

DECLARATION OF JEFFREY RYAN HINSHAW
PURSUANT TO 28 U.S.C. § 1746

I, Jeffrey Ryan Hinshaw, hereby declare as follows:

1. My name is Jeffrey Ryan Hinshaw. I live in Illinois and am over eighteen years of age. I have personal knowledge of the facts stated in this declaration, and if called as a witness, I could and would competently testify to these same facts.

2. I am employed by Blue Cross and Blue Shield Association (“BCBSA”) as Associate General Counsel, Brand. In my capacity as Associate General Counsel, Brand, I am knowledgeable about the licensing and enforcement of BCBSA’s intellectual property.

3. BCBSA is an Illinois not-for-profit corporation and the owner of the famous BLUE CROSS[®] and BLUE SHIELD[®] word and design marks, and an entire family of BLUE-formative marks (“Blue Marks”). For over 80 years, BCBSA (including through its predecessors in interest and licensees) has continuously provided tens of millions of families with top-quality, affordable health insurance and related healthcare services. The BLUE CROSS[®] and BLUE SHIELD[®] brands are among the most recognized in the health and insurance industries in the United States—and among the most recognized in any industry.

4. BCBSA enjoys strong common law rights in its Blue Marks and owns numerous incontestable U.S. federal registrations for the Blue Marks and variations thereof. These registrations cover a broad range of goods and services for healthcare, health insurance, workers compensation insurance, life insurance, disability insurance, delivery of healthcare, financing access to healthcare, and charitable services, among other related goods and services. BCBSA’s trademarks are strongly associated by the public with BCBSA and its independent licensees. Indeed, BCBSA’s trademarks have been recognized as famous in published decisions by courts and other tribunals.

5. BCBSA does not license the Blue Marks or any other intellectual property to Health Benefits One LLC or Simple Insurance Leads LLC, d/b/a Health Insurance Services, in connection with any products or services offered by these entities. Neither of these entities are “carriers” or “partners” of BCBSA.

6. From May – September 2018, BCBSA was made aware that its intellectual property was being used on the following websites (“Websites”):

- americanhealthinsure.com
- freedomcarequotes.com
- hbcquotes.direct
- medigapquote.org
- myobamacareapplication.com
- premiumhealthquotes.com
- trumpcarequotes.com
- usahealthinsure.net
- usamedsupp.org
- supremehealthplans.com
- healthinsurance4me.com

7. BCBSA has not licensed its intellectual property for use on any of the Websites listed in Paragraph 6 above.

8. On September 24, 2018, BCBSA contacted the entities identified at each of the Websites listed in Paragraph 6 above to have BCBSA’s intellectual property removed from the Websites.

9. Recently, BCBSA identified significant numbers of Google Map Business listings that purport to be BCBSA-affiliated, but are not. As part of its investigation, BCBSA or its representatives called the telephone numbers associated with many of these unauthorized listings. In some instances, these calls led to a recorded message asking the caller to choose “option 1” if the caller is looking to obtain new health insurance. After choosing option 1, BCBSA’s representatives were connected with sales agents claiming to offer health insurance. In multiple instances, BCBSA’s representatives were connected to a company called Simple Health Plans. Simple Health Plans is not authorized by BCBSA to use its intellectual property.

I state under penalty of perjury that the foregoing statement is true and correct.

Executed on October 23, 2018.



J. Ryan Hinshaw
Associate General Counsel, Brand
Blue Cross and Blue Shield Association
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