

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant	:	San Francisco Women's Motorcycle Contingent
Mark	:	DYKES ON BIKES
Serial No.	:	78,281,746
Filing Date	:	July 31, 2003

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Attention: Sharon A. Meier, Examining Attorney
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DECLARATION OF REBECCA BODFISH UNDER 37 C.F.R. § 2.20

I, Rebecca Bodfish, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration declare that:

1. I am a legal intern at the law firm of Brooke Oliver Law Group, P.C., trademark attorneys currently requesting reconsideration of this application for Applicant.
2. One of my responsibilities as an intern is to conduct on-line research. I often use the Google™ search engine, and other methods of on-line research.
3. I was requested by Pablo Manga, counsel at Brooke Oliver Law Group, P.C., to undertake on-line research regarding the nature and extent of the use of the word "dyke" in connection with the lesbian, gay, bisexual, and transgender ("LGBT") community. I conducted the following on-line research between March 7, 2005, and March 30, 2005. My research indicates that dyke is commonly used in connection with goods and services provided by and for the LGBT community and that its use in this context is positive, not derogatory.

4. In total, my various searches resulted in 50 different magazines, videocassettes, and books relating to lesbian culture which used "dyke" in the title. "Dyke" is used in a positive manner in all fifty titles. I found no titles in which "dyke" was used in the pejorative sense. The records are included herein as Attachment A.
5. I conducted various searches of the Online Catalog of the Library of Congress for records including both the terms "dyke" and "lesbian". The searches produced approximately 38 works about lesbian culture and lesbian writings with the word "dyke" in the title.
6. I conducted a search of amazon.com for works incorporating the term "dyke" in connection with lesbians and lesbian culture. The search resulted in six additional titles not included in the results listed above from the Online Catalog of the Library of Congress. Of the 38 works found in the Library of Congress, 36 of these titles are available for purchase at amazon.com.
7. An amazon.com book search of the term "dyke" and "lesbian" provided 98 results. A search on barnesandnoble.com using the same search terms provided 111 results.
8. Searching barnsandnoble.com for the 50 works listed on Attachment A found that 40 of these publications are available for purchase online at the site.
9. A search of the term "dyke" in the Online Catalog for the San Francisco Public Library provided 232 results and searching for "dyke" and "lesbian" netted 45 results. Forty-five of the records listed on Attachment A are available for free to the public at the San Francisco Public Library.
10. The Online Catalog of the New York Public Library listed 8 out of the 50 publications listed on Attachment A as available to the public in its libraries.
11. A search of the Dallas, Texas Public Library Online Catalog found that 14 of the 50 records listed on Attachment A are available at the Dallas Library.
12. A search of the Minnesota Public Libraries Online Catalog netted 13 of the 50 materials listed on Attachment A as available.
13. A search of the Boise, Idaho Public Library Online Catalog found that 5 out of the 50 resources listed on Attachment A are available in its library.
14. I used the Google™ search engine to conduct a search of the Internet for websites related to goods and services for dykes. The search returned approximately 2,000,000 results. I reviewed the first 100 results in detail and determined that 23 of the results utilized "dyke" in the context of LGBT issues and all 23 used "dyke" in a positive manner. The first 100 results of the search is attached with print-outs from the relevant websites as "Attachment B."

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

Dated: April 26, 2005

By: Rebecca Bodfish
Rebecca Bodfish, Legal Intern
Brooke Oliver Law Group, P.C.,