

[Print of address]

<<Name>>
<<Title>>
<<Company Name>>
<<Company Address>>
<<Company Address>>
<<Postcode>>

<<Date>>

Re: <<mark, name or logo>> alleged passing off>>

Dear <<name>>,

We, <<insert business name>>, have operated our business under the name <<insert name>>, using the <<mark, name or logo>>. Our <<mark, name or logo>> is not a registered trademark, as is demonstrated by the enclosed details in Schedule 1, we have acquired a significant reputation in <<insert territory>> with respect to <<mark, name or logo>>.

As a result of the activities described above, we have acquired a significant reputation in <<insert territory>> with respect to <<mark, name or logo>>.

On <<date>> we became aware of <<describe the alleged passing off>>. [Please also refer to the enclosed details in Schedule 1.]

In light of the goodwill and reputation of <<insert business name>> as described herein, are likely to be damaged by <<describe the alleged passing off>> you are [associated or connected with <<mark, name or logo>> used] OR [describe the alleged passing off] we feel that our reputation and goodwill will be damaged. [To further support our assertion that confusion is likely to arise on the part of the public in Schedule 3.]

As our consent to use the <<mark, name or logo>> was neither sought nor granted we must inform you that <<mark, name or logo>> is not acceptable and we hereby request that you take the following steps within <<insert period, e.g. 14 days>>:

- [Cease all conduct which amounts to the alleged passing off of <<mark, name or logo>>]
- [Provide to us full details of the conduct complained of, including the names of the parties supplied, prices, quantities, and whereabouts of all parties who have supplied the goods and other materials in the conduct complained of in this letter;] **AND/OR**
- [Provide to us full details of the current whereabouts of any and all parties who have supplied the goods and other materials in the conduct complained of in this letter;] **AND/OR**

- d) [Deliver to us any goods in your possession that fall within the scope of the conduct complained of in this letter and to continue to do so until they come into your possession within that same scope within <<insert period, e.g. 14 days>> of them;] **AND/OR**
- e) [Deliver to us a written statement that you will desist forthwith from the conduct complained of in this letter] **AND/OR**
- f) [Deliver to us a written statement that you will pay to us any and all such damages or profits as may be determined by the court;] **AND/OR**
- g) [Deliver to us a written statement, signed with a statement of truth, from a properly authorised person, confirming that you have fully complied with the orders made in parts b) and c) are a] **AND/OR**

We expect your acknowledgement of our response to our requests by <<insert date>>. If it becomes necessary to commence legal proceedings, which may be issued at any time and without further notice, we shall be entitled to remedies including, but not limited to, an injunction, damages, costs and interest, or delivery up (or destruction) of the offending materials.

Yours faithfully,

<<insert name and position, where appropriate>>