

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

<b>Applicant</b>	Blended Designs, LLC
<b>Serial No.:</b>	88037917
<b>Mark:</b>	BD
<b>Filed:</b>	07/14/2018
<b>Examining Attorney:</b>	Aurand, Kyle C.
<b>Law Office:</b>	126
<b>Correspondent:</b>	Fernando Dutra Wilson Dutra, PLLC 7643 Gate Parkway, Ste 10489 Jacksonville, FL 32256

**RESPONSE TO OFFICE ACTION**

This is in response to the Office Action filed on May 21, 2019, objecting to the subject mark, BD – Serial Number 88037917 (the “Subject Mark”) based on the following prior registrations (the “Cited Registrations”) and classes:

1. BD – Registration No. 49880408

IC 025. US 022, 039. G & S: Clothing, namely shirts and shorts.

2. BD – Registration No. 5116427

IC 009. US 021, 023, 026, 036, 038. G & S: Socks, electrically heated.

IC 011. US 013, 021, 023, 031, 034. G&S: Electrical heating elements for shoes and gloves; electrically heated insoles, electrical foot warmers.

IC 025. US 022, 039. G&S: Shoes, in particular ski and snowboard shoes and parts thereof, boots for sports and leisure shoes; footwear, in particular insoles for footwear, other than for medical use; socks, in particular compression socks and athletic specialty socks; Clothing, in particular sportswear and casualwear, namely, t-shirts, polo shirts, shirts, vests, sweaters, hoodies, pants, jackets, socks, caps, hats.

The Examining Attorney maintains a rejection relating to a mark for BD's Apparel, previously filed application serial number 87826164, which currently has a suspension inquiry pending. Applicant respectfully requests the opportunity to respond to this maintained rejection pending the outcome of the suspension inquiry.

*See May 21, 2019, Office Action.*

The Examining Attorney refused registration of the Applicant's mark BD based on 2 earlier registrations for marks with the same initial. In each case, these initials are short for "B.Draddy" and "BOOTDOC". The Examining Attorney reasons that the Subject Mark is similar in commercial impression to the Cited Registrations, suggesting that potential purchasers may believe that the goods may originate from the same source.

Applicant appreciates the comments from the Examining Attorney. With all due respect to the Examining Attorney, the Trademark Office did not meet its burden of proof in this case for likelihood of confusion. Because the trade channels and because the type of goods, including their intended industry usage, are dissimilar, it is very unlikely that relevant consumers of the respective goods will believe there is any connection between the two cited companies.

### **Section 2(d) – Likelihood of Confusion**

Applicant respectfully submits that the above Cited Registrations do not cause confusion with the Subject Mark. Trademark applications hinging on the basis of likelihood of confusion require the examiner and the Trademark Trial and Appeal Board ("TTAB") to use the Du Pont factors to determine whether consumer confusion is likely to arise:

- (1) The similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation and commercial impression;
- (2) The similarity or dissimilarity and nature of the goods or services as described in an application or registration or in connection with which a prior mark is in use;
- (3) The similarity or dissimilarity of established, likely-to-continue trade channels;
- (4) The conditions under which and buyers to whom sales are made, i.e., "impulse" vs. careful, sophisticated purchasing;
- (5) The fame of the prior mark (sales, advertising, length of use);
- (6) The number and nature of similar marks in use on similar goods;
- (7) The nature and extent of any actual confusion;
- (8) The length of time during and conditions under which there has been concurrent use without evidence of actual confusion;
- (9) The variety of goods on which a mark is or is not used;
- (10) The market interface between applicant and the owner

of a prior mark: (a) a mere “consent” to register to use; (b) agreement provisions designed to preclude confusion, i.e., limitations on continued use of the marks by each party; (c) assignment of mark, application, registration, and good will of the related business; (d) laches and estoppel attributable to owner of prior mark and indicative of lack of confusion; (11) The extent to which applicant has a right to exclude others from use of its mark on its goods; (12) The extent of potential confusion, i.e., whether de minimis or substantial; (13) Any other established fact probative of the effect of use.

*In re E.I. Du Pont de Nemours & Co.*, 476 F.2d 1357, 1361 (Cust. & Pat. App. 1973). The examiner has a duty to consider all the facts with regards to these factors in each case turning on likelihood of confusion. *In re Guild Mortg. Co.*, 912 F.3d 1376, 1379 (Fed. Cir. 2019). However, a likelihood of confusion evaluation considers the factors for which there is evidence of record but may focus on dispositive factors. *Id.* (citing *Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1265 (Fed. Cir. 2002)). Additionally, “not all of the DuPont factors are relevant or of similar weight in every case.” *Id.* (citing *In re Dixie Rests., Inc.*, 105 F.3d 1405, 1406 (Fed. Cir. 1997)).

Applicant submits that there is no likelihood of confusion based at least on two key factors: the dissimilarity of established, likely-to-continue trade channels and the dissimilarity of the goods. Considering the applicable *DuPont* factors, as more particularly explained below, the Subject Mark will not cause a likelihood of confusion with the Cited Registration.

*I. Established, Likely-to-Continue Trade Channels*

First, Applicant’s products are marketed and sold in completely different trade channels than that of the products associated with the Cited Registrations. Generally, the evaluation of trade channels must be decided on the “basis of the identification of goods set forth in the application.” *Stone Lion Capital Partners, L.P. v. Lion Capital LLP*, 746 F.3d 1317, 1323 (Fed. Cir. 2014) (citing *Octocom Sys., Inc. v. Houston Comp. Servs. Inc.*, 918 F.2d 937, 942 (Fed. Cir. 1990)). However, where the circumstances surrounding the marks’ marketing are such that they could not

or are highly unlikely to give rise to a mistaken belief, then the marks are not likely to be confused. Additionally, since the goods of the Cited Registrations do not have common users and the parties do not promote their goods to the same class of purchasers, the marks are not likely to be confused. See *Harvey Hubbell Inc. v. Tokyo Seimitsu Co., Ltd.*, 188 USPQ 517 (TTAB 1977), summarized in *In re Market America, Inc.*, 2012 WL 893479 (TTAB 2012).

B.Draddy is a luxury, traditional golf apparel brand. See [bdraddy.com](http://bdraddy.com). The B.Draddy name “has its obvious meaning, that of a name.” See e.g., Ex. A. To be specific, the company is named after its founder, Billy Draddy. Draddy claims the company targets “the mid-amateur competitive golfer – not professional...He plays golf, he has a job, perhaps a family, and he understands quality and values in all aspects of his life.” See e.g., Ex. B; <https://apparelmag.com/man-about-town-tapping-members-only-demographic> Although this BD maintains an online storefront, “its primary market is the under-the-radar world of private golf clubs and golf resorts.” See Ex. B. The company’s products range from \$44 boxer shorts to the \$485 “007 Cashmere Crewneck”. See e.g. Ex. C.

As an example of B.Draddy’s target consumer, and as seen from their marketing materials, no photographs portray a person of color golfing or wearing B.Draddy clothing throughout any of their social media posts. See e.g., Ex. D. This is true from their very first social media post in 2013 to present. The fact that there isn’t a single photograph depicting a person of color strongly suggests that these photographs are intentional and a focus of their marketing campaigns. The absence of even a single photograph depicting a person of color proves that there is no overlap between the trade channels or target consumer between B.Draddy and the Subject Mark.

BOOTDOC designs “individual solutions for active feet that guarantee excellent comfort and performance when taking part in sport.” See e.g., Ex. E. BOOTDOC strives to aid ski and other snow sport athletes in their journey by “supporting their feet and developing tools for them to improve their performance.” *Id.* BOOTDOC’s products include insoles, socks, and foam liners that are precisely matched to the foot’s anatomy. See e.g., Ex. F. BOOTDOC products are sold worldwide, both in store and online, primarily through sporting goods stores, specifically those focused on skiing and other snow-based sports. See e.g., Ex. G. BOOTDOC’s Instagram features only four posts, however, an extensive search of the company’s tagged posts (posts that consumers have tagged BOOTDOC in) does not include or portray a single consumer that was a person of color. See e.g. Ex. H. These tagged posts date from November 21, 2012.

In contrast, Blended Designs began when the founder “wanted to provide her son with an empowering backpack for school and travel...BD is becoming one of the most popular resources for school gear designed for people of color.” See e.g. [blendeddesigns.com](http://blendeddesigns.com).

This mission-oriented marketing has permeated the public perception of Blended Designs, with frequent recognition of the Blended Design purpose and demographic. In an article about the 2018 Emmy Awards, Forbes stated, “Blended Designs, a new company based out of Jacksonville, FL, gifted 120 of their signature 1954 by BD backpacks to guests. With less than 2% of the more than 670 character backpacks out there including children of color, Blended Designs creates a line that fills that void. In 2017, their first year, they sold 6,300 bags, which totaled \$250,000 in sales. Academy Award-winning actress, Regina King bought 100 backpacks for her charity at yesterday’s event.” See e.g. <https://www.forbes.com/sites/danafeldman/2018/09/16/emmys-2018-inside-the-governors-ball-and-a-gifting-lounge/#57e1bb081215>.

Products associated with the Subject Mark were featured in Essence Magazine #BuyBlack Gift Guide in 2018. One of the few authorized resellers of the products is WeBuyBlack.com. The appearance of the founder on The View even featured a donation of backpacks to “Lil 4’s Club”, an after school and community care center started by Letitia Conliffe. See e.g. Ex. I.

Blended Designs has clear and distinct marketing channels from both B.Draddy and BOOTDOC. The African American community, one of Blended Design’s primary markets, has very little overlap with the luxury golfing and skiing demographics. If anything, it is much more likely that B.Draddy and BOOTDOC have overlapping target consumers, though both have registrations for similar marks in similar classes. The fact that neither have people of color in their marketing materials or in consumers tagging them for their products proves that there is little risk of an overlap in trade channels.

Although Tiger Woods is one of the more well-known professional golfers, the golfing community severely lacks diversity. According to the Professional Golfers’ Association (“PGA”) CEO, Pete Bevacqua, “diversity is the number one issue concerning [golf] and there are no quick fixes.” See Ex. J; <https://www.reuters.com/article/us-golf-pgachamp-diversity/diversity-remains-golfs-biggest-challenge-says-pga-of-america-ceo-idUSKBN1KT2OE>. Statistics provided by the PGA of America show that over 80% of golfers are Caucasian. *Id.* While these statistics are not broken down further, the mere eighteen percent of minority golfers consists of multiple races, including African American. *Id.* A chair on the PGA board of directors, Suzy Whaley, conceded

to *The Dallas Morning News* that the makeup of her group is “heavily and predominantly currently white male.” See Ex. K; <https://www.dallasnews.com/business/2018/12/09/with-nearly-all-white-membership-pga-of-america-looks-to-diversify/>. Even at Historically Black Colleges and Universities, African-American golfers are in the minority. See Ex. L; <https://theundefeated.com/features/even-at-hbcu-black-golfers-are-in-the-minority/>.

Skiing is another predominantly Caucasian sport, with Caucasians making up roughly sixty-six percent of the skiing demographic. See Ex. M. The Snowsports Industry of America conducted a study showing that only nine percent of snow sports participants are African American. *Id.*

Because of the distinctions between channels of trade, there is no likelihood of confusion between the Subject Mark and the Cited Registrations. Further, the channels of trade have been constant for Blended Design, B.Draddy, and BOOTDOC, allowing each to gain recognition in their own respective channels. Given the Registered Marks’ self-professed focus and exemplary items for sale, it is unlikely a purchaser of the good for each mark would be misled to the source of the goods they are purchasing.

## *II. Dissimilarity of the Products Provided*

Second, Applicant’s products are dissimilar to the products associated with the Cited Registrations. Examining Attorney suggested they are for the same purpose and therefore related. More specifically, Examining Attorney cites to various companies’ websites to link different types of clothing. However, “[i]t is not necessary that the products of the parties be similar or even competitive to support a finding of likelihood of confusion...Instead, likelihood of confusion can be found ‘if the respective products are related in some manner.’” *Coach Servs. v. Triumph Learning LLC*, 668 F.3d 1356 (Fed. Cir. 2012). When evaluating the similarity of goods, “the inquiry should be whether they appeal to the same market.” *Harvey Hubbell Inc.*, at 520. As such, and based on the statistics described above, Applicant respectfully disagrees that the evidence suggests that consumers would confuse the products offered in conjunction with the Subject Mark and the Cited Registrations.

The products associated with B.Draddy are golf-focused, with high price points and a more traditional look. See e.g., Ex. C. The products associated with BOOTDOC are snow sports-

oriented, including compression socks and custom boot liners with cold weather technology. See e.g., Ex. E. In contrast, products associated with the Subject Mark refer to representation, civil rights, and often contain illustrations of people of color. See e.g., Ex. N. There is no overlap in aesthetic or content between the products. It is unlikely a consumer would see a backpack or shirt with the Subject Mark and ever believe the source was actually B.Draddy or BOOTDOC.

### **Prior Filed Application**

The Office Action referred to another application (Serial No. 87826164), which may cause a likelihood of confusion in the future. The application is currently suspended and Applicant respectfully requests the opportunity to respond to this rejection pending the results of the suspension inquiry.

### **Identification of Services**

The Office Action requested that the Applicant clarify the identification of services for International Class 18. International Class 25 remains the same. To further prosecution, and to distinguish the Subject Mark over the Cited Registration, the Applicant respectfully requests that the services in this class be amended as follows:

Class 18: Backpacks; book bags; school bags; sports bags; rucksacks; duffel bags; traveling bags; tote bags; shoulder bags; carry-all bags; pouches, namely, leather pouches, pouches of textile, felt pouches, cloth pouches, vinyl pouches, waist pouches, ticket pouches, drawstring pouches, key pouches, pouches for holding make-up, pouch baby carriers; and handbags.

### **Conclusion**

For at least these reasons, the Examining Attorney should withdraw the refusal of registration under Section 2(d). The mere possibility that relevant consumers might relate the two different marks does not meet the statutorily established test of likelihood of confusion. E.g., *In re Hughes Aircraft Company*, 222 U.S.P.Q. 263, 264 (TTAB 1984) (“the Trademark Act does not preclude registration of a mark where there is a possibility of confusion as to source or origin, only



where such confusion is likely”). Applicant requests Examining Attorney to amend Class 18, withdraw the registration refusal, and proceed the Subject Mark to publication.

**Exhibit A**

*Screenshot from bdraddy.com (Cited Registration #1)*

FREE Shipping on Orders of \$200+

B DRADDY  
USA

POLOS T-SHIRTS LAYERS SHORTS BOXERS JUNIORS

# ABOUT DRADDY

The collection B. Draddy has its obvious meaning, that of a name. From its inception though, there's been an additional meaning behind the name. The "B" stands for Brothers.... Brothers Draddy. Brotherhood, if not the strongest relationship one can experience in life, is a close second. You are a rival, a protector, a confidante. Above all, the bond of family, a commitment that cannot be discarded or forgotten, joins you.

Type here to search

11:52 PM  
10/29/2019

**Exhibit B**

Screenshot from <https://apparelmag.com/man-about-town-tapping-members-only-demographic>.

Man About Town: Tapping the Members-only Demographic

# Man About Town: Tapping the Members-only Demographic

By Christian Chensvold, Apparel Contributing Writer - 02/23/2017

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You know you're on the right track when you're reaching the best demographic in the world. The best, that is, for you. That's how Billy Draddy puts it when it comes to his radically old-school golfwear collection, [B. Draddy](#).

Draddy took up golf as a child and also has clothing in his DNA, as his family licensed the Lacoste brand and married it with their own brand, Izod. He went on to work at Ralph Lauren before becoming creative director at Summit Golf Brands, which owns Zero Restriction, Fairway & Greene, and which unveiled B. Draddy in fall 2013.

At that time, the golf apparel industry had almost entirely gone over to the dark side of high-tech polyester performance fabrics. When B. Draddy showed up to account meetings with fine Peruvian pima cotton, buyers were shocked, recounts head of sales Jack Lessing. "They were telling me that 95 percent of their shirts were polyester, so they were surprised. But surprise is good. We thought there was an opportunity, in the face of this tech movement, to do cotton. Your body craves cotton. When we don't have to dress up, it's our first choice."

Transforms Dead Stock into Fun and Fashionable Goods

OMNICHANNEL  
The Death of Apparel Retail As We Knew It, Part I: The Survivors

MERGERS & ACQUISITIONS  
HanesBrands Buys Alternative Apparel for \$60 Million

### RELATED TOPICS

OMNICHANNEL RETAIL INTELLIGENCE  
DESIGN & PRODUCT DEVELOPMENT

11:20 AM 11/11/2019

**Exhibit C**

*Screenshots from bdraddy.com (Cited Registration #1)*

FREE Shipping on Orders of \$200+

B. DRADDY  
USA

POLOS T-SHIRTS LAYERS SHORTS BOXERS JUNIORS

★★★★★ 7 Reviews

### RICHARD BOXER

\$44.00

Color: Batik

Size: **SML** MED LRG XLG 2XL

Find your size

1 ADD TO BAG

DESCRIPTION

Meet Richard. Our philosophy on fabrics: If it's good enough to throw over your shoulder it has to be good enough to throw under your carriage. And that's exactly what we did developed from our polo fabric which is made from the softest

FREE Shipping on Orders of \$200+

B. DRADDY  
USA

POLOS T-SHIRTS LAYERS SHORTS BOXERS JUNIORS

### 007 CASHMERE CREWNECK

\$485.00

Color: Navy

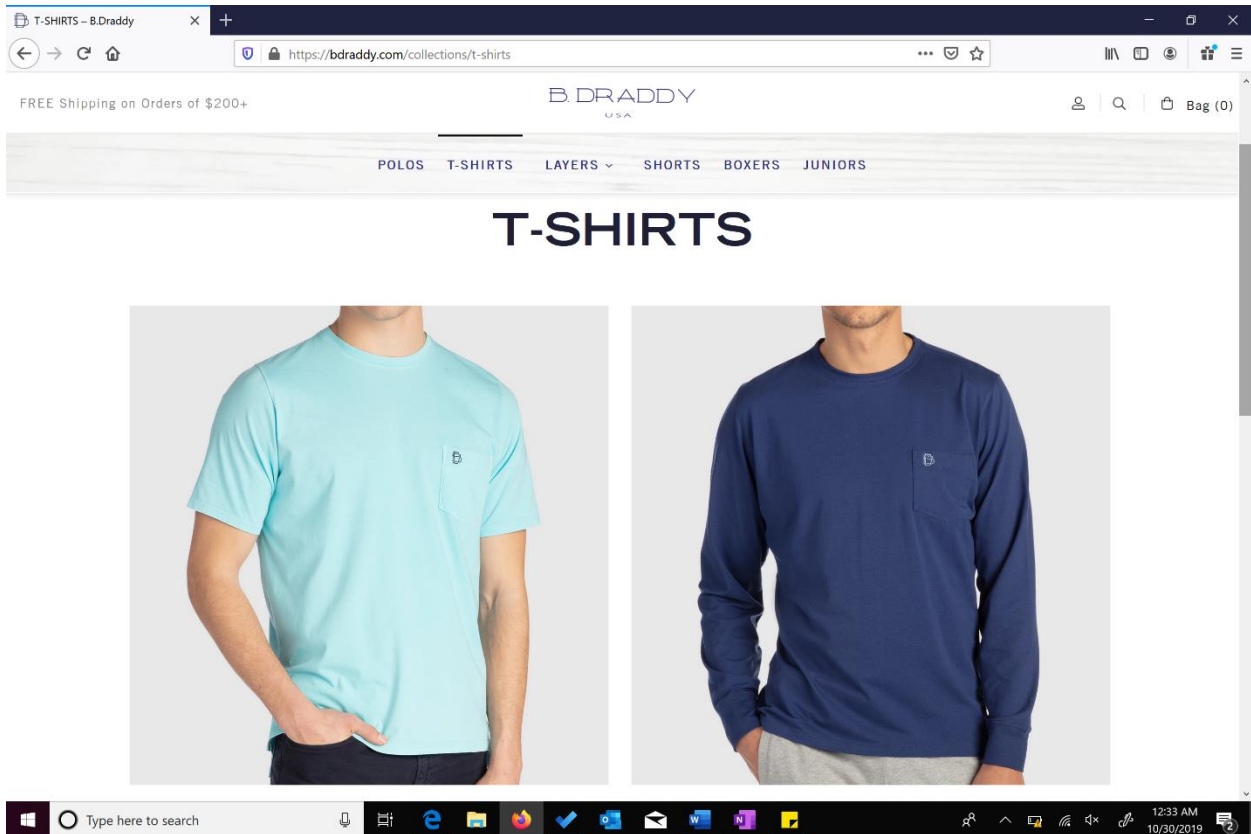
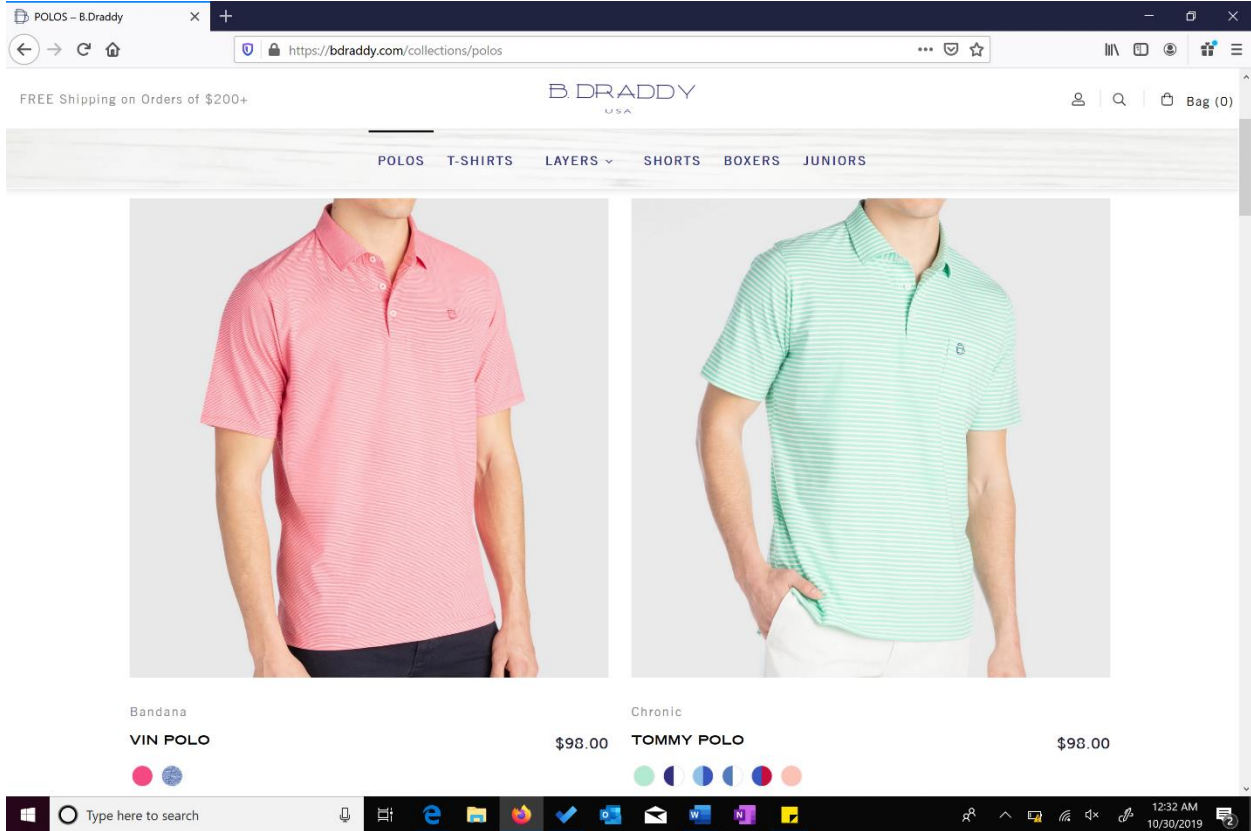
Size: ~~SML~~ **MED** LRG XLG 2XL

Find your size

1 ADD TO BAG

DESCRIPTION

There is no mystery to this sweater! Made with the finest yarn and fully fashioned details...this sweater will become your go-to layer!





The screenshot shows a web browser window with the URL <https://bdraddy.com/collections/shorts>. The website header includes the B. DRADDY USA logo and navigation links for POLOS, T-SHIRTS, LAYERS, SHORTS, BOXERS, and JUNIORS. A promotional banner at the top left states "FREE Shipping on Orders of \$200+".

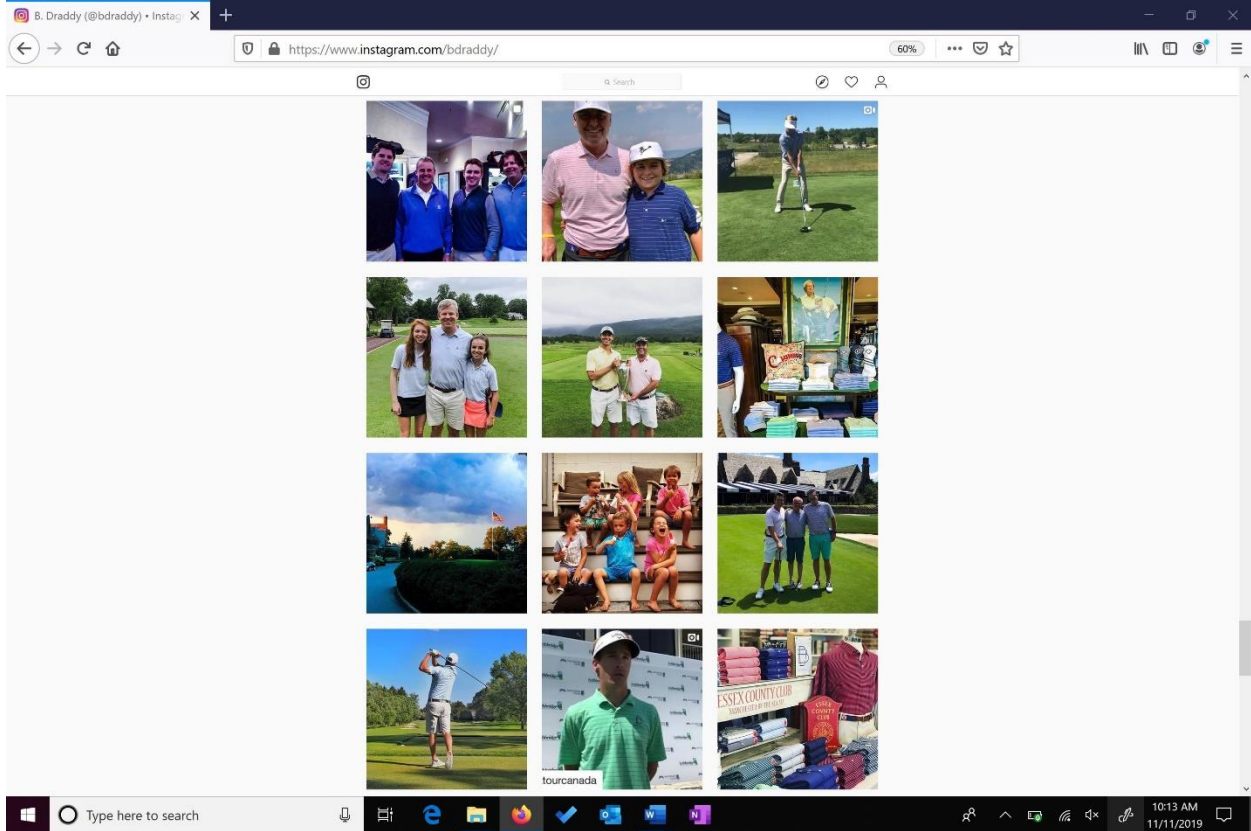
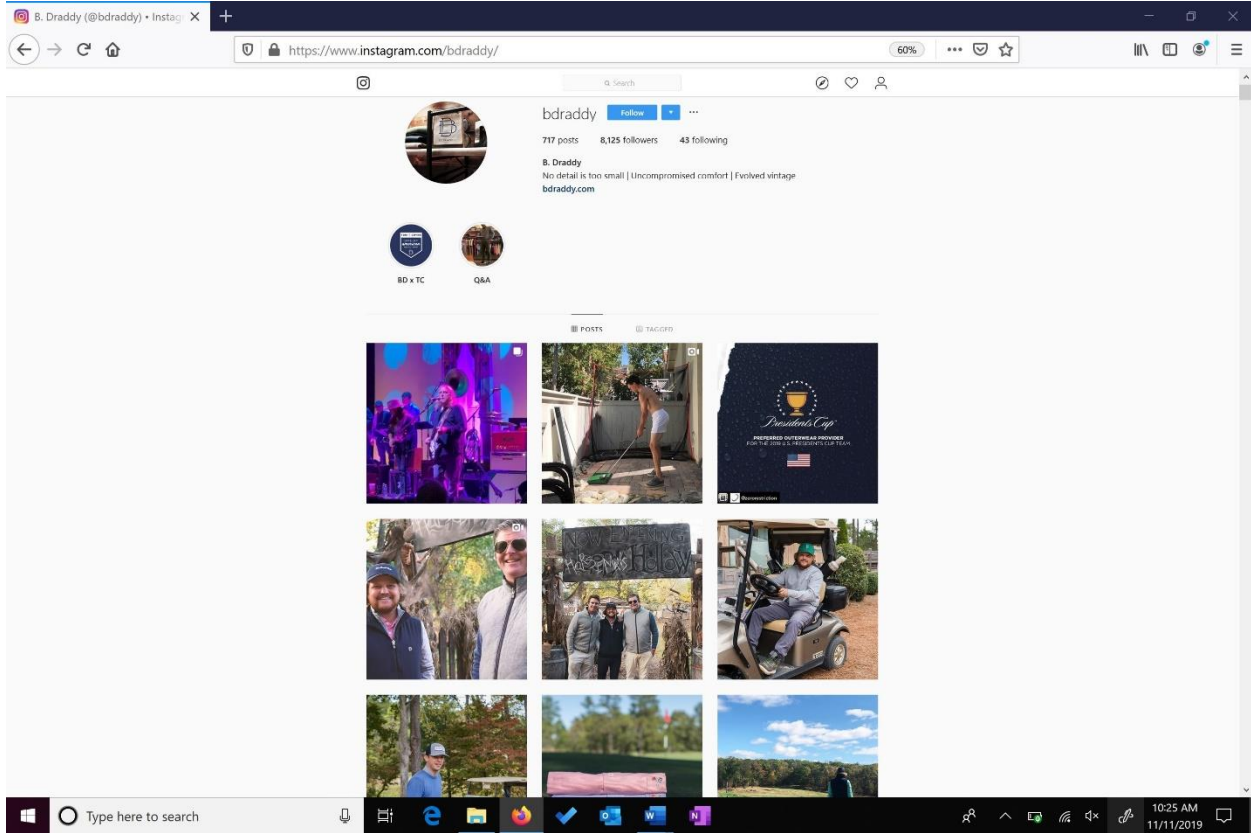
Two product images are displayed side-by-side. The left image shows a man wearing a peach-colored long-sleeve shirt and light-colored shorts. Below this image is the text "Khaki" and "BIG DADDY COOL SHORT" with a price of "\$89.00". A row of color swatches is visible below the product name.

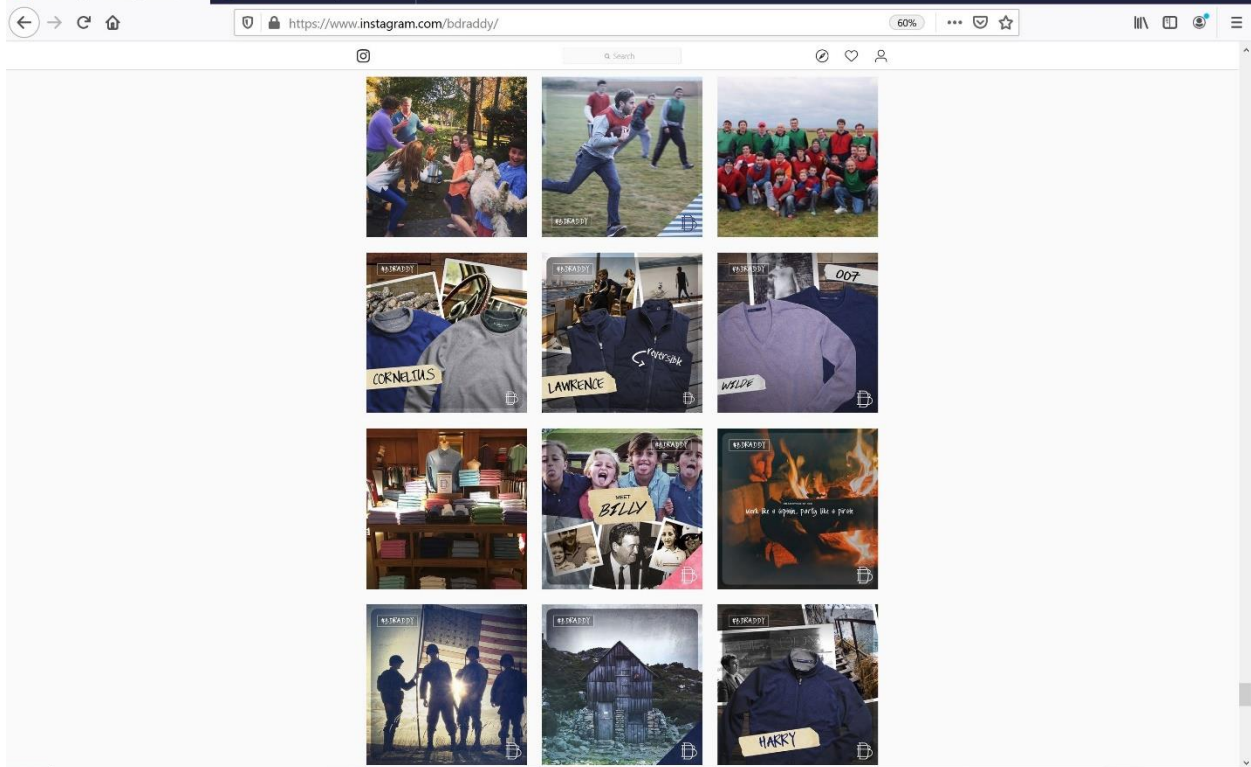
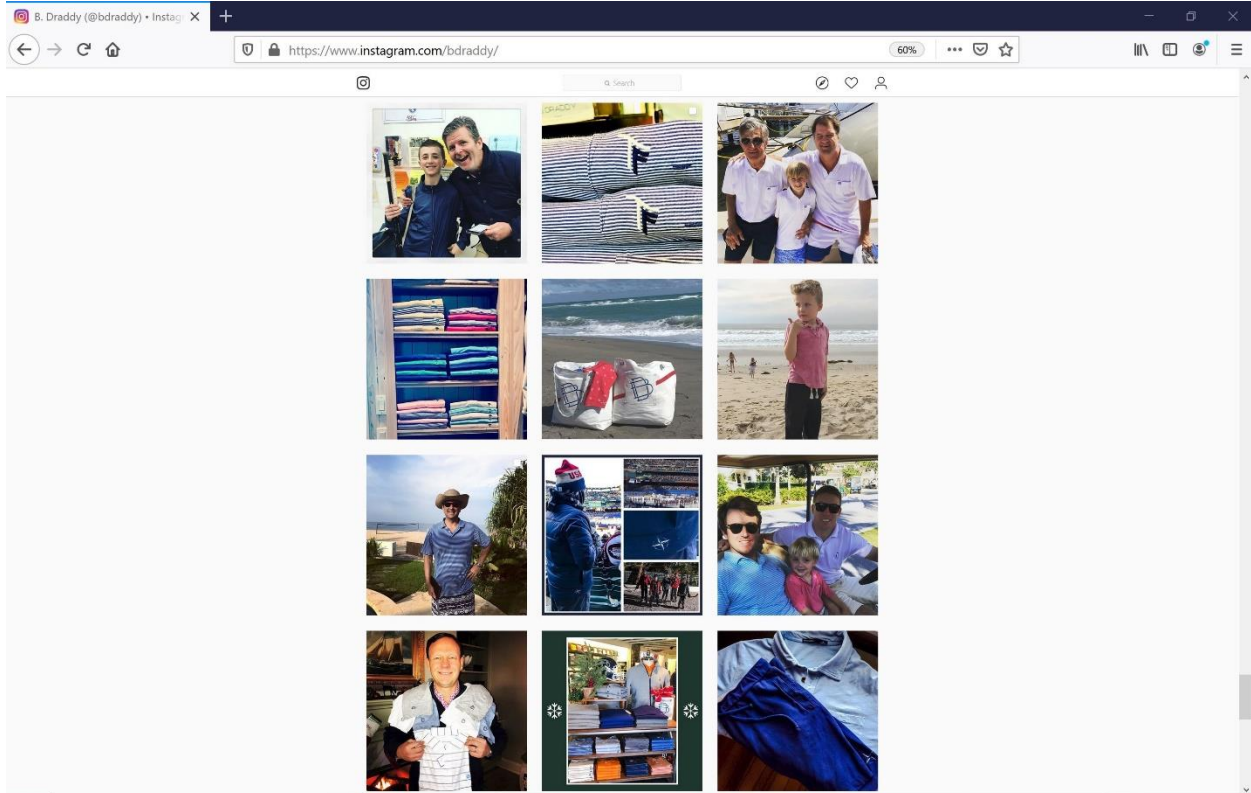
The right image shows a man wearing a blue long-sleeve shirt and grey shorts. Below this image is the text "Regal" and "FREE BIRD SHORT" with a price of "\$80.00". A row of two color swatches is visible below the product name.

The Windows taskbar at the bottom of the screenshot shows the search bar with the text "Type here to search", several application icons, and the system tray with the date and time "12:33 AM 10/30/2019".

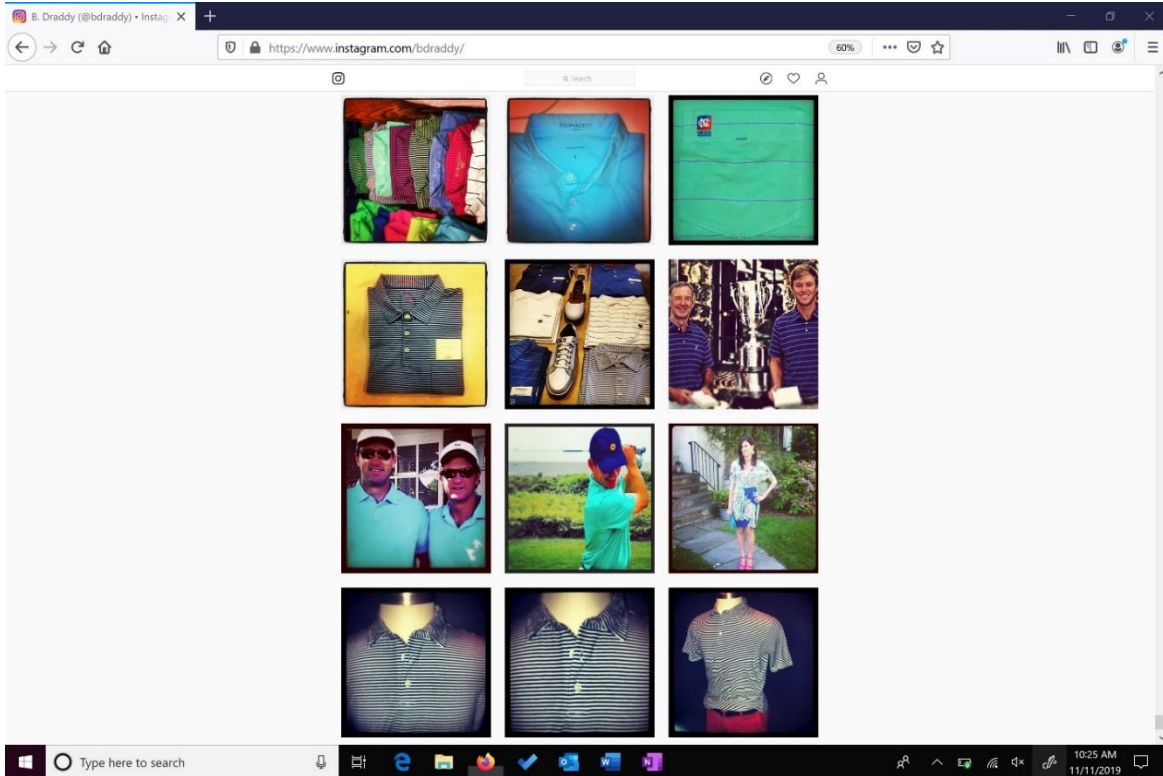
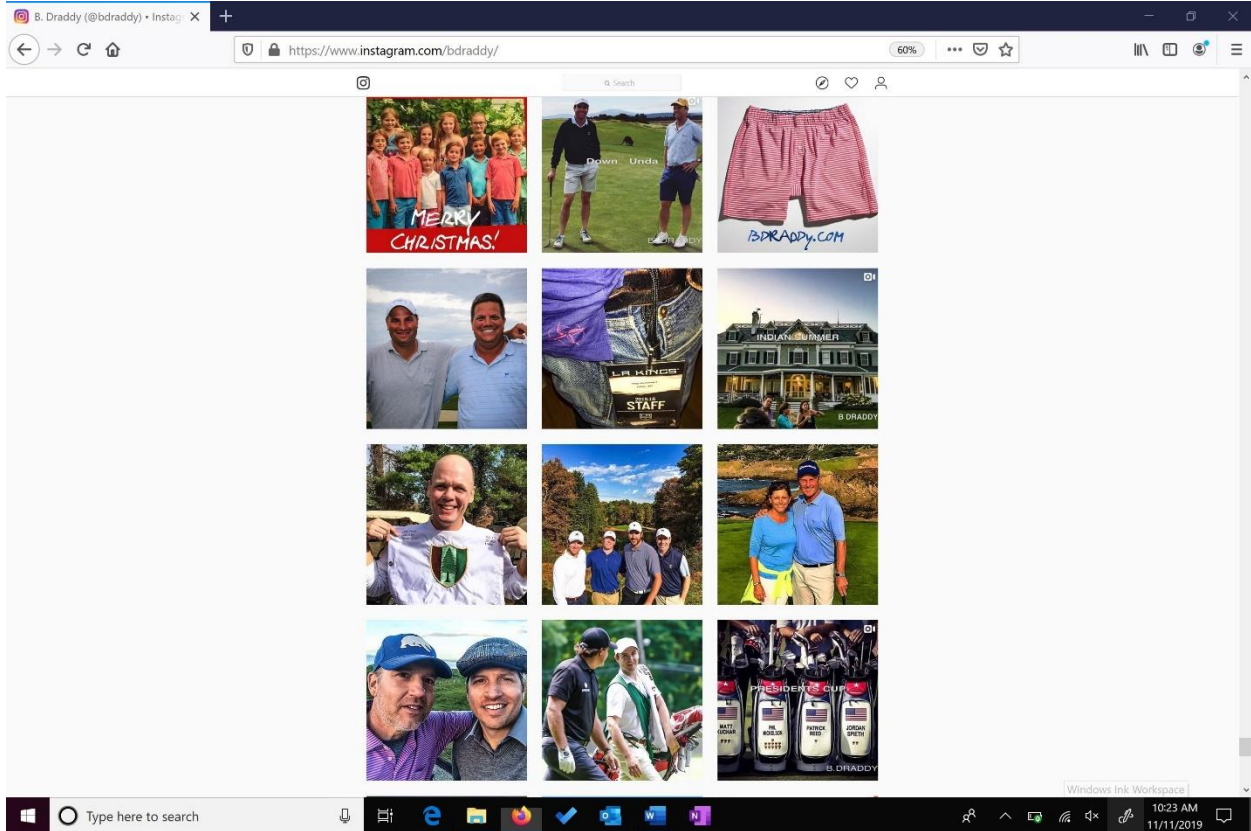
**Exhibit D**

*Screenshots from B.Draddy's Instagram Account (Cited Registration #1)*









**Exhibit E**

*Screenshot from boot-doc.com (Cited Registration #2)*

Home - BootDoc - Custom ins: X

https://www.boot-doc.com/en/index.html

CONTACT | BECOME A DEALER | COMPANY | DEALER LOGIN

LANGUAGES | Q

BOOTDOC TUNE YOUR FEET

HOTRONIC

PRODUCTS | DEALERS | NEWS | HEROES | SUPPORT

YOUR SPECIALIST FOR CUSTOMIZED ATHLETIC FOOTWEAR

**BOOTDOC**

designs individual solutions for active feet that guarantee excellent comfort and performance when taking part in sport. What sets BOOTDOC apart is the fact that it offers the most innovative analysis methods and develops products that are designed to meet the needs of each individual athlete. Athletes who challenge themselves daily while looking for advancements in development and technology. BOOTDOC strives to be a part of this journey by supporting their feet, and developing the tools for them to improve their performance.

**HOTRONIC**

designs and creates comfort and warmth solutions for active feet. With its offering of high quality components built upon the latest in technology, HOTRONIC meets the needs of the individual user. Heat Socks, Foot Warmers, and boot and glove dryers. HOTRONIC's goal is keeping feet warmer. Longer!

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Type here to search

11:57 PM 10/29/2019

**Exhibit F**

*Screenshots from boot-doc.com (Cited Registration #2)*



View all - Insoles - Products - E X

https://www.boot-doc.com/en/products/insoles/view-all-shoe-insoles-insoles-moldable-insoles-arch-su

CONTACT | BECOME A DEALER | COMPANY | DEALER LOGIN

LANGUAGES | Q

**BOOTDOC HOTRONIC**  
TUNE YOUR FEET

PRODUCTS DEALERS NEWS HEROES SUPPORT

**Filter**

APPLICATION RANGE

- Winter
- Hiking & Trekking
- Run & Multisport

PERFORMANCE LEVEL

- Performance
- Improve
- Basic

INSOLES

- View all
- Winter
- Rental insoles
- Hiking & trekking

**BD COMFORT S8 (LOW)**  
Size Chart: MP 23.0 - 31.0

**BD COMFORT S8 (MID)**  
Size Chart: MP 23.0 - 31.0

**BD COMFORT S8 (HIGH)**  
Size Chart: MP 23.0 - 31.0

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View all - Power Fit Socks - Pro X

https://www.boot-doc.com/en/products/power-fit-socks/view-all-64x38.html

CONTACT | BECOME A DEALER | COMPANY | DEALER LOGIN

LANGUAGES | Q

**BOOTDOC HOTRONIC**  
TUNE YOUR FEET

PRODUCTS DEALERS NEWS HEROES SUPPORT

**Filter**

APPLICATION RANGE

- Winter
- Hiking & Trekking
- Run & Multisport

PERFORMANCE LEVEL

- Performance
- Improve
- Basic

INSOLES

- View all
- Winter
- Rental insoles
- Hiking & trekking
- Run & Multisport

**BD SOCKS CUSTOM ALLYEAR SHORT**  
Size Chart: S-XL

**BD SOCKS CUSTOM ALLYEAR LONG**  
Size Chart: S-XL

**BD SOCKS TAPEVENE LIMEGREEN PFI 90**  
Size Chart: XS - XXL

**BD SOCKS**

**BD SOCKS**

**BD SOCKS**

12:02 AM 10/30/2019

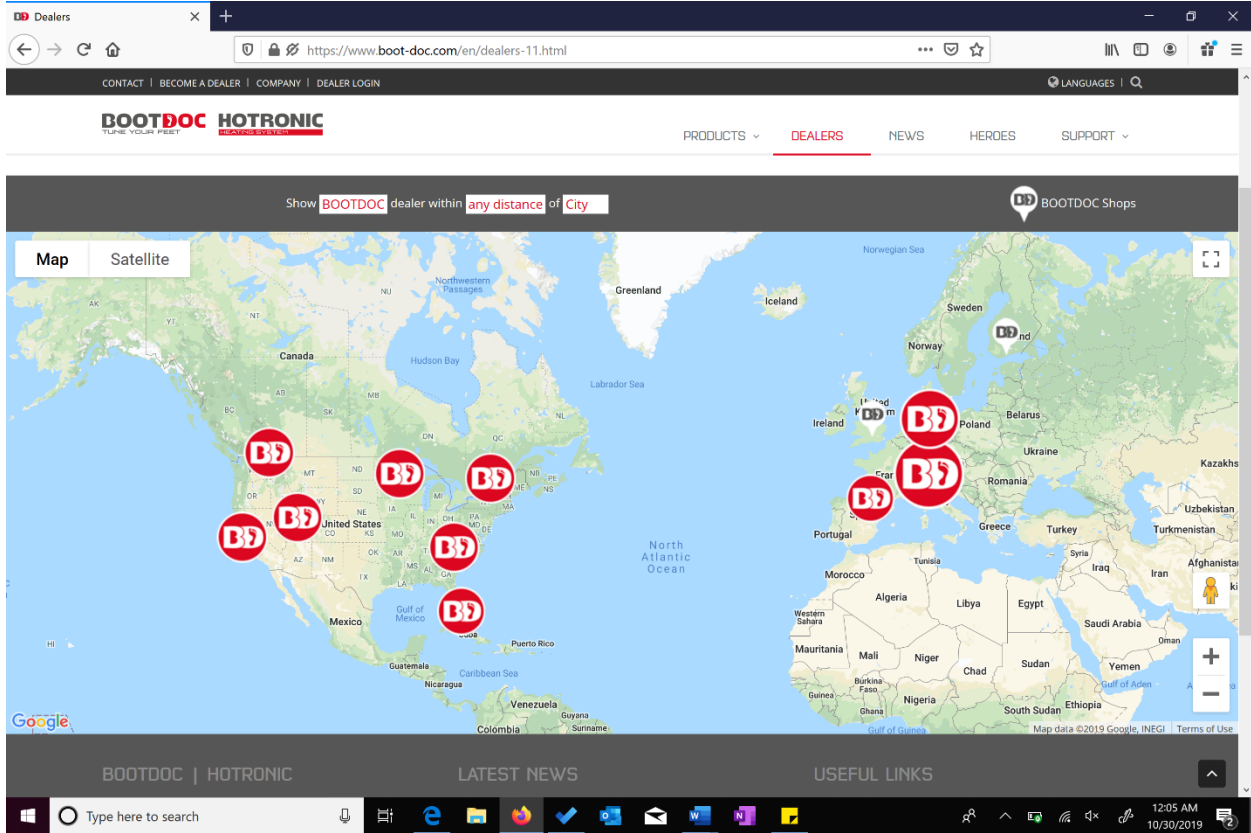
The screenshot displays the 'Foam Liners' product page on the Boot-Doc website. The browser address bar shows the URL: <https://www.boot-doc.com/en/products/foam-liners/view-all-65x38.html>. The website header includes the 'BOOTDOC HOTRONIC' logo and navigation links for 'PRODUCTS', 'DEALERS', 'NEWS', 'HEROES', and 'SUPPORT'. A 'Filter' sidebar on the left allows users to refine their search by 'APPLICATION RANGE' (Winter, Hiking & Trekking, Run & Multisport), 'PERFORMANCE LEVEL' (Performance, Improve, Basic), and 'INSOLES' (View all, Winter, Rental insoles, Hiking & trekking, Run & Multisport). The main product grid features six items:

- BD PERFORMANCE FOAM**: A black boot liner with a 'NEW' badge. Size Chart: 23.0 - 31.0.
- BD WORLDCUP FOAM**: A black boot liner. Size Chart: 23.0 - 31.0.
- BD COMFORT FOAM**: A black boot liner. Size Chart: 23.0 - 31.0.
- An unlabeled black boot liner.
- An unlabeled white boot liner.
- An unlabeled black insole.

The Windows taskbar at the bottom shows the system clock as 12:04 AM on 10/30/2019.

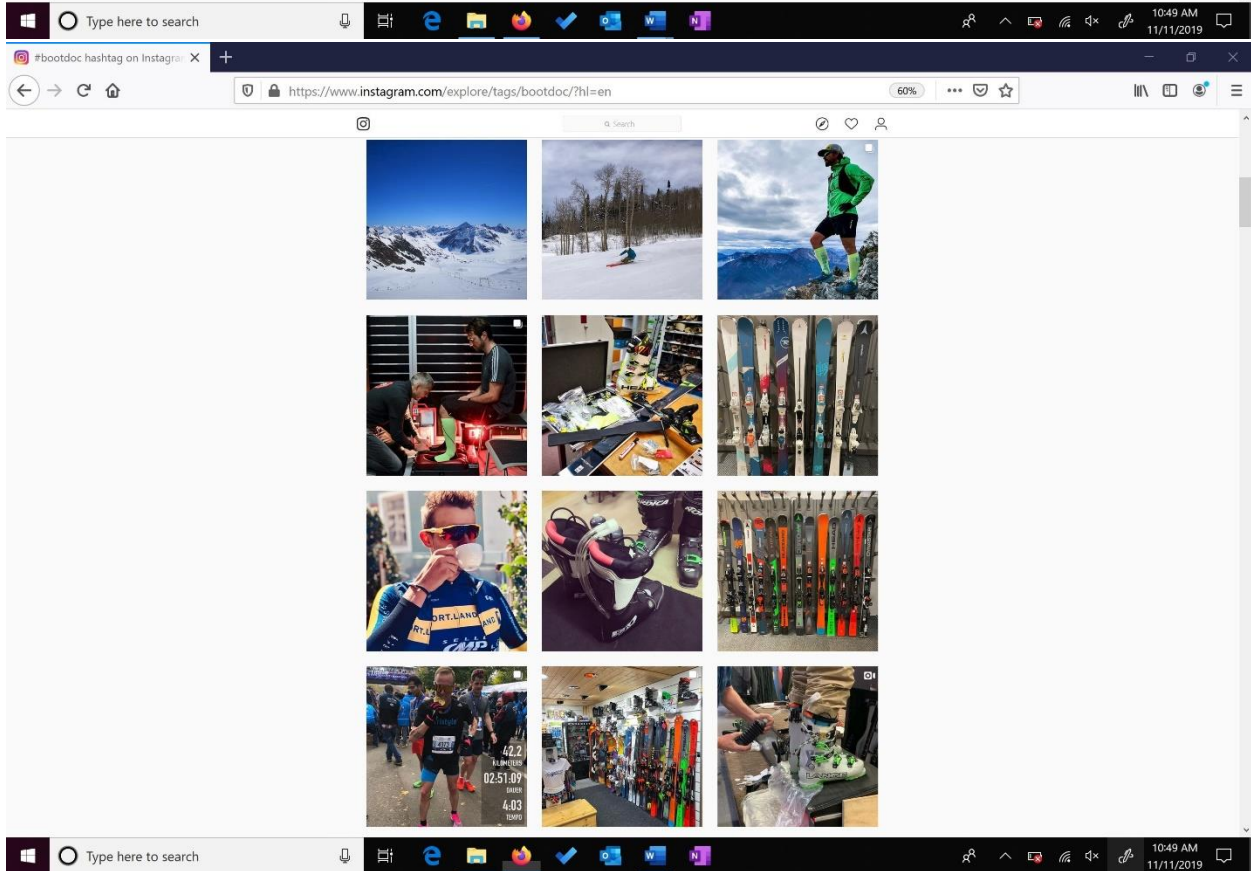
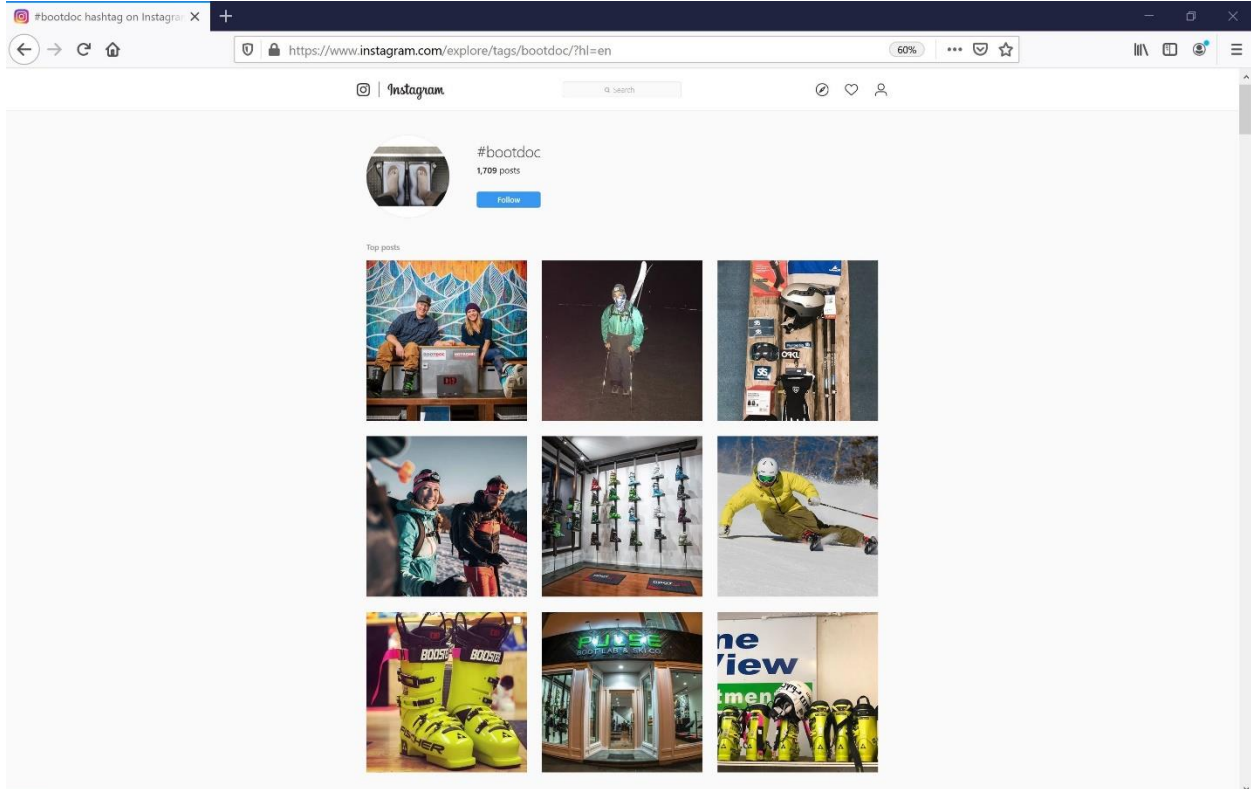
**Exhibit G**

*Screenshots from boot-doc.com (Cited Registration #2)*

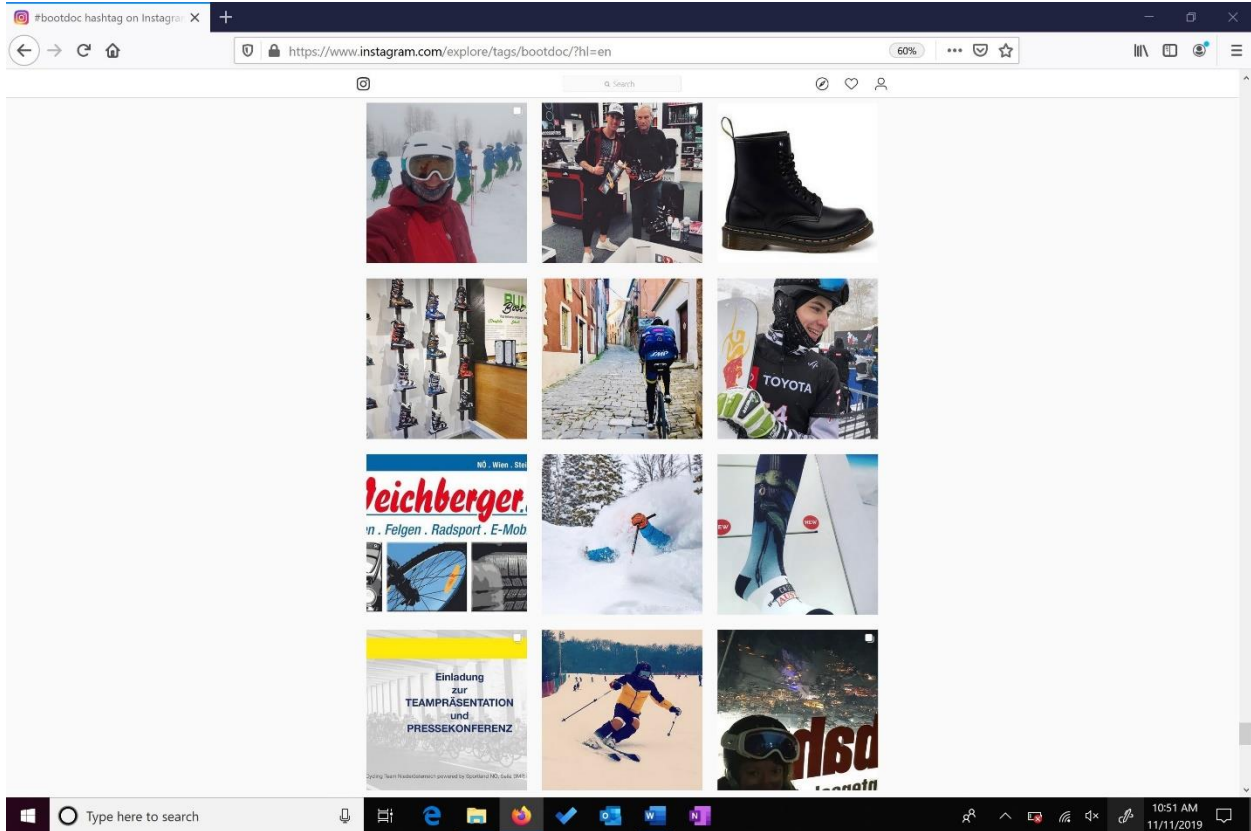
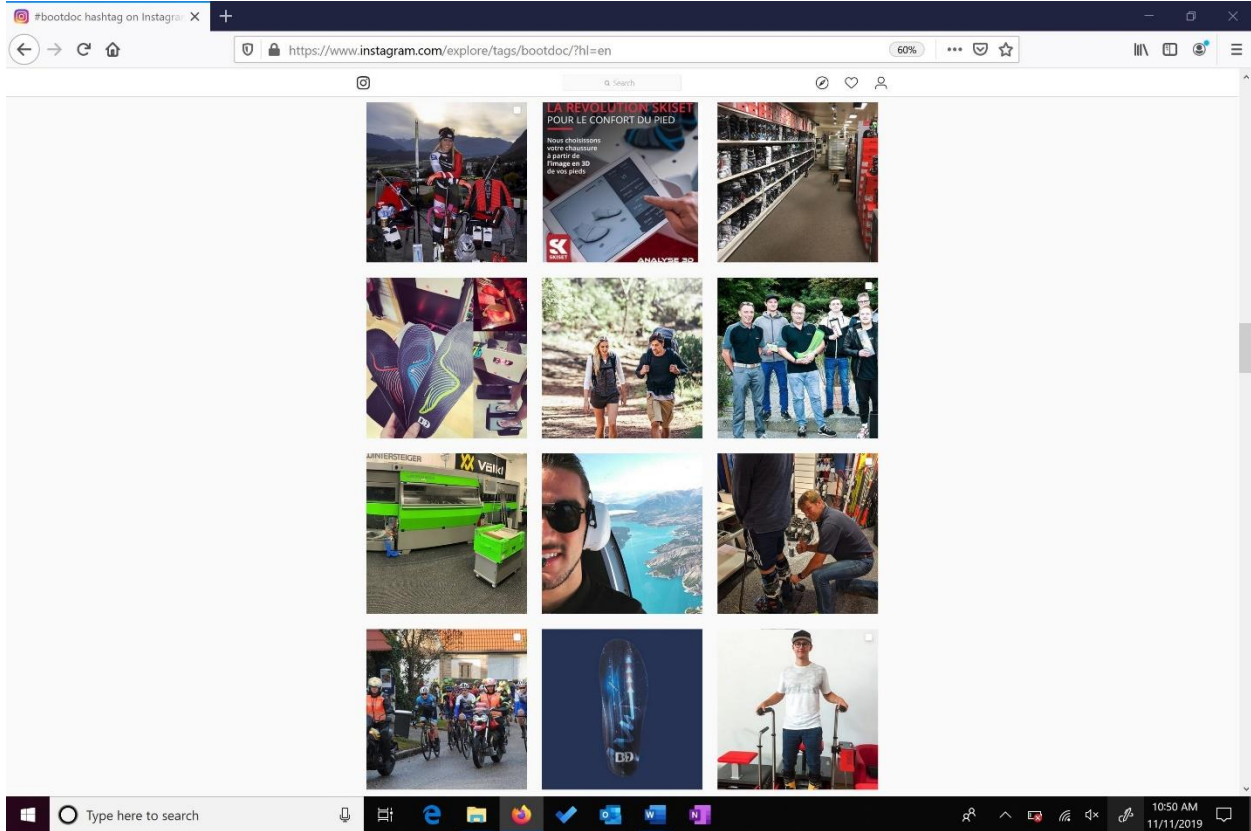


**Exhibit H**

*Screenshots of Instagram results for “#bootdoc”(Cited Registration #2)*



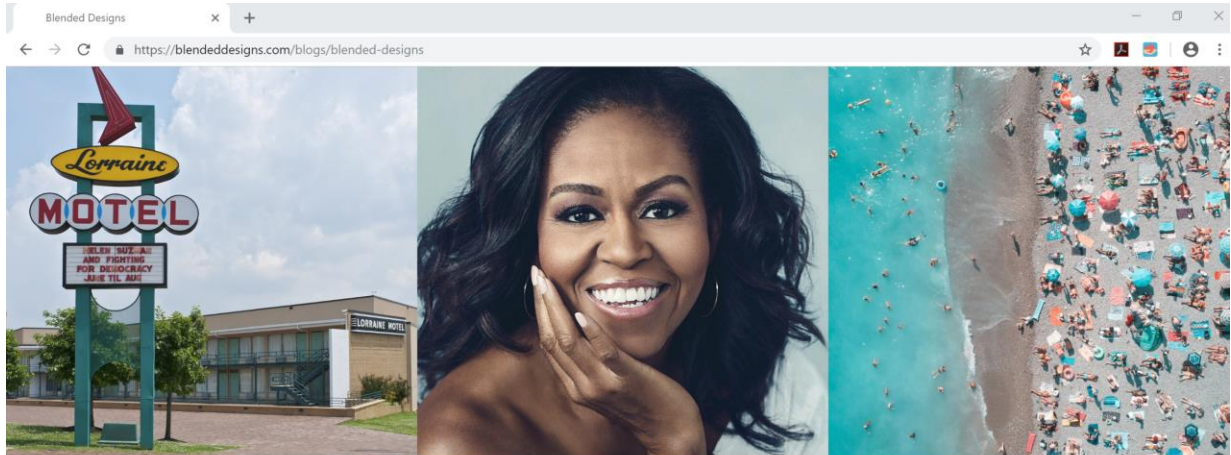




**Exhibit I**

*Screenshots from blendeddesigns.com (Subject Mark)*





### Top Civil Rights Museums in America

#### Learning Starts Here: Exploring Civil Rights from Past through Present

When you consider the purpose of a museum, you probably picture the perfect school field t...

[Read more](#)

Tags: Blended Designs, civil rights, civil rights movement, civil rights museums, empowerment, history, museums

### Women's History Month

#### 8 Amazing Black Women that Changed History

Here at BD, we know a thing or two about the importance of raising strong black women. As a female and black-owned bus...

[Read more](#)

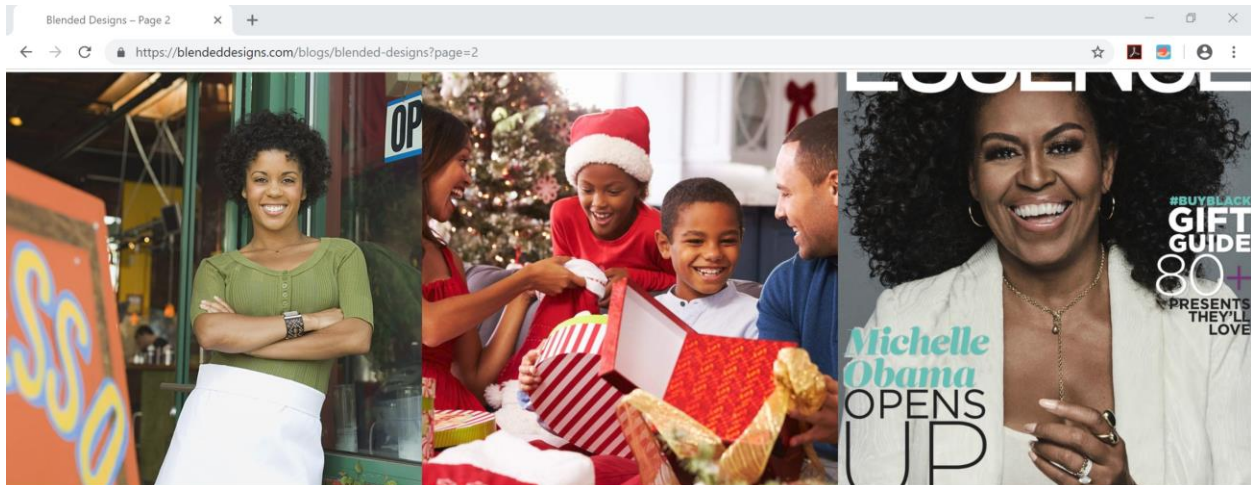
Tags: #BDSquad, #BlackExcellence, #BlackGirlMagic, #Ivinnatengarde, black history month, black women

### What Bag Matches Your Spring Break Destination?

With spring break right around the corner, make sure you are prepared for a week of fun by starting your packing list now. How will you choose the right bag to a...

[Read more](#)

Tags: Blended Designs, fashion, fashion trends, spring break 2019, spring break guide, spring break travel, spring travel, summer travel, totes, travel, travel bags,



### The Importance of Buying Black this Holiday Season

It's hard to imagine something more satisfying than watching a loved one's face light up as they open a gift they truly love, but there actually is. What's bette...

[Read more](#)

Tags: #BDSquad, #BuyBlack, 1954 Backpacks, Blended Designs, Casey Kelley, education, empowerment, squadgoals, strength

### Grab Your Holiday Gear ASAP!

It may be hard to believe, but the holiday season is upon us! With less than a month to go until the major gift-giving season, it's time to get serious about you...

[Read more](#)

Tags: #BuyBlack, #SquadGoals, 1954 Backpacks, 1954 by Blended Designs, gift guide, holiday shopping, sale

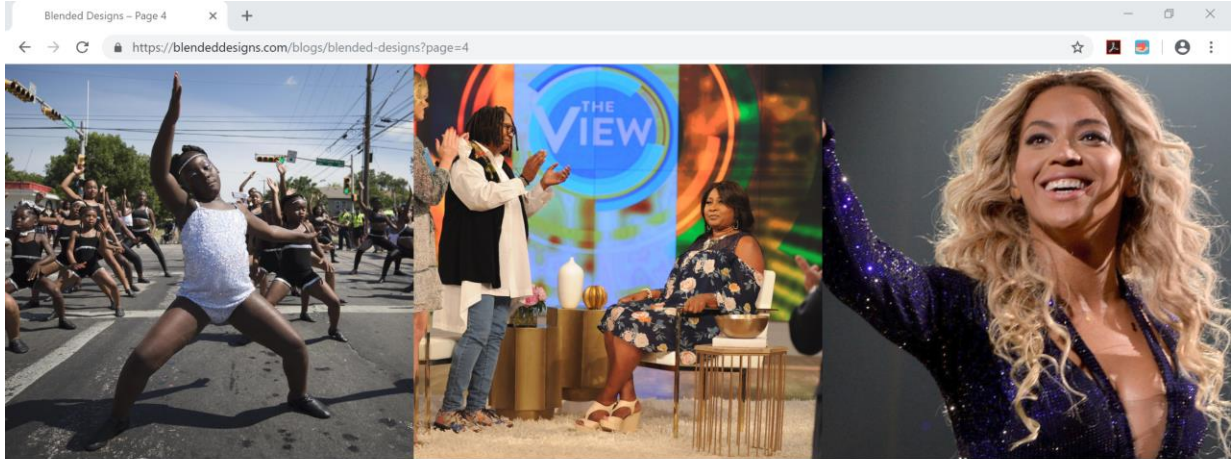
### Blended Designs in Essence Gift Guide

#### Official Gift Guide 2018 Top Pick

Blended Designs was featured in this month's Essence Magazine for top gift buying picks with a Lil Bougie Travel Bag and 1954 B...

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Tags: 1954, blended designs, essence, gifts, news



### Celebrating Juneteenth

It is our mission to educate black youth about representation as well as to empower these youths through the creation of school gear that encourages them to do t...

[Read more](#)

Tags: 1954, history, Juneteenth, news

### 1954 by Blended Designs Donates \$20,000 and Backpacks to Single Mom-Turned Community Caregiver

Letitia Conliffe provides love and care for kids in need at her own expense in a rural town in Texas. "The View" helps surprise her with a gift that will help he...

[Read more](#)

Tags: #BDSquad, 1954 Backpacks, 1954 by Blended Designs, Casey Kelley, The View

### Celebrating Black Music Month

On June 7, 1979, President Jimmy Carter hosted an event on the South Lawn at the White House, featuring performances from the likes of Chuck Berry, Little Richar...

[Read more](#)

Tags: entertainment, history, music, news

[Windows Ink Workspace](#)


**Exhibit J**

*Screenshot from <https://www.reuters.com/article/us-golf-pgachamp-diversity/diversity-remains-golfs-biggest-challenge-says-pga-of-america-ceo-idUSKBN1KT2OE>*

Diversity remains golf's biggest challenge, says PGA of America CEO

Steve Keating 3 MIN READ

ST. LOUIS (Reuters) - A quick glance at the entry sheet for this week's PGA Championship underscores the work that still needs to be done to make golf a more diverse sport as Tiger Woods is once again the sole African American in the 156-man field.



August 8, 2018; St. Louis, MO, USA; PGA of America chief executive officer Pete Bevacqua addresses the media in a press conference during the Wednesday practice round of the PGA Championship golf tournament at Bellevere Country Club. Mandatory Credit: Kyle Terada/USA TODAY Sports

Windows Ink Workspace 11:30 AM 11/11/2019

**Exhibit K**

Screenshot from <https://www.dallasnews.com/business/2018/12/09/with-nearly-all-white-membership-pga-of-america-looks-to-diversify/>



The screenshot shows a web browser window with the address bar displaying <https://www.dallasnews.com/business/2018/12/09/with-nearly-all-white-membership-pga-of->. The page content includes several paragraphs of text and a video player.

Yet nearly six decades after the group removed the "Caucasian-only" clause from its bylaws, its membership remains stubbornly monochromatic. It's 91 percent white and nearly 96 percent male.

In North Texas, the group will continue its efforts to boost diversity — in its ranks, among its suppliers and across the sport. Golf experts see it as a matter of self-preservation.

"With all the reports of a browning, so to speak, and females in America, I don't know why any industry would not want to align itself with that changing face of the nation," said Michael Cooper, chairman of a **diversity task force** launched by the World Golf Foundation, which promotes golf.

"For any industry that's trying to stay productive and ... to be frank, make money, why would you not want to avail yourself of that same changing demographic of America? It doesn't make sense economically."

Founded in 1916, the PGA of America is one of the largest golf organizations in the nation. Its 29,000 members and those seeking membership are largely professionals who make their living from the sport, from instructors and coaches to administrators and course managers. It is separate from the PGA Tour, a membership group of professional golfers that puts on more than 120 official tournaments.

PGA of America officials tick off a list of recent diversity-related accomplishments, beginning with the election last month of the group's first woman president — Suzy Whaley, who owns Suzy Whaley Golf in Cromwell, Conn., and is the PGA director of instruction at the Country Club of Mirasol in Palm Beach Gardens, Fla.

"I would tell you," she told *The Dallas Morning News* last week when asked to describe the makeup of her group, "it's heavily and predominantly currently white male."

The video player shows a woman speaking at a podium with the PGA logo in the background.

**Featured Articles**

- Even after you retire, it pays to save on investment fees
- Let the good times roll: Subprime auto lender Santander ramps up sales, especially in Texas

**Ad**

The ClipperPRO was invented by top surgeons to remove pain from clipping your nails.

YourGadgetExperts OPEN

Windows taskbar: Type here to search, 11:34 AM 11/11/2019

**Exhibit L**

Screenshot from <https://theundefeated.com/features/even-at-hbcu-black-golfers-are-in-the-minority/>

The screenshot shows a web browser window with the URL <https://theundefeated.com/features/even-at-hbcu-black-golfers-are-in-the-minority/>. The article title is "EVEN AT HBCUS, BLACK GOLFERS ARE IN THE MINORITY" in large, bold, white letters on a dark background. Below the title is a sub-headline: "As Tiger returns to the Masters, few blacks have followed his path into top flight golf". The author is identified as "BY MICHAEL A. FLETCHER @FLETCHPOST" with a date of "April 6, 2018". The article text begins with a large letter 'B' and discusses Bethune-Cookman University's success in the PGA Minority Collegiate Golf Championships. It notes that the men's team has won the Division I category four of the past five years, and the women have taken the top spot six years in a row. The text then discusses the lack of diversity in the sport, mentioning that Bethune-Cookman's golfers are not representative of the general population of HBCUs. It also references Tiger Woods' 1997 victory at the Masters and the subsequent decline in the number of top black golfers. The article concludes by mentioning Harold Varner III as the only other golfer with African American heritage on the PGA Tour.

Waiting for tps11032.doubleverify.com...

Type here to search

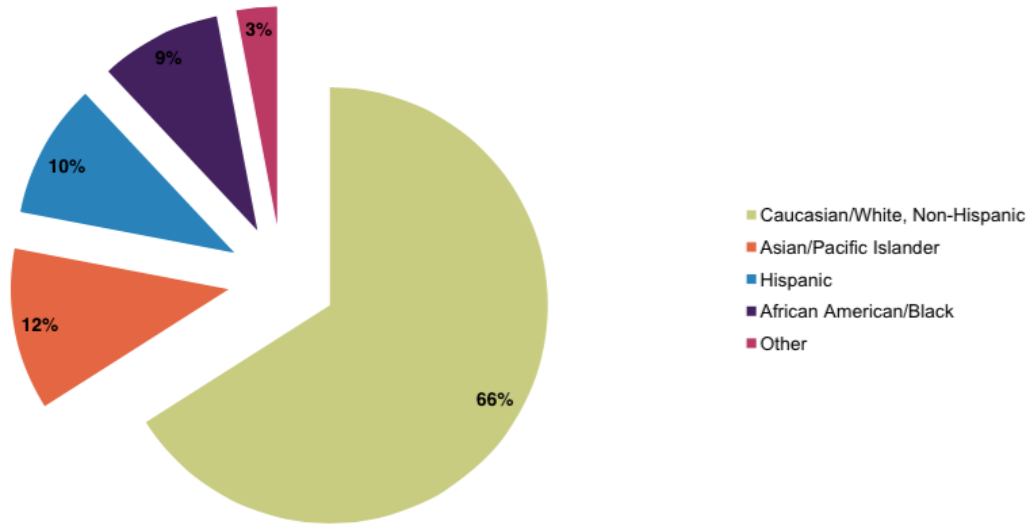
11:35 AM 11/11/2019



**Exhibit M**

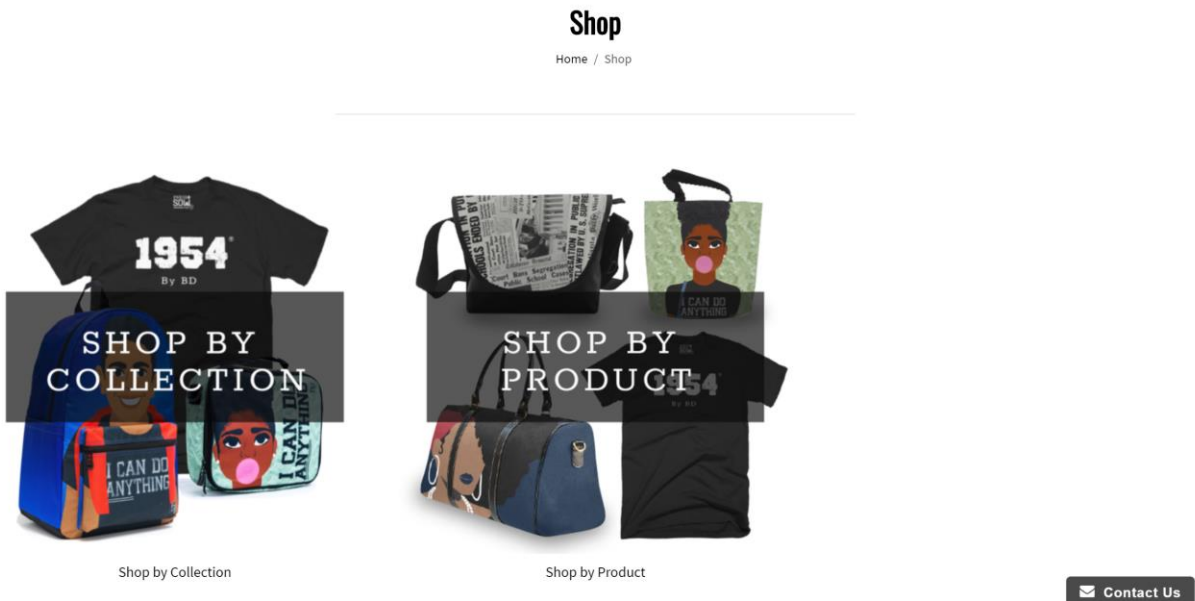
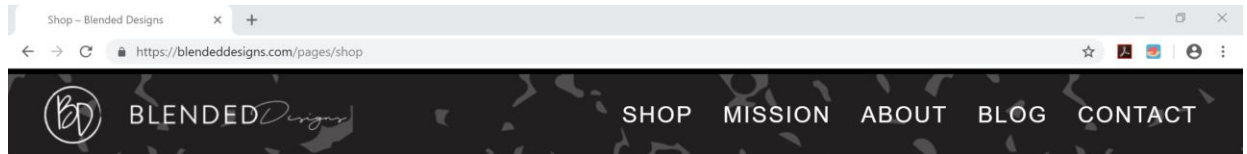
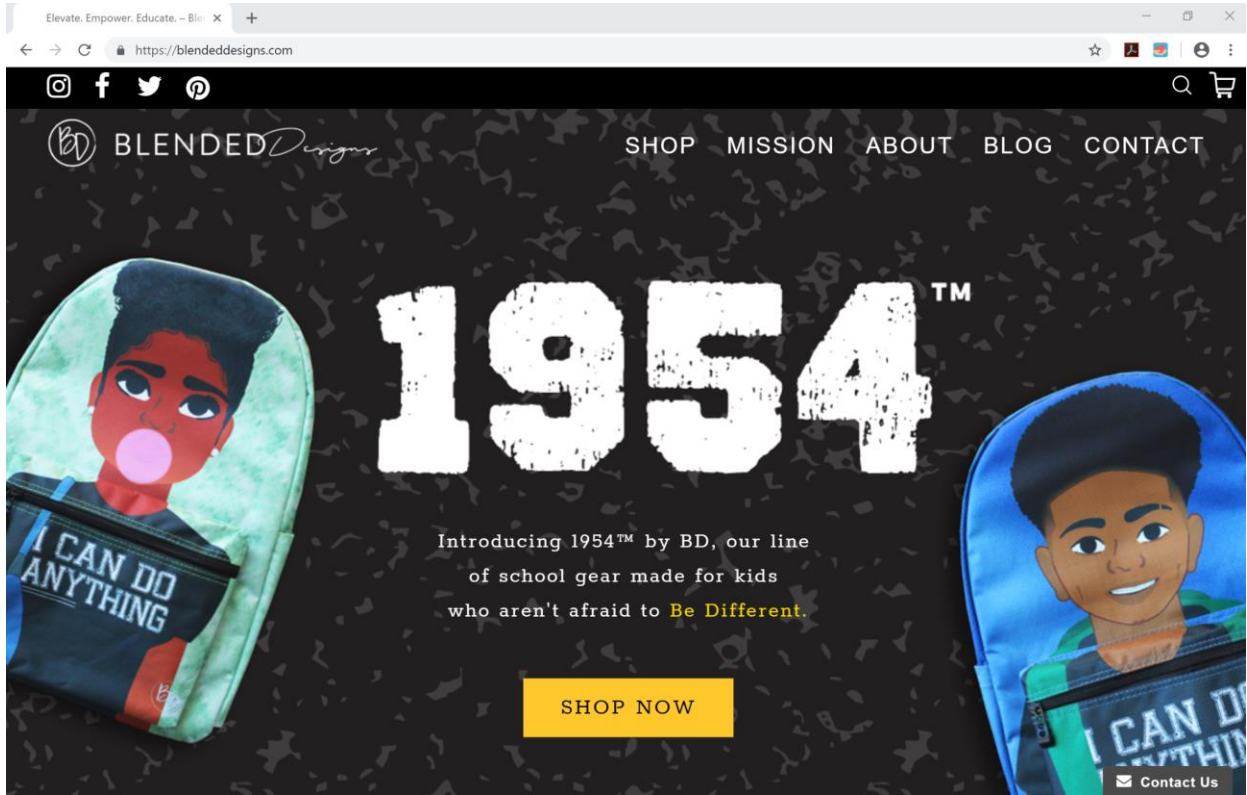
Chart from <https://www.tetongravity.com/story/culture/black-turns-matter-why-there-arent-more-african-americans-in-snow-sports>

# ETHNIC DEMOGRAPHICS












**Exhibit N**

*Screenshots from blendeddesigns.com (Subject Mark)*



The screenshot shows a web browser window with the URL <https://blendeddesigns.com>. The page features a grid of nine student profiles, each with a circular avatar, a short description, and a 'MEET [NAME]' button. The profiles are arranged in three rows and three columns. At the bottom right, there is a 'Contact Us' button with an envelope icon.

 <p>Smart, sassy, and fascinated by science, this girl's got it goin' on.</p> <p><b>MEET ZOE</b></p>	 <p>A little sweet and a little spice, Nicee is a friend you can count on!</p> <p><b>MEET NICEE</b></p>	 <p>Langston is our star athlete! Catch him studying between practices.</p> <p><b>MEET LANGSTON</b></p>
 <p>With his motivational skills, CJ is a leader on and off the field!</p> <p><b>MEET CJ</b></p>	 <p>Between choir, coding, and friends, Joy knows how to prioritize!</p> <p><b>MEET JOY</b></p>	 <p>Carter is always ready with a word of encouragement or a witty joke!</p> <p><b>MEET CARTER</b></p>
 <p>Arin is an entertainer! Meet this future director and leading lady.</p> <p><b>MEET ARIN</b></p>	 <p>Bryson's always in the band hall, working on his riffs.</p> <p><b>MEET BRYSON</b></p>	 <p>Our star on the court, Kaylen scores just as often in the classroom!</p> <p><b>MEET KAYLEN</b></p>

[Contact Us](#)