

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

REVIEW OF NONPOSTAL SERVICES

Docket No. MC20008 - 1

FOURTH DECLARATION OF RANDALL E. HOOKER IN RESPONSE TO PITNEY
BOWES, INC.'S MOTION TO COMPEL UNITED STATES POSTAL SERVICE
TO FILE A COMPLETE LIST OF NONPOSTAL SERVICES

RANDALL E. HOOKER states and declares, under penalty of perjury and upon his personal testimonial knowledge that he is in all respects competent to testify in this matter and states as follows:

1. I am the Managing Member of Pinpoint, LLC, a Washington State Limited Liability Company located at 16541 Redmond Way, Suite 170, Redmond, Washington 98052 ("Pinpoint"). This Declaration addresses the statements made by Pitney Bowes, and supported by the US Chamber of Commerce and ITIC submission that purport that the USPS license practices are unfair to private entities providing postage metering supplies to consumers.

2. As stated in my previous declarations, Pinpoint LLC is the manufacturer of postage meter ink cartridges bearing the USPS brand. The USPS has no involvement in either the manufacture or sale of these products. Contrary to the assertions made in the letters from the Chamber of Commerce and ITIC, and in the various submissions from Pitney Bowes, the USPS has not entered the market for postage meter ink cartridges.

3. I have attached a recently received email solicitation from Pitney Bowes which prominently features the licensed intellectual property at the core of this dispute, namely the USPS Sonic Eagle, and touts their company as an “approved licensed vendor” above the USPS logo.

4. Pitney Bowes promotional activity parallels the activities of Pinpoint LLC in producing and selling products covered under similar USPS licenses.

5. Both Pitney Bowes and Pinpoint LLC are private enterprises. Pinpoint LLC does not depend in any way upon utilization of USPS personnel, facilities or activities to manufacture or sell products. Pitney Bowes however enjoys a direct promotional relationship with the USPS to lease postage meters and subsequently sell postage meter supplies. This direct promotional relationship utilizing USPS resources can be viewed on the following internet URL : http://www.usps.com/postagesolutions/post_mtr.htm .

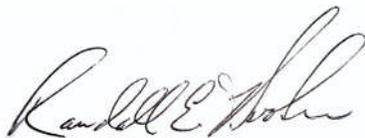
6. The contrast between Pinpoint LLC and Pitney Bowes in regards to utilization of Federal resources to promote and sell their products draws into question the validity of many statements made by Pitney Bowes and their supporters in the issues being determined by the Commission.

7. It has been my consistent assertion that Pitney Bowes is misleading the PRC into believing that the USPS is actively involved in the practice of manufacturing and selling postage meter consumables. It has been my assertion that Pitney Bowes has made these misleading statements in order to stifle competition in this market.

8. The use of licensed USPS intellectual property in the attached Pitney Bowes solicitation is precisely the benefit enjoyed by Pinpoint LLC in the current relationship with the USPS. It underscores our belief that Pitney Bowes is attempting, through the Commission, to deny the same market rights to a private sector competitor, Pinpoint LLC.

9. The utilization of USPS resources by Pitney Bowes to further their commercial endeavors has been raised as an object of contention by them in this proceeding, but only as it relates to other parties. This is a hypocritical position on their part and again affirms our belief that they are misleading the Commission to stifle private sector competition.

Respectfully submitted,



Randall E. Hooker
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November 26, 2008

----- Original Message -----

From: Pitney Bowes

To: don.gunn@att.net

Sent: Wednesday, November 26, 2008 6:19 AM

Subject: Stocking Stuffer Alert! Sheets of Custom Postage for ONLY \$12.99 - Hurry, Offer Ends Soon!

If you have trouble viewing this email, please click [here](#).



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Pitney Bowes Business Holiday Center
Powered by Zazzle!

Pitney Bowes

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<p>10 FREE holiday cards! (a \$24.50 value)</p>  <p>Create your own photo greeting card or choose from dozens of professional templates!</p> <p>Get Started Now!</p>	<p>A sheet of custom postage for \$17.95 only \$12.99!</p>  <p>An approved licensed vendor UNITED STATES POSTAL SERVICE® Customized PC Postage™</p> <p>Your own custom postage is a great stocking stuffer and promotional gift!</p> <p>Get Started Now!</p>

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