

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

August 27, 2010

Susan Kastriner Lawrence  
Trademark Examining Attorney  
Law Office 116  
United States Patent and Trademark Office

RE: Serial No: 77729478  
Mark: **YOUR MAPPER**  
Applicant: Michael F. Schnuerle  
Office Action Of: February 27, 2010

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**APPLICANT'S RESPONSE TO OFFICE ACTION**

The following is the response of the Applicant, Michael F. Schnuerle, by Counsel, to the Office Action sent via email on February 27, 2010, by Examining Attorney Susan Kastriner Lawrence.

**AMENDED RECITATION OF SERVICES**

Applicant amends the Recitation of Services to read as follows:

CLASS 042: Providing a website that gives users the ability to create customized web pages featuring user-defined information for a particular geographic area; providing customized online web pages featuring user-defined information regarding a particular geographic area, which includes search engines and online web links to other web sites; hosting an online interactive website featuring information regarding a particular geographic area; providing an interactive website featuring maps of particular geographic areas featuring data and information regarding that geographic area which may be organized and viewed in accordance to certain parameters

**DESCRIPTIVENESS REFUSAL**

The Examining Attorney has refused registration of the proposed mark YOUR MAPPER pursuant to Trademark Act Section 2(e)(1), 15 U.S.C. § 1052(e)(1), on the grounds that the mark merely describes Applicant's services. For the following reasons, Applicant respectfully

disagrees with the findings and requests that the Examining Attorney reconsider the statutory refusal and allow registration of Applicant's mark. Applicant incorporates the arguments and evidence submitted previously by reference.

The Examining Attorney cites the Board decision in *In re Time Solutions* for the proposition that the use of the term YOUR in conjunction with descriptive or generic subject matter has been held merely descriptive under section 2(e)(1). *See In re Time Solutions, Inc.* 33 USPA2d 1156 (TTAB 1994). However, the Board has since asserted that *In re Time Solutions* does not stand for the proposition "that whenever the word YOUR is combined with a term that is descriptive of a characteristic of the goods or services, the mark as a whole is merely descriptive." *In re TCL GOVIDEO*, Serial No. 78395320 at 4 (TTAB Aug. 2, 2006) (reversing descriptiveness refusal of YOURDVD for "DVD players and recording apparatus; portable digital audio players and video disk players; combination video players and recorders; and television sets.").

More recently, the Board concluded that the addition of a possessive adjective to an otherwise merely descriptive term can result in a mark which is not merely descriptive, and therefore registrable on the Principal Register. *See In re Scott McKeever*, Serial No. 78919885 (September 10, 2008). In *In re Scott McKeever*, the Board considered the application of the mark MY HORSE PLAYER for "providing information via a global computer network relating to handicapping of races and horse races." *Id.* The Board conceded that HORSE PLAYER, on its own, *may* have been merely descriptive of the Applicant's services. However, the Board concluded that the addition of the possessive MY required that potential consumers take the additional mental step of "understand[ing] that the mark does not refer to the user, that the goods or services are a software program or online service..." *Id.*

Here, Applicant seeks to register YOUR MAPPER for services including "a website that gives users the ability to create customized web pages featuring user-defined information for a particular geographic area". Like the word 'MY', 'YOUR' is a possessive adjective. *See* Exhibit A. Both MY and YOUR serve to modify "a noun by attributing possession (or other sense of belonging) to someone or something." *Id.* MAPPER is the noun form of the intransitive verb *map*, defined as 'to make a map'. *See* Exhibit B. MAPPER is directly defined as 'one who maps'. *See* Exhibit C. Like the mark in *Scott McKeever*, Applicant's mark requires users to make an additional mental step in order to associate the mark with Applicant's services. That is, users

must recognize that Applicant's mark does not identify 'one who maps', belonging to or in the possession of the user. Rather, Applicant's mark identifies an online service engaged in pursuits normally associated with 'mappers'.

The Examining Attorney misconstrues the effect of the word YOUR in the context of Applicant's mark, explaining that "purchasers will view the wording as a descriptive unitary phrase indicating that the services are intended to be customized by each user ... the term YOUR does not remove the mark from the realm of descriptiveness ... purchasers encountering the mark in the context of the actual services will immediately understand the proposed mark to identify the function of the services." Applicant does not contest that Applicant's services are, to a certain degree, 'customizable by each user'. However, Applicant contends that the word YOUR MAPPER will not be immediately understood as conveying the idea of 'customizable mapping services', but rather a MAPPER in the possession or ownership of the user. Because this connotation is at odds with Applicant's actual services, an additional mental step is required before a potential consumer would associate Applicant's mark with Applicant's services, and thus Applicant's mark is not merely descriptive.

When doubts exist as to whether a term is descriptive as applied to the goods or services for which registration is sought, it is the practice of the Trademark Trial and Appeal Board to resolve those doubts in favor of the Applicant, and allow the mark to register. *In re Grand Metropolitan Foodservice, Inc.*, 30 USPQ2d 1974 (TTAB 1994). Therefore, Applicant respectfully requests that the statutory refusal pursuant to Trademark Act §2(e) be withdrawn.

### **AQCUURED DISTINCTIVENESS**

In the alternative, Applicant amends the application to seek registration pursuant to Trademark Act Section 2(f), 15 U.S.C. § 1052(f), based on acquired distinctiveness. In contrast to an application initially based on Section 2(f), arguing acquired distinctiveness in the alternative in response to an Examining Attorney's refusal does not constitute a concession of descriptiveness. TMEP § 1212.02(c). **Note that if the Examining Attorney accepts Applicant's alternative claim of acquired distinctiveness, Applicant "should be given the option of publication under §2(f) or going forward with the appeal on the underlying refusal."** *Id.*

The degree to which a mark is descriptive dictates the evidentiary burden required to establish acquired distinctiveness. *See In re Boston Beer Co.*, 47 U.S.P.Q.2d 1914 (TTAB 1998) (explaining that “the greater the degree of descriptiveness a term or expression has, the more proof is required to establish acquired distinctiveness”). Here, even if the YOUR MAPPER mark is merely descriptive, it is a close case, and therefore, Applicant in this case does not face a high evidentiary burden successfully show acquired distinctiveness.

As evidence that Applicant’s YOUR MAPPER mark has acquired distinctiveness as an indicator of source, Applicant Michael Schnuerle has attached hereto a signed declaration with information and supporting exhibits showing the widespread use, promotion, and recognition of the YOUR MAPPER mark in connection with Applicant’s services.

Specifically, Applicant’s declaration demonstrates that Applicant’s YOUR MAPPER website and affiliated websites featuring the YOUR MAPPER mark have received more than a million page views from hundreds of thousands of unique visitors since Applicant began using the mark in November 2007, and the yourmapper.com itself has received approximately 26,000 unique visitors in the last month alone.

Furthermore, users have embedded 197 YOUR MAPPER-branded maps in websites hosted on more than 80 different web domains. The YOUR MAPPER embedded maps appearing on Applicant’s sites and those operated by third-parties have been accessed more than half a million times since November 2007.

Applicant’s YOUR MAPPER services have received significant professional recognition through prestigious organizations within the software community such as the Google Qualified Developer program and the NetSquared N2Y3 Mashup Challenge. YOUR MAPPER services have also been favorably reviewed by several relevant software publications.

As a result of the professional recognition, media attention, promotional efforts, broad base of users, and Applicant’s exclusive use of the YOUR MAPPER mark, there is no doubt that the YOUR MAPPER mark is perceived as an indication of source by consumers and users of the relevant services.

As a result of its widespread use by Applicant on the internet, its recognition within the development community and the extensive exposure achieved through both Applicant’s own websites and those of third parties, there is no doubt that the YOUR MAPPER mark is perceived as an indication of source by consumers and users of the relevant services. Therefore,

Applicant's YOUR MAPPER mark has acquired distinctiveness and should be allowed registration on the Principal Register.

The Applicant has responded to all issues raised in the Office Action. If any further information or response is required, please contact Applicant's attorney. The attorney may be reached by telephone at 703-525-8009.

**Attachment:** DECLARATION OF MICHAEL F. SCHNUERLE

**DECLARATION OF MICHAEL F. SCHNUERLE**

Serial No: 77729478  
Mark: **YOUR MAPPER**  
Applicant: Michael F. Schnuerle

I, Michael F. Schnuerle, declare under penalty of perjury as follows:

1. I am over the age of eighteen and competent to make this Declaration.
2. The facts stated in this Declaration are within my personal knowledge and are true.
3. I am the Applicant of record for the above referenced trademark application for the YOUR MAPPER mark.
4. I offer the services identified in the application under the YOUR MAPPER mark through my company Metro Mapper, LLC, of which I am the Founder and CEO. The YOUR MAPPER mark is used only with my permission and under my control.
5. The main website for the services offered under the YOUR MAPPER mark is available to the public at [www.yourmapper.com](http://www.yourmapper.com) (“YOUR MAPPER” website). At the YOUR MAPPER Website, the YOUR MAPPER mark appears on every page, including the top of the YOUR MAPPER Website’s home page. An image of the homepage at [yourmapper.com](http://yourmapper.com) is attached as Exhibit A.
6. The YOUR MAPPER Website describes the YOUR MAPPER services, shows examples of maps created by YOUR MAPPER, provides links to other sites using YOUR MAPPER services, and informs visitors about the YOUR MAPPER blogs, twitter feed, and affiliated sites.
7. Since the YOUR MAPPER Website launched in November 2007, the site has received more than 82,000 visits from more than 71,000 unique visitors resulting in nearly 172,000 page views. In the past month alone, approximately 26,000 unique users made 27,000 visits to the site resulting in more than 50,000 page views.
8. I also operate several affiliated websites that present maps and other information created using YOUR MAPPER services featuring the YOUR MAPPER mark. These affiliated websites include Metro Mapper ([www.metromapper.org](http://www.metromapper.org)); Gov Mapper ([www.govmapper.com](http://www.govmapper.com));

NYC Big Maps ([www.nycbigmaps.com](http://www.nycbigmaps.com)); the YOUR MAPPER blog ([blog.yourmapper.com](http://blog.yourmapper.com)); and the Metro Mapper blog ([metromapper.blogspot.com](http://metromapper.blogspot.com)).

9. Each of these affiliated websites is available to the public and clearly identifies the source of the mapping services as YOUR MAPPER. For example, Exhibit B is an image from [www.nycbigmaps.com](http://www.nycbigmaps.com) that shows a representative example of how YOUR MAPPER services are featured on these affiliated websites. The YOUR MAPPER mark and logo clearly appear in the bottom right corner of the embedded map page. *Id.*

10. The YOUR MAPPER affiliated websites have received significant traffic, creating additional exposure for the YOUR MAPPER mark and services. For example, since November 2007 [www.metromapper.com](http://www.metromapper.com) alone has received nearly 569,000 visits from more than 105,000 unique visitors resulting in more than 1.1 million page views. In addition, the other YOUR MAPPER affiliated websites have generated 12,800 visits from more than 10,000 unique visitors since November 2007.

11. The YOUR MAPPER mark is also encountered by users when the YOUR MAPPER services are embedded in third-party websites. For example, a YOUR MAPPER embedded map is used by the Jefferson County (KY) Property Valuation Administrator's web page at ([jeffersonpva.ky.gov](http://jeffersonpva.ky.gov)) to display home value data. *See* Exhibit C. Likewise, at [www.joehaydenrealtor.com](http://www.joehaydenrealtor.com) a Realtor uses a YOUR MAPPER embedded map to provide his clients with crime report data. *See* Exhibit D. As in these examples, whenever a third-party uses a YOUR MAPPER embedded map in their web page, the YOUR MAPPER mark and logo is displayed each time the page is accessed.

12. More than 197 unique maps from YOUR MAPPER have been embedded in third-party websites which are hosted across more than 80 unique domain names. The vast majority of these embedded maps are available to the public. I estimate that YOUR MAPPER embedded maps have been viewed approximately 166,000 times through third-party websites. In the last month there have been approximately 22,000 views of YOUR MAPPER embedded maps bearing the YOUR MAPPER mark.

13. In total, YOUR MAPPER embedded maps bearing the YOUR MAPPER mark have been accessed through the YOUR MAPPER Website, my affiliated YOUR MAPPER sites, and third-party sites more than 545,000 times since November 2007.

14. YOUR MAPPER services have also received significant professional recognition within the online software development community. YOUR MAPPER has been certified as a Google Qualified Developer since December 2009 and has been listed in the Google Developer Directory since it opened in March 2010. *See* Exhibit E. The Google Qualified Developer program was “designed to recognize Google API and developer tools experts, and to provide those in need of development support with a directory of trusted references.” *See* (<http://code.google.com/qualify/>). As of August 26, 2010, YOUR MAPPER is one of only 20 software developers in the US and 71 worldwide to earn recognition as a Google Qualified Developer. *See* (<http://code.google.com/qualify/directory.html>).

15. YOUR MAPPER is also listed in the Google Apps Marketplace. *See* Exhibit F. YOUR MAPPER is currently the highest rated provider of GeoSpatial Solutions in the Google Apps Marketplace. *See* Exhibit G. Notably, YOUR MAPPER is one of the only two developers in the US (and one of 9 in the world) in the Google Apps Marketplace who is also a Google Qualified Maps Developer. *See* (<https://www.google.com/enterprise/marketplace/home>). This has resulted in valuable exposure and recognition among potential clients looking for GeoSpatial Services such as those offered under the YOUR MAPPER mark.

16. Furthermore, YOUR MAPPER services were received enough votes from the public to be one of 21 “Featured Project” finalists in the prestigious NetSquared N2Y3 Mashup Challenge, aimed at promoting Web-based tools that can address social issues affecting communities. Information about the N2Y3 Mashup Challenge can be found at (<http://netsquared.org/challenges/n2y3-mashup-2008/n2y3-featured-projects>). The selection of YOUR MAPPER was covered in the Louisville Courier-Journal article attached as Exhibit H.

17. As a Featured Project finalist, YOUR MAPPER had a booth at 2008 NetSquared conference, served as a panelist at the conference, and gave opening and closing presentations before more than 1,000 software industry attendees. Coverage of YOUR MAPPER’s participation in the NetSquared conference and competition can be found at (<http://www.netsquared.org/tags/your-mapper>).

18. The services offered under the YOUR MAPPER mark have also been widely promoted online. For example, web advertising campaigns featuring the YOUR MAPPER mark have had more than 430,000 unique views through Google Adwords and Facebook. In addition, YOUR MAPPER receives significant exposure from its presence in relevant technical directories

such as *programmableweb* (<http://www.programmableweb.com/mashup/your-mapper>) and CrunchBase (<http://www.crunchbase.com/company/your-mapper>).

19. YOUR MAPPER services have also received favorable coverage and reviews from internet publications dedicated to topics relevant to consumers of YOUR MAPPER services. For example, *usefultools.com* reported that YOUR MAPPER's services are "attractive and easy to use, and it's cool that you can take their maps and embed them onto your own site." See (<http://www.usefultools.com/2009/10/local-data-at-your-fingertips/>). *Social Media Explorer* reported that we are "suddenly becoming important players in the race to have the world's largest online mapping platform." See (<http://www.socialmediaexplorer.com/2009/07/29/yourmappercom-quietly-building-worlds-largest-map-mashup-platform/>). Likewise, *googlemapsmania.com* listed YOUR MAPPER among "game changing web concepts that have helped to bring geographic relevancy to millions of points of information." See (<http://googlemapsmania.blogspot.com/2008/06/google-maps-mashup-award-winners.html>).

20. I am also the exclusive user of the YOUR MAPPER mark on the services identified in the application, and the YOUR MAPPER mark has achieved consistently high rankings in search results for the words "your mapper" through several search engines. For example, YOUR MAPPER services are currently the first result returned from a search for "your mapper" through the Bing, Yahoo, or Google search engines. Furthermore, 47 of the first 50 results from Bing refer to the YOUR MAPPER mark, the first 15 results in Google refer to the YOUR MAPPER mark, and the first 2 pages of Yahoo results refer to the YOUR MAPPER mark.

21. As a result of the above described professional recognition, media attention, promotional efforts, broad base of users, and my exclusive use of the YOUR MAPPER mark; consumers and users of the relevant services understand YOUR MAPPER to identify the source of the services I offer under the mark.

The undersigned, 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, declares

that all statements made of his or her own knowledge are true and that all statements made on information are believed to be true.

MICHAEL F. SCHNUERLE

Michael F. Schnuerle

Signature

Michael F. Schnuerle

Name

Founder + CEO

Title

August 27, 2010

Date

# DECLARATION OF MICHAEL F. SCHNUERLE

## EXHIBIT A:

The screenshot shows the homepage of the Your Mapper website. At the top, there is a navigation menu with links for 'Blog', 'Store', 'Help', and 'Contact'. Below this is a search bar and a 'Search' button. The main content area is divided into several sections:

- Google Maps Qualified Developer:** A yellow banner with the text: "Your Mapper is one of only two companies in the US (9 in the world) to be both a Google Qualified Developer and in the Google Apps Marketplace! If you use our free services, please write a review on our Google Apps Listing (bottom of page)." Below this is a 'Register' button.
- Your Location:** A blue box with a search bar containing "Silver Spring Maryland" and a red 'Explore Maps' button.
- Map List:** A section titled 'National' with a list of map categories, each with a small icon and a link: 'Historic Sites', 'Bridges Safety', 'Meth Labs', 'Public Schools', 'Toxic Pollution Emissions', 'Anchorage, AK', and 'CA'.
- Your Mapper:** A section with a login/register form (Username, Password, Login, Register) and a paragraph: "The goal of the Your Mapper online mapping application is to publish free interactive maps from public and private data sources to be the most effective platform for bringing your community high quality, local data on maps. We use our local community reporters & correspondents to gather and compile our news reports. Our desire is that our free platform will allow open access to valuable..."
- Mobile:** A blue box with the text "Access everything on the go" and a 'Mobile' button.
- Store:** A blue box with the text "Support Us" and a 'Store' button.
- Clients:** A blue box with the text "Live Sites" and a 'Clients' button.
- Have Data?:** A blue box with the text "Turn Your Data into Maps" and a 'Have Data?' button.
- Embed:** A blue box with the text "On Your Site" and an 'Embed' button.
- API:** A blue box with the text "For Developers" and an 'API' button.
- Blog Updates:** A section with a 'Blog RSS Feed' button and a list of recent blog posts: "Google Apps Marketplace Listing: The Only Qualified US Developer Outside of California" (March 23, 2010) and "Google launched their re-brand" (March 23, 2010).

The footer of the page contains a 'Feedback' link and a 'Find:' search bar.

**Navigation**  
Restaurant Inspections

- [Interactive Map](#)
- [Heatmaps](#)
- [Mobile](#)

**Map Key**

Click to filter map by category.

Marker	Category
	Zero Violations
	Minor Violations
	Critical Violations

**New York Restaurant Health Inspections**

New York City Department of Health's inspections across 5 boroughs since Jan 2008 (22,440 restaurants).

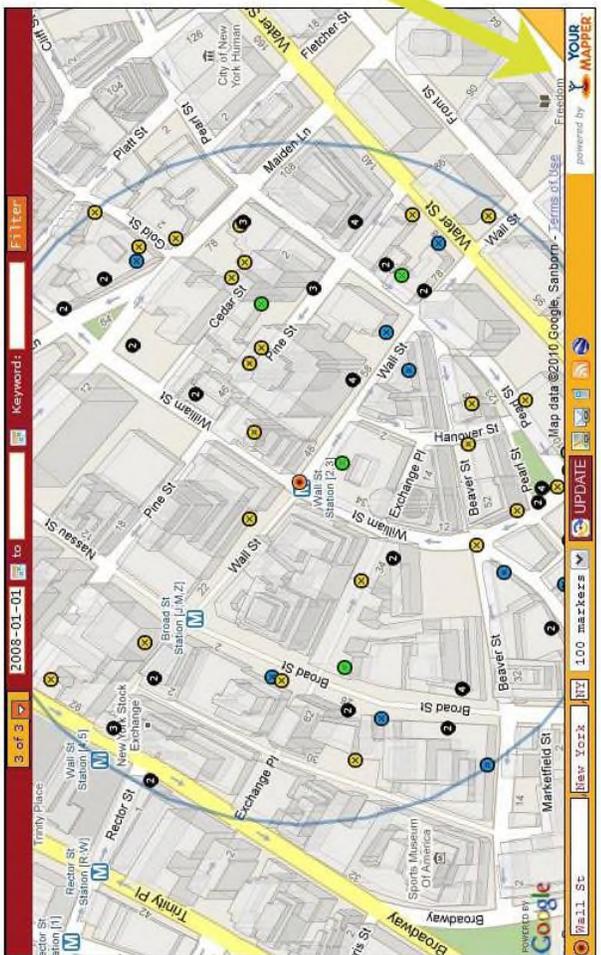
Data source: NYC DataMine - Restaurant inspection results from Department of Health and Mental Hygiene (DOHMH)

**Interactive Map**

At the top of the map, limit your results by category, date range, or keyword and then press 'Filter.'

At the bottom of the map, type in a new address, zip code, or intersection and press 'Update' to see the closest locations to you.

By default, the map is centered at Broadway in Manhattan. *Sample Locations:*  
1697 Broadway, New York, NY, Grand Ave and Flushing Ave, Maspeth, NY, or 11201, Brooklyn, NY.



**DECLARATION OF MICHAEL F. SCHNUERLE**

**EXHIBIT B:**

# DECLARATION OF MICHAEL F. SCHNUERLE

## EXHIBIT C:

Jefferson County Property Valuation Administrator

PROPERTY ASSESSMENT ▾ FORMS & TOOLS ▾

YOU ARE HERE: Home » Forms & Tools » Property Values Map

### Property Values Map

Here is a map of all property values in Jefferson County. Type in a new address below the map to recenter the search to your area. The maps will show the closest 100 properties to you.



The screenshot shows a web application for the Jefferson County Property Valuation Administrator. At the top, there is a navigation menu with links for 'About PVA', 'Community Links', 'Contact Us', 'LOG IN', and 'How Do I...'. A blue banner on the left says 'SUBSCRIBE NOW!' and provides instructions to search for properties by address, parcel ID, or owner. Below this is a 'PROPERTY ASSESSMENT' dropdown menu and a 'FORMS & TOOLS' dropdown menu. The 'FORMS & TOOLS' menu is expanded, showing a list of options: 'Affidavit for Total Disability Verification', 'Appeal Process Form', 'Disability Exemption Explanation and Applications', 'Employment Applications', 'Mobile Homes Location Report', 'Residential Property Comparison Worksheet', 'Homestead Exemption Explanation and Application', 'Personal Property Tax Forms and Instructions', 'Non Profit Organization Exemption from Property Tax', 'Agricultural & Horticultural Exemption', 'Religious Organization Exemption from Property Tax Application', 'Residential Property Change of Address Form', 'Commercial Property Change of Address Form', 'Commercial Income and Expense Worksheet', 'Public Records Request Form', and 'Jefferson County Stats'. A yellow arrow points to the 'Public Records Request Form' option. Below the menu is a 'Property Values Map' section with a search box and a 'Filter' button. The map itself shows a satellite view of a residential area with various colored markers (blue, orange, purple) indicating property values. The map interface includes a search bar, a 'Keyword' field, and a 'Filter' button. The map is powered by 'YOUR MAPPER' and includes a 'Map Key' link.

SECTION NAVIGATION  
**FORMS & TOOLS**

**Our Forms**

- Affidavit for Total Disability Verification
- Appeal Process Form
- Disability Exemption Explanation and Applications
- Employment Applications
- Mobile Homes Location Report
- Residential Property Comparison Worksheet
- Homestead Exemption Explanation and Application
- Personal Property Tax Forms and Instructions
- Non Profit Organization Exemption from Property Tax
- Agricultural & Horticultural Exemption
- Religious Organization Exemption from Property Tax Application
- Residential Property Change of Address Form
- Commercial Property Change of Address Form
- Commercial Income and Expense Worksheet
- Public Records Request Form
- Jefferson County Stats

Property Values Map

**DECLARATION OF MICHAEL F. SCHNUERLE**

**EXHIBIT D:**

Home | Site Map | Contact Me | **Questions? Call 502-641-3776**

Property Search | Buyers | Sellers | Community Info | Blog | About

## Joe Hayden YOUR REAL ESTATE EXPERT REALTOR®

### Louisville, KY Crime Map

View Louisville, KY crime reports by using this interactive crime map from [Your Mapper](#). To use the interactive crime report map, first input a starting address at the top and then select "update". The map will then display all of the known current crime reports in your area. Click on the individual icons to view the details.

These crime reports come directly from the Louisville Metro Police Department and are believed to be accurate. To learn more about crime in the Louisville, KY area, [contact Joe Hayden](#).

#### Searching for your Dream Home?

*The Professional Buyer's Agents of the Joe Hayden Real Estate Team Can Help!*

- FIND YOUR DREAM HOME
- EXPERT GUIDE FOR BUYERS
- BENEFITS OF BUYER'S AGENCY
- LOCAL CRIME REPORTS
- INFO ABOUT LOCAL SCHOOLS
- CONTACT JOE HAYDEN

#### Quick Search

Area	Subdivision	MLS #
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# DECLARATION OF MICHAEL F. SCHNUERLE

## EXHIBIT E:

The screenshot shows a web browser window displaying the Google Developer Directory page for Michael F. Schnuerle. The browser's address bar shows the URL: <http://code.google.com/qualify/directory.html>. The page header includes the Google logo, the text "Developer Directory", and navigation links for "Home", "Details", "FAQ", and "Terms".

The main content area is titled "Developer Qualification" and features a search bar with the placeholder text "e.g. 'ajax apis' or 'open source'". Below the search bar, the text reads: "Working with Google's worldwide network of Qualified Developers is one of the most cost-effective investments you can make. Qualified Developers are thoroughly vetted by Google and a community of Qualified Developer peers (proctors), and meet rigorous qualification standards." It also states: "The list below shows all developers in the Google Qualified Developer Program. The icon indicates those developers who have obtained their qualifications. The icon further distinguishes those developers who are serving as program proctors. Some programs may have a 'Junior' qualification indicating that the developer has passed the standard exam but not yet acquired enough points for full qualification. The developers listed below are not Google employees. Google does not make any representation, endorsement or warranty regarding the services of these developers." Below this text is a search form with the label "Enter search term" and a dropdown menu for "Select a Program".

The search results section displays a profile for Michael Schnuerle, a "Your Mapper" from Louisville, KY, USA. The profile includes a "YOUR MAPPER" logo, a profile picture, and the text: "Our map platform is a web-based solution for publishing your private or government data online into interactive maps for your website. This includes heatmaps, mobile phone versions, data feeds, a programming API, and SEO traffic to your site. Qualifications: JS Maps API Qualified". Below the profile is a "Previous" button and the text "Showing 1 - 1 of 1".

The footer of the page contains the copyright notice "©2010 Google" and links for "Code Home", "Terms of Service", "Privacy Policy", and "Site Directory". It also lists the languages in which the Google Code is offered: English, Español, 日本語, 한국어, Português, Pусский, 中文(简体), and 中文(繁体).

# DECLARATION OF MICHAEL F. SCHNUERLE

## EXHIBIT F:

The screenshot shows a web browser window displaying a Google Apps Marketplace listing. The browser's address bar shows the URL: <https://www.google.com/enterprise/marketplace/productlistingid=6320978+9282374041351870624>. The page features a search bar at the top with the text "Search using Google". Below the search bar, there are navigation links for "Help" and "Sign in". The main content area is titled "Google Apps Marketplace" and includes a search bar and a "Search Marketplace" button. The listing is for "Your Mapper - Web map solutions" by "Your Mapper". It features a five-star rating and a "Vendor Product Homepage" link. The listing includes a description of the product, a list of features, and pricing details. A customer review is also visible, dated April 17, 2010, by Eidar Khalyknazarov. The browser's status bar at the bottom shows "Find:" and navigation buttons for "Next", "Previous", "Highlight all", and "Match case".

Enterprise Search > GeoSpatial Solutions

### Marketplaces

Search Marketplace

## Your Mapper - Web map solutions

by [Your Mapper](#) ★★★★★

[Vendor Product Homepage](#)

**About the Vendor**

**Your Mapper**  
PO Box 4983  
Louisville  
40204  
United States  
[info@yourmapper.com](mailto:info@yourmapper.com)  
[Vendor website](#)

JS MAPS API  
QUALIFIED  
DEVELOPER  
Google

Your Mapper is a web-based solution for publishing your government or private data to your citizens or clients on our ad-free platform: inexpensive, lightning fast, and simple!

- An interactive map embedded right in your site.
- Inexpensive, lightning fast, and simple.
- Google Qualified JS Maps Developer

**Pricing details**  
30-Day Free Trial Embedding Map Service. \$25/month and up. Unformatted Data Loading: \$25/month Geocoding Locations. \$25/month includes hosting, any data updates, and reporting.

Your Mapper is a web-based solution for publishing your government or private data to your citizens or clients.

Our ad-free platform makes it inexpensive, lightning fast, and simple to turn your city or state data into dynamic, interactive maps for your website.

Services include inclusion in our SEO network, a mobile phone application of your data, access to your geo-data through our open API, and user comments and ratings.

Please visit our site to see it in action, or [www.gowmapper.com](http://www.gowmapper.com) if you are a government agency.

**Recent Customer Reviews**  
[Read all 11 reviews](#) | [Sign in to write a review](#)

★★★★★  
by Eidar Khalyknazarov  
April 17, 2010  
[Report this](#)

Find:  [Next](#) [Previous](#) [Highlight all](#) [Match case](#)

# DECLARATION OF MICHAEL F. SCHNUERLE

## EXHIBIT G:

Help | Sign in

Google Apps Marketplace

GeoSpatial Solutions

Search Marketplace

Marketplaces

Enterprise Search >  
GeoSpatial Solutions

Sort listings >  
Highest rated  
Newest  
Most reviewed

Refine listings  
All listings  
Installable products  
Professional Services

Refine by features  
 Mail integration  
 Calendar integration  
 Universal navigation  
 Single Sign On  
 Docs integration  
 Contacts integration  
Search [reset](#)

1 - 10 of several in Geo Spatial Solutions  
Service by Your Mapper

[Your Mapper - Web map solutions](#)  
Your Mapper is a web-based solution for publishing your government or private data to your citizens or clients on our ad-free platform: inexpensive, lightning fast, and simple!  
★★★★★ 11 reviews  
Google Qualifications:

[Google Earth Enterprise Customized Client & Browser Plugin Installer](#)  
This server-based executable installs a single standard customized version of the Google Earth Enterprise (GEE) Client version on user client machines throughout a local area network.  
★★★★★ 1 review  
Service by Engineering Systems (Mag. Inc.)

[MapTier - Google Maps & Earth Overlay](#)  
MapTier is a powerful tool for online map publishing and map overlay mashups. Your geodata are transformed to the files compatible with Google Maps and Earth - ready for uploading to your webserver.  
★★★★★ 1 review  
Product by Petr Pidal - KLOKAN  
Google Qualifications:

[Integración en portales web de Google Maps](#)  
Quality Objects, empresa afincada en Madrid (España), desarrolla e implementa soluciones geospaciales basadas en Google Maps en base a las necesidades empresariales de cada compañía.  
★★★★★ 2 reviews  
Service by QUALITY OBJECTS

[Google Earth Enterprise Custom Solutions](#)  
Navagis provides custom built solutions for Google Earth Enterprise.  
★★★★★ 0 review  
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# DECLARATION OF MICHAEL F. SCHNUERLE

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### Mapping Web site brings data home to users

#### Web site allows users to customize data for their area

BY BILL WOLFE • [BWOLFE@COURIER-JOURNAL.COM](mailto:BWOLFE@COURIER-JOURNAL.COM) • APRIL 28, 2008

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Do any sex offenders live in your neighborhood?

What are the current traffic conditions along your route to work?

Are there toxic-pollution sources near your home?

The answers are just a few clicks away at Michael Schnuerle's online data **mapping** service, Your Mapper.

The Web service collects public data like crime reports, pollution points and sex-offender addresses and lets users plot the information atop a Google map to create a "hyper-local" report centered on any address in Louisville.

The result is a customized neighborhood map that conveys details such as:

Instances of crimes, the dates and their nature.

Names, addresses and photos of sex offenders.

Traffic camera locations, with the latest traffic reports and roadway images.

Restaurants, with health-inspection grades.

Toxic emission points, with the name of the facility included and annual emissions listed in pounds.

Schnuerle, 34, has been developing his Louisville-focused [Internet](#) company, Metro Mapper, since 2006, with a plan to eventually take the concept nationwide. He got a boost in that direction recently when the company's [Your Mapper](#) project was one of 21 finalists in a competition aimed at promoting Web-based tools that can address social issues affecting communities.

Michael Schnuerle, left, has been developing Metro Mapper since 2006. Photos by Sam Upshaw Jr., The C-J

#### METRO MAPPER

**Founder:** Michael Schnuerle

**On the Web:** [www.MetroMapper.org](http://www.MetroMapper.org)

Metro Mapper allows users to plot different types of information on maps of Louisville areas.

#### RELATED NEWS FROM THE WEB

Schnuerle is assured of at least a small portion of a \$100,000 award in the NetSquared Conference competition finals in San Jose, Calif., May 27-28. Each competitor wins at least \$3,000, with the top three contestants taking home \$10,000, \$15,000 or \$25,000.

He could receive expertise in areas such as programming and sales from event sponsors, which include Cisco, Yahoo and Microsoft.

The conference is sponsored by TechSoup, an industry-sponsored organization that provides technology services for nonprofit organizations.

While Metro Mapper is a for-profit company, it also aims to provide a valuable service to community groups, according to Schnuerle.

He began working on the **mapping** program with the idea of dispelling what he suspected were unfair stereotypes of some Louisville neighborhoods as dangerous and bad, even though police reports might not justify the stigmas.

He said he hoped the service could "break down some geographic barriers that have, I think, traditionally held the city apart. For instance, when I added the sex-offender map, my dad happened to do a search. He has a house out almost by the Oldham County line, and he considers it to be a safe area," Schnuerle said.

The maps are free to view. Individuals and community groups can also embed the maps in their blogs or Web sites free of charge, for up to 100 map visits a day. But the system also has commercial applications with a potential for profit from advertising, sponsorships and embedding fees for high-traffic sites.

Local Web site Louisville.com, for example, contracts with Metro Mapper to provide a clickable restaurant map that offers information from Louisville Magazine's database of restaurant information, said Dan Crutcher, founder of the Web site and publisher of the magazine.

"We have talked about doing more in the way of partnerships, and I hope we do in the future," Crutcher said.

Chris Wall, a Realtor with ReMax Properties East, sponsors the "homes for sale" service at the MetroMapper.org site. Users can create a customized map of properties for sale in a specified geographic area. Passing the cursor over a property pulls up its price and address. Clicking on any of the home points brings up additional details.

"I just thought that was really a good use of technology," said Wall, whose advertisement borders the map. He estimates that half the visits to his Web site originate from people at the Metro Mapper site. "It's been very good. I'm very happy with it," he said.

Schnuerle said he hasn't decided whether to search for investors, seek grants or continue to self-fund development of Metro Mapper.

The Male High School and University of Kentucky graduate said he has worked with [Internet technology](#) for about 14 years, with overseas stints in Paris and in Edinburgh, Scotland, and with Fortune 500 companies in the United States.

He returned to Louisville in 2001, and "I really felt like I was home. Not just in the place that I grew up, but I felt like Louisville was a really great city for me," Schnuerle said.

"I kind of saw it as a potential city. Louisville has a lot of potential, and a lot of it is untapped."

Reporter Bill Wolfe can be reached at (502) 582-4248.