

EXHIBIT G  
(Part 1 of 4)\*

\*Exhibit G is divided into four  
parts due to file size

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

**DECLARATION OF SHAWN GILMOUR**

1. I am the Director of Digital Systems Design of Autodesk, Inc. (“Autodesk”). I have knowledge of the facts stated herein from my personal knowledge and from the records of Autodesk. I make this declaration consistent with the requirements of 15 U.S.C. § 1052(f).

**Autodesk’s Sales of Products Featuring DWG Technology**

2. Autodesk has sold and continues to sell a number of computer-aided design (“CAD”) software products featuring the company’s DWG technology. To date, Autodesk has earned approximately \$1.1 billion in revenues from the sales of products featuring its DWG technology in the United States.

3. The following table shows Autodesk’s net revenue in the U.S. per fiscal year attributed to Autodesk products featuring its DWG technology:

<b>Fiscal Year Ending January 31</b>	<b>Net Revenue in Million USD (to the Nearest Million)</b>
2002	301
2003	238
2004	259
2005	338
2006	409
2007	478
2008	507

<b>Fiscal Year Ending January 31</b>	<b>Net Revenue in Million USD (to the Nearest Million)</b>
2009	464
2010	370

4. In order to use Autodesk's software, a customer must obtain a license from Autodesk. A single license may grant a customer multiple "seats." Seats are the number of individual users authorized to use a license owned by a customer (typically a company). The following table shows Autodesk's licensed number of seats for products featuring its DWG technology granted to customers in the U.S. per fiscal year:

<b>Fiscal Year Ending January 31</b>	<b>Number of Seats (to the Nearest Thousand)</b>
2002	664,000
2003	535,000
2004	576,000
2005	760,000
2006	847,000
2007	994,000
2008	1,018,000
2009	836,000
2010	690,000

### **Autodesk's Display of Its DWG File Icon**

5. For many years, users of Autodesk's software products featuring DWG technology have been presented with a distinctive DWG icon on their computer screens when saving design and image files created or edited using Autodesk's products. Autodesk estimates that the DWG icon has been displayed on the computer screens of millions of software users. Attached as Exhibit 1 is a historical summary of Autodesk's use of the DWG file icon. Examples of these icons are:



### **Autodesk's Use of DWG-Related Marks on Its Product Packaging**

6. For many years, Autodesk has promoted a series of DWG-related brands. Autodesk has promoted these brands, among other places, on its product packaging.

7. Autodesk has most recently promoted its DWG brand by placing the following distinctive DWG logo, which Autodesk refers to as DWG (AND DESIGN), on its product packaging:



The following chart identifies examples of such product packaging, and copies of the referenced exhibits are attached:

<b>Product Packaging</b>	<b>First Year of Distribution</b>	<b>Exhibit</b>
AutoCAD <sup>®</sup> OEM 2007	2006	2
Autodesk AutoCAD <sup>®</sup> Series-Structure	2006	3
Autodesk Map 3D 2007	2006	4
Autodesk Revit <sup>®</sup> Building 9	2006	5
RealDWG 2007	2006	6
AutoCAD <sup>®</sup> Map 3D Student Version	2007	7
AutoCAD <sup>®</sup> Raster Design 2008	2007	8
AutoCAD <sup>®</sup> Revit <sup>®</sup> Architecture Suite	2007	9
Revit <sup>®</sup> Architecture 2008	2007	10

The number of consumers of CAD software who have purchased software with such packaging is in the millions.

#### **Autodesk's Use of DWG-Related Marks on Its Website**

8. Autodesk has displayed its DWG-related marks on its various websites including its primary website at <www.autodesk.com>. From September 1, 2010 to October 30, 2010 alone, over 4.7 million unique users<sup>1</sup> located in the U.S.<sup>2</sup> visited Autodesk's websites.

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<sup>1</sup> A "unique user" is someone who visits the website(s) one or more times in any given day.

<sup>2</sup> The location of the user is based on an analysis of the Internet protocol address of the computer used to visit the websites.

9. Attached as Exhibit 11 is a printout of Autodesk's home page prominently displaying Autodesk's mark DWG (AND DESIGN).

10. Attached as Exhibit 12 is a printout of Autodesk's web page listing Autodesk's products, including DWG TrueView, DWG TrueConvert and RealDWG<sup>®</sup>.

11. Attached as Exhibit 13 is a printout of Autodesk's web page displaying the mark TRUSTEDDWG and describing goods/services offered in connection with the mark.

12. Attached as Exhibit 14 are printouts of Autodesk's web pages displaying the mark REALDWG and describing Autodesk's goods/services offered in connection with the mark.

13. Attached as Exhibit 15 is a printout of Autodesk's web page displaying the mark DWG TRUEVIEW and describing Autodesk's goods/services offered in connection with the mark.

14. Attached as Exhibit 16 are printouts of historical pages from Autodesk's website, dating back to 1997 referencing Autodesk's marks DWG, DWG UNPLUGGED, DWG LINKING, AUTODESK VIEW DWGX and 100% PURE AUTOCAD DWG (AND DESIGN).

15. Autodesk has routinely published lists of its trademarks, including DWG-related marks on its website. Attached as Exhibit 17 are copies of Autodesk's trademark lists posted to Autodesk's primary website from 1996 to 2011.

#### **Autodesk's Trademark Guidelines**

16. Autodesk publishes trademark guidelines concerning third-party use of its marks, including DWG-related marks. Attached as Exhibit 18 is a printout of Autodesk's web page with Autodesk's trademark guidelines. Autodesk has published DWG-related trademark guidelines, in particular, since 2005.

### Third-Party Definitions of DWG

17. Many glossary publishers associate the name DWG exclusively with Autodesk. More specifically, these publishers identify DWG as a format exclusively associated with Autodesk or with Autodesk's well-known CAD software product, AutoCAD®. The following chart illustrates some such examples, and copies of the referenced exhibits are attached:

<b>Third Party</b>	<b>Term</b>	<b>Definition</b>	<b>Date of Printout</b>	<b>Exhibit</b>
Free On-Line Dictionary of Computing (FOLDOC)	dwg	“The filename extension for Autodesk drawing files”	February 11, 2009	19
FAQS.ORG	DWG	“Autodesk drawing”	February 11, 2009	20
ComputerUser, Inc.	.DWG	“AutoCad vector format; drawing – AutoCAD (filename extension)”	February 11, 2009	21
FileInfo.net	.dwg file extension	“AutoCAD drawing database file”	February 11, 2009	22
The Free Dictionary by Farlex	(filename extension) dwg	“The filename extension for Autodesk drawing files”	February 11, 2009	23

### Autodesk's User Manual Discussing .dwg

18. Autodesk released its first product, AutoCAD®, in 1983. Attached as Exhibit 24 are copies of excerpts from Autodesk's AutoCAD® user manual dated March 1983 referring to the .dwg file format. The user manual for AutoCAD®, in particular, has always referenced the .dwg file format. Autodesk has distributed such manuals for nearly 30 years.

## **Trademark Registrations for DWG and REALDWG**

19. Autodesk has secured trademark registrations for the DWG mark in a number of jurisdictions. The following chart lists these jurisdictions, and copies of the referenced registration certificates are attached:

<b>Jurisdiction</b>	<b>Registration No.</b>	<b>Exhibit</b>
Australia	1084309	25
Benelux	0200918	26
Benelux	0874554	27
Canada	TMA775022	28
China	5017767	29 (includes English translation of certificate)
Japan	5067434	30 (includes English translation of designated goods/services)
Mexico	910821	31
Spain	2875206	32

20. The U.S. Patent and Trademark Office has awarded Autodesk a trademark registration certificate for the mark REALDWG. A copy of the certificate is attached as Exhibit 33.

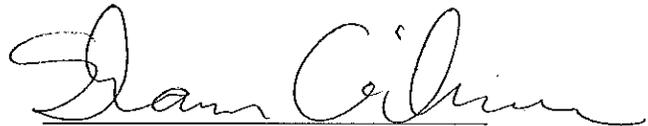
## **Allowed and Approved Trademark Applications for DWG**

21. The United Kingdom has examined and approved Autodesk's trademark application for the mark DWG. Attached as Exhibit 34 is a copy of a letter from the United Kingdom's Intellectual Property Office concerning the publication of Autodesk's United Kingdom trademark application for the mark DWG.

22. Brazil has examined and issued an allowance for Autodesk's trademark application for the mark DWG. Attached as Exhibit 35 is a copy of an excerpt from the publication issued by Brazil's National Institute for Industrial Property advertising the allowance of Autodesk's Brazilian trademark application for the mark DWG. In the document, code "351" indicates that the application has been allowed.

The undersigned 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, declares that all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

Dated: February 23, 2011



By: Shawn Gilmour  
Director of Digital Systems Design  
Autodesk, Inc.

# EXHIBIT 1

## AutoCAD DWG Icon History

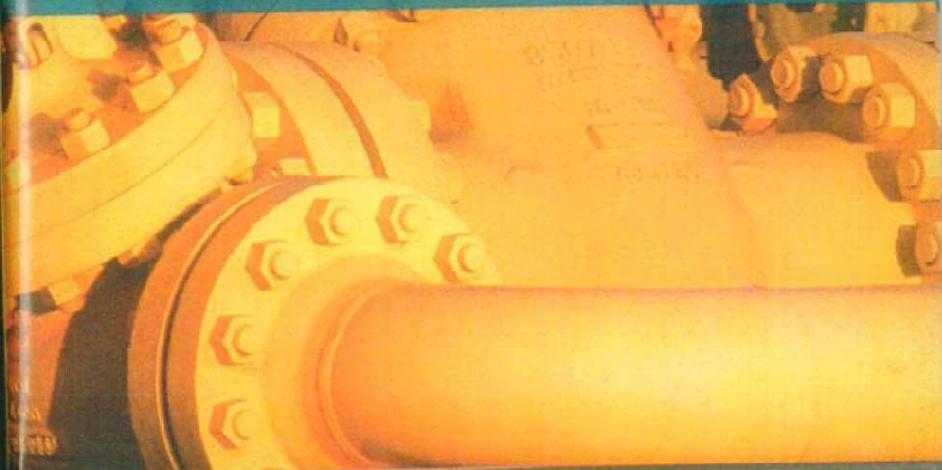
Below is a list of the icons AutoCAD has used for DWG files starting with AutoCAD Release 14

Icon	Release Used	Year First Used
	AutoCAD Release 14, AutoCAD 2000 and AutoCAD 2000i	1997
	AutoCAD 2002	2001
	AutoCAD 2004 and AutoCAD 2005	2003
	AutoCAD 2006, AutoCAD 2007 and AutoCAD 2008	2005

# EXHIBIT 2

AutoCAD®  
OEM  
2007

Autodesk®





AutoCAD® OEM 2007

Autodesk®

AutoCAD®  
OEM  
2007

ACD OE 2007.0 COM New  
AutoCAD OEM 2007 EN QWO F/B  
Serial No: 400-91016880

Seats: 001

Delivery: 8051920522-0020  
Ref:

Serial No: 400-91016650  
CDkey: N/A



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PartNo: 14027-051458-9000



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Autodesk®

14027-050000 5780A

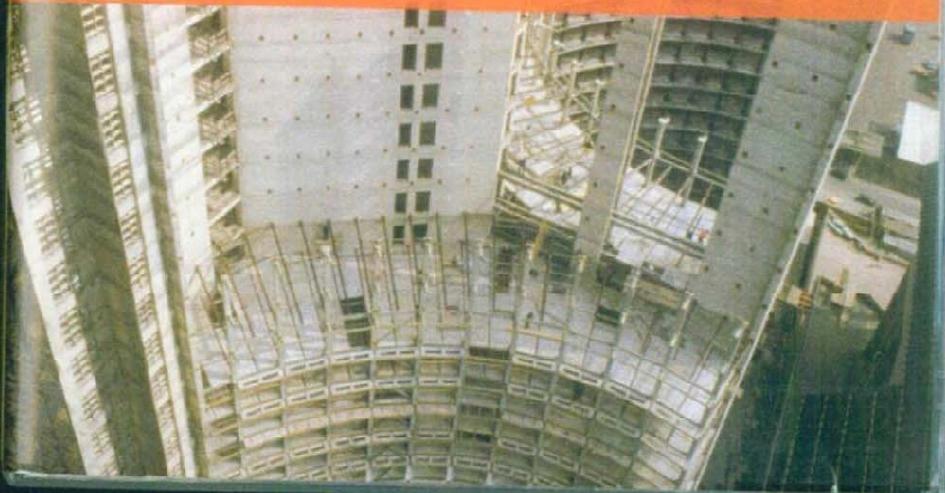


# EXHIBIT 3

AUTODESK®  
AutoCAD® REVIT® SERIES-STRUCTURE

3

Autodesk®



AUTODESK®  
AutoCAD® REVIT® SERIES-STRUCTURE  
3

Autodesk



# AUTODESK® AutoCAD® REVIT® SERIES-STRUCTURE

3

REVSU 3.0 COM New  
REYSERSTRU 3 EN DVD F/G  
Serial No: 344 - 22767410

Seeds: 001

Delivery: 8051735370 - 0100

Ref:

Serial No: 344 - 22767410  
CDkey: N/A



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**Autodesk®**

25603-050000-5780A



# EXHIBIT 4

AUTODESK  
MAP® 3D  
2007

Student Version

Autodesk®



AUTODESK MAP® 3D 2007

Autodesk



# AUTODESK MAP<sup>®</sup> 3D

2007

MAP 2007 OEMR Row  
MAP3D 2007 EN ST ACADEMIC LIC  
Serial No: 344 - 20449407

Order: 001

Delivery: 3051718028 - 0020

Ref:



Serial No: 344 - 20449407  
CDkey: N/A

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12910-050000-5780A

