exhibit A, hereto).

23. Non-party Welch regularly posts to his online blog about TTAB matters, and those blog posts are aimed at a nationwide audience and are publicly available in Kentucky and readily accessible to residents of Kentucky.

24. The online blog of non-party Welch allows others to publish their own comments, which appear online below Welch’s blog post.

25. The online blog posts of non-party Welch are accessible to anyone, anywhere with an internet connection.

26. Upon information and belief, the online blog of Welch is accessible to all persons with internet through the separate social media accounts of Welch. Upon information and belief, the online blog of Welch originates from his office in Massachusetts.

27. On or after December 21, 2018, each defendant published their comments on the blog post of Welch, which comments were defamatory, were directed at plaintiff, and that defendants published online knowing those would be accessible on the world wide web, including in Kentucky, and that damaged the reputation of the plaintiff.

28. On or about December 21, 2018, defendant Joseph Dreitler published a comment to non-party Welch’s blog post in which Welch summarized the final order in the Cancellation Action. See, Exhibit B, herewith.

29. The comments defendant Joseph Dreitler published to non-party Welch's blog post were defamatory and directed at the plaintiff, and were defamatory *per se* under Kentucky law.

30. Defendant Joseph Dreitler's comments were published so as to be accessible via the internet, and readable by the general public, by persons in Kentucky and by persons in the legal profession, by counsel and other by persons interested in intellectual property law, and by persons who know the plaintiff.

31. Defendant Joseph Dreitler's comments defamed plaintiff, in particular, plaintiff's professionalism, legal ability, as well as his standing as a full-time faculty member teaching at the College of Law of The Ohio State University.

32. Defendant Joseph Dreitler's comments stated or indicated that plaintiff was unfit for his job and duties as a law professor.

33. Dreitler never has spoken to plaintiff, and defendant Joseph Dreitler never has had any professional or personal contact with plaintiff.

34. Prior to the publication of the defamatory comments that Defendant Dreitler directed at the plaintiff, the plaintiff never had known and never had heard of defendant Dreitler.

35. On or about December 21, 2018, defendant Paul Reidl published a comment to the blog post in which non-party Welch summarized the final order in the Cancellation Action. See, Exhibit B, herewith.

36. By adding his comment, Defendant Paul Reidl re-published or re-posted defendant Dreitler's comments. Defendant Reidl commented "I agree" and in addition to adopting defendant Joseph Dreitler's comment, Reidl added his further comments.

37. The comments defendant Paul Reidl published to non-party Welch's blog post were defamatory and directed at the plaintiff, and were defamatory *per se* under Kentucky law.

38. Defendant Reidl's comment was published so as to be accessible via the internet, and was and is now readable by the general public, by persons in Kentucky and by persons in the legal profession, by counsel and other persons interested in intellectual property law, and by persons who know the plaintiff.

39. Defendant's comments stated or indicated that plaintiff was unfit for his job and duties as a law professor, and separately as an IP litigation attorney.

40. Defendant Reidl never has spoken to plaintiff, and Reidl never has had any professional or personal contact with plaintiff, and prior to the publication of his defamatory comments directed at the plaintiff, the plaintiff never had known and never had heard of defendant Reidl.

41. On or about December 21, 2018, defendant Jenifer deWolf published a comment to non-party Welch's blog post in which Welch had summarized the final order in the Cancellation Action. See, Exhibit B, herewith.

42. By adding her comment, defendant Jenifer deWolf re-published or re-posted defendant Dreitler's comments and defendant Reidl's comments.

43. Defendant deWolf's comment assented to or did not imply disagreement with the comments of Dreitler and Reidl.

44. In addition, defendant deWolf further commented, referencing and hyperlinking to a federal district court case unrelated to the Cancellation Action (hereinafter the "Lehrer" case).



45. Defendant deWolf's comment omitted mentioning that a later decision of the U.S. Court of Appeals for the Third Circuit abrogated the Lehrer case.

46. The comments defendant deWolf published to non-party Welch's blog post were defamatory and directed at the plaintiff.

47. The comments defendant deWolf published to non-party Welch's blog post were directed at the plaintiff and were defamatory *per se* under Kentucky law.

48. Defendant deWolf's comment was published so as to be accessible to the general public, via the internet, and deWolf's comment was and is readable by persons in Kentucky and by persons in the legal profession, by counsel and other persons interested in intellectual property law, and by persons who know the plaintiff.

49. Defendant deWolf's comments stated or indicated that plaintiff was unfit for his job and duties as a law professor, and separately as an IP and complex civil litigation attorney.

50. Defendant deWolf never has spoken to plaintiff. Defendant deWolf never has had any professional or personal contact with plaintiff. Prior to the publication of her defamatory comments directed at the plaintiff, the plaintiff never had known and never had heard of defendant deWolf.

51. The defendants' comments concerned the activities of a resident of Kentucky, and the resulting harm and injury to plaintiff and his reputation were suffered in Kentucky where he resides and works.

52. Plaintiff's cause of action arises from the defendants' comments which they knew were published and were accessible online, and are accessible to anyone in Kentucky with internet access.

53. Upon information and belief, the defendants have purposeful and systematic contacts with persons in this forum and persons known to plaintiff, through the defendants' online listings, such as LinkedIn.com (examples at Exhibit D, herewith), social media postings, and their online commentary posts.

54. Upon information and belief, the posts and comments from non-party Welch's blog automatically are presented on Westlaw and/or Lexis when certain administrative case law search terms are used.

55. The comments that defendants published on non-party Welch's blog were defamatory, were directed at plaintiff, and were damaging to the reputation of the plaintiff, and caused loss of income and emotional distress, and defendants' comments were published with reckless disregard as to the falsity of the content.

#### ELEMENTS OF PLAINTIFF'S REPUTATION PRIOR TO DEFENDANTS' COMMENTS.

56. Prior to the date/s on which defendants each published their defamatory, online comments, the reputation of the plaintiff was grounded on at least the following:

(a) Full-time appointment as a member of the faculty at the Moritz College of Law of The Ohio State University. Appointed at the "Assistant" professor rank, then promoted to the rank of "Associate" professor.

(b) Rated AV-Preeminent for over thirty years by Martindale-Hubbell based on judges and peer attorney reviews.

(c) Awarded, based on competitive submissions, a Fulbright Research Scholar grant to study angel investor decision-making processes in the EU, and to be a Visiting Professor

at the Entrepreneurial School of the Management Center Innsbruck, Austria. See, Exhibit G, herewith.

(d) Finalist, based on competitive submissions, for appointment as the Fulbright-Hall Distinguished Chair in Entrepreneurship at the Vienna University of Business and Economics.

(e) Admitted, based on bar exam, as a registered U.S. Patent Attorney. Named as counsel of record on numerous issued U.S. patents.

(f) Admitted to practice before the U.S. Supreme Court. Admitted to practice before the U.S. Courts of Appeal for the Second, Third, Fourth, Sixth, Seventh and Federal Circuits. Admitted to practice before six U.S. District Courts. In good standing in all of these federal courts.

(g) Admitted to practice in and in good standing with the courts of the Commonwealth of Kentucky, the State of New Jersey (now inactive), and the State of Ohio (now inactive).

(h) Formerly adjunct professor of law at the College of Law of the University of Kentucky. Taught Intellectual Property Transactions course, and Patent Law Fundamentals course.

(i) Founder, then Managing Partner of Thomason, Moser & Patterson, an IP boutique law firm with offices in New Jersey, Louisville, Houston and San Jose.

(j) Partner, Wilson Elser Moskowitz Edelman & Dicker, NYC-based litigation firm.

(k) Law clerk to Chief Judge of the U.S. District Court for the Eastern District of Kentucky, Hon, B.T. Moynahan, Jr.

- (1) Veteran of U.S. Marine Corps, honorably discharged as Sergeant (E-5).

**Count I – Defamation.**

57. Plaintiff restates and incorporates by reference, as if fully set forth herein, the allegations contained in the preceding paragraphs of this Complaint.

58. Defendants published comments that were false and that defamed the plaintiff in his profession, and to his peers, as well as to the general public, and damaged his reputation.

59. Defendants published their defamatory comments on publicly-accessible online web sites, knowingly and recklessly, and with awareness of the likelihood of causing injury, embarrassment, as well as special and noneconomic damages to plaintiff.

60. Defendants published their defamatory comments on publicly-accessible, online web sites, and knew or should have known that the website would publish and make each of defendant's comments available in Kentucky.

61. Defendants knew or they should have known that the defamatory comments they published about the plaintiff were words that a reasonable reader would attribute a defamatory meaning.

62. Construed as a whole, the defendants' comments tend to bring plaintiff into contempt, public disgrace or ridicule, or to induce an evil opinion of plaintiff in the minds of right-thinking people, and to cause plaintiff to be shunned or avoided, and to injure plaintiff in his business, profession or occupation.

63. The defendants' comments include false assertions about the plaintiff "teaching at the Ohio State law school," false reference to attorney-client privileged communications about

“TTAB procedure” and false assertions about the client not “being advised” but un-advised and so knowing “nothing” about such procedures, malicious comments that plaintiff is a “lawyer who thinks” adjudicative procedures are “a game,” and is a “jerk,” and that the plaintiff is “unprofessional” even though that word never appears in the Cancellation decision referenced in non-party Welch’s blog post. Also, each defendants’ comments imply or give the impression that they have knowledge of other false and defamatory facts, on which they relied when writing the comments they published on non-party Welch’s blog.

64. Defendant Dreitler’s comments about plaintiff’s employment relationship, teaching and academic rank “as a faculty member of The Ohio State University College of Law” were malicious, intentionally injurious, or made with reckless disregard of the damaging effect.

65. Defendant Dreitler’s comments about plaintiff’s employment relationship, teaching and academic rank “as a faculty member of The Ohio State University College of Law” were malicious, intentionally injurious, or made with reckless disregard of the damaging effect, especially because defendant Dreitler is known to and has represented The Ohio State University in intellectual property law and civil litigation matters, and so, Dreitler’s comments were especially damaging and impugned plaintiff’s competence, capacity, or fitness in the performance of his professional and academic pursuits in the minds of persons who know or are acquainted with plaintiff.

66. Any facts in defendant Dreitler’s comments, even if substantially true, were published by defendant so as to provoke a substantially false and defamatory impression by omitting material facts or by Dreitler juxtaposing facts or falsehoods in a misleading way.

67. Defendant Reidl’s comments about plaintiff’s relationship with his client in the Cancellation Action, and how plaintiff “advised” his client in the Cancellation Action were

malicious, intentionally injurious, or made with reckless disregard of the fact that Reidl had no information about the actual attorney-client privileged communications and Reidl had no information as to what the plaintiff's (here) client "knew" or was "advised," and for those and other reasons, Reidl's comments are verifiably false and defamatory, and imply Reidl had facts about what that client was "advised" or about actual attorney-client privileged communications, which comments are baseless and provable as false.

68. Defendant Reidl's comments in 2018 that state or imply plaintiff is unfit as an IP or trademark litigation attorney were malicious.

69. Defendant Reidl published comments directed at plaintiff in 2018, knowing that he, Reidl, had been sanctioned in 2018 by a federal district court in a trademark case in which the district judge made findings that "Reidl recklessly raised a frivolous argument," that he "violated Rule 11(b)(3) by making factual contentions without any evidentiary support," that "Reidl was on notice that he could no longer repeat those lies to the Court. But he nevertheless repeated the lies in a renewed motion," and the district court imposed "sanctions against Reidl for violating Rule 11(b)(3) and 28 U.S.C. § 1927," but that judge found "no basis to award sanctions against local counsel" who assisted defendant Reidl. Further information about defendant Reidl is at Exhibit C herewith.

70. Any facts in the comments defendant Reidl directed at plaintiff, even if substantially true, were published by defendant such as to create a substantially false and defamatory impression by omitting material facts or by juxtaposing facts in a misleading way.

71. Defendant deWolf's comments that plaintiff "being called out for unprofessional conduct before" and hyperlinking to the Lehrer's case were malicious or made with reckless disregard of the fact that deWolf lacked information about the Lehrer case, and made no effort to

verify the complete and accurate facts. Any facts in the comments defendant that defendant deWolf directed at plaintiff, even if substantially true, were published by defendant such as to create a substantially false and defamatory impression by omitting material facts or by juxtaposing facts in a misleading way, including that the issue in the Lehrer case was whether or not the common-law “Privilege to Publish Injurious Falsehoods” (a/k/a the ‘litigation privilege’) barred the counterclaims pleaded against Lehrer, and the fact that the Lehrer case was part of a patent infringement case in which Lehrer made claims against plaintiff (here) and the fact that plaintiff (here) was represented there by a law firm appointed by Lloyds of London (see below), and the fact that the decision in the Lehrer case that deWolf cited in her comments was “abrogated” later by the U.S. Court of Appeals for the Third Circuit.

72. By their comments, each defendant assented to and in effect adopted the comments of the other defendants, which each defendant published and posted under non-party Welch’s blog post that summarized the final order in the Cancellation Action.

73. Each defendant is liable for republishing the defamatory comments of each other defendant.

74. Defendants’ published comments are widely accessible from internet search engines. See, Exhibit E, herewith.

75. Defendants comments were republished on websites devoted to intellectual property issues, such as the site of the Los Angeles Intellectual Property Law Association. See, Exhibit F, herewith.

76. In 2019, plaintiff was made aware that Visiting Professor positions were sought for the Startup and Small Business and the Intellectual Property, Arts and Technology clinical

programs at the top-25 law school outside Kentucky. Plaintiff met or exceeded the requirements for Visiting Professor position, which included:

“at least 7-10 years of legal practice and/or teaching experience in the relevant practice area. They must hold a J.D. degree or equivalent from an accredited institution and be a member of a state bar. In addition, they must have demonstrated potential for excellence in clinical teaching.”

77. As a professor, plaintiff developed, launched, and taught a law school clinic for “Startup and Small” businesses, and a “relevant practice” aspect of that clinical program was intellectual property. See, sample Syllabus, at Exhibit H, herewith.

78. Plaintiff was qualified for the open Visiting Professor positions (including what is described in paragraph 76).

79. Plaintiff applied for the Visiting Professor positions in January 2019. From among all of the applications submitted, the application of the plaintiff was “forward[ed] ... to the appointments committee [law school] for review.”

80. It is reasonable to assume that the appointments committee of the law school surveyed, or had surveyed, internet-accessible information about the plaintiff in their “review” of plaintiff’s application for the Visiting Professor positions.

81. The defendants’ comments about the plaintiff, his teaching, his qualifications, and his professionalism would cause a reasonable reader on the appointments committee to attribute a defamatory meaning thereto, and were tend to impugn plaintiff in the minds of the appointments committee, and to injure plaintiff his efforts to obtain Visiting Professor positions.

82. The comments that defendants posted about plaintiff on the blog of non-party Welch were accessible to members of the appointments committee and other law school faculty.



83. Plaintiff was passed over for the Visiting Professor positions, and the opportunity for income therefrom was lost.

84. Defendants widely published their defamatory and false comments to and through publically-accessible websites knowing that the natural and probable consequence would be to bring plaintiff into public scorn, contempt, disgrace or ridicule; cause him to be shunned or avoided; and/or, injure him in Kentucky in respect to his business, profession or occupation.

85. Defendants' tortious activity was done without due care and proximately caused reputational and economic damage to Plaintiff, all of which was suffered by Plaintiff who was then and is now a resident and domiciliary of the Commonwealth of Kentucky.

86. Defendants published their comments intentionally, directed their comments at the plaintiff.

87. Defendants published their comments without privilege and not in good faith.

88. As a direct and proximate result of the defamatory statements made by the defendants, and published online, the plaintiff has suffered:

- a. Injury to his reputation in the community generally and his professional reputation;
- b. Mental anguish, emotional distress, humiliation, and non-bodily personal injury;
- c. Loss of income from the defamatory statements;
- d. Injury to academic standing resulting from the defamatory statements; and
- e. Special damages, losses and injuries reasonably certain to be sustained in the future.

WHEREFORE, having pleaded the foregoing, the plaintiff prays for:

A. A judgment of joint and several liability against the defendants and each of them on Count I of the Complaint;

B. Damages for defamation and injury to reputation;

- C. Special damages for emotional distress
- D. Costs of suit, experts' expenses, and as appropriate, attorney's fees; and
- E. All other damages, losses, legal, equitable and declaratory relief as deemed just and appropriate by the Court.

**Count II – Defamation per se.**

89. Plaintiff restates and incorporates by reference, as if fully set forth herein, the allegations contained in the preceding paragraphs of this Complaint.

90. The comments that each defendant published to non-party Welch's blog post were directed at the plaintiff, and were defamatory *per se* under Kentucky law.

91. Each defendants' comments, separately and as a whole, "tends so to harm the reputation of [plaintiff] as to lower him in the estimation of the community or to deter third persons from associating or dealing with him" and "tend to expose the plaintiff to public hatred, ridicule, contempt or disgrace, or to induce an evil opinion of him in the minds of right-thinking people," and falsely and intentionally accuse plaintiff of "unfitness to perform duties of office, or tend to disinherit him, ... and tend to injure [plaintiff] in his reputation or to expose him to public hatred, contempt, scorn, obloquy, or shame, are libelous per se" under the laws that protect citizens of the Commonwealth of Kentucky from defamation.

WHEREFORE, having pleaded the foregoing, the plaintiff prays for:

- A. A judgment of joint and several liability against the defendants and each of them liability on Count II of the Complaint;
- B. Damages for defamation *per se* in an amount not less than \$150,000;
- C. Costs of suit, experts' expenses, and as appropriate, attorney's fees; and
- D. All other legal, equitable and declaratory relief as deemed just and appropriate by the Court.

JURY DEMAND

Plaintiff requests a jury on all triable issues cognizable under law or equity.

19 DEC 2019

~ S ~ /Charles L. Thomason/  
Charles L. Thomason, plaintiff  
6608 Harrods View Circle  
Prospect, KY 40059  
Email: Thomason[at]spatlaw[dot]com  
Telep. (502) 349-7227

JS 44 (Rev. 06/17)

# CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

Charles L. Thomason

(b) County of Residence of First Listed Plaintiff Jefferson  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Charles Thomason, 6608 Harrods View Circle, Prospect, KY 40059  
(502) 349-7227

## DEFENDANTS

Joseph R. Dreitler, Paul W. Reidl and Jenifer deWolf Paine

County of Residence of First Listed Defendant \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   |                                       |                                       |  |                            |                            |
|---|---------------------------------------|---------------------------------------|--|----------------------------|----------------------------|
|   | <b>PTF</b>                            | <b>DEF</b>                            |  | <b>PTF</b>                 | <b>DEF</b>                 |
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1            | Incorporated <i>or</i> Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input checked="" type="checkbox"/> 2 | Incorporated <i>and</i> Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3            | Foreign Nation   | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	LABOR	IMMIGRATION	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input checked="" type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutional of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 <b>FEDERAL TAX SUITS</b>	

## V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:  
defamation and defamation per se

## VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ \_\_\_\_\_ CHECK YES only if demanded in complaint:  
JURY DEMAND:  Yes  No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

DATE 11/25/2019 SIGNATURE OF ATTORNEY OF RECORD /Charles L. Thomason/

### FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.  
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.  
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.  
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.  
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.  
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.  
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.  
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.  
**PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky



Charles L. Thomason

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)  
)  
)  
)  
)  
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)  
)

Plaintiff(s)

v.

Joseph R. Dreitler,  
Paul W. Reidl,  
Jenifer deWolf Paine

Civil Action No. 3:19-cv-930-GNS

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Joseph R. Dreitler  
19 E Kossuth St  
Columbus, OH 43206-2001

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Charles L. Thomason  
6608 Harrods View Circle  
Prospect, KY 40059

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 12/23/2019

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 \_\_\_\_\_ .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky



Charles L. Thomason

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)

)

)

Plaintiff(s)

v.

Joseph R. Dreitler,  
Paul W. Reidl,  
Jenifer deWolf Paine

)

)

)

)

)

)

Defendant(s)

Civil Action No. 3:19-cv-930-GNS

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) PAUL W REIDL  
25 PINEHURST LANE  
HALF MOON BAY, CA 94019

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Charles L. Thomason  
6608 Harrods View Circle  
Prospect, KY 40059

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 12/23/2019

Signature of Clerk or Deputy Clerk



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

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was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 \_\_\_\_\_ .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky [dropdown icon]

Charles L. Thomason

Plaintiff(s)

v.

Joseph R. Dreitler, Paul W. Reidl, Jenifer deWolf Paine

Defendant(s)

Civil Action No. 3:19-cv-930-GNS

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Jenifer deWolf Paine c/o Fish 602 Lexington Ave. 52nd Floor New York, NY 10022-4611

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Charles L. Thomason 6608 Harrods View Circle Prospect, KY 40059

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 12/23/2019

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 \_\_\_\_\_ .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

Exhibit A

thettablog.blogspot.com/2018/12/

# The TTABlog®

Keeping Tabs on the TTAB®

by John L. Welch

MONDAY, DECEMBER 31, 2018

## ➤ Ordinary Consumer Has Standing to Oppose RAPUNZEL for Dolls, Says TTAB

The Board denied the Rule 12(b)(6) motion of Applicant, United Trademark Holdings, Inc., to dismiss this opposition to registration of the mark RAPUNZEL for dolls and toy figures. Opposer Rebecca Curtin, a professor at Suffolk University Law School, alleged that applicant's mark fails to function as a trademark under Sections 1, 2, and 45 of the Trademark Act on the grounds that it is purely informational and highly descriptive, if not generic, of the goods. United asserted that Professor Curtin lacks standing because she is not a competitor and "has not used the mark in connection with the manufacture or sale of dolls." The Board, relying on the CAFC's *Ritchie v. Simpson* decision, disagreed, observing that "Consumers, like competitors, may have a real interest in keeping merely descriptive or generic words in the public domain." *Rebecca Curtin v. United Trademark Holdings, Inc.*, Opposition No. 91241083 (December 28, 2018) [not precedential].



- John L. Welch
- Wolf Greenfield



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Exhibit B

Read comments and post your comment [here](#).

**TTABlog comment:** What about a sanction against counsel?

Text Copyright John L. Welch 2018.

John L. Welch at [12/26/2018](#)

[Share](#)

### 3 comments:



**Joseph Dreitler** 8:51 AM

As to your question - "what about a sanction against counsel?".

The counsel who got his client sanctioned and case dismissed is identified as a faculty member of The Ohio State University College of Law. If correct, the Board certainly ought to sanction any attorney for such behavior, especially an attorney who is a law school professor at a major institution and who has the ability to influence hundreds of young attorneys he is teaching at Ohio State University law school.

[Reply](#)

**Paul Reidl** 10:18 AM

I agree with Joe. My guess is that the party knew nothing about TTAB procedure and was being advised on what to do by counsel. Punishing the party for its lawyers' conduct does not address the problem of lawyers who think this is all a game that they wan "win" by being jerks.

[Reply](#)



**Jenifer deWolf** 2:44 PM

This lawyer has been called out for unprofessional conduct before: <https://casetext.com/case/thomason-v-lehrer-2>

[Reply](#)

Enter your comment...

Exhibit C



law-office-of-paul-reidl.pissedconsumer.com/review.html

05

views Q&A About Competitors

Oct 16, 2013  Abdullahi

### Law Office of Paul Reidl review in Half Moon Bay, California: The Law Office of Paul W. Reidl

When is an office not an office? When it's your home. That's right, supposed high-powered attorney Paul W. Reidl's office is ... his home. Big-shot wanna be Napa wine country lawyer can't afford an office?!? Really?!? LOL! And this is the guy you want to seek out in the heart of California wine country to handle your legal affairs? No. Not Paul W. Reidl. Just pass him by. I wish I'd done a little more homework on him before engaging him. So hopefully, I'll save you some heartache. This guy is not the big shot he tries to make himself out to be. Far from it.

[Comment](#)

 4  1



REVIEW #452936 

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### **CONCLUSION**

The Court will grant Lone Wolf's motion for sanctions.<sup>1</sup> The Court will award sanctions against Reidl for violating Rule 11(b)(3) and 28 U.S.C. § 1927, requiring payment to Lone Wolf of the attorney fees and costs it incurred in responding to the renewed motion to dismiss filed on May 19, 2016.

The Court will also award sanctions against defendants Bravoware and Sopcom pursuant to its inherent power, and under Rule 11(c)(1) because these defendants were responsible for violating Rule 11(b)(3), requiring payment to Lone Wolf of the attorney fees and costs it incurred for the following:

1. Responding to the first motion to dismiss (docket no. 17);
2. Filing the motion to conduct discovery regarding BravoTac (docket nos. 14, 16, & 21)
3. Responding to the renewed motion to dismiss (docket no. 32)
4. Traveling and taking the deposition of Shemesh.

### **ORDER**

In accordance with the Memorandum Decision set forth above,

NOW THEREFORE IT IS HEREBY ORDERED, that the motion for sanctions (docket no. 43) is GRANTED. Sanctions are imposed on attorney Paul Reidl and on defendants Bravoware and Sopcom as set forth in the body of the Memorandum Decision.

---

<sup>1</sup> The Court can find no basis to award sanctions against local counsel.



**See outside**

## Law Office of Paul W. Reidl

[Website](#) [Directions](#) [Save](#)

Patent attorney in Half Moon Bay, California

**Address:** 285 Troon Way, Half Moon Bay, CA 94019

**Hours:** **Closed** · Opens 9AM Mon ▾

**Phone:** (650) 560-8530


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Exhibit D

05

in Search Home My Network Jobs Messaging Not

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**Joseph Kershaw Dreitler** · 2nd  
trademark & copyright lawyer  
United States · 500+ connections · [Contact info](#)

Dreitler True, LLC  
Northern Kentucky University  
—Salmon P. Chase College o...

### Highlights

**7 mutual connections**  
You and Joseph Kershaw both know Nicole Hickey, Cody Warren, and 5 others

**Reach out to Joseph Kershaw for...**  
Joining a nonprofit board.  
[Message Joseph Kershaw](#)

facebook.com/ustrademarklawyer

facebook

Email or Phone

Password

Log In

[Forgot account?](#)

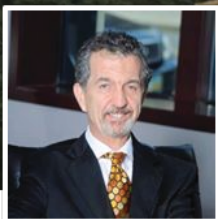
**Joseph Kershaw Dreitler is on Facebook.**

To connect with Joseph, sign up for Facebook today.

Log In


or

Sign Up



**Joseph Kershaw  
Dreitler**

[Friends](#) [Photos](#) [Videos](#)



**Paul W. Reidl** · 2nd  
 Owner, Law Office of Paul W. Reidl  
 San Francisco Bay Area · 500+ connections · [Contact info](#)

[Connect](#) [Message](#) [More...](#)

- Coastside Land Trust
- The George Washington University Law School


**Highlights**

**2 mutual connections**  
 You and Paul W. both know Joel Beres and Joan Simunic, Ph.D., J.D.

**About**

Paul Reidl is the principal attorney in the Law Office of Paul W. Reidl.

paulreidl.com




**PAUL W. REIDL**  
 ATTORNEY AT LAW

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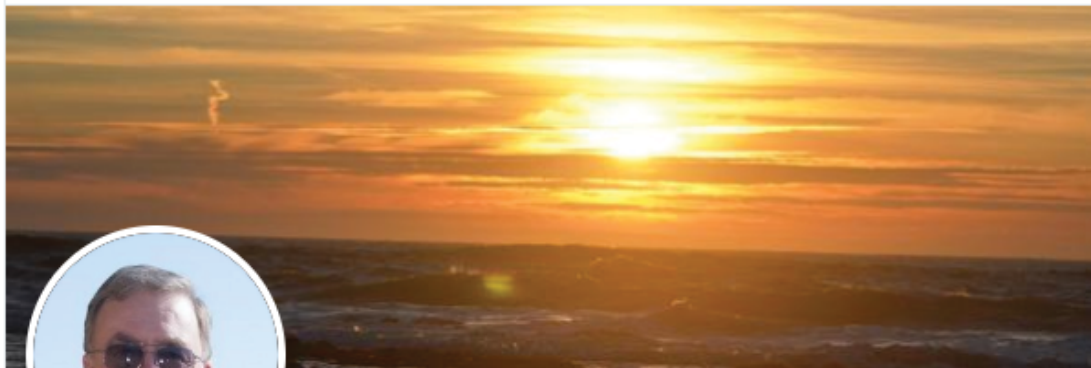
Welcome to the Law Office of Paul W. Reidl

Paul has been practicing law for nearly forty years. He represents clients from dozens of countries in trademark, copyright, alcohol beverage and general business law matters in both the United States and overseas. He is a frequent litigator before Federal courts and the Trademark Trial and Appeal Board.





← **Paul Reidl**  
1,542 Tweets



⋮ **Follow**

**Paul Reidl**  
@TMguy

Trademark, Copyright and Wine Lawyer and Litigator; former President of the International Trademark Association

📍 California 🌐 [paulreidl.com](http://paulreidl.com) 📅 Joined January 2009

220 Following 507 Followers

Not followed by anyone you're following

**Tweets**

Tweets & replies

Media

Likes



**Paul Reidl** @TMguy · Nov 7

Smiling. Over-reaching trademark owner trying to squash a little guy with a silly legal theory. I took the case pro bono and filed a motion to dismiss. They folded like a freshly laundered sheet because I exposed their scam. [#TTAB](#) [#trademark](#) [#trademark law](#) [#trademarks](#)


💬 3

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❤️ 29





→  linkedin.com/in/jeniferpaine/

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**Jenifer deWolf Paine** · 2nd  
Of Counsel at Fish & Richardson P.C.  
New York, New York · 500+ connections · [Contact info](#)

FISH. Fish & Richardson P.C.

 Boston University

### Highlights



**3 mutual connections**

You and Jenifer deWolf both know Reid Wilson, Nicole Hickey, and 1 other

 **Jenifer Paine**  
7 Tweets

⋮Follow

**Jenifer Paine**  
@jeniferpaine

Proskauer Rose LLP intellectual property lawyer Jenifer Paine represents clients ranging from individuals to conglomerates.

 New York, NY  [proskauer.com/professionals/...](http://proskauer.com/professionals/...)  Joined June 2011

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**Tweets**   Tweets & replies   Media   Likes

 **Jenifer Paine** @jeniferpaine · Sep 13, 2011 ▼  
Jenifer deWolf Paine's Ryze Business Networking Page [mltp.ly/rg3NRm](http://mltp.ly/rg3NRm)  
   

 **Jenifer Paine** @jeniferpaine · Sep 13, 2011 ▼  
Jenifer deWolf Paine | Gather [mltp.ly/5EJXiHO](http://mltp.ly/5EJXiHO)  
   

 **Jenifer Paine** @jeniferpaine · Sep 13, 2011 ▼  
Jenifer deWolf Paine, Proskauer Rose LLP - Jenifer deWolf Paine serves as Senior Counsel at the global law firm Pr... [mltp.ly/3v80eeY](http://mltp.ly/3v80eeY)  
   

 **Jenifer Paine** @jeniferpaine · Sep 13, 2011 ▼  
Connecttore : Jenifer deWolf Paine [mltp.ly/2AS1hUc](http://mltp.ly/2AS1hUc)  
   

twitter.com/kelly2277/status/1173632901331771392

Thread

4 76 125



Venture Capital @kelly2277

Hi 🙌 Jenifer deWolf Paine !! She took care of Trump's marks. I'm sure she knows that it was used for Trump Escorts site. She would have had to defend the mark if it was used by anyone erroneously 🌟

Jenifer deWolf Paine · 3rd  
 Attorney at Microsoft  
 Microsoft · Boston University  
 Greater New York City Area · 500+ connections

Message

Education

Boston University

Not Secure — trademarkencyclopedia.com

Prior registrations: 1557303 , 2269568

The corresponded responsible for this trademark is JENIFER DEWOLF PAINE, located at PROSKAUER ROSE LLP, 1585 BROADWAY, NEW YORK, NEW YORK 10036.

The state or country where the trademark was organized is NY by Trump, Donald J. The legal entity type being it is a Individual, located at 725 Fifth Avenue, New York, NY zip 10022.

GOODS AND/OR SERVICES

International Class - 042 - Scientific and technological services and

12:21 PM · Sep 16, 2019 · Twitter for iPhone

Exhibit E

← → ↻ [blogger.com/comment.g?blogID=9072179&postID=129236129191082995](https://blogger.com/comment.g?blogID=9072179&postID=129236129191082995)

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## Post a Comment On: The TTABlog®

### "Precedential No. 35: TTAB Enters Judgment as a Sanction for Discovery Abuses and Egregious Conduct"

3 Comments - [Show Original Post](#)

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1 – 3 of 3

 [Joseph Dreitler](#) said...

As to your question - "what about a sanction against counsel?"

The counsel who got his client sanctioned and case dismissed is identified as a faculty member of The Ohio State University College of Law. If correct, the Board certainly ought to sanction any attorney for such behavior, especially an attorney who is a law school professor at a major institution and who has the ability to influence hundreds of young attorneys he is teaching at Ohio State University law school.



8:51 AM

[Paul Reidl](#) said...

I agree with Joe. My guess is that the party knew nothing about TTAB procedure and was being advised on what to do by counsel. Punishing the party for its lawyers' conduct does not address the problem of lawyers who think this is all a game that they wan "win" by being jerks.

10:18 AM

 [Jenifer deWolf](#) said...

This lawyer has been called out for unprofessional conduct before: <https://casetext.com/case/thomason-v-lehrer-2>



2:44 PM

Leave your comment

You can use some HTML tags, such as `<b>`, `<i>`, `<a>`



corcamore "paul reidl"



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Dec 26, 2018 - **Corcamore**, LLC, 129 USPQ2d 1072 (TTAB 2018) [precedential]. SFM, LLC petitioned for cancellation of **Corcamore's** registration for the mark SPROUT for "vending machine services," alleging priority and ... **Paul Reidl** said.



corcamore dreitler



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Dec 26, 2018 - **Corcamore**, LLC, 129 USPQ2d 1072 (TTAB 2018) [precedential]. SFM, LLC petitioned for cancellation of **Corcamore's** registration for the mark SPROUT for "vending machine services," alleging priority ... Joseph **Dreitler** said.



corcamore dewolf



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Dec 26, 2018 - **Corcamore**, LLC, 129 USPQ2d 1072 (TTAB 2018) [precedential]. SFM, LLC petitioned for cancellation of **Corcamore's** registration for the mark SPROUT for "vending machine services," alleging priority ... Jenifer **deWolf** said.

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**Precedential No. 35: TTAB Enters Judgment as a Sanction for Discovery Abuses and Egregious Conduct**

26 Dec 2018, 4:23 am

*Corcamor* failed to comply. In the discovery arena, *Corcamor* filed an "eleventh-hour" motion for a protective order, seeking to defer the deposition of its Fed. [read post]

The TTABlog - <http://thettablog.blogspot.com/>

Exhibit F



← → ↻ [laipla.net/precedential-no-35-ttab-enters-judgment-as-a-sanction-for-discovery-abuses-and-egregious-conduct/](https://laipla.net/precedential-no-35-ttab-enters-judgment-as-a-sanction-for-discovery-abuses-and-egregious-conduct/)

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...aia, refusing to meet and confer with counsel for Petitioner regarding Respondent's discovery responses, hanging up on counsel for Petitioner during a meet and confer telephone conference on two separate occasions, outright refusing to "read or open" emails from Petitioner's counsel of record for years, and refusing to work with counsel for Petitioner to reschedule depositions of its Fed. R. Civ. P. 30(b)(6) and 30(b)(1) witnesses. In violation of Patent and Trademark Office Rule 11.402(a), counsel for Respondent also communicated directly with Petitioner about this case, without authorization to do so, knowing that Petitioner was represented by counsel.

The Board found it "obvious from a review of the record that Respondent has been engaging for years in delaying tactics, including the willful disregard of Board orders, taxing Board resources and frustrating Petitioner's prosecution of this case." The Board therefore granted SFM's motion for sanctions in the form of judgment pursuant to the Board's inherent authority to sanction.

Read comments and post your comment [here](#).

**TTABlog comment:** What about a sanction against counsel?

Text Copyright John L. Welch 2018.

Exhibit G

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## BriefingRoom



### PROFESSOR THOMASON AWARDED FULBRIGHT SCHOLAR GRANT

June 9, 2015 | [Faculty](#)

Professor Lee Thomason has been awarded a prestigious Fulbright Scholar Grant. He plans to travel to Austria later this year as a grant recipient to teach and further research “innovation and angel investor decision criteria.”

Thomason will be affiliated with the Entrepreneurial School at the Management Center Innsbruck (MCI) for the spring 2016 semester.

During his time abroad, Thomason plans to explore investment decision-making through angel and early-stage investors. Prior research on investors in Silicon Valley and other regions across the United States has shown they will fund startups in spite of uncertainties and unproven business models. Entrepreneurs in the European Union often try to replicate Silicon Valley investment practices. Thomason will examine the choices of investors in Austria who evaluate startup businesses seeking initial capital.

Thomason’s research will help define whether Austria and other European Union countries have more conservative investment criteria than early-stage investors in the United States, as well as provide insight into the larger context of what drives the decisions to invest in risky startup ventures.

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## Headline news

### Thomason awarded U.S. Fulbright Scholar Grant

Lee Thomason, assistant clinical professor, Moritz College of Law, is the recipient of a prestigious Fulbright Scholar Grant. Thomason will be affiliated with the Entrepreneurial School at the MCI Management Center Innsbruck in Austria, where he will research "Innovation and angel investor decision criteria" and teach a course on transactions in intellectual properties. Those interested in the [Fulbright Scholar Program](#) should contact [Joanna Kukielka-Blaser](#).

-- > View other grant recipients: [oia.osu.edu/grants-and-scholarships](http://oia.osu.edu/grants-and-scholarships)

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### FEATURED EVENTS

- SEP. 2 2015 Oh, the Legal Places You Could Go!
- SEP. 3 2015 Mentoring and More @ Moritz Kickoff Lunch
- SEP. 14 2015 Women in Law, Finance and Governance: Christie Hill, The Dun & Bradstreet Corporation
- OCT. 6 Bodiker Lecture

### PHOTO BLOG



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### FACULTY NEWS



#### Professor Thomason Awarded Fulbright Scholar Grant

Professor Lee Thomason has been awarded a prestigious Fulbright Scholar Grant to study "innovation and angel investor decision criteria" in Austria beginning later this year.

[Read More](#)

### STUDENT NEWS



#### Moritz Students Gain Valuable Experience Through D.C. Summer Program

From the Federal Communications Commission the White House and beyond, 17 Moritz College of Law students are participating in a variety of prestigious externships in the nation's capital this summer as part of the Washington D.C., Summer Program.

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Exhibit H