



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

SAN DIEGO COMIC CONVENTION,
a California non-profit corporation,

Plaintiff,

v.

DAN FARR PRODUCTIONS, a Utah
limited liability company;
NEWSPAPER AGENCY COMPANY,
a Utah limited liability company;
DANIEL FARR, an individual; and
BRYAN BRANDENBURG, an
individual,

Defendants.

AND RELATED COUNTERCLAIM.

Case No. 3:14-cv-01865 AJB (JMA)

SPECIAL VERDICT FORM

FEDERAL TRADEMARK INFRINGEMENT

COMIC-CON mark

1. Is the COMIC-CON mark a valid, protectable trademark?

Yes X

No

If your answer is yes, go to Question 2.

If your answer is no, go to Question 5.

2. Does San Diego Comic Convention own the COMIC-CON mark?

Yes X

No

If your answer is yes, go to Question 3.

If your answer is no, go to Question 5.

3. Did any Defendant use the COMIC-CON mark, or a similar mark, without San Diego Comic Convention's consent in a manner that is likely to cause confusion as to the source, sponsorship, affiliation or approval of goods or services?

Yes X

No

If your answer is yes, go to Question 4.

If your answer is no, go to Question 5.

4. Which Defendant(s) used the COMIC-CON mark, or a similar mark, without San Diego Comic Convention's consent in a manner that is likely to cause confusion as to the source, sponsorship, affiliation or approval of goods or services? (Mark "X" for all that apply.)

Dan Farr Productions, LLC X

Bryan Brandenburg X

Daniel Farr X

Go to Question 5.

COMIC-CON INTERNATIONAL mark

5. Is the COMIC CON INTERNATIONAL mark a valid, protectable trademark?

Yes X

No

If your answer is yes, go to Question 6.

If your answer is no, go to Question 9.

6. Does San Diego Comic Convention own the COMIC CON INTERNATIONAL mark?

Yes X

No

If your answer is yes, go to Question 7.

If your answer is no, go to Question 9.

7. Did any Defendant use the COMIC CON INTERNATIONAL mark, or a similar mark, without San Diego Comic Convention's consent in a manner that is likely to cause confusion as to the source, sponsorship, affiliation or approval of goods or services?

Yes X

No

If your answer is yes, go to Question 8.

If your answer is no, go to Question 9.

8. Which Defendant(s) used the COMIC CON INTERNATIONAL mark, or a similar mark, without San Diego Comic Convention's consent in a manner that is likely to cause confusion as to the source, sponsorship, affiliation or approval of goods or services? (Mark "X" for all that apply.)

1 Dan Farr Productions, LLC

X

2 Bryan Brandenburg

X

3 Daniel Farr

X

4 Go to Question 9.

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6 **SAN DIEGO COMIC CON INTERNATIONAL mark with eye logo design**

7 9. Is the SAN DIEGO COMIC CON INTERNATIONAL mark with the
8 eye logo design a valid, protectable trademark?

9 Yes X

10 No _____

11 *If your answer is yes, go to Question 10.*

12 *If your answer is no, go to Question 13.*

13 10. Does San Diego Comic Convention own the SAN DIEGO COMIC
14 CON INTERNATIONAL mark with the eye logo design?

15 Yes X

16 No _____

17 *If your answer is yes, go to Question 11.*

18 *If your answer is no, go to Question 13.*

19 11. Did any Defendant use the SAN DIEGO COMIC CON
20 INTERNATIONAL mark with the eye logo design, or a similar mark, without San
21 Diego Comic Convention's consent in a manner that is likely to cause confusion as
22 to the source, sponsorship, affiliation or approval of goods or services?

23 Yes X

24 No _____

25 *If your answer is yes, go to Question 12.*

26 *If your answer is no, go to Question 13.*

27 12. Which Defendant(s) used the SAN DIEGO COMIC CON
28 INTERNATIONAL mark with the eye logo design, or a similar mark, without San

1 Diego Comic Convention's consent in a manner that is likely to cause confusion as
2 to the source, sponsorship, affiliation or approval of goods or services? (Mark "X"
3 for all that apply.)

4 Dan Farr Productions, LLC X

5 Bryan Brandenburg X

6 Daniel Farr X

7 Go to Question 13.

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UNFAIR COMPETITION – FALSE DESIGNATION OF ORIGIN

13. Did any Defendant use in commerce a false designation of the origin of Dan Farr Productions, LLC's goods or services?

Yes _____

No X

If your answer is yes, go to Question 14.

If your answer is no, go to Question 17.

14. Which Defendant(s) used a false designation of the origin of Dan Farr Productions, LLC's good or services? (Mark "X" for all that apply.)

Dan Farr Productions, LLC _____

Bryan Brandenburg _____

Daniel Farr _____

Go to Question 15.

15. Was the false designation(s) of origin likely to cause confusion, mistake or deception as to the affiliation, connection, or association of Dan Farr Productions, LLC with San Diego Comic Convention, or as to the origin, sponsorship or approval of Dan Farr Productions, LLC's goods, services, or commercial activities by San Diego Comic Convention?

Yes _____

No _____

If your answer is yes, go to Question 16.

If your answer is no, go to Question 17.

16. Was San Diego Comic Convention damaged or likely to be damaged by the false designation(s) of origin?

Yes _____

No _____

Go to Question 17.

DAMAGES – CORRECTIVE ADVERTISING

17. Did you answer yes to either Question 3, Question 7 *or* Question 11?

Yes X

No

Go to Question 18.

18. Did you answer yes to Question 13, Question 15 *and* Question 16?

Yes

No X

Go to Question 19.

19. Did you answer yes to Question 17 *or* Question 18?

Yes X

No

If your answer is yes, go to Question 20.

*If your answer is no, please answer no further questions and sign,
date and return the Verdict Form.*

20. Do you find that San Diego Comic Convention is entitled to an award
of damages for the cost of future corrective advertising reasonably required to
correct public confusion caused by Defendant's[s'] infringement and/or false
designation of origin?

Yes X

No

If your answer is yes, go to Question 21.

If your answer is no, go to Question 22.

1 21. State the amount of damages San Diego Comic Convention is entitled
2 to for the cost of future corrective advertising reasonably required to correct public
3 confusion caused by Defendant's[s'] infringement and/or false designation of
4 origin:

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DAMAGES – DEFENDANTS’ PROFITS

22. Did you answer yes to either Question 3, Question 7 **or** Question 11?

Yes X

No

If your answer is yes, go to Question 23.

If you answer is no, go to Question 25.

23. Did any Defendant act willfully in infringing San Diego Comic
Convention’s trademark(s)?

Yes

No X

If your answer is yes, go to Question 24.

If your answer is no, go to Question 25.

24. Which Defendant(s) acted willfully in infringing San Diego Comic
Convention’s trademarks? (Mark “X” for all that apply.)

Dan Farr Productions, LLC

Bryan Brandenburg

Daniel Farr

Go to Question 25.

25. Did you answer yes to Question 13, Question 15 **and** Question 16?

Yes

No X

If your answer is yes, go to Question 26.

If your answer is no, go to Question 28.

26. Did any Defendant act willfully in falsely designating the origin of
Dan Farr Productions, LLC’s good or services?

Yes

No

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If your answer is yes, go to Question 27.

If your answer is no, go to Question 28.

27. Which Defendant(s) acted willfully in falsely designating the origin of Dan Farr Productions, LLC's good or services? (Mark "X" for all that apply.)

Dan Farr Productions, LLC _____

Bryan Brandenburg _____

Daniel Farr _____

Go to Question 28.

28. Did you answer yes to Question 23 *or* Question 26?

Yes _____

No X

If your answer is yes, go to Question 29.

If your answer is no, please sign, date and return the Verdict Form.

29. State the amount of profits earned by Dan Farr Productions, LLC that are attributable to Defendant's[s'] infringement and/or false designation of origin:

\$ _____

You have now completed this Verdict Form. The Foreperson should sign this Verdict Form below and notify the Bailiff that you have reached a verdict.

Dated: 12/08, 2017

By: 
Foreperson