

 Fan of CFA and EatMoreKale too!

Bo Muller-Moore <bo@eatmorekale.com>

1 message

cynthia moore <schmyndi@gmail.com>
To: Bo@eatmorekale.com

Thu, Mar 29, 2012 at 8:02 PM

Dear Chick-Fli-A and Bo Moore, owner of EatMoreKale.com,

I am writing to express my support of both of your products and to assure all those in the know that I at no point was ever confused by CFA's slogan and the EatMoreKale movement.

I was an avid fan of CFA during the many many years that I lived in Atlanta, Georgia. In fact, CFA was my favorite quick bite to eat place when I was attending classes at Emory University. My son still travels to Georgia often and enjoyed eating at CFA whenever he could. I always stood in admiration for your no work on Sunday's corporate stance. On more than one occasion I have taken the opportunity to highlight to my son that companies can have morals utilizing CFA's Sunday policy as an example. Thus, I was utterly dumbfounded to discover that CFA's morals lead them to the persecution of a small business owner in Vermont whose mission in life is simply to get people to eat more kale. This discovery on a dime turned our family's perception of your company from a morally driven company to one where corporate greed is paramount. Collectively, our family feels duped to have ever believed the former.

I became aware of EatMoreKale.com through participation in my local organic community supported agriculture farm. Our farm produces an over abundance of Kale each year and through their efforts my family has become happy consumers of kale. In particular, we love kale chips made with high quality olive oil and Himalayan pink sea salt. I credit our increased consumption of kale with the eradication of my son's psoriasis, his leg cramps and digestion issues. My skin is clearer and my immune system is stronger since we started consuming kale on a regular basis. So many people in America are malnourished and eating more kale in their diet can solve the ailments that doctors otherwise re-mediate with expensive prescriptions. As you may already know, kale is a member of the cruciferous family of vegetables - the only naturally occurring substance that has been shown to not only prevent the growth of cancer but also to reverse it. We gleefully obtained our "EatMoreKale" tee-shirts and bumper stickers with the intent of happily spreading the nutritional word to the world. At no point in time did we ever correlate the CFA marketing campaign with the EatMoreKale products. In fact, we honestly thought it was a joke when we heard about CFA trying to stop EatMoreKale. My 13 year old son even said, "Who is stupid enough to confuse chicken and kale? I mean, really, chicken - kale!?!?"

It is such an incredibly sad story that all three entities CFA, EatMoreKale and my own family find us in the middle of such strife. My son has give up CFA forever in protest. I too have helped spread the word far and wide as to the situation growing the network of supporters of EatMoreKale very day. As a former executive who managed multi-billion dollar relationships I shake my head at the thought that no one at CFA is smart enough to see the opportunity available to you by partnering instead of fighting. Imagine what a different story this would be if CFA would extend an olive branch (and a sizable royalty agreement) to EatMoreKale as part of an overall effort for CFA to become the fast food chain that lead the way into better health? Think of the positive publicity that could be gathered by adding kale chips to the menu or offering kale instead of lettuce on the sandwiches? Those two simple changes could define CFA as an innovator - a champion of healthier choices in fast food. You'd have the fans of EatMoreKale singing your praises and the fans of kale driving through your windows. Let's also consider that kale is cheaper on the bottom line. Profit and good will - doesn't every business want both?

I challenge you CFA to model this with your business development team. I challenge you CFA to run this by Dr. Oz, Mark Hyman, Trudy Scott and other leaders in the functional medical field who believe in health through nutrition. Run it by your marketing gurus - wouldn't this be an ideal way to make inroads into the vegetarian population? Then make a lucrative and apologetic offer to EatMoreKale and it's fans. We will forgive and we will buy. Everyone will be happy.

But, do not, and I repeat, do not, continue to wage warfare on the small business owner who knows that America is has enough intelligence to know the difference between kale and chicken. Your stance and actions are offensive to all Americans and clearly do nothing to help your business. Cease and desist your harassment and persecution of the honest small business man.

By the way - it may be helpful to note that my 13 year old who made the above statement is significantly disabled. Is there a better measurement of confusion than running it by a child who requires year round special education in order to learn the basics in life and having that child be astonished at the stupidity?

Good luck to everyone! I'm looking forward to drive through kale chips in my future!

Cynthia Moore
30 Alcott Drive
Northborough MA 01532

508-617-0022

Bo Muller-Moore <bo@eatmorekale.com>

 Eat more kale vs Eat mor Chickin

1 message

Kimberly Top <top.kimberly@yahoo.com>
Reply-To: Kimberly Top <top.kimberly@yahoo.com>
To: "mark.baldwin@chick-fil-a.com" <mark.baldwin@chick-fil-a.com>
Cc: "bo@eatmorekale.com" <bo@eatmorekale.com>

Fri, Mar 30, 2012 at 11:03 AM

Hello Mark,

I'm writing on behalf of Bo Mueller and his business, Eat More Kale.com. To me this is all very simple. And I'm going to state many of my opinions here. I don't have a law degree or know much about owning a business. But I am hard working, I live simply and I appreciate everything I have.

When I first learned about Bo's fight with Chick-fil-A, I was quite shocked. I've heard MANY wonderful things about Chick-fil-A and I couldn't believe that your company would be sending Bo a cease and desist letter for something so silly. I have eaten at your restaurant several times and have enjoyed the food, the service and the atmosphere. But I will say, you've lost my business and many others business since this case became news.

I have never seen the Chick-fil-A ad of "Eat Mor Chikin" and honestly, if I had seen it, I would have NEVER confused it with Bo's Eat More Kale. They are two entirely different things and frankly, your business is booming. So to think that it could possibly be taking away from your business is silly. The only thing that is taking away from your business is trying to squash Bo's business. Do you realize how many more customers you would get (and get BACK) if you dropped the case against Bo?

Like I stated above, to me, this is simple. Eat Mor Chickin is just a slogan. It is not the name of your business. Slogans come and go and to be demanding Bo stop using the name Eat More Kale, makes absolutely no sense to me. I'm disappointed in Chick-fil-A. This is all morals to me. What happened to being courteous? You catch more flies with honey, than with vinegar. Did Chick-fil-A ever think about making friends with Bo and helping each others businesses grow, instead of fighting, would be more beneficial for everyone?

I'm asking you, and Chick-fil-A, please drop this case against small business owner, Bo, and his business Eatmorekale.com He is not harming or confusing anyone. I think that there is a more peaceful resolution that can be found, a way to meet in the middle and compromise. It is not always so black and white. I would like to be able to eat at your restaurants again and know that I'm giving my money to a company that cares about others and their business/well-being, as well!

Thank you for taking the time to read this. I hope my email finds you well and I will continue to support Bo in his quest to keep his business' name.

Sincerely,

Kimberly Top

*"Common sense is genius dressed in its work clothes."
-Ralph Waldo Emerson*

From: "Thomas Stillwell" <thomas.stillwell@azbar.org>
Content-Type: multipart/alternative; boundary="part2647-boundary-1500992563-1151890484"
X-Smtp-Server: smtp.west.cox.net:stillwell
Subject: You're missing the boat!
X-Universally-Unique-Identifier: abd88b5e-baf3-4af1-93d4-baf6decff512
Date: Sat, 31 Mar 2012 22:12:26 +0000
Message-Id: <398F5790-E1F1-4C96-A2B7-FCD0D1C70B4B@azbar.org>
To: mark.baldwin@chick-fil-a.com
Mime-Version: 1.0 (Apple Message framework v1084)

--part2647-boundary-1500992563-1151890484
Content-Transfer-Encoding: quoted-printable
Content-Type: text/plain; charset="us-ascii"

Mr. Baldwin,

Your contrived conflict with Eatmorekale.com and their tshirts is clearly becoming a PR nightmare for you. Pundits, columnists, and even mainstream network commentators are making fun of your company's campaign.

I'm shocked, however, that you haven't spotted the ENORMOUS opportunity sitting right in front of you. You should drop your attacks and apologize! Seriously!!

Economically, it's the most rational thing to do, because he really hasn't cost you anything with his shirts. (In contrast, your campaign HAS cost you at least your dignity, not to mention sales lost from my family eschewing your products..and I'm sure we're not alone.)

Furthermore, whether you run your company on Christian or even Zen principles, it's a universal truth that forgiveness and generosity to others--especially those who we feel have wrong us--leads to prosperity and a peaceful heart. Your company needs to get out of this quagmire. Br'er Rabbit tricked you into jumping into the briar patch, and if you don't jump out with grace and dignity, you're going to end up in an even thornier situation.

Just \$.02-worth of advice from a solo practice attorney in Phoenix.

Sincerely,

Thomas R .Stillwell

Stillwell Law Office, PLLC
PO Box 93007
Phoenix, AZ 85070
602-253-7189=

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Content-Transfer-Encoding: quoted-printable
Content-Type: text/html; charset="us-ascii"

<html><head></head><body style=3D"word-wrap: break-word; -webkit-nspace-mode: space; -webkit-line-break: after-white-space; ">Mr. Baldwin,<div>
</div><div>Your contrived conflict with Eatmorekale.com and their tshirts is clearly becoming a PR nightmare for you. Pundits, columnists, and even mainstream network commentators are making fun of your company's campaign.</div><div>
</div><div>I'm shocked, however, that you haven't spotted the ENORMOUS opportunity sitting right in front of you. You should drop your attacks and apologize! Seriously!!</div><div>
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</div><div>Just \$.02-worth of advice from a solo practice attorney in

Bo Muller-Moore <bo@eatmorekale.com>

 **CFA vs EMK**
1 message

Lisa Pedone <lispettineo@yahoo.com>
To: "mark.baldwin@chick-fil-a.com" <mark.baldwin@chick-fil-a.com>
Cc: Pettineo Nikki <chefnikkip@yahoo.com>, bo@eatmorekale.com

Sat, Mar 31, 2012 at 1:28 PM

> Dear Mark Baldwin and Chick Fil A,

>

> I really like your chicken, chick fil-a. Your food is quite delicious. As a matter of fact, at work we seemed to have a chick fil a sauce problem. We talked about it all the time. Fried chicken with pickles and a BBQ style mustard sauce? What's not to love.

>

> Well, I'll tell you what's not to love. The lack of courtesy towards a small company called "eat more kale". A micro company with one guy in Vermont silk screening tshirts is not really affecting your fried chicken business is it? Do you honestly think people will confuse chicken with kale?

Obesity is an epidemic, and while your food is delicious and should be considered a treat rather than a staple in the diet, wearing kale shirts is a worthy and healthy advertisement for health.

> I thought you were a Christian based business - even closed on Sunday's. I am surprised at how you consider a Christian does business. While normally I do not bring up religion in the corporate world, you make it a point to state religion is important to your business. My boss is orthodox Jewish. He never works past sundown Fridays or on Saturday. However, I would never bring up religion concerning him, because it is not relevant to his company, it is his own personal belief.

>

> I am shocked at your corporate lawyers and I find it very disappointing that you are threatening Bo to stop selling his merchandise and telling him to shut down his business.

>

> The only thing you are accomplishing is that you are looking like a fool, and making Bo famous. The more famous you make him, the sillier you look. He is making a documentary, and as soon as he does, you guys will not get very good publicity.

>

> Leave him alone.

> There is plenty of money in the world to go around, God wants everyone to be prosperous. As a matter of fact, you should display a shirt of his in your restaurants, as well as other "eat more" items from other companies and take heart that you are bigger than them and there is room for everyone.

>

> This letter makes me sound like a mother scolding a child. So quit acting like a child.

>

> As it stands I will respectfully not ever purchase another food item from your company.

>

> Sincerely,

> Lisa Pedone

>

Bo Muller-Moore <bo@eatmorekale.com>

 **Chick-fil-A v. Eat More Kale**
1 message

Melissa Schmitzer <melissaschmitzer@yahoo.com>
Reply-To: Melissa Schmitzer <melissaschmitzer@yahoo.com>
To: "auma.reggy@agg.com" <auma.reggy@agg.com>

Sat, Mar 31, 2012 at 1:23 PM

Ms. Reggy,

This email is in support of Bo Mueller and his company, Eat More Kale.

When I first heard of this lawsuit, my thought was "You have got to be kidding me. Who would possibly confuse a fast food restaurant with a t-shirt business?" The next thing I did (as I had never heard of Eat More Kale) was find the website for Eat More Kale and order a t-shirt! As I'm sure you're aware, Eat More Kale, which started 10 years ago, strives to provide a message to people to eat healthier foods while still wearing environmentally conscience t-shirts sporting the idea. It has absolutely nothing to do with marketing or selling chicken.

Chick-fil-A simply appears to be a bully by suing a small company like Eat More Kale over it's slogan. Eat More Kale isn't a direct competitor of Chick-fil-A and I feel that no one could possibly confuse the two, especially given the fact that Chick-fil-A has **no restaurants in Vermont**. This lawsuit only paints Chick-fil-A in bad light and will possibly end up causing the company to lose customers. I, for one, will not patronize a Chick-fil-A restaurant as long as the lawsuit continues and especially if Chick-fil-A prevails and I will encourage all of my friends and family not to do so, either.

I urge you to drop this lawsuit immediately. Perhaps, if Mr. Mueller thanks Chick-fil-A for all of the publicity that he has received as a result of this lawsuit, that would be an acceptable settlement offer?

Melissa M. Schmitzer

Bo Muller-Moore <bo@eatmorekale.com>

 **Re: Eat more kale**

1 message

Lisa Pedone <lispettineo@yahoo.com>

Sat, Mar 31, 2012 at 1:13 PM

To: Nikki <chefnikkip@yahoo.com>, "bo@eatmorekale.com" <bo@eatmorekale.com>

Hi Bo

This is from my sister. Go TEAM KALE! We love your spirit and we wish you the best of luck!

Looking forward to the movie and the resulting good news from the trademark office.

Sincerely
Lisa Pedone

Lisa
954-591-1466

Sent from my iPhone

On Mar 30, 2012, at 9:04 PM, Nikki <chefnikkip@yahoo.com> wrote:

> Dear Mr. Baldwin,

>

> It is my understanding that you are the person to contact regarding Bo, the Eat More Kale guy. I can assure you that America understands that protecting your brand is of the utmost importance. That being said I'm sure you are aware that obesity in America is growing at an alarmingly fast rate. This rate is increasing rapidly impart by vendors such as Chick Fil A making unhealthy food so accessible to low income families. It seems to me Mr. Baldwin, that Chick Fil A should do their part and let Bo thrive as a small business to counteract the obesity caused impart by the nature of your business. Pay it forward if you will.

>

> It is also my opinion that Chick Fil A should trust in the intelligence of the American public to distinguish between a miss spelled slogan of "eat mor chikin" and a completely different looking and spelled slogan of "eat more kale".

>

> Bo is doing wonders to promote good nutrition and I feel that your company should let him continue to do so. Thank you.

>

>

> Kind Regards
> Nikki Pettineo
> Sous Chef
> M/Y Utopia

 **Webpage contact form submission**
1 message

Bo Muller-Moore <bo@eatmorekale.com>

kaleguy@r1-chicago.webserversystems.com <kaleguy@r1-chicago.webserversystems.com>
To: bo@eatmorekale.com

Sat, Mar 31, 2012 at 12:52 PM

name(Savage)-email(savage@bigwhitevan.com) - message - I may not eat more kale but I certainly won't eat any more Chik-Fil-A.

Nothing is worse than a corporation pretending to have a culture other than the "god of money"...

-Savage

Bo Muller-Moore <bo@eatmorekale.com>

 Webpage contact form submission

1 message

kaleguy@r1-chicago.webserversystems.com <kaleguy@r1-chicago.webserversystems.com>

Sat, Mar 31, 2012 at 10:16 AM

To: bo@eatmorekale.com

name(William Kruidenier)-email(williamk@carolina.rr.com) - message - Hey Bo,

I'm a supporter of your movement against Chick-fil-A and a financial supporter of the film through kickstarter.com. And I wrote a letter to the spokesman at Chick-fil-A on your behalf (see below).

I wanted to recommend that you read a brand new book: Turn Here Sweet Corn: Organic Farming Works by Atina Diffley. It's the story of an organic farming family in Minnesota. The last 20% of the book deals with their fight against Koch Industries, the largest family-owned company in America. A Koch subsidiary company wanted to build a pipeline straight through the family's organic vegetable farm (where they grow TONS of kale, by the way!). They fought Koch and won! The pipeline was never built and the farm was saved. The reason their story is important is that it will (1) inspire you, (2) provide a template for how grassroots activism involving citizens and experts can put pressure on huge companies that think you are powerless, and (3) show you that victory is possible. It would be great for you to read the whole book -- it is inspiring and beautifully written by Atina. But if you don't have time to read it all, read the final chapters on their battle with Koch.

Good luck to you -- I've written about you on my blog and told your story to my Facebook friends. Following is the text of the message I sent to Mr. Baldwin at Chick-fil-A:

Hello Mr. Baldwin,

I'm writing a short note to tell you how disappointed I (and a growing number of other folks) am that Chick-fil-A is seeking to shut down the "Eat More Kale" movement. I wonder how Truett Cathy would have felt if someone had done the same to him when he was starting out?

I have a slightly different concern than a lot of folks. As an ordained minister and committed Christian, I am doubly disappointed that Chick-fil-A -- a company that supposedly operates on a strong biblical foundation -- is acting this way. You can close down your restaurants on Sunday forever in order to promote a biblical worldview, but you ruin all that effort by a petty trademark fight with a T-shirt designer. Chick-fil-A has revealed its true priority: money, and the potential loss of it.

Jesus Christ said, "It is more blessed to give than to receive!" (Acts 20:35). Instead of closing your fist around every last nickel, you should be giving all the encouragement you can to another young businessman whose business will NEVER impact yours in a thousand years. That's what God blesses -- generosity, not greediness.

Chick-fil-A is acting like the Pharisees who tithed their herbs (closing on Sunday) while ignoring the weightier issues of spirituality (like generosity and kindness) (Matthew 23:23-24).

Since I don't eat meat or anything else Chick-fil-A sells, I already don't support your business. But if I ate the kind of food you serve, I assure you I would start buying it elsewhere -- and encourage others to do the same.

Thanks for listening -- I hope you'll use your influence to encourage Chick-fil-A to find better things to do with its time and money.

William Kruidenier

Best to you Bo -- keep up the fight!

William Kruidenier
Charlotte, NC

Bo Muller-Moore <bo@eatmorekale.com>

 **Webpage contact form submission**
1 message

kaleguy@r1-chicago.webserversystems.com <kaleguy@r1-chicago.webserversystems.com>
To: bo@eatmorekale.com

Fri, Mar 30, 2012 at 9:45 PM

name(Diane)-email(stitch.in@hotmail.com) - message - Below is a copy of the e=mail I sent to Mr. Baldwin of Chick Fil A. Godspeed. Diane.

Dear Mr. Baldwin:

I am writing to convey my thoughts pertaining to Chick - fil - A's patent infringement lawsuit against; Eat More Kale for their slogan as copyright infringement.

I do not think that this company will ever confuse me as a consumer in my pursuit of a chicken meal or my commitment to Eat More Kale.

Please consider the fact that this situation, however, does impact my desire to eat at any establishment owned by your company.

Kind regards,
Diane Giustiniani

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Inbox (44)

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Important

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Bo Muller-Moore

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Daniel Richardson

kaleguy@r1-chicago.webserversystems.com
to me

1:50 AM (6 hours ago)

name(Mik DeFoor)-email(Mkdefoor30@yahoo.com) - message - I was born and raised in Marietta, Georgia. My favorite restaurant is always Chik-Fil-A. I heard stories at church and home about Truett Cathy and how he'd take kids to his farm to ride-wheelers and spend incredible weekends of fun. In high school, my best friend worked at a Chik-Fil-A. I spent many Friday nights eating Ice Dream cones And Chik-N nuggets waiting for Katie to get off work. I always wanted Katie's job. And, like everyone else, I always craved Chik-Fil-A Sunday- the day they are closed.

I moved to Vermont at age 21 and have lived here for almost 20 years. My reason for staying in Vermont (didn't really plan on it) is because I found a hopeful glimpse of all that is right with the world. Don't laugh- it's true. All the innocence of childhood-the sweet li people; the feeling that I belong in a place where people genuinely care about other people. Basically, all that I ever heard about a God-fearing man showing kids some fun, holding on to his ideals, and giving people a place to eat and be merry.

When I first came across an eatmorekale sticker, I did not understand it. But, at no time did Chik-Fil-A cross mind. I didn't understand eatmorekale until 5 years ago when I joined a CSA- Community Supported Agriculture. This is the first time I understood what eating locally, supporting family farms, and feeding my soul meant. It was the first time I had eaten a potato that was grown within 25 miles of home. It was surely the first time I had eaten kale (I don't think we had it in Marietta Georgia). Bite by bite, I began to understand exactly what is meant by "eatmorekale". It isn't a vegetable, it's a way of life. It isn't a slogan, it's a way to keep food on my neighbor's table isn't confusing, it's a way to lend hope.

To lend hope as Chik-Fil-A did when I was growing up. There were other fast food restaurants , but Chik-Fil-A was the only one with a background that was legend and respected. And the only one that helped make me the caring person I am.

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letter RE: distinction from Chick-Fil-A

Inbox x

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Spam (235)

AWeber (2)

change orders

unread items

Chat

Search people...

Bo Muller-Moore

Set status he

Call phone

beavinsons2

Daniel Richardson



Valerie Sims val0907@gmail.com

1:00 AM (7 hours ago)

to me

Being vegan, I know much more about kale than I do about chicken. But I do know the differences between the two so I do not, as a vegan, eat an animal product. I have also been a lifelong excellent speller and would tend to avoid businesses which could not get a message to the public without proper punctuation, appropriate spelling, or grammatically correct wording. Therefore, I can distinguish intentions behind "Eat More Kale" and "Eat Mor Chikn." As I do not think of myself as an individual above others in the ability to distinguish animal from vegetable, I know the general public is not confused by the two statements whether stickers for spelling or not. The two sentiments can coexist happily.

Sincerely,
Valerie Sims
Tyler, TX



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Not confused

Inbox x

Inbox (38)

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Spam (235)

AWeber (2)

change orders

account issues

Chat

Search people...

Bo Muller-Moore

Set status he

Call phone

beavinsons2

Daniel Richardson



Foley, Brian T btf@lanl.gov

to me

10:46 PM (9 hours ago)

Today, on the road, I saw several Hyundai cars with the H emblem and several Honda cars with the H emblem (see attached). They are clearly distinguishable even if a bit similar.

Eat more Kale and Eat Mor Chikin don't confuse me at all. Hondas and Hyundais are both small cars. Kale is a green vegetable, Chikin or Chicken is a bird. The Honda and Hyundai auto companies are of somewhat similar size. Eat More Kale is a tiny Vermont farmer, Eat Mor Chikin is Hix-Fil-A a pretty huge national chain.

The "B

2 attachments — Download all attachments View all images



HondaEmblem.jpg

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COMPOSE

Eat More Kale and Chick-Fil-A

Inbox x

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- Starred
- Important
- Sent Mail
- Drafts (130)
- Spam (235)
- AWeber (2)
- change orders
- account issues
- Chat
- Search people...
- Bo Muller-Moore
- Set status he
- Call phone
- beavinsons2
- Daniel Richardson

Carol Hausner carol@carolhausner.com via yourhostingaccount.com to me

9:22 PM (11 hours ago)

Dear Bo,

I wanted to write to let you know that this case has not made any sense to me since I heard about it. To me there is no confusion between your Eat More Kale company's design and logo on your t-shirt and sticker, a Chick-Fil-A's Eat Mor Chikin that they use as an ad slogan to advertise their company. Also, one is a company name and one is an advertising slogan for a company. They're not spelled the same, and it seems like a copy.

During the summer of 2010 I was in Tennessee and saw Chick-Fil-A's often, and I never once thought of Eat More which I've seen many times all over Montpelier, starting before I knew what Eat More Kale was. Best wishes to you in your legal battle.

Sincerely,

Carol Hausner

 **the eat more kale / eat mor chikin issue**
1 message

Bo Muller-Moore <bo@eatmorekale.com>

Anna - Mae - <dotff@live.com>
To: bo@eatmorekale.com

Wed, Apr 4, 2012 at 9:13 PM

Hi Bo -

I've been thinking about the issue between you and Chick-fil-A. There are no Chick-fil-A's in the Pacific Northwest, to my knowledge, but when I lived in Southern California, there was one in my city and the next city over. I first became aware of the company sometime between 2002 and 2004, when they opened a location in Chino, CA. The restaurant gave out a lot of coupons and my coworkers were eager to try it out. I often saw sign twirlers on the street in front of the restaurants, wearing cow costumes with misspelled signs. I ate at the location in Ontario, CA, one time, after receiving a flyer in the mail for a free milkshake.

I am not sure how I came across your website, eatmorekale.com. Somewhere I saw a promotion for a free sticker from your site - you know the one - the big green circle with three little words in black print. I received two free stickers from your company probably five years ago, in 2007. My initial thought was that perhaps you were a local farmer who was using the shirts to promote your farm. Then I realized you were just a t-shirt maker with a sense of humor. But at no time did I ever perceive a connection between you and the fast food restaurant that is suing you.

When I first learned what Chick-fil-A was doing, I read every bit of material I could find online. Why? Because I didn't believe it. I assumed it was a sensationalized story, or a mistake. How could they honestly think your product confused their fast food customers? Do they think their customers are of low intelligence? And since I've eaten there, so that makes me a customer.... I wondered do they think I am of low intelligence? I was insulted at the insinuation, and still am.

I don't believe a reasonable person would ever confuse your company with Chick-fil-A's mascot's motto. Consider the very direct similarities between the Toys"R"Us Corporation and Tools R Us. Though they could not be any more similar, no reasonable person with minimal intelligence has ever walked into a Toys"R"Us looking for an air compressor or a hammer. Likewise, no reasonable person with minimal intelligence would expect to find diapers or Barbies in at Tools R Us. This is a good example of common sense. Visually, your namesake product looks nothing like the Chick-fil-A cow sign, from the organic feel to the color to the font to the spelling to the subject. Had you gone with Kale-fil-A, I might have to take the restaurant's side, but in this case they are grasping at straws.

Beyond the visual element (signage and marketing material), you are not in the same industry, or even operating in competing geographical locations. Where you operate, like where I live, Chick-fil-A has no presence. I don't find their intentional misspelling charming or effective, but pairing it with a cow-costume wearing sign twirler has definitely given them a specific image - one that I honestly don't see you mimicking or competing with in any form or fashion.

I hope that the legal authorities reviewing your case use logic and common sense to settle this matter, and that your small company can continue to run as it always has. I'm appalled that the bully techniques being utilized by Chick-fil-A is even allowed in our legal system, and disappointed that they seem to think their customers are too stupid to recognize the hugely apparent differences between a small-time t-shirt/sticker maker and a huge chicken fast food chain.

Keep fighting the good fight, Bo. Justice has to prevail for the little guy sometimes, and it needs to prevail for you.

Anna Bandfield
Port Orchard, WA

"Remember, people will judge you by your actions, not your intentions. You may have a heart of gold - but so does a hard hulled egg."



1 message

Bo Muller-Moore <bo@eatmorekale.com>

Jen Potter <that_crazy_jen@yahoo.com>
Reply-To: Jen Potter <that_crazy_jen@yahoo.com>
To: "Bo@eatmorekale.com" <Bo@eatmorekale.com>

Wed, Apr 4, 2012 at 9:12 PM

Hi! I'm writing in response to your request for letters from former Chick-fil-a customers to discuss your t-shirt and sticker designs. Firstly, I would think that anyone who can 1) read 2) spell 3) see colors, and 4) notice differences in pictures, can tell the difference between "Eat More Kale" and "Eat Mor Chikin". I don't see how anyone could mix up the two, or think that they both came from the same entity. Does Chick-fil-a assume that we are all a pack of illiterate morons who can't think for themselves? It seems so, if they feel that their tired, egregiously misspelled slogan can be mistaken for yours and vice versa. Even if someone were to get confused, I don't see how your slogan *would negatively impact them, unless they're scared that it'll remind people that Chick-fil-a isn't really food.* Sure, I'll eat more chicken, but it'll be organic and cooked at home, with a huge side of kale.

Keep fighting the good fight, brother. Much love to you and yours.

Very Sincerely,

Jennifer Potter

 **Yes, Virginia, there is a difference between kale and chicken**
1 message

Bo Muller-Moore <bo@eatmorekale.com>

Michele Kornegay <mfkeditorial@gmail.com>
To: bo@eatmorekale.com

Wed, Apr 4, 2012 at 8:39 PM

Dear Bo (and Chick Fil A),

Kale is green; chicken is not.
Kale is a vegetable; chicken is not.
Kale grows in the ground; chicken does not.
You find kale in the produce section of the grocery store; chicken is found in the meat section.

When I want to eat chicken, I never find myself "confused" and end up eating kale.

They are two totally separate things; you'd have to be pretty darn stupid to confuse them.

What's not confusing, however, is Chick Fil A's ridiculous attempt to squelch the hard-working American institution of free enterprise!

You may have the \$\$ behind you, Chick Fil A, but Bo has the God's honest truth on his side. And right will win in the end.

Imagine how much GOOD the money you are using for lawyers' fees could do? Take that money and donate it to charity! Wouldn't that be the "Christian" thing to do?

This is a case of David vs. Goliath. As Bible-fearing folks, Chick Fil A should know how it will turn out . . .

Sincerely,

Not confused at all,

Michele Kornegay

Mail Calendar Documents Sites Groups More »



Your message has been sent.

More

Mail

COMPOSE

Letter about Chick Fil A (please disregard the first one. My toddler pushed "send")

Inbox x

Inbox (39)

Starred

Important

Sent Mail

Drafts (130)

Spam (235)

AWeber (2)

change orders

account issues

Chat

Search people...

Bo Muller-Moore

Set status he

Call phone

beavinsons2

Daniel Richardson

Jennifer Fliegelman jenflieg@gmail.com

8:37 PM (12 hours ago)

to me

To Whom it May Concern,

> I am writing as a former Chick Fil A customer and an Eat More Kale fan/customer. I have eaten and enjoyed Chick Fil A sandwich waffle fries, as a child growing up in Maryland and as an adult in Massachusetts at the local mall.

>

> I first saw Bo's Eat More Kale stickers about 2 years ago. I never thought about any correlation between his slogan and Chick Fil A Mor Chikn slogan. I was very surprised to learn about Chick Fil A's Cease and Desist order against Bo. The 2 slogans have almost r in common and there is nothing to confuse. Kale and fried chicken sandwiches are about as different as one can get, and Chick Fil / gimmick is the poor spelling. Bo's slogan is spelled correctly.

>

> I moved to Vermont last summer where there are no Chick Fil As. I do, however, go to Maryland and Massachusetts regularly and have continued to patronize their restaurants. I will not eat at Chick Fil A as long as they're working to put a hard-working small business owner out of business.

Thank you,
Jennifer Fliegelman

Bo Muller-Moore <bo@eatmorekale.com>

 RE: Chick-Fil-A

1 message

Nola Parker <parker.nola@gmail.com>
To: Bo@eatmorekale.com

Wed, Apr 4, 2012 at 8:32 PM

Dear Bo,

I was born and raised in Montpelier, Vermont and have known about "Eat More Kale" for what feels like my whole life. I had never heard of a Chick-Fil-A or their "Eat Mor Chikin" ad campaign until I was much older. I can honestly say, when I first encountered Chick-Fil-A and their slogan, "Eat More Kale" NEVER came to mind. Both phrases represent such completely different companies and products that I never have and never would confuse the two. Since moving out of Vermont I've paid my fair share of visits to Chick-Fil-A on roads trips etc... but after learning about your recent legal battle with them, I can safely say that I will never eat there again. I do not understand what they have to gain from not allowing you to trademark "Eat More Kale." I want to make it very clear that as a prior Chick-Fil-A customer, I have never been confused by your work. I actually feel a little insulted as a previous Chick-Fil-A customer that they believe so firmly that I and many others do not understand the difference between "Chikin" and "Kale." Best of luck and I will continue to support you in all your efforts and to spread your story to my friends down here in Texas, where there are many Chick-Fil-A's and many smart people who know the difference between a hearty green and a chicken sandwich.

Sincerely,

Nola Parker

 **Chik fila lawsuit**
1 message

Bo Muller-Moore <bo@eatmorekale.com>

JIM AND LINDA BAILEY <jimandlinda_bailey@msn.com>
To: bo@eatmorekale.com

Wed, Apr 4, 2012 at 8:12 PM

To Whom It May Concern,

I am writing to tell you that my family is tired of boycotting Chik fila. We have been boycotting it for months. My kids love their chicken. My husband loves their milkshakes. I love that they are closed on Sundays. But we will boycott them until they stop being arrogant enough to think that Americans are stupid enough to confuse Eat mor chicken with Eat More Kale. First of all, on the t-shirts, the words are spelled correctly. Second of all kale is a vegetable, and chicken is an animal. Also, I am offended that any company would think it can own a common phrase such as "Eat more" in any way. What are we mothers to do when we want our children to eat more of something? Find out if it is OK with a major corporation? Get their opinion on what we are advising our offspring to eat more of? No one should try to own common phrases in the English language.

Thank you for taking the time to read this.

Sincerely,

Linda M. Bailey
Bowie, MD

 **Webpage contact form submission**

1 message

Bo Muller-Moore <bo@eatmorekale.com>

kaleguy@r1-chicago.webserversystems.com <kaleguy@r1-chicago.webserversystems.com>
To: bo@eatmorekale.com

Wed, Apr 4, 2012 at 8:14 PM

name(Jeff R. Bowman)-email(jeff.r.bowman@gmail.com) - message - Are you confused by my t-shirt and sticker design?

No. the reason I joined your Facebook page was because of the stupidity of Chic-fel-A. I understand the legal requirement to vigorously protect one's trademark, but a reasonable person, within three standard deviations of the mean population, would never get the two confused. Period. The only thing the two have in common is the word "eat." And because of this stupidity I will not "eat" Chick-fel-A.

Jeff R. Bowman

Bo Muller-Moore <bo@eatmorekale.com>

M Letter to Bo Mueller/Chick-fil-a
1 message

Mark Beckendorf <mark@technologyspec.com>
To: "bo@eatmorekale.com" <bo@eatmorekale.com>

Wed, Apr 4, 2012 at 8:04 PM

Bo,

I wanted to write this letter to clarify my position on Chick-Fil-A's case against you and Eat More Kale. I had been a longtime customer of Chick-Fil-A when I came across an article via Facebook about Chick-Fil-A's cease and desist against you. I was never confused, nor would I have been between your two taglines and campaigns. If for no other reason, Chick-Fil-A purposely misspells MOR vs. your conventional spelling of the word. I discussed why we no longer eat at Chick-Fil-A with my 9 year old daughter, and I told her my thoughts on this case. Her response was "What's Kale" and "why would I get that confused". In my opinion, this is a case of corporate bullying plain and simple. The funny thing is that the only reason that I know about yourself or Eat More Kale is due to Chick Fil A themselves. They raised awareness that never would have crested outside of Vermont had they left you alone. In this case, they are their own worst enemy. I can personally attest to lost sales for Chick Fil A on order of \$20-\$30 per month since they started their campaign against you. Not a massive amount, but certainly not Chicken feed.

Sincerely,

MARK BECKENDORF | VICE PRESIDENT OF PROJECT SERVICES

480-491-1400 x215 office

480-239-5730 cell

480-491-3335 technical support

mark@technologyspec.com



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6119 Greenville Ave -540
Dallas, TX 75206

Bo Muller-Moore <bo@eatmorekale.com>

 **Chick-fil-A**
1 message

Barefoot Tom <tom@barefootbeach.us>
To: Bo@eatmorekale.com

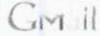
Wed, Apr 4, 2012 at 8:04 PM

Bo I have never in any way confused your products or slogans with Chick-fil-A's slogan "Eat mor chikin" For one thing I'm smart enough know how to spell. I also know the obvious difference between a t-shirt or poster I order on line and a chicken sandwich I buy in person. Chick-fil-A must think their customers and potential customers are really stupid to think they would be confused by this. Even Stevie Wonder and Ray Charles would be able to see the difference. It just baffles me to see that they think a reasonable person would be confused.

Barefoot Tom Achtenberg

Play your ukuiele every day

Mail Calendar Documents Sites Groups More »



Your message has been sent.

Mail

More

COMPOSE

(no subject)

Inbox x

- Inbox (38)
- Starred
- Important
- Sent Mail
- Drafts (130)
- Spam (236)
- AWeber (2)
- change orders
- copyright issues

Chat

Search people...

- Bo Muller-Moore
- Set status he
- Call phone
- beavinsons2
- Daniel Richardson

Ian LaMalfa iantamalfa@gmail.com

7:56 PM (14 hours ago)

to me

Hi, Bo-

I'm from NJ/NYC, and I've been to a Chik-Fil-A (the same one) a few times. I can't eat anything there, because I'm allergic to peanut my friends frequently want to go there. I've also been well aware of your brand for a while, since my local health food store (Whole l Center in Princeton, NJ) carries some of your shirts and stickers. I can say quite honestly that I had made absolutely no connection between "Eat More Kale" and "Eat Mor Chikin" until this issue surfaced. I don't believe the words "eat more" are enough for someone make a connection between two things. Aside from that, the context seems completely different. "Eat More Kale" doesn't strike me brand, or an advertisement, rather it strikes me as a grassroots movement- a public service announcement, even. "Eat More Kale"- I good for you, and you're supporting local farmers; it's as simple as that. "Eat Mor Chikin" is a goofy advertisement, written from the viewpoint of a cow, hoping that you as the consumer will go purchase and eat more chicken, rather than beef. It's actually pretty grin think about it, but clearly the message conveyed by this ad campaign is one of humor, and a focus on the product.

Given the extreme differences in message and context between these two short phrases, I can say very honestly that I never connect the two, nor will I ever be able to believe that the words "eat" and "more" are enough to merit a noticeable or harmful infringement or party.

Thanks, and good luck,
Ian LaMalfa

Bo Muller-Moore <bo@eatmorekale.com>

M re: Chick-Fil-A Confusion
1 message

Tracey White <twhitetlw@verizon.net>
To: Bo@eatmorekale.com

Wed, Apr 4, 2012 at 7:55 PM

My husband and I eat at Chick-Fil-A several times a week. (You can call the Carrollton, Texas morning crew and ask about the lady who always orders a plain buttered biscuit and a large Coke Zero - Old Denton location.) I am not now, nor have I ever been, nor would I ever be confused about kale having anything to do with your establishment. You see, you don't offer kale. So when I saw the Eat More Kale shirts, I automatically assumed that it was probably vegetarian awareness. In fact, I never even connected the "eat more" part to Chick-Fil-A. As a mother with a family who adores your place, I am truly disappointed in your tenacity in this matter.

You have my permission to share that in your defense. Let me know if I need to do this differently!

~Tracey White

 **Chik-fil-A needs to get off it**
1 message

Bo Muller-Moore <bo@eatmorekale.com>

Christi Cisek <ccisek@cox.net>
To: Bo@eatmorekale.com

Wed, Apr 4, 2012 at 7:52 PM

To Whom It May Concern,

Last I checked, we lived in the good 'ole US of A! Freedom of speech? Hardly! This hard working man from "Eat More Kale" is merely trying to make a living like the rest of us. Since when does his slogan have the SLIGHTEST thing to do with Chik-fil-A? I used to eat at this "Christian" establishment with MANY of our church family and Christian school that all our kids attend EVERY Tuesday evening. I haven't been NOR WILL I GO BACK unless this lawsuit is DROPPED. Shame on you, Chik-fil-A. CHRISTIAN PEOPLE (INCLUDING CORPORATIONS) DO NOT ACT LIKE THIS! You should be ashamed of yourselves.

If you are really threatened by a little guy who is trying to sell a few t-shirts, think again. He isn't raising chickens and opening up a restaurant. Although, I would support him if he did! Why don't you go and do something Christian-like and leave our friend alone.

A FORMER Chik-fil-A supporter,

Christi A. Cisek
(520)406-3344
Tucson, AZ

P.S. By the way, I have attended MANY of your grand openings and traveled to do so. Won't be doing that anymore, either! :(HUGELY DISAPPOINTED IN YOUR ANTICS.

+You Search Images Mail Documents Calendar Sites Groups Maps More

COMPOSE

Re: "Eat More Kale" vs "Eat Mor Chikin"

Inbox x

Starred

Important

Sent Mail

Drafts (157)

Spam (200)

Chat

Search people...

Bo Muller-Moore

Set status here

Call phone

beavinsons2

Dick Muller Designer ...

kim mancini kim.mancini.rd@gmail.com

to me

I wholeheartedly throw my support behind you and would like to address t your trademark application:

I've been familiar with Bo's "Eat More Kale" shirts for about 10 years, long remember thinking, wow! that's a really cool slogan. You see, I am a reg nutritious foods there is, and one of my favorite vegetables. In fact, I've especially my favorite variety, Lacinato kale. NEVER ONCE did I even dra misspelled billboards featuring cows humorously trying to escape their fac passing motorists to see. I think it would also be safe to say that not onc mistakenly assume it was printed by this large fast food corporation. In f the USPTO's ruling that Bo's shirts cause "confusion" to be absurd at

In addition to my career as a dietitian, I also assist my husband with his s designs and prints t-shirts, and we travel the country selling them at festi we encounter bootleg versions of his artwork, on t-shirts, stickers and hat funds to pursue trademarks on his artwork, especially since he has so ma reproductions ourselves when we see them, and try to explain to these br artist's work. I strongly support Bo's pursuit of a trademark on his "Eat M especially now that his work is more public and well-known than ever.