

Secretary's Report

This report details the day to day activities of the ASCA Board of Directors. It includes issues brought before the Board of Directors and mail, fax, e-mail and/or telephone communications. October 1-31, 2011.

Board of Director's Teleconference Monday October 3, 2011

The October 3rd, 2011 Board of Directors (BoD) meeting was called to order at 8:05 PM CDT by President Russ Ford. Those attending via phone were: Russ Ford/President, Peter Hellmeister/First VP, David Clayton/Second VP, Rick Gann/Secretary, Greg McClintock/Treasurer, Ronnie Bates/Director, Linda Gray/Director, Rachael Vest/Director, and Tenley Dexter/Director.

1. Discussed what actions to take regarding the resignation of Executive Secretary Mary Logue.
 - a. BoD decided best course of action was to accept Mary Logue resignation and move forward finding her replacement. A public announcement will be posted on the ASCA-L advertising for a new Executive Secretary.
 - b. Motion by Bates, Second by Hellmeister: I move to accept the resignation of Executive Secretary Mary Logue and make a public announcement thanking Mary for her service and dedication to ASCA. This is to be followed up by a written letter. Approved: Unanimously.
2. BoD decided it would be in the best interest of ASCA to conduct an exit interview with departing Executive Secretary Mary Logue.
 - a. Exit interview to be conducted by Vest/Dexter
 - b. BoD were encouraged to send sample question to Vest
3. President Ford called former Executive Secretary Jo Kimes to solicit temporary help until the Spring board meeting or until the new Executive Secretary was hired/trained.
 - a. Motion by Ford, Second by Gann
 - b. Motion was tabled
4. Director Hellmeister talked about the possibility of having director McClintock's wife who is a CPA to assist with writing the "how too" manual for the Treasurer position.
Director Clayton left the call at 9:02 PM CDT
5. Motion to Adjourn McClintock, Second Dexter: Approved: Ford, Hellmeister, Gann, Bates, Vest, Dexter, McClintock, Gray Non-voting: Clayton *Motion Approved.*

_____/s/Rick Gann_____
ASCA Secretary

_____/10/03/11_____
Date of Approval

01:03 Emergency Motion- Executive Secretary

Motion by Ford, Second by Hellmeister - I make an emergency motion that we hire Jo Kimes as a temporary Executive Secretary, her service not to extend the Spring Board meeting 2012. Approve: Ford, Vest, Dexter, Gann, Gray, McClintock, Bates, Clayton; Abstain: Hellmeister. The motion is approved.

11:34 Obedience judge complaint/Nationals 2011

Motion by Gray, Second by Ford

I move to send Dorothy Herman a letter in answer to her Obedience concern letter of 9/27/2011. The letter to Dorothy will state the Ch 2, Sec 15 of the ASCA Obedience Rule book and state by her own admission she did not follow the rules. The judge was following ASCA rules as written.

Effective when passed.

Rational:

From the ASCA Obedience Rule book.

Chapter 2, Section 15, regarding catalog order:

Judges are not required to wait for dogs for either the individual exercises or the Group exercises. It is the responsibility of each handler to be ready with his dog at ringside when required, without being called.

The judge's first consideration should be the convenience of those exhibitors who are at ringside with their dogs when scheduled, and who ask no favors. A judge may agree, on request in advance of the scheduled starting of the class, to judge a dog earlier or later than the time scheduled by catalog order. However, a judge should not hesitate to mark absent and to refuse to judge any dog and handler that are not at ringside ready to be judged in catalog order if no arrangement has been made in advance.

Comments:

By Dorothy Herman's own admission she did not let anyone know she was leaving ringside. No arrangement was made in advance. While it is unfortunate for Ms Herman, the problem as I see it is the ring steward telling her it would not be a problem before speaking to the judge.

Approve: Unanimous. The motion is approved.

The judge's first consideration should be the convenience of those exhibitors who are at ringside with their dogs when scheduled, and who ask no favors. A judge may agree, on request in advance of the scheduled starting of the class, to judge a dog earlier or later than the time scheduled by catalog order. However, a judge should not hesitate to mark absent and to refuse to judge any dog and handler that are not at ringside ready to be judged in catalog order if no arrangement has been made in advance. Approve: Unanimous. *The motion is approved.*

98:02 Rename Conformation Evaluations in line with National entries

Motion by Clayton

I move to approve the following motion from the Most Versatile Committee:

From:

MVA Rulebook #5. CONFORMATION EVALUATION (See Appendix A)

Appendix A (Evaluation Title) MOST VERSATILE AUSSIE CONFORMATION WORKSHEET

Change to:

MVA Rulebook #5. MOST VERSATILE AUSSIE EVALUATION (CONFORMATION EVALUATION)) (See Appendix A)

Appendix A (Evaluation Title) MOST VERSATILE CONFORMATION EVALUATION WORKSHEET

Committee voting: Motion by: Jan Wesen Second by: Adriana Plum Voting: Unanimous

Comments: Clear up confusion concerning which class to enter for the MVA Conformation Evaluation at Nationals. Match rulebook with Nationals MVA premium entry information

Party(s) Impacted (affiliate, member, Aussie, etc.): MVA competitors at National.

Effective date: This motion will go into effect 60 days after publication in the Aussie Time

Approve: Unanimous. *The motion is approved.*

98:02 Add the Rally to the performance programs used in the Most Versatile Aussie Rulebook

I move to approve to approve the following motion from the Most Versatile Aussie Committee

FROM:

MOST VERSATILE AUSSIE RULES

1. To earn the Most Versatile Aussie Award, each entry must earn a score from the Conformation Evaluation and a qualifying score from a regular Stockdog class. In addition, to remain eligible for the MVA Award, each entry must earn a qualifying score from at least one of the following three performance programs: Agility, Obedience, and Tracking. Program specifics will be mentioned in these rules under each program.

To:

MOST VERSATILE AUSSIE RULES

1. To earn the Most Versatile Aussie Award, each entry must earn a score from the Conformation Evaluation and a qualifying score from a regular Stockdog class. In addition, to remain eligible for the MVA Award, each entry must earn a qualifying score from at least one of the following four performance programs: Agility, Obedience, Rally or Tracking. Program specifics will be mentioned in these rules under each program.

Motion by: Jan Wesen Second by: Andrea Hoffman Voting: 7 yes, 1 no (Terry Thomascik) , I do not want Rally added to MVA.

Comments: Purpose: Add the Rally program to the MVA rules

Party(s) Impacted (affiliate, member, Aussie, etc.): This will affect dogs competing in MVA at nationals.

Effective date: This motion will go into effect 60 days after publication in the Aussie Times.

Voting in regards to the motion went as follows: Approve: Hellmeister, Clayton, Bates, Ford, Vest; Disapprove: Gray, McClintock, Dexter; Abstain: Gann. *The motion is approved.*

Letter of Dissent (Dexter): There is no maker of this motion and it should have therefore been ruled out of order.

98:15 Obedience Committee: Changes to the Obedience Rule Book

Motion: Bates

I move to accept the following Obedience Committee motion:

OBEDIENCE COMMITTEE

COLLECTIVE MOTION made by Anne Shope, seconded by Jan Weis

Motion 2011-8

Purpose:

To make the rulebook consistent in information

To make the rulebook more user friendly

To bring the Reference Page current with data and dogs both

To place information in one location for the ease of updating and referral both

Effective: 1/1/2012

Motion was unanimously approved by members of the Obedience Committee and is attached in PDF format.

Approve: Unanimous. *The motion is approve.*

96:02 SDC Motion: Section 7 Selection of Finals Judges - Subsection 12.7.3

Motion: Bates

I move to accept the following motion from the Stockdog Committee.

Motion to change 12.7.3 from:

12.7.3 Judges for the Stockdog Finals will be selected from all ASCA Stockdog Judges who return the questionnaire to the Business Office by the designated date and indicate they would be available. Stockdog Judges will be excluded from the potential list if they:

a. Have provisional status.

b. Have pending or previous disciplinary action within the last year.

c. Have judged SD Finals in both of the last two years. (Effective: June 1, 2011)

d. Have failed to judge at least three unrelated ASCA Working Trials on all classes of stock in the past three years.

(Related Trials are those held at the same place within a 10 day period.)

TO:

12.7.3 Judges for the Stockdog Finals will be selected from all ASCA Stockdog Judges who return the questionnaire to the Business Office by the designated date and indicate they would be available. Stockdog Judges will be excluded from the potential list if they:

a. Have provisional status.

b. Have pending or previous disciplinary action within the last year.

c. Have judged SD Finals within the last two years. (Effective: June 1, 2011)

d. Have failed to judge at least three unrelated ASCA Working Trials on all classes of stock in the past three years.

(Related Trials are those held at the same place at within the same 10 day period.)

e. Any judge applying to judge ASCA Stockdog Finals must be an ASCA member in good standing when submitting their application for a minimum of five years.

f. All provisional, apprentice, and future judge applicants must hold a valid ASCA membership and judge at least four unrelated ASCA Working Trials on all classes of stock in a period of five consecutive years before being eligible to apply for the position of Stockdog Finals Judge.

g. Any existing judge who currently satisfies all of the requirements for judging finals, but is not an ASCA member, may become a member and immediately be considered for the position of finals judge as long as they become a

member by 6/01/12. This is a onetime grace period. If they have not become a member by 6/01/12, they will then have to become a member and remain a member for five consecutive years before being considered for ASCA Stockdog Finals judge.

h. All finals judges must be ASCA members effective with the 2013 Stockdog finals.

Rationale: APPRENTICE JUDGES MUST BE MEMBERS TO BE ACCEPTED TO BECOME JUDGES AND Finals contestants must be ASCA members to earn finals points on their dogs. The contestants should be judged by ASCA Stockdog judges who are also ASCA members. Membership in ASCA, shows that the judges respect ASCA and its programs.

Approve: Caldwell, Barhite, Kelly, Mason, Padgett, DeJong, Garrett, Schvaneveldt, Wesen

Disapprove: Baker Non-Voting: Butler, Pinney

Comments:

Wesen - Important on stock to have judges be members and support ASCA as a member. Stock does not take judges from other registry. I believe all stockdog judges acting on ASCA behalf should be members.

Padgett - Rationale: If a judge DQ's a dog during a trial, and exhibitor pursues legal action. ASCA will be protecting our judges, so our judges should be members. Plus, it shows the judge supports and believes in ASCA and its Stockdog Program.

Voting in regards to this motion went as follows: Approve: Gann, Clayton, Dexter, Bates, Ford, Vest; Disapprove: Hellmeister, Gray, McClintock. *The motion is approved.*

96:02 SDC Motion: Chapter 7, Section 1 Judge's Duties, Subsection 7.1.4

Motion: Bates

I move to accept the following Stockdog Committee Motion.

We have a motion by Mason, with a second by Padgett. The discussion period has begun, and a vote will be called for on September 14th.

Here is a formal motion for changing section 7.1.4 as discussed in recent emails by the SDC.

Rationale: Apprentice judges must be an ASCA member in good standing for 5 years to apply to the program and as an official and privileged representative of ASCA; they should maintain their support of the parent organization.

This rule would go into effect as of 6/1/12 to allow presently lapsed membership dues to be paid by current ASCA Stockdog Judges without having to petition the SDC.

Present: 7.1.4 Membership-Judges are encouraged to become ASCA members.

Motion to change 7.1.4 to the following based upon the rationale noted above:

7.1.4 Membership-Stockdog judges are required to maintain a full ASCA membership in good standing to accept ASCA Stockdog judging assignments. The judges' dues status will be confirmed prior to sanctioning of trials. If a judge's membership should be lapsed for less than 6 months, the judge will not be allowed to officiate at sanctioned ASCA trials until the annual membership dues are paid in full. If a judge's ASCA membership dues lapse for more than 6 months, then the judge will need to petition the ASCA SDC for immediate reinstatement pending payment of their dues prior to officiating at any ASCA stockdog trials. An ASCA Stockdog judge's status can be revoked by the ASCA SDC and BOD for repeated lapses in ASCA membership dues.

Approve: Caldwell, Kelly, Mason, Garrett, Schvaneveldt, Wesen Disapprove: none

Non-voting: Baker, Barhite, Padgett, DeJong, Butler, Pinney

Voting in regards to the motion went as follows: Approve: Clayton, Vest; Disapprove: Hellmeister, Gann, Gray, McClintock, Dexter, Bates, Ford. *The motion is not approved.*

11:31 Natls Executive Committee

Motion: Vest Second: Clayton

I move to amend the dates listed in the National Specialty Executive Committee motion 11:31 as follows:

The ASCA National Specialty Executive Committee of the ASCA Board will plan and execute the ASCA 2014 National Specialty and Finals. The Committee will be comprised of three members of the ASCA Board and four at large members who specifically have experience with the execution of a National Specialty. Mission statement will be created immediately to clearly define the steps necessary for ASCA to assume the responsibility for the 2014 Nationals and Finals. The National Specialty Committee will present their recommendation to the ASCA Board by the spring 2012 Board meeting.

Effective date: Immediately

Parties involved: ASCA Board

Comment: Creation of the National Specialty Committee is to insure that ASCA can provide a viable alternative to Affiliate hosting of the National Specialty and Finals. The size and scope of the event places an unreasonable burden

on a local Affiliate to manage. Resources required to plan and execute a National Specialty and Finals require that the ASCA Board take a more involved role.

Voting in regards to the motion went as follows: Approve: Unanimous. *The motion is approved.*

98:15 Obedience Committees: Motion 2011-9

Motion: Bates

I move to approve the following Obedience Committee motion. The rule, if passed, will not go into effect until 6/1/2012.

Motion 2011-9

Jayne Lips moved and Jan Weis seconded that the Obedience Merit Rules be placed in the Obedience Rulebook either before or after finals rules and requirements.

VOTING: Unanimous to approve

Effective: 1/1/2012

Purpose: The merits, as listed below, are listed at the ASCA site only. The Committee members felt the merits should also be listed in the Obedience Rulebook as there are still many exhibitors who don't utilize computers to download or access information.

COMPUTING TOP TEN OBEDIENCE STANDINGS recording year 6-1 thru 5-31 NOVICE the top three scores from the present recording year are added and averaged. The total and average are listed in the Aussie Times. Scores from a previous year can be used but the dog must receive its certificate within the present recording year. Example: One score from 5-1-99 (prior to 6-1-99), two from 7-1-99 and 7-2-99 (after 6-1-99) Title is received in current recording year.

OPEN the top three scores from the present recording year are added and averaged. Scores from Open A or Open B are used. When dog is competing in Open A scores from a previous year can be used but the dog must receive its certificate within the present recording year. Example: One score from 5-1-99(prior to 6-1-99) , two from 7-1-99 and 7-2-99 (after 6-1-99) Title is received in current recording year. When a dog is competing in Open B and has its CDX title only scores from the current recording year can be used. Dogs can compete in Open indefinitely so are eligible for Top Ten Open indefinitely.

UTILITY the top three scores from the present recording year are added and averaged. Scores from Utility A or Utility B are used. When dog is competing in Utility A scores from a previous year can be used but the dog must receive its certificate within the present recording year. Example: One score from 5-1-99(prior to 6-1-99), two from 7-1-99 and 7-2-99 (after 6-1-99) Title is received in current recording year. When a dog is competing in Utility B and has its UD title only scores from the current recording year can be used.

SUPER DOG Dogs compete in Open and Utility on the same day. The scores are added and averaged.

Voting in regards to the motion went as follows: Approve: Unanimous. *The motion is approved.*

98:15 Obedience Committees: Motion 2011-10

Motion: Bates

I move to approve the following Obedience Committee motion. The Motion, if approved, will go into effect on June 1, 2012.

Motion 2011-10

Motion made by Laura Uran and seconded by Kim Waller.

FOR: 11

AGAINST: 1

ABSTAIN: None

Effective: 1/1/2012

Purpose: Replace #1 and #2 in Section 19 with the following. #1 is clarified on how the leash may be held when the left hand holds the leash with the left arm dropped to the handler's side. #2 is clarified when both hands hold the leash

with arms bent to the waist, or the right hand holds the leash with the right arm bent to the waist.

SECTION 19: In all exercises in which a dog is required to heel on-lead, one of the options listed shall be followed:

1) When the leash is held in the left hand and the left arm is dropped naturally at the Handler's side, the left arm and hand may either remain still or swing naturally at the Handler's side. The right arm shall swing naturally.

2) When the hand(s) holding the leash is held against, and centered in the front of the body, in the area of the waist, the forearm(s) shall be carried, as much as possible, against the body. Any arm not bent to the waist must swing naturally. The rest remains the same.

Voting in regards to the motion went as follows: Approve: Hellmeister, Gann, Clayton, McClintock, Dexter, Bates, Ford, Vest; Abstain: Gray. *The motion is approved.*

4:05 Agility Committee: Resubmission of 14-2011 Survey Motion to BOD

Motion by Hellmeister

I move to accept the following recommendation of the Agility committee.

Motion by Krystal, 2nd from Pamela.

Motion to have an online (ASCA website) survey and report forms for agility exhibitors to let the committee know how trials are being run throughout the nation.

Discussion until 8/21, voting until 9/4. Motion passed with 8 yes, 1 AB (Ally) and 4 non voting (Caroline, Pamela, Robin & Andrea).

I make a motion for the ASCA Agility Committee to develop an online survey for competitors to share their trial experiences as well as an online problem report form which could be accessed through the ASCA Website.

The online surveys would be two fold. · Online General Trial Survey · Online Problem Report Form (Containing the rulebook violation number) ETC.

Rational in developing this type of reporting system: To help create happy competitors and generate higher profits within the ASCA organization, these surveys will help us measure our competitor's relative happiness. These surveys can help ASCA retain long-time competitors by identifying and addressing their needs and concerns. They also help transform competitors into loyal established members by demonstrating ASCA's concern for service and satisfaction. These surveys would offer insight into competitor's attitudes that may otherwise go unnoticed, shining a much needed light on ASCA strengths, weaknesses, and challenges for the future.

The online Problem Report Form would give members a central place to file reports of problems and help the Agility Committee be aware of rulebook violations which could be detrimental to ASCA Agility Program.

Samples of these forms are available at the links below:

[Online General Survey Form](http://www.jotform.com/form/12232259469) <http://www.jotform.com/form/12232259469>

[Online Problem Report Form](http://www.jotform.com/form/12251734453) <http://www.jotform.com/form/12251734453>

Cost in implementing these surveys to the ASCA organization and providing access to the ASCA membership online would be nothing.

Voting in regards to the motion went as follows: Approve: Hellmeister, Gann, Gray, Dexter, Bates, Ford; Disapprove: Clayton, McClintock, and Vest. *The motion is approved.*

4:05 Agility Committee: Motion 16-2011 Jump Height Card v.2

Motion by Hellmeister

Move to approve the following recommendation of the Agility Committee

Motion by Pamela, 2nd by: Krystal Discussion period until 10/10/11, followed by voting until 10/21/11.

Effective February 1, 2012

Section 2.5.2 Required Measurements currently reads:

Only dogs entering the Small and Medium dog classes (i.e., classes in which the dog's wither height is 18" and under) that do not have a permanent NADAC or AKC height card are required to be measured. Copies of height cards may either be mailed in or presented at trial check in.

Amend to read:

Section 2.5.2 Required Measurements:

Dogs entering the jump height classes 20" or less (with height less than or equal to 20"), that do not have a permanent ASCA, AKC or NADAC height card must be measured. Dogs entering 20+'' or 24" jump heights are exempt.

The Trial Secretary shall maintain a list of all dogs needing measurement for the trial. All dog's requiring measuring must present a permanent height card or be measured before the dog's first run of the trial.

If a dog was not measured and competed in a jump height class lower than eligible for, any qualifying scores AND PLACEMENTS earned at the incorrect jump height are forfeited. The only exception is a 20+'' dog that competed in the 20'' jump height class. That dog will be moved immediately to 20+'' and all placements earned forfeited.

Any dog that measures higher than the entered jump height for that trial has two options:

1. Move dog to the higher jump height.
2. Run in the entered jump height, but move to the FEO division.

See Rulebook chapter 7, section 7.3 for FEO details.

Any dog that cannot be measured by the Judge of record for any reason must jump 20+'' or move to the FEO division (enter at the desired jump height) for that trial.

Copies of approved height cards may either be mailed with trial entry form or presented at trial check in. Trial secretaries may note a dog's height card as 'on file' for future trials hosted by the same affiliate to avoid having to re-verify a dog's height.

The trial Judge of record has the right to re-measure a dog believed to be running in the wrong jump height class at any time. In the event of a question concerning a dog's actual height, the exhibitor must re-present the card or the dog to verify actual height.

The decision of the Judge of record is final.

Insert new verbiage as section 2.5.3 and re-number the existing sections:

2.5.3 Obtaining ASCA Jump Height Cards:

Dogs that are a minimum of 2 years old with a standard jump height of 20'' or less (whither height less than or equal to 20'') may apply for an ASCA Permanent Jump Height Card.

The Jump Height Card Application may be downloaded from the ASCA website (asca.org).

The exhibitor must present two copies of the Jump Height Card Application at measuring. The measuring Judge will sign both copies and return them to the exhibitor after measuring. Upon completion of the required measurements, one copy of the form will be sent by the trial secretary to the ASCA Business Office. The other copy is for the exhibitor's record. The ASCA Business Office will only accept original signatures. No copies will be accepted.

The exhibitor must obtain two measurements by a measuring device from two separate ASCA Agility Judges at ASCA sanctioned agility events. If two separate ASCA Agility Judges are at the same ASCA sanctioned agility event they may both measure for the height card.

Any ASCA approved agility judge, not the official trial judge, may measure dogs. Host clubs should make prior arrangements with ASCA Agility Judges to measure at trials.

All measuring Judges will note the lowest standard jump height for which the dog qualifies on the "ASCA Jump Height Card Application". If any one of the two measurements by a measuring Judge results in a measurement indicating a different standard height class from the other measurement, then a 3rd measuring Judge shall make an independent measurement and will make the final determination of the lowest standard jump height class for the dog may enter.

Upon completion of the measurement by the first measuring Judge if it is determined the dog is more than 1'' below the standard jump height cut off for which the dog is applying, the first measuring Judge will check the box stating so and the dog will only require one signature on the form.

The decision of the measuring Judge(s) is final.

Once approved by the Business Office, the ASCA Jump Height card will be electronically mailed to the exhibitor, unless requested to be postal mailed. The exhibitor is responsible for keeping the card secure and with them at all ASCA Agility trials.

A fee will be levied to replace lost cards for both ASCA and non-ASCA members.

2.5.3.1 Challenging a Measurement:

An exhibitor may challenge a dog's final measurement once a year. The exhibitor must obtain two measurements by a measuring device from at least two separate ASCA Agility Judges at ASCA sanctioned agility events.

If the two measurements agree then the exhibitor is granted the challenge. The exhibitor is to relinquish the original height card to the final measuring Judge. The Judge will attach it to the new form and give to the Trial Secretary to submit with the show paperwork.

If the two measurements do not agree, the challenge is not accepted, and the exhibitor may not apply for another challenge until one year after the first challenge.

The decision of the challenge measuring Judges is final.

Change item 7 in sections 6 of Appendix A (Equipment Specifications) from:

7. Dog Height Measuring Device - Dogs entering the Small and Medium dog classes (i.e., classes in which the dog's wither height is 18" (45.7 cm) and under) that do not have permanent NADAC or AKC height cards need to be measured.

Calibrated wickets are allowed.

To:

7. Dog Height Measuring Device - Dogs entering the jump height classes 20" or less (with height less than or equal to 20"), that do not have a permanent ASCA, AKC or NADAC height card must be measured. Dogs entering 20+" or 24" jump heights are exempt.

Calibrated wickets or measuring devices are allowed.

Voting in regards to the motion went as follows: Approve: Unanimous. *The motion is approved.*

98:15 Obedience Committee: Appoint Maria Papineau to committee

Motion: Bates

I move to approve Maria Papineau as a member of the Obedience Committee from Region 6.

Justification: The Obedience Committee has several openings. The Committee has only one representative from Region 6. The committee currently has 12 members and a large majority represents Region 5. We will continue to look for members to appoint to this committee from Regions not represented or that only have 1 representative.

Voting in regards to the motion went as follows: Approve: Hellmeister, Gann, Gray, McClintock, Bates, Ford, Vest; Disapprove: Clayton, Dexter. *The motion is approved.*

Letter of Dissent (Dexter): Applicants for Committees were just considered at Natls and applicants should have gotten their resumes in for that discussion and vote.

95:05 Trademark Attorney Motion

Motion by Ford Second by Gray

I move that the ASCA Board approve expenditure in the amount of \$ 8830.00 dollars to trademark Attorney Rick Larson to renew and re-apply for ASCA's four trademarks. The proposal by Larson to renew marks incorporates costs to re-establish those marks which have expired, specifically the two Dog's Head Logos and the Aussie Times. Ray Fryar as office manager will be tasked with oversight of the contract and putting a reminder system in place to assure prompt renewal of these trademarked items in the future.

Comments: This motion is needed to renew and re-apply for ASCA's Trademarks by approval of a contract with Rick Larson ASCA's patent attorney.

Party Impacted: Rick Larson contract

Trademark application services are charged at a minimum flat rate of \$3500 for the first international class and \$1830 for each additional. Each class is best done with a separate application with the Patent and Trademark office. The flat rate includes preliminary computer-based trademark screening as needed, one full unexpedited trademark screening search with Thomson Compumark, evaluation of search results with the client, formulation of application strategy to minimize objections from the examining attorney, legal research incident to the application, preparation of the application, federal application fees for a single international class of goods/services and incidental communication with the examining attorney through the date of the PTO's First Office Action.

Additional services concerning an application are billed at my hourly rate of \$385. Events which do not occur for all applications, but which result in extra cost include: additional or expedited trademark screening searches, proceedings before the PTO subsequent to the First Office Action (such as negotiations and additional filings), and proceedings concerning public objections after publication of the mark.

- \$375 filing fee, plus \$335 per class
- \$500-1,000 for single full trademark search (changes constantly)
- Includes all preparation through First Office Action
- Excludes all charges for Office Actions, etc. (litigation/negotiation with PTO or third parties)
- Annual TM watching service \$500 flat rate is optional (tells us if others are filing competing marks to which we should object)

So, barring complications outside of my control, the fees to bring your marks current would be:

\$3,500 each for three marks

\$1,830 for one additional class for one mark (we will discuss if other marks should be registered in additional classes)

\$12,330 total, paid in advance

However, because you are a returning client, and I am familiar with your marks, I propose a substantial discount of \$2,500. So, \$9,830, paid in advance. (Please note this total is not entirely legal fees. Thousands of dollars of this proposed fee are disbursements I must make to the USPTO and Thomson Compumark).

As described above, if the PTO wants to fight (which usually does not occur), I will bill the proceedings at my hourly rate of \$385. Also, if we decide that additional international classes are appropriate, there will be additional fees and costs.

I wish I could lower the price further, as I realize everyone is pinched in this economy. It is possible to do much of this work yourselves at potentially reduced expense. One can also perform one's own appendectomy.

Why motion is needed: From the Policy Book

Expenses

8.6.1 Purchases exceeding One Thousand Dollars (\$1,000.00).

A. Purchases of anything other than normal office expenses (examples: payroll and supplies) exceeding One Thousand Dollars, must be approved by the President or Treasurer.

B. Purchases of anything other than normal office expenses between One Thousand and One Dollars (\$1,001.00) and Five Thousand Dollars (\$5,000/00) must be approved by the President and the Treasurer and the rest of the Board of Directors should be notified of the approval.

C. Purchases of anything exceeding Five Thousand and One Dollars (\$5,001.00) must be approved in the Minutes by the Board of Directors

Voting in regards to the motion went as follows: Approve: Clayton, Gray, McClintock, Bates, Ford; Disapprove: Hellmeister, Gann, Dexter, Vest; *The motion is approved.*

Letter of Dissent (Dexter): Taking ASCA's finances and the high cost of this motion in consideration, it is irresponsible to summarily consider all of the trademarks rather than evaluate and renew each one individually on their merit.

Letter of Dissent (Vest): Could support if the motion called to revive the trademark on the Aussie head logo, but cannot support an expenditure on the Aussie Times logo which has been expired for years. This expenditure is not fiscally prudent at this time.

