

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

DECLARATION OF BENNETT H. KLEIN UNDER 37 C.F.R. § 2.20

I, Bennett H. Klein, being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declare:

1. I have been the AIDS Law Project Director and a Staff Attorney at Gay & Lesbian Advocates & Defenders (GLAD) since 1994. GLAD is a public interest law firm serving the six New England states and committed to ending discrimination on the basis of sexual orientation, HIV status, and gender identity and expression.

2. I have been active in the LGBT rights movement since 1979. Over the years, I have spoken with thousands of LGBT people, including hundreds of lesbian women, in both formal and informal settings. I am quite familiar with the jargon and slang vocabulary used by LGBT people in our local community. The word "dyke" is undoubtedly part of that vocabulary. Its use by a lesbian woman to refer to herself, a friend, or a political comrade is decidedly not derogatory.

3. Within the lesbian, bisexual and transgender ("LGBT") communities, "dyke" is a term used by people within a community as an expression of group cohesiveness, communalism, and empowerment. Within the LGBT community, there are many words used self-referentially that when used by groups outside the community might be regarded as derogatory. Dyke is one of those words.

4. I have attended many LGBT events, from pride marches to community meetings to political events. In addition, I read LGBT literature and periodicals regularly. I regularly see and hear the word "dyke" used positively and proudly within our community

5. I have seen at almost every gay pride parade a contingent from “Dykes on Bikes.” It is well understood within our community that they are using the term “dykes” as a term of pride.

6. There really is no disagreement that the way the word “dyke” is used by “Dykes on Bikes” is anything other than a positive statement – recognized by lesbians and others within the LGBT community.

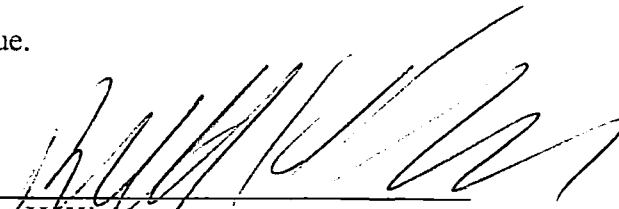
7. LGBT people in this state/city/nation face a number of serious problems, including unequal treatment in the workplace, hate violence, ineligibility to serve their country in the military, and lack of access to the rights, responsibilities, and financial benefits of civil marriage. In contrast, the proud use of the word “dyke” by an organization highly regarded within the LGBT community is not an instance of discrimination.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true.

Dated: _____

4/15/05

By: _____


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