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May 3, 2004

**VIA FEDERAL EXPRESS**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Re: Infringement of McDonald's Corporation's Trademarks  
Website <www.mcmurder.com>  
Our Reference No.: [REDACTED]**

Dear Mr. [REDACTED]:

We represent McDonald's Corporation in certain intellectual property matters. It has come to our attention that [REDACTED] is using McDonald's trademarks on web pages accessed by the domain name <www.mcmurder.com> (the "Website") (See enclosed printout.) The WHOIS database at Network Solutions lists [REDACTED] as the registrant and you as the administrative contact.

As you are aware, McDonald's is the owner of numerous trademarks which are widely recognized by the public, including its famous "Golden Arches" logo, its "McDonald's" mark, its family of well known "Mc" formative trademarks, and its "Ronald McDonald" character mark. These marks are registered by the United States Patent and Trademark Office for a variety of goods and services. Examples of McDonald's federal trademark registrations are attached.

This Website makes improper and unauthorized use of McDonald's famous "Golden Arches" logo, "McDonald's" mark, "Mc" formative marks and "Ronald McDonald" character. In addition, the Website contains false, misleading and libelous comments regarding McDonald's Corporation. For instance, the Website contains false allegations that McDonald's is "systematically murdering" residents of Los Angeles and New York City on behalf of the United Nations. In addition, it also levels baseless claims of harassment and abuse against McDonald's Corporation. Not only are these accusations completely false, the material on the Website is a blatant infringement of our client's famous marks. The material contained on the Website is

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If you should have any questions or comments with respect to this matter, please call me.

Sincerely,



Robert E. [Redacted]

JAC:  
Enclosures

cc: ~~General Counsel~~  
~~Finance Dept.~~  
~~1000 West Beaver Creek~~  
~~Toronto, Ontario M2B 1L1~~  
~~Canada~~

~~John A. Cullen, Esq.~~

**AGREED and ACCEPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2004.

**FOR SIGNATURE**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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offensive and contrary to the values and beliefs that McDonald's promotes under its trademarks, both within and outside its organization. To the extent you intended the Website to be humorous, we do not view it as a laughing matter. An unsuspecting consumer would not be able to distinguish any humorous intent of your Website upon an initial review.

Your use of McDonald's intellectual property in this manner infringes McDonald's trademark rights under the laws of the United States, because it is deceptive, misleading and confusing to consumers. The multiple, gratuitous use of McDonald's famous trademarks is unnecessary to any message you are attempting to deliver. Moreover, such use is likely to dilute the value and goodwill of McDonald's trademarks by tarnishment, in violation of 15 USC 1125(c). While the First Amendment affords the right to free speech, it does not protect the gratuitous and deceptive use of trademarks, as your Website has done.

Because of the misleading use of the material and McDonald's trademarks on the Website, we consider this a very serious matter. We demand that [REDACTED] immediately remove from the Website any and all web pages containing McDonald's trademarks. In addition, we demand that [REDACTED] disable and transfer ownership of the "McMurder" domain to our client. We request that you confirm [REDACTED]' agreement to do so by signing this letter below and returning it to us by no later than May 10, 2004.

McDonald's Corporation's trademarks are of immense value to its business and it vigorously protects these trademarks. It has been extremely successful in doing so. In the absence of an adequate response, McDonald's will be forced to consider appropriate legal action to protect its rights and goodwill in this case.