

ORIGINAL BRIEF
EINGEGANGEN AM 24.02.2011 per FEDERAL EXPRESS



DLA Piper LLP (US)
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February 17, 2011
VIA COURIER AND ELECTRONIC MAIL

OUR FILE NO. 371888-000002

Dietmar Kirves
NO!Art
Boppstr. 9
Berlin GERMANY 10967
contact@no-art.info

Re: Domain Name Infringement at <no-art.info>

Dear Mr. Kirves:

Our firm is counsel to the Boris Lurie Art Foundation. As you may know, the Boris Lurie Art Foundation (the "Foundation") is an organization that provides art-related services to preserve and promote the legacy of Boris Lurie and the NO!ART movement. In connection therewith, the Foundation has long-standing trademark rights in the NO!ART trademark (the "Mark") and owns numerous international and U.S. trademark registrations and applications. The Mark is very valuable to the Foundation and, as a result, the Foundation has developed specific guidelines relating to any and all uses of the Mark and assiduously polices the use of the same.

It has recently come to our attention that, despite the Foundation's rights in and to the Mark, you have registered the domain name <no-art.info> (the "Domain Name"), which is confusingly similar to the Mark. Please note that the manner of your registration and use of the Domain Name, in our opinion, constitutes "bad faith" under the ICANN Uniform Domain Name Dispute Resolution Policy. Accordingly, our client will be entitled to expedited transfer of the domain name registration via ICANN arbitration.

To that end, our client demands that you immediately take any and all action required to transfer the registration of the Domain Name, as well as any and all other domain names comprised of our client's names or marks or variations thereof that you have registered, to the Boris Lurie Art Foundation. If we do not receive express written confirmation of your compliance by March 15, 2011, our client will pursue other legal remedies.

Please note that this letter is made without prejudice to any other rights or remedies that may be available to the Boris Lurie Art Foundation. Nothing contained herein should be deemed a waiver, admission, or license by the Boris Lurie Art Foundation, and the Boris Lurie Art Foundation expressly reserves the right to assert any other factual or legal positions as additional facts come to light, or as the circumstances warrant.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Anthony Williams', written over a white background.

Anthony Williams

Cc: Gertrude Stein

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