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October 25, 2012

*VIA E-MAIL (info@fairguide.com),
VIA FEDERAL EXPRESS AND
U.S. REGULAR MAIL*

S. Anhorn
Managing Director
Fair Guide
Construct Data Publishers
Suché Mýto St. 1
Bratislava SK 81103

Fair Guide
P.O. Box 4050
Naperville, Illinois 60567-9910

Re: Unauthorized Use of Intellectual Property, Deceptive Trade Practices, and
Misrepresentation

Dear Sir or Madam:

We are counsel for U.S. Poultry & Egg Association, Inc. of Tucker, Georgia, United States (“USPOULTRY”). This letter is a formal request regarding the misleading and deceptive use of USPOULTRY’s name and the name of its trade show, IPE INTERNATIONAL POULTRY EXPO, both of which are federally registered trademarks (U.S. POULTRY & EGG ASSOCIATION, Reg. Nos. 2161118 and 2161119 and IPE INTERNATIONAL POULTRY EXPO (and Design), Reg. No. 3500864).

USPOULTRY is the world’s largest and most active poultry association and has been promoting the interests of producers and processors of poultry products and their corporate partners since 1947. USPOULTRY owns federal trademark rights in its name and the name of its trade show, which it has offered to members of the industry every year for the past 64 years. “IPE” is the largest trade show featuring technology, equipment, supplies and services for the poultry industry in the world, and more than 20,000 industry members attended IPE in 2012. As a result USPOULTRY is well known throughout the industry as a provider of high quality services to its members and as the organizer of one of the most prestigious trade shows in the industry.

It has recently come to USPOULTRY’s attention that Construct Data Publishers a.s. (“Construct”) is using USPOULTRY’s name and the name of IPE to promote its directory

services on an information-gathering letter and form sent to our client's IPE exhibitors to deceive them into providing Construct with information for its online directory. By placing USPOULTRY's name and a reference to IPE prominently at the top of the letter, the generic language in the letter misleads the recipient to believe that the letter, the form, and the recipient's information is related to its participation in IPE. Construct is using USPOULTRY's good reputation, which it has built up over many years of organizing IPE, to imply that the Fair Guide director is affiliated or partners with USPOULTRY to give credibility to your unauthorized directory.

Construct appears to misunderstand the limits of fair use under U.S. Trademark Law by claiming in the margin of the letter that reference to USPOULTRY and IPE is "for explanatory purposes and for the benefit of the trademark proprietor, without any intention of violating copyright or trademark law." Reference to our client and its prestigious trade show is certainly not needed for any "explanatory purpose" related to Construct's directory service and it provides absolutely no benefit to our client. To the contrary, such use is to our client's detriment, as it is clearly intended to trade on the goodwill of USPOULTRY and to deceive those who may not read the disclaimer into thinking that Construct's directory service is somehow affiliated with or endorsed by USPOULTRY or part of the process for registration as an official IPE exhibitor, and the mere statement that FAIRGuide is "independent, objective and not affiliated to any organizer or marketing association" is not sufficient to avoid this confusion. **[Indeed, our client has received complaints about Construct's promotional letter and IPE exhibitors have actually been confused about the source or origin of the FAIR Guide directory service and its purpose.]** The potential consequence of such confusion will be for IPE exhibitors to return the form, thinking this is part of the IPE registration process, and pay a substantial sum of money for an alleged "service" that has no connection to the IPE exhibition and provides them with no benefit related to the IPE exhibition. USPOULTRY cannot allow such confusion and the deliberate tarnishment of the goodwill of its name and the outstanding reputation of its annual trade show.

On behalf of USPOULTRY, we therefore demand that Construct immediately (a) delete all references to USPOULTRY and IPE from its promotional materials; (b) agree to refrain from referencing USPOULTRY or IPE, including any further use of USPOULTRY's name or the name of IPE, on any letters, forms, signs, brochures, labels, forms, or other printed materials used to promote and/or identify Construct's goods or services; (c) remove all reference to USPOULTRY and IPE from your website, for example at http://www.fairguide.com/SearchResult_fairs.html?veranstalterid=687&Hidden_ReadPostVars=1&art=1; and (d) destroy all marketing, promotional, and sales materials containing references to USPOULTRY and IPE, including without limitation, other letters, forms, signs, brochures, labels, business cards, contract materials, or other print, electronic, and other forms of materials.

USPOULTRY desires to resolve this matter amicably. To that end, we shall look forward to receiving your written confirmation that you will comply immediately with our demands stated above within one week (7 days) of the date of this letter, i.e., by November 1, 2012. Please do not hesitate to contact us with any questions.

S. Anhorn
October 25, 2012
Page 3

This letter is not a complete statement of USPOULTRY's rights in connection with this matter, and nothing contained herein constitutes an express or implied waiver of any rights, remedies, or defenses, all of which are expressly reserved.

Very truly yours,

Patricia A. Gorham

PAG/myw