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COMPANY LETTERHEAD

CEASE AND DESIST LETTER FORM

**Certified Mail Return Receipt Requested**

August 7, 200X

[Addressee]

Dear \_\_\_\_\_:

We represent \_\_\_\_\_, Inc., ("\_\_\_\_\_"), owner of the federally registered service mark \_\_\_\_\_® (Registration No. \_\_\_\_\_) and Illinois registered service mark \_\_\_\_\_® (Registration Nos. \_\_\_\_\_ and \_\_\_\_\_). \_\_\_\_\_ has owned and used its \_\_\_\_\_® mark for twenty years in connection with retail store services featuring general home accessories and gifts in international class 42. The \_\_\_\_\_® mark, as you must appreciate, is of great value and importance to \_\_\_\_\_.

Recently, we have been advised that you are using the name "\_\_\_\_\_" in connection with your retail shop business which sells home accessories and gifts. This letter is being sent to protest your continued, unauthorized use of a mark confusingly similar to \_\_\_\_\_® in connection with your retail shop. Your use of "\_\_\_\_\_" unfairly capitalizes on the goodwill and reputation embodied in \_\_\_\_\_' service mark. The public has already mistakenly believed that your use of "\_\_\_\_\_" is somehow authorized or sponsored by or is somehow affiliated with \_\_\_\_\_' service mark.

This type of deceptive trade practice constitutes trademark infringement under Section 32(1) of the Lanham Act, 15 U.S.C. § 1114(1), a false designation of the original and false description under Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a), and violates the state trademark and dilutions statutes and common law principles of unfair competition and misappropriation.

We also understand that you are in the process of changing the name for your retail shop to something other than "\_\_\_\_\_". To ensure that you cease and desist of all unauthorized use of the mark "\_\_\_\_\_" or any mark confusingly similar to \_\_\_\_\_® on any products, advertisements, or in