

**§ 5A.10 Form: Cease & Desist Letter for Trademark
Infringement in Internet Domain Name**

[Date]

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

[Name]
[Address]
[City, State]

Re: Unlawful use of the _____ Trademark
Our Client/Matter No. _____

Dear _____:

We are counsel for _____, owner of the trademarks and trade names, _____ and _____, for various entertainment services. Our client owns a valid trademark registration covering the _____ mark. Use of both marks by our client dates back many years.

It has recently come to our client's attention that you have registered the "_____.COM" domain name with the InterNIC organization through Network Solutions, and that you are maintaining a Web site with that domain name. Such domain name registration, and use thereof, constitutes blatant trademark infringement, unfair competition, dilution, and other causes of action under state and federal law. In addition, your domain name registration and Web site use restricts our client from conducting business on the Internet under its own name, is likely to cause confusion, and dilutes the distinctive quality of our client's famous marks, among other wrongs. Recent court decisions have made clear that the manner in which you have registered _____.COM and misappropriated our client's trademarks constitute a clear violation of our client's rights.

Accordingly, on behalf of our client, we hereby demand that you immediately cease all use of any domain name, on or in connection with your Web sites, or otherwise, that infringes our client's trademark rights; effect transfer of the _____.COM domain name to our client by completing the appropriate template of Network Solutions; and that you relinquish all rights to the _____.COM domain name.

In the absence of your response in accordance with the foregoing by

[Date], appropriate action will be taken against you to enjoin your use of the domain name and retrieve the domain name from you. We will also consider seeking temporary, preliminary and permanent injunctive relief, as well as damages for the harm suffered and which continues to be suffered by our client, together with attorney fees because of the wrongful deprivation caused by your illegal use of our client's registered trademark and trade name.

Very truly yours,

cc: