

NEWS LOCAL NEWS

Dana Point is 'Dolphin & Whale Watching Capital of the World': It's even trademarked



Donna Kalez, with Dana Wharf Sport Fishing and Whale Watching and Gisele Anderson, with Capt. Dave's Dolphin & Whale Safari, from left, have teamed up and trademarked the phrase "Dolphin & Whale Watching Capital of the World" to promote Dana Point. They were photographed at the Dana Point Harbor on Tuesday, February 5, 2019. (Photo by Paul Bersebach, Orange County Register/SCNG)

By **ERIKA I. RITCHIE** | eritchie@scng.com | Orange County Register
PUBLISHED: July 22, 2019 at 6:30 am | UPDATED: July 25, 2019 at 11:54 am

Gisele Anderson and Donna Kalez held up their cups of hot tea in a toast to friendship and collaboration on a recent day at The Brig in Dana Point Harbor.

The two women, who both own whale- and dolphin-watching charters operating out of the harbor, were celebrating a jointly created trademark declaring their city "Dolphin & Whale Watching Capital of the World." The year-long trademark process, finalized in April, means no other location in the world can legally make that claim.

"We feel it gives what we have credibility," said Anderson, who with her husband, Dave, operates Capt. Dave's Dolphin and Whale Safari.



Donna Kalez, with Dana Wharf Sport Fishing and Whale Watching and Gisele Anderson, with Capt. Dave's Dolphin Whale Safari, from left, worked together to trademarked the phrase "Dolphin & Whale Watching Capital of the World" to promote Dana Point. They were photographed in Dana Point on Tuesday, February 5, 2019. (Photo by Paul Bersebach, Orange County Register/SCNG)

The slogan now appears on danapointwhalewatching.com, a new venture to market Dana Point that Anderson and Kalez formed before starting the trademark process. The website has links to companies that provide whale-watching opportunities in town.

It also illustrates the nine criteria used to create the trademark and five supporting trademarks, including an emblem — a gray whale with a globe behind it.

In their application, Anderson and Kalez, who operates Dana Wharf Whale Watching, cited facts that set Dana Point apart.

There is a [greater density of dolphins](#) per square mile just off Dana Point than anywhere else in the world. There are year-round opportunities to see multiple species of whales such as [blue](#), [fin](#), gray, humpback, minke, [killer](#), pilot sperm, [false killer](#) and [Dall's porpoise](#). The area also has a moderate climate and mild ocean conditions providing opportunities for year-round outings and sightings.



A logo trademarked by Gisele Anderson, of Capt. Dave's Dolphin and Whale Safari and Donna Kalez, of Dana Wharf Whale Watching, gives the city a new marketing tool. (Courtesy of Donna Kalez)



As if on cue, a rarely ever seen [Bryde's whale mother and calf](#) due was spotted a day after the [announcement](#).

Unlike other Southern California harbors, Dana Point has no towering buildings, oil rigs, or large ships that can distort whale-watching encounters.

The city also is home to the world's first- and [longest-running annual whale festival](#), celebrating the migration of gray whales which begins in December and continues through March. The journey — a 10,000- to 12,000-mile trip from feeding grounds in the Bering Sea to the warm lagoons of Baja where many whale calves are born — is the reason tens of thousands of Southern Californians visit Dana Point in early March. During the peak of the season, experts say, 40 to 50 whales pass Dana Point daily.

Dana Point is also home to [Orange County's Large Whale Disentanglement Team](#).

Since 1971, when the festival was started by Kalez's father, [Don Hansen — who in 1971 opened the harbor's first business](#), Dana Wharf Sportfishing and Whale Watching — Dana Point has been called the Whale Watching Capital of the West. That description has been used by the city, the Dana Point Chamber of Commerce and Visit Dana Point.

A long process

Anderson, of San Juan Capistrano and Kalez, of San Clemente, spoke — for the first time in five years — in April 2018, to discuss shared business concerns. The two had been fierce competitors, each bidding for the same customers wanting to see dolphins and whales.

On June 6, 2018, they met at a Visit Laguna Beach event. After listening to what officials were doing to market businesses in Laguna, they realized they had their own niche brand in Dana Point: whale-watching.

Anderson, who has traveled the world to whale watch, told Kalez about places she'd been. Each, she said, had its limitations.

"A whole industry in Ireland is built around one dolphin called Fungie in Dingle," Anderson said. "In Baja at San Ignacio gray whales go to have their calves. It's an out-of-the-world experience, but it only happens for two months. Alaska, you can go there in the summer and have a great experience but it's only in the summer.

"Dana Point is the only place that offers year-round mega pods of dolphins and [year-round whales](#)," Kalez said. Sometimes you can see as many as four to five species a day."



Donna Kalez, with Dana Wharf Sport Fishing and Whale Watching and Gisele Anderson, with Capt. Dave's Dolphin Whale Safari, from left, pose in front of a selfie wall at Dana Point Harbor on February 5, 2019. The pair teamed up and trademarked the phrase "Dolphin & Whale Watching Capital of the World" to promote Dana Point. (Photo by Paul Bersebach, Orange County Register/SCNG)

As they talked, they realized the genius of what could be. "We put our rivalry aside for a greater goal," Kalez said. "We had an idea to trademark, but we didn't have a plan."

At first, they considered involving the city and spoke with then-Mayor Debra Lewis, but they realized it could take years to work through the red tape. They also hit up the Ocean Institute and Visit Dana Point.

"It became apparent that if we wanted to do it, we had to do it ourselves," Kalez said.

They hired Michael Markos, a trademark attorney in Arizona, who explained the process and told them what they needed for a solid application. He also said their chances of securing the trademark were 10% to 15%.

On July 18, 2018, they filed for their first trademarks.

"There we were for the first time, sitting on the same side of the table," Anderson said.

"We weren't competing and we weren't talking about my business and she wasn't talking about her business," Kalez said. "We were really happy about it."

The U.S. Patent and Trademark office determined their idea was unique and that the criteria they established for calling Dana Point the whale-watching capital of the world was valid.

Anderson and Kalez got preliminary approval of the trademarks in November and after no challenges were submitted, the trademarks were finalized.

"There are other places that can lay claim to some of the reasons but there is not anywhere that can lay claim to all," Anderson said.

RELATED ARTICLES

Dana Point's free concerts in the park continue with two bands Sunday

OC Fair 2019: Things to do today, July 26

Fullerton Union High alum finds a 65 million-year-old Triceratops skull

Summertime sounds: Anaheim, Orange, Villa Park are hosting free concerts in local parks

Harry and the Potters Rock Band to play Huntington Beach

What's next?

With their trademarks in hand, Anderson and Kalez have just skimmed the surface of their grand plan. They're looking for endorsements from the Dana Point City Council and the County of Orange. They are planning to go to Sacramento and ask that the state declare California home to Dana Point, the Dolphin and Whale Watching Capital of the World.

And they want a federal declaration of a national dolphin and whale-watching day.

Just this week, representatives from Visit Dana Point on a Visit California sales mission in the United Kingdom, told others there about the trademark and its potential. Visit Dana Point will use it as one of their

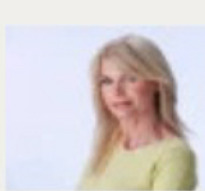
main marketing tools.

"We want to make the local Southern California market aware of what they live close to," Anderson said.

She said her husband had a goal years ago that she believes can now be achieved:

"I want to do for the dolphins and whales off Dana Point what John Muir did for Yosemite," he said. "I want to let the world know, so they can come and appreciate it and protect it."

Tags: [community](#), [dana-point-harbor](#), [Top Stories Breeze](#), [Top Stories LBPT](#), [Top Stories OCR](#), [Tourism](#)



Erika I. Ritchie

Erika Ritchie reports on South Orange County coastal communities, military issues and Camp Pendleton for the OC Register. She explores everything from coastal access, environmental issues and marine life to city government, animal welfare and quality of life. She's won many awards including first place in news (2016) by the Orange County Press Club for her coverage of record numbers of whale entanglements off the California coast. Erika's covered military change of command and seen military affairs firsthand from the sea aboard a battleship, air from a MV-22 Osprey, and land including Pendleton's International war games and San Clemente Island's ordnance ranges. Journalism allows Erika's penchant for telling human stories of conflict, struggle and joy. Her monthly Everyday Hero feature does just that, highlighting achievements of some of Orange County's most dedicated volunteers and non-profit leaders. Since joining the Register in 2001, she's at times covered every city in South Orange County delving into development, housing, transportation, county government and social issues. She's often written about Saddleback Church and Pastor Rick Warren's emerging national and global roles. Erika's passionate about animals and outdoor adventure. She runs, stand-up paddles and skis - both alpine and x-country. She frequents Mammoth Lakes and Mountain for hiking, biking & skiing and for her dogs to frolic in the snow and lakes. She grew up bilingual in German and conversational in French.