

UNITED STATES DISTRICT COURT - CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION

WGBH EDUCATIONAL FOUNDATION)
)
 Plaintiff.)
)
 vs.)
)
 JEFFREY A PARSONS, THR & ASSOCIATES,)
 INC. (a/k/a or d/b/a ANTIQUE TREASURE)
 HUNTERS ROADSHOW, TREASURE)
 HUNTERS ROADSHOW INTERNATIONAL)
 COLLECTORS ASSOCIATION, and OHIO)
 VALLEY GOLD & SILVER REFINERY). and)
 JOHN DOES 1-10, persons or entitles whose)
 present identities are unknown,)
)
 Defendants.)

Case No. 10-3050

COMPLAINT

NOW COMES Plaintiff, WGBH Educational Foundation (“WGBH”), by its attorneys, Donald M. Craven, P.C. and Fross Zelnick Lehrman & Zissu, P.C., for its complaint against Defendants Jeffrey A. Parsons; THR & Associates, Inc. (a/k/a Antique Treasure Hunters Roadshow, Treasure Hunters Roadshow, International Collectors Association and Ohio Valley Gold & Silver Refinery) and John Does 1-10, which represent fictitious names for companies and individuals presently unknown that work along with, in concert with, or independent from the named defendants identified above (all collectively, “Defendants”) alleges as follows.

NATURE OF THE ACTION

1. This action arises out of and is based on Defendants’ attempts to usurp the good will of and knowingly trade on WGBH’s famous and hugely successful *Antiques Roadshow* television program and its ARS Marks and treasure chest logo. Defendants’ use of the names

TREASURE HUNTERS ROADSHOW and ROADSHOW to refer to themselves, their appraisal events and their online and television programming and their use of a treasure chest is without WGBH's authorization, and is done with the knowledge that such use is in violation of WGBH's rights. Such activity is designed to deceive and has deceived consumers into believing Defendants are associated with Plaintiff. is being done by Defendants to generate interest in their own services and events, is being done by Defendants to trade on Plaintiff's reputation for Defendants' own commercial gain, and is done with knowledge of Plaintiff's rights and goodwill.

2. WGBH asserts claims against Defendants for unfair competition and false designation of origin under Section 43(a) of the Trademark Act of 1946 (the "Lanham Act"), 15 U.S.C. §1125(a)(1)(A); false and misleading advertising under Section 43(a) of the Lanham Act, 15 U.S.C. §1125(a)(1)(B); and for unfair competition and unfair business practices in violation of the state and common laws of the State of Illinois, including Uniform Deceptive Trade Practices Act, 815 ILCS § 510. WGBH seeks permanent injunctive relief against Defendants to prevent their use of the terms ROADSHOW, TREASURE HUNTERS ROADSHOW, or other variants thereof; a permanent injunction to prevent Defendants' false and deceptive advertising and other activities that are designed and intended to create a false association between Defendants' services and events and Plaintiff or that otherwise misrepresent Defendants' services and events; an accounting and disgorgement of all profits received by Defendants flowing from the acts complained of herein; recovery of Plaintiff's damages; recovery of Plaintiff's attorney's fees; any other relief authorized by the Lanham Act and applicable state law; and such other relief as the Court deems just and proper.

PARTIES

3. Plaintiff WGBH Educational Foundation is a Massachusetts charitable not-for-profit corporation having an office and principal place of business at One Guest Street, Boston, Massachusetts 02135. WGBH is the exclusive licensee in the U.S. of all rights in the mark ANTIQUES ROADSHOW and has exclusive common law rights in the U.S. in ROADSHOW in connection with entertainment and related goods and services.
4. Upon information and belief, THR & Associates, Inc., also known as, otherwise doing business as, or affiliated with Antique Treasure Hunters Roadshow, Treasure Hunters Roadshow, International Collectors Association and Ohio Valley Gold & Silver Refinery (collectively "THR") is a business entity located and doing business in this district at 3200 Pleasant Run, Springfield, IL 62711.
5. Upon information and belief, Defendant Jeffrey A. Parsons ("Parsons") is president, founder and sole shareholder of Defendant THR, controls all of the activities of THR, and owns and controls the businesses conducted under the names Antique Treasure Hunters Roadshow, Treasure Hunters Roadshow, International Collectors Association and Ohio Valley Gold & Silver Refinery. On information and belief, Parsons resides in this District at 23200 Clemens Road, Athens, Illinois 62613 and does business at 3200 Pleasant Run, Springfield, IL 62711.
6. John Does 1-10 represent fictitious names for companies and individuals presently unknown that worked along with, in concert with, or independent from the named defendants identified above.

JURISDICTION AND VENUE

7. This Court has jurisdiction over the subject matter of this action pursuant to § 39 of the Trademark Act of 1946 (the “Lanham Act”), 15 U.S.C. § 1121, and under §§ 1331, 1338(a) and 1338(b) of the Judicial Code, 28 U.S.C. §§ 1331, 1338(a) and 1338(b). The Court has supplemental jurisdiction over the state law claims under § 1367(a) of the Judicial Code, 28 U.S.C. § 1367(a).
8. Venue arises under 28 U.S.C. §1391(b), and 1400(a), because a substantial part of the events giving rise to the claim occurred in this district and Defendants and/or their agents transact business or may be found in this district.
9. This Court has personal jurisdiction over Defendants under Uniform Deceptive Trade Practices Act, 815 ILCS § 510, because, upon information and belief, Defendants, directly or by an agent, continuously and systematically transact and solicit business in this district, derive substantial revenue from services rendered in this district, and because the events giving rise to this Complaint occurred in the State of Illinois and had effects in the State of Illinois.

FACTS COMMON TO ALL COUNTS

- A. *The Antiques Roadshow* Television Program and WGBH’s Trademark Rights
10. WGBH has been and continues to be a prominent member of the public broadcasting community and the leading producer of national programs for public television. Among the television programs produced by WGBH are the well-known and critically acclaimed series *NOVA*, *American Experience*, *Masterpiece Theatre*, *Arthur*, *Mystery!*, *Frontline*, *Curious George* and *The Victory Garden*.

11. WGBH is the producer of the U.S. version of the internationally renowned television series *Antiques Roadshow*. Each episode of *Antiques Roadshow* features an appraisal event in a different U.S. city. At each appraisal event, specialists from leading auction houses (e.g., Bonhams, Christie's, Doyle New York, Freeman's Auctioneers, Skinner, Sotheby's) and/or independent appraisers provide free appraisals of antiques and collectibles brought in by members of the public. In addition to the appraisals, *Antiques Roadshow* also provides tips on collecting, historical information and visits to cultural sites such as museums, the homes of well-known collectors and historical places.
12. WGBH began producing *Antiques Roadshow* in 1996. To date, WGBH has produced 248 episodes of *Antiques Roadshow*, of which 230 have been broadcast nationally on PBS. On average, each episode of the program is seen by close to 10 million viewers nationwide making *Antiques Roadshow* the most-watched prime-time series on PBS. In addition, the public can go to the actual appraisal events that are taped for the television series. To date, 97 appraisal events have been held in over 50 cities nationwide with attendance at these events exceeding 400,000. The program also is available through iTunes downloads and has been available on DVDs.
13. The ANTIQUES ROADSHOW name is prominently featured on all television programs, DVDs, iTunes downloads, promotions for the appraisal events and at the appraisal events themselves. In addition, the ANTIQUES ROADSHOW name is prominently displayed on the website <http://www.pbs.org/antiques>, which complements the *Antiques Roadshow* television program and features a searchable archive of hundreds of video clips from episodes dating back to January, 2003. The website also provides exclusive un-aired footage

and hundreds of news articles and trade tips regarding antique collection. During the period 2002-2009, there were over 17 million visits to the *Antiques Roadshow* website. The *Antiques Roadshow* website also offers an online newsletter, *Fanfare*, that to date has more than 130,000 subscriptions.

14. The program has struck a chord with consumers and viewers because it is part mystery, part history lesson and part treasure hunt. The program draws all of those who hope to discover in their attic or their basement an item of incalculable value. And indeed, there have been great moments on the program where this has occurred. For example, at a *Roadshow* stop in Secaucus in the summer of 1997, a \$25 card table was estimated to be worth \$250,000. In the summer of 2001 a Navajo blanket was brought to the *Roadshow* that was estimated to be worth up to half a million dollars. In the summer of 2005, a rare painting by a 19th century artist popped up with an auction estimate of up to half a million dollars. And in 2009, four pieces of jade were brought to a *Roadshow* event that were appraised for up to \$1 million.
15. The popularity of the *Antiques Roadshow* program has led to various ancillary programming including *Antiques Roadshow Junior*, a 90-minute special focusing on young collectors that premiered in 1999 and aired for four years. From March through August, 2000, public television stations nationwide aired *Antiques Roadshow Special Edition*, an exclusive 90-minute behind the scenes look at the making of PBS's highest rated primetime series. In 2004 and continuing to the present, WGBH has produced and broadcast nationally special hour-long episodes for inclusion in the regular season, including "*Favorites*," an hour of some of the most memorable discoveries of the series; "*Greatest Finds*," showcasing those

objects that appeared on *Antiques Roadshow* whose rarity, quality and value are unsurpassed. And in 2006, *Roadshow Remembers* designed to test the memory of die hard fans and pique the curiosity of newcomers. Another programming offshoot was *Antiques Roadshow FYI*, which began production in the summer of 2004 and was designed to answer questions that viewers had about *Antiques Roadshow*. All of this ancillary programming, which prominently bears the ANTIQUES ROADSHOW name, attracted additional viewership and was viewed by millions of people.

16. *Antiques Roadshow* has become so popular that it is frequently mentioned on, has been included in the plots of, and has been the subject of coverage on television programs such as *Will & Grace*, *Frasier*, *MadTV*, *CNN*, *The Oprah Winfrey Show*, *Good Morning America*, *ESPN*, *Inside Edition*, *Jeopardy*, *VH1's Best Week Ever*, *The Today Show* and *Late Night with David Letterman*; has been mentioned in movies such as *The Wedding Planner*, *Sum of All Fears* and *Nana's Boy*; in magazines including *Better Homes & Gardens*, *People*, *Time* and *Newsweek*; in newspapers including *The Wall Street Journal*, *The Chicago Tribune*, *The Boston Globe* and *The New York Times*; in commercials for *ESPN* and *Sprint*; and on radio during *NPR's Morning Edition*. For the period September 2001 – August 2009, there have been more than 10,000 stories written that mention *Antiques Roadshow*. The total circulation of the publications carrying the stories exceeded 1.8 billion, the total number of times people laid eyes on stories mentioning *Antiques Roadshow* exceeded 6 billion, and the ad value of the exposure exceeded \$12 million. This is in addition to the promotion and advertising efforts of WGBH, PBS and PBS member public television stations and their corporate underwriters who together have spent millions of dollars over the last twelve years

to promote the series. It is estimated that as a result of the efforts of WGBH, its corporate underwriters and the extensive coverage of the *Antiques Roadshow* program by all types of media outlets, the ANTIQUES ROADSHOW name is known to hundreds of millions of people across the U.S. and is associated exclusively with WGBH.

17. The popularity of the program has led to the creation of numerous collateral merchandise all of which prominently bears the ANTIQUE ROADSHOW mark. These include:
 - a. The book entitled "*Antiques Roadshow Collectibles: The Complete Guide to Collecting 20th Century Glassware, Costume Jewelry, Memorabilia, Toys and More From the Most-Watched Show on PBS*" published in May, 2003 that to date has sold more than 88,000 copies;
 - b. The book "*Antiques Roadshow Primer: The Introductory Guide to Antiques and Collectibles From the Most-Watched Series on PBS*" published in December, 1999 that to date has sold more than 458,000 copies;
 - c. The book "*Antiques Roadshow Behind the Scenes; An Insider's Guide to PBS's Number One Weekly Show*" currently being advertised in anticipation of its December, 2009 release;
 - d. The monthly newsletter "*Antiques Roadshow Insider*" published by Belvoir Publications, with a circulation of approximately 60,000.
18. *Antiques Roadshow* has a broad consumer base in the state of Illinois. The show has been available on local PBS member stations including WSEC (Springfield), WTVP (Peoria), WQPT (Rock Island/Moline), WQEC (Quincy), WMEC (Macomb), WILL (Urbana), WSIU (Carbondale), WEIU (Charleston), WTTW (Chicago) and WUSI (Olney) for over a decade,

and has aired weekly since that time. In 2004, *Antiques Roadshow* held an event in Chicago at which 4,678 of the 6,400 ticket holders were from Illinois. One highlight was a portrait of Reverend Edward Holyoke and an accompanying 18th century Boston chair appraised for \$85,000 - \$95,000. In addition, references to Plaintiff's program have appeared repeatedly in the Springfield, Illinois paper *The State Journal-Register*.

19. The ANTIQUES ROADSHOW mark is the subject of incontestable U.S. federal trademark registration No. 2,661,098, in International Classes 36 and 41, for "appraisal of antiques and other items of personal property" and for "entertainment in the nature of on-going educational television programs in the field of antiques; providing entertainment information pertaining to appraising and authenticating antiques by means of the global computer network; entertainment, namely, production of television shows pertaining to antiques; videotape production; educational services, namely, conducting courses, classes, workshops and seminars featuring dating and authentication of antiques; [and] conducting entertainment exhibitions in the nature of antiques shows." This registration which was issued on December 17, 2002 is owned by British Broadcasting Corporation, and is used by WGBH under an exclusive license.
20. Because of the overwhelming success of the *Antiques Roadshow* program, the extensive reporting about the program, the offering for sale of collateral merchandise bearing the ANTIQUES ROADSHOW mark, and the use of the ANTIQUES ROADSHOW mark in magazines, newspapers, books, and television, the ANTIQUES ROADSHOW mark has become extraordinarily well known to consumers and is associated exclusively with

WGBH's program and WGBH's entertainment services relating to the review and appraisal of antiques.

21. In addition to having rights in the ANTIQUES ROADSHOW by virtue of its right under license from the British Broadcasting Corporation, plaintiff has established rights in ROADSHOW alone in connection with its entertainment services and events.
22. Since the debut of the *Antiques Roadshow* program on January 9, 1997, consumers, the media, and WGBH itself have consistently referred to the program as "Roadshow." Further, since its second season in 1998, the series has referred to itself during its broadcasts as "Roadshow."
23. Consumers contact plaintiff and refer to Plaintiff's programs as "Roadshow." Hundreds of published articles throughout the years of WGBH's *Antiques Roadshow* existence in the U.S. have referred to the series and the corresponding appraisal events as "Roadshow." *See, e.g., "Roadshow," Thrift Shops, Wedgwood Star*, The Detroit News (Michigan), August 21, 2009 ("... more than 10 million viewers tune in to 'Roadshow' every week."); "*Antiques Roadshow*" *Experience Exciting and Worth the Time*, Morning Call (Allentown, Pennsylvania) August 6, 2009 ("There are two things 'Roadshow' fans should know about an actual taping – it is great fun and it is exhausting."); *Valuables in the State's Attic – "Roadshow" Visits Lost and Found*, The Denver Post, July 25, 2009; *Unburied Treasure: "Roadshow" Gives GR Antiquers Their 180 Minutes of Fame*, Grand Rapid Press (Michigan), April 20, 2009 ("The three hourlong episodes will be West Michigan's 180 minutes of fame, 'Roadshow' style."); *Collect What You Love for Joy Of It*, Pittsburgh Tribune Review, February 22, 2009 ("Roadshow, which is in its 13th season, travels the

country with a group of experts . . . is the top-rated PBS program, with an average of 10 million viewers. . . ."); *Plan a Road Trip for "Antiques Roadshow,"* The Oklahoman (Oklahoma City, OK), January 31, 2008 ("The 2008 'Roadshow' tour will visit. . . ."); *Patina's Promise: Stories Enrich "Antiques Roadshow,"* Orlando Sentinel (Florida), January 21, 2007 ("Orlando will be the only Southeastern stop among the six cities on Roadshow's tour starting in June."); "Roadshow" Mobile visit to be seen this season, Mobile Register (Alabama), January 1, 2007; "Antiques Roadshow" is Here to Amaze & Appraise, The Honolulu Adviser (Hawaii), August 23, 2006 ("It's easy to understand the appeal of 'Roadshow,"); *The Early Birds Get 'Roadshow' Tickets,* Milwaukee Journal Sentinel (Wisconsin), March 10, 2006; *The Making of the "Roadshow"; Experts Take Us Behind the Cameras to see What Makes the Popular PBS Appraisal Show Tick,* Chicago Tribune (Illinois), February 20, 2000; "Roadshow" drawing crowds with collectibles, Chicago Sun-Times (Illinois) March 7, 1999. It is estimated that millions of people across the country are exposed to the use of ROADSHOW to refer solely and exclusively to Plaintiff and its services.

24. Further, Plaintiff has established common law rights in a treasure chest logo for use in connection with appraisal events and entertainment services, including television services, by virtue of its use of such a design and logo since the inception of the *Antiques Roadshow* series in 1996. The treasure chest logo shown in Exhibit A has been used on all advertising and promotion for *Antiques Roadshow* since 1996 and appears in the credits of the television show. The treasure chest logo also has appeared on the website associated with the *Antiques Roadshow* program since at least 1997, on tickets for *Antiques Roadshow* attendees since

2003 and has been and continues to be used on *Antiques Roadshow* related posters, hats, product crew and event volunteer shirts and other series related collateral and merchandise.

25. Because of WGBH's exclusive and extensive use of ANTIQUES ROADSHOW and as a result of consumer, media and Plaintiff's use of ROADSHOW and the treasure chest logo, ANTIQUES ROADSHOW, ROADSHOW and the treasure chest logo (collectively, the "ARS Marks") have each acquired enormous value and have each become extremely well known to the consuming public and to the trade as identifying and distinguishing Plaintiff exclusively and uniquely as the source of services and events relating to collectibles, antiques and appraisals, available under the ARS Marks. Due to the public acceptance, fame and great recognition of the ARS Marks, these marks have come to represent an enormous amount of goodwill for Plaintiffs.

26. The ARS Marks are vital to Plaintiff and Plaintiff will suffer irreparable harm if Defendants continue to represent themselves as or use "The Roadshow" or "Roadshow" to refer to themselves or to use a treasure chest logo as such use falsely suggests a connection with Plaintiff and its programs.

B. Defendants' Wrongful Conduct

27. Upon information and belief, Defendants are primarily in the business of buying scrap metal. To entice sellers, Defendants host "events" in various cities around the United States, inviting people to bring their gold, silver, platinum, diamonds, coins, antiques and collectibles to sell. At these events, Defendants' employees purportedly appraise the customers' valuables and will purchase them on the spot. Generally, the appraisal is based

on nothing more than the weight of the metal. Defendants resell the purchased goods, for a profit, on eBay and through other venues or use the goods as precious metal scrap.

28. While Defendants claim that their business is conducted under the name Treasure Hunters Roadshow, they refer to themselves in advertisements and at events simply as “The Roadshow” or “Roadshow.” Upon information and belief, this is done to induce the public to attend Defendants’ events in the mistaken belief it is Plaintiff’s event. Defendants are preying on this confusion and are using it to take advantages of consumers.
29. Defendants’ adoption of the name TREASURE HUNTERS ROADSHOW and their continued use of the name ROADSHOW to refer to their events is with full knowledge of Plaintiff’s rights in the ARS Marks, with full knowledge of the association between those marks and WGBH’s appraisal programs and events, and with full knowledge that their conduct has caused and continues to cause confusion.
30. Defendant Jeff Parsons, who was the former President of the International Toy Collectors Association (“ITCA”), in or around 1999 agreed to cease all use of ROADSHOW in connection with the activities of the ITCA.
31. Upon information and belief, Mr. Parsons disbanded the ITCA (or it otherwise became inoperative) and its ANTIQUE TOY ROADSHOW and replaced it in or about 2007 with ANTIQUE TREASURE HUNTERS ROADSHOW. Although Defendant Parsons has taken the position in the media that there is no relationship between ITCA which had agreed not to use ROADSHOW and his new venture, information from Defendant Parsons’ website for TREASURE HUNTERS ROADSHOW states that the show has visited over 600 cities

across the United States and Canada since 1996. See Exhibit B. Clearly, Mr. Parsons' ITCA and his current TREASURE HUNTERS ROADSHOW venture are one and the same.

32. Defendants are the subject of numerous complaints for, among other activities, underpaying or undervaluing products, bouncing checks, "buying valuable antiques at pennies on the dollar," and taking advantage of consumers. Among comments posted to Defendants' TREASURE HUNTERS ROADSHOW Facebook page are reports that Defendants have been intentionally appraising items for a fraction of what they are worth to make a higher profit on resale. See Exhibit C. Consumers have also described Defendants' staff as being "clueless" and trying to "buy scrap really cheap without any regard to value." *Id.* Consumers have referred to Defendants' business as a "scam" and a "rip off" and that "[d]eceptive advertising and false promises are pretty much all [Defendants] deliver." *Id.*
33. Defendants have managed to attract consumers to their events, and to take advantage of them once there, by falsely suggesting through word and deed that they are affiliated with the highly respected *Antiques Roadshow* program and appraisal events of Plaintiff.
34. Upon information and belief, Defendants have identified themselves as *Antiques Roadshow* or have failed to acknowledge that they are not affiliated with *Antiques Roadshow* when asked.
35. Although Defendants purportedly go by the name TREASURE HUNTERS ROADSHOW they refer to themselves almost exclusively as ROADSHOW in their own advertisements and promotions. Attached as Exhibit D are some of the advertisements that Defendants have placed.

36. In an attempt to add legitimacy to their questionable events and to further confuse the public, Defendants have placed advertisements intended to look like bona fide news articles that refer to themselves and their events as ROADSHOW. These advertisements, written by a member of Defendants' sales team under the guise of being a reporter, are intended to look like real news stories. In these materials, Defendants refer to themselves almost exclusively as ROADSHOW. Samples of such advertisements from publications around the country are attached as Exhibit E.
37. To further the improper and false association with Plaintiff, Defendants are also using a treasure chest logo confusingly similar to the treasure chest logo Plaintiff has been using since 1996 as shown below.



Defendants' Logos



Plaintiff's Logo

38. The use of the ROADSHOW mark and treasure chest device by Defendants is shown not only in Defendants' print advertising but also on Defendants' websites accessible through the URLs www.treasurehuntersroadshow.com and www.theroadshow.com and on Defendants' Facebook page found at www.facebook.com/pages/Springfield-IL/Treasure-Hunters-Roadshow/. See **Exhibit F**.
39. Defendants' misappropriation of Plaintiff's ROADSHOW mark and the treasure chest device has had the intended effect of confusing consumers. Plaintiff has received numerous letters and emails asking whether Defendants' events are connected to *Antiques Roadshow*. Consumers who see the advertisements placed by Defendants have contacted WGBH to ask whether in fact *Antiques Roadshow* is coming to the advertised cities, asking how to obtain tickets and asking for information about what can be brought to the appraisal events.
40. In addition to confusing consumers by intentionally trying to pass themselves off as being affiliated with Plaintiff, Defendants' conduct has angered many loyal fans of *Antiques Roadshow* who have expressed concern that Defendants' activities harm the *Antiques Roadshow* name. Concerns have been voiced that the Defendants are "playing off" WGBH's *Antiques Roadshow* name; that the Defendants are placing "highly misleading" ads that result in consumers being "ripped off in these hard times by such misrepresentation;" that Plaintiff's name is being used by "an unscrupulous company" that is using Plaintiff's name "going from town to town buying valuable antiques at pennies on the dollar." One consumer reported to Plaintiff that many of the residents of her city were very upset at Defendants "because of how these people presented themselves to our community and we feel like many

people were taken advantage of because nearly all of us believed that they were part of your *Antiques Roadshow* and trusted them.”

41. The trust that consumers have placed in Plaintiff and its programming is further exploited by Defendants’ advertising, which states “deal with the name you can trust, The Roadshow.” See Exhibit D.
42. Upon information and belief, Defendants are not simply running sales events under the ROADSHOW name. Rather, they are attempting to use the name to brand a broad variety of entertainment, including television and video programs. Copying the format of Plaintiff’s program, Defendants offer on their website, Facebook page, and via www.youtube.com video clips of their appraisal events, complete with a host. As with Plaintiff’s program, Defendants repeatedly refer to themselves and their business as “The Roadshow” in these video clips.
43. Upon information and belief, Defendants are intending to compete even more directly with Plaintiff by launching a television series based on their appraisal and sales events entitled “Treasure Hunters Roadshow.” To garner interest, Defendants have placed misleading ads for a casting call for “Roadshow” looking for people with antiques or collectibles and have published ads made to look like articles announcing the filming of their show. See Exhibit G.
44. Defendants have no affiliation with Plaintiff, are not involved with nor are appraisers for Plaintiff’s *Antiques Roadshow* program, do not sponsor or participate in events of Plaintiff and have never been authorized to use the names ROADSHOW or TREASURE HUNTERS ROADSHOW to refer to themselves. Indeed, Defendant Parsons and his company are well aware that they are prohibited from using ROADSHOW commercially.

45. Defendants' misappropriation of Plaintiff's ARS Marks not only deceives consumers but harms Plaintiff by appropriating and inevitably damaging Plaintiff's reputation. Plaintiff's program is an educational appraisal program designed to give information about antiques and their history. Defendants capitalize on the ROADSHOW name in order to purchase products on the cheap for purposes of resale. Plaintiff's program is staffed exclusively with accredited appraisers. Defendants' employees are not accredited and are simply seeking to buy items as inexpensively as possible for purposes of resale. Defendants have been accused of bouncing over 40 checks in January during shows leading victims to call Defendants a "pawnshop on wheels."
46. By intentionally misusing the names ROADSHOW and TREASURE HUNTERS ROADSHOW and by using the treasure chest logo that deceptively suggests a connection with *Antiques Roadshow*, Defendants have acted in willful disregard of the laws protecting WGBH's rights, have confused and deceived, have intended to confuse and deceive, and are continuing to confuse and deceive the public concerning the relationship between Defendants' services and events and Plaintiff and otherwise concerning the source or sponsorship of Defendants' services and events. Defendants are using the names ROADSHOW and TREASURE HUNTERS ROADSHOW in order to benefit from the recognition and goodwill of the ARS Marks, and from the reputation and fame that has been established by WGBH in its programming. Defendants' willfulness and bad faith are amply evidenced by their prior knowledge of Plaintiff's rights and clearly are intended to lure consumers to Defendants' events and to commercially benefit from WGBH's goodwill.

47. Defendants' activities are injuring and are likely to continue to injure WGBH's goodwill and reputation. In light of the numerous negative statements made about Defendants' business, WGBH's extremely valuable reputation will be permanently damaged if Defendants continue to falsely associate themselves with WGBH and to use WGBH's marks to attract consumers. If Defendants' conduct is not enjoined, it will greatly diminish the value of the ARS Marks and the ability of those marks to indicate services emanating exclusively from WGBH.
48. Defendants' unlawful activities have caused and will continue to cause irreparable damage to the business and goodwill of WGBH unless permanently enjoined by this Court.
49. WGBH has no adequate remedy at law.

FIRST CLAIM FOR RELIEF

Unfair Competition Under Section 43(a)(1)(A) of the Lanham Act (15 U.S.C. § 1125(a)(1)(A))

50. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 49 above as if fully set forth herein.
51. Defendants' use of marks that are confusingly similar to each of WGBH's ARS Marks to advertise and promote services and events similar if not identical to those associated with and provided under WGBH's marks has caused and is likely to continue to cause consumers to believe that Defendants' business and services are sponsored by, associated with, authorized by, endorsed by, or otherwise connected with Plaintiff.
52. By using the names ROADSHOW and TREASURE HUNTERS ROADSHOW and the URLs www.treasurehuntersroadshow.com, www.theroadshow.com, www.treasurehuntersroadshow.co.uk, www.treasurehuntersroadshow.eu,

www.treasurehuntersroadshow.ca, www.treasurehuntersroadshow.biz and www.treasurehuntersroadshow.info, among others, Defendants are misrepresenting to consumers that they are somehow authorized by or otherwise associated or affiliated with Plaintiff and Plaintiff's *Antiques Roadshow* programs.

53. The use of such phrases as ROADSHOW and TREASURE HUNTERS ROADSHOW constitutes false descriptions of fact and false representations concerning Defendants and Defendants' goods and services.
54. Defendants have further copied Plaintiff's long-used treasure chest logo. By using this design together with the ROADSHOW name, Defendants are further attempting to create an association with Plaintiff.
55. As a result of Defendants' aforesaid conduct, the public has believed and is likely to continue to believe that Defendants are legitimately affiliated, connected or associated with and/or authorized by WGBH or are otherwise affiliated with WGBH and its *Antiques Roadshow* series when they are not, placing Plaintiff's reputation and the use of the ARS Marks in Defendants' hands. Further, consumers will be deceived into thinking that the appraisal services that are provided by Defendants, and that consumers are lured to by Defendants' use of advertising featuring phrases ROADSHOW, THE ROADSHOW and TREASURE HUNTERS ROADSHOW, among others, as well as the treasure chest logo are backed by or come with the imprimatur of WGBH and WGBH's roster of recognized appraisers and experts.
56. Defendants' conduct is willful, intended to reap the benefit of the goodwill of Plaintiff and violates Section 43(a)(1)(A) of the Lanham Act, 15 U.S.C. §1125(a)(1)(A).

57. By reason of the wrongful acts of Defendants alleged herein, WGBH has suffered, is suffering, and will continue to suffer irreparable damage and the public will continue to be deceived and harmed unless permanently enjoined by this Court.
58. Plaintiff has no adequate remedy at law.

SECOND CLAIM FOR RELIEF

False Advertising Under Section 43(a)(1)(B) of the Lanham Act (15 U.S.C. § 1125(a)(1)(B))

59. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 49 above as if fully set forth herein.
60. Defendants have used the phrases ROADSHOW, THE ROADSHOW and TREASURE HUNTERS ROADSHOW, among others, in commercial advertising and promotion for their appraisal services. Defendants' use of such marks and phrases misrepresents the nature, characteristics and qualities of their services and commercial activities by falsely suggesting that Defendants' services are sponsored or otherwise related to WGBH or the *Antiques Roadshow* programs of WGBH.
61. By using false and misleading statements in their advertisements, and by creating a false association with WGBH, WGBH has been and is likely to be damaged. WGBH's reputation is likely to suffer as a result of Defendants' intentional attempt to associate their services with WGBH.
62. Defendants' conduct is willful and is intentionally false and misleading and violates Section 43(a)(1)(B) of the Lanham Act, 15 U.S.C. §1125(a)(1)(B).

63. By reason of the wrongful acts of Defendants alleged herein, WGBH has suffered, is suffering, and will continue to suffer irreparable damage unless permanently enjoined by this Court.
64. Plaintiff has no adequate remedy at law.

THIRD CLAIM FOR RELIEF

Unfair Competition and Unfair Business Practices Contrary to the State and Common Laws of the State of Illinois

65. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 49 as if fully set forth herein.
66. By their acts alleged herein. Defendants are falsely misrepresenting their services and passing off the same as being those of Plaintiff or as being otherwise associated with Plaintiff. As such, Defendants are engaged in, and continue to engage in a course of unfair competition in violation of the statutory (Uniform Deceptive Trade Practices Act, 815 ILCS § 510) and common law of the State of Illinois.
67. By reason of the wrongful acts of Defendants alleged herein, WGBH has suffered, is suffering, and will continue to suffer irreparable damage unless permanently enjoined by this Court.
68. Plaintiff has no adequate remedy at law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully demands judgment against Defendants as follows:

1. That each of Defendants individually and any of their officers, agents, privies, principals, directors, servants, attorneys, employees, any companies owned or controlled by any of the

Defendants now or in the future, and each of their affiliates, successors and assigns, and all of those in active concert or participation with any of them who receive notice directly or otherwise, be permanently enjoined and restrained from:

- a. Using, claiming rights in, or registering ROADSHOW, TREASURE HUNTERS ROADSHOW or other phrases that include ROADSHOW or the treasure chest logo as a trademark, service mark, trade name, business name, fictitious business name, domain name, keyword, AdWord, search term, or otherwise presenting such names to the public or trade in any media in order to promote or advertise Defendants or their goods, business, events, or services;
- b. Taking any action, using any false designation of origin or false description of fact, or performing any act (including referring to or comparing its series or events to *Antiques Roadshow*) that falsely suggests or implies that WGBH authorizes or endorses any of Defendants' events or services, that suggests or implies that Defendants are connected to or associated with WGBH or its *Antiques Roadshow* program, that can or is likely to lead consumers to believe that Defendants are associated with Plaintiff or that any services offered or provided by Defendants or any events sponsored or held by Defendants are in any manner associated or connected with or similar to Plaintiff or its programs or are authorized, sponsored, licensed or otherwise approved by Plaintiff;
- c. Representing to any third party that Defendants or any one of them are associated, related, affiliated with or sponsored by or otherwise connected with Defendants;

- d. Engaging in any other activity constituting unfair competition with Plaintiff, constituting an infringement of Plaintiff's ARS Marks or Plaintiff's rights in or rights to use or exploit the ARS Marks, or constituting false advertising;
 - e. Assisting any third party or requesting any third party to undertake the actions prohibited in subparagraphs (a)-(d) above.
2. That Defendants be directed to immediately cancel all advertisements in all media including online media that refer to Defendants or their services under any name that includes "Roadshow" or "Treasure Hunters Roadshow" or that use the treasure chest logo.
3. That Defendants cease broadcasting, webcasting, airing or offering to broadcast, webcast or air any television shows, webcasts, videostreams or other forms of entertainment under any name that includes ROADSHOW or that include the treasure chest logo.
4. That Defendants be directed to file with the Court and serve upon Plaintiff's counsel within 30 days after entry of Judgment a report in writing under oath setting forth in detail the manner and form in which Defendants have complied with the requirements of the Court's order.
5. That WGBH be awarded such damages as it has sustained or will sustain as a result of Defendants' unlawful acts described above pursuant to Uniform Deceptive Trade Practices Act, 815 ILCS § 510.
6. That WGBH be awarded all profits, gains, savings and advantages realized by Defendants as a result of Defendants' unlawful acts described above pursuant to 15 U.S.C. § 1117 and Uniform Deceptive Trade Practices Act, 815 ILCS § 510.

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

Barbara A. Solomon

Alexander L. Greenberg

866 United Nations Plaza

New York, NY 10017

Telephone: (212) 813-5900

Facsimile: (212) 813-5901

E-Mail: bsolomon@fzlz.com

E-Mail: agreenberg@fzlz.com

Eric Adam Brass

Mass. BBO #054360

Corporate Counsel

WGBH EDUCATIONAL FOUNDATION

1 Guest Street

Boston, MA 02135

Telephone: (617) 300-4405

E-Mail: eric.brass@wgbh.org

EXHIBIT C

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Brian

Agreed, SCAM! The staff are clueless and just try to buy scrap really cheap without any regard to value. Then they sell YOUR STUFF ON EBAY in huge lots. If you don't know who I am talking about, you should not be buying on ebay.

December 24, 2009 at 2:38pm
Chuck



I BELIEVE THESE SHOWS ARE A HUGE SCAM! I BELIEVE THIS OUTFIT IS OUT TO TAKE ADVANTAGE OF YOU!!! SELLER BEWARE!!! I KNEW MORE ABOUT ANTIQUES THAN THE WHOLE GROUP WORKING THE CON!!!

December 18, 2009 at 4:07pm



Cory

What a waste of time!!! Sat in line for 2 and a half hours. Watched 100 people go in and 1 person came out with a check!! I had toys from the 40s and 50s and they told me that they were too NEW!!!! There was some 25 year old snotnose kid that helped me that didnt know shit from shinola, he thought my Donnie Osmond doll was Elvis. The doll was from the 60s, but that was also TOO NEW!!! Silver is 17.00 per ounce, they werent even offering 10.00 for an ounce. They claim to have over 4,000 antique dealers across the country. All this is, is a big front to buy gold and silver, thats it,,,,they could glve a crap about anything else. DONT EVEN BOTHER WITH THESE PEOPLE, THEY ARE RIPOFF ARTISTS, I CANT BELIEVE THEY ARE STILL IN BUSINESS.

December 18, 2009 at 2:07pm



Diane

DON'T WASTE YOUR TIME WITH THIS RIP OFF! Deceptive advertising and false promises are pretty much all they deliver. Although they advertise (see Friday's St. Pete Times) to buy antiques, toys, guns, knives, antiques, coins, jewelry, they are nothing more than scrap metal buyers. They are only interested in scrap gold and sterling. The wait - several hours in most cases - is frustrating. You bring in the items they advertise they are buying only to find out they are REALLY only interested in buying scrap metal. I did sell some old coins and sterling, but as scrap with absolutely no other value. Antiques with appraised value, they weren't interested in. Jewelry from the 20's and 30's they were not interested in. If it didn't contain scrap metal value, they simply were not interested. The lobby was full of people with antiques and jewelry, but, sadly, the lobby was also full of disappointment as these people were not interested in those items unless they contained some scrap metal value. They advertise themselves as Treasure Hunters Roadshow but they are really "OHIO VALLEY GOLD AND SILVER REFINERY" and that tells it all. SELLER BEWARE - you can probably do just as well at a local pawn shop without the hassle or the wait!

November 14, 2009 at 11:15am



James

Went to show in Peoria, IL....great time over \$400.00. Thanks!

October 15, 2009 at 6:20pm

English (US)

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