

MALIN HALEY DiMAGGIO
BOWEN & LHOTA, P.A.
PATENT, TRADEMARK & COPYRIGHT ATTORNEYS

Celebrating 40 Years

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January 12, 2009

VIA CERTIFIED MAIL
Return Receipt Requested

Hallen D. Rosner, Esq.
Rosner and Mansfield, LLP
10085 Carroll Canyon Rd., Suite 100
San Diego, CA 92131

RE: Federal Service Mark Infringement
Our File No. 14694.6500

Dear Mr. Rosner:

We represent Herbert "Hal" Rosenthal with respect to intellectual property matters. Our client is the owner of federal service mark registrations for the marks ASK HAL (Reg. No. 2,335,468) and ASKHAL.COM (Reg. No. 2,377,715) registered in connection with the providing of websites and on-line information in the field of litigation support consulting and expert witness services, and consultation in the field of forensic and investigative accounting. Our client has made substantial and continuous use of its service marks, and they have been incontestable under the trademark laws of the United States. Copies of our client's service mark registrations are attached for your review as Exhibit "A."

It has come to our attention that you are using the mark "Ask Hal" in Internet advertising to identify you as a source of associated and related services on the website www.ucan.org. Your use of the mark "Ask Hal" has created confusion in commerce, and is believed to have caused consumers searching for our client's services to be diverted to the www.ucan.org site.

Please be advised that your use in commerce of the identical mark "Ask Hal" in connection with on-line advertising of litigation related services constitutes direct infringement of our client's service mark rights. While our client fully intends to police his marks and enforce his rights, he does not hastily enter into expensive and prolonged litigation. Instead, he prefers to resolve conflicts on an amicable basis where possible.

FORT LAUDERDALE

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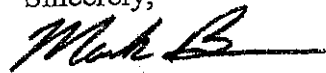
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Hallen D. Rosner, Esq.
January 12, 2009
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We trust that you have not intentionally tread on our client's rights, and thus would like to give you the opportunity to voluntarily cease and desist from all use of the mark "Ask Hal." Our client has no objection to your use of "Hal" in combination with some other term, e.g. "Here's Hal." We thus request that you provide us with confirmation that you will terminate all use of the mark "Ask Hal" at your earliest opportunity.

We look forward to hearing from you.

Sincerely,



Mark D. Bowen
For the Firm

CC: Utility Consumer's Action Network
3100 5th Avenue, Suite B
San Diego, CA 92103

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Typed Drawing

Word Mark	ASKHAL.COM
Goods and Services	IC 035. US 100 101 102. G & S: Providing a website on a global computer information network featuring information and consultation in the field of forensic and investigative accounting. FIRST USE: 19981200. FIRST USE IN COMMERCE: 19990200
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75824406
Filing Date	October 18, 1998
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	May 23, 2000
Registration Number	2377715
Registration Date	August 15, 2000
Owner	(REGISTRANT) HAL2 LLC LTD LIAB CO FLORIDA 3000 Holiday Drive, Suite 702 Hollywood FLORIDA 33316 (LAST LISTED OWNER) ROSENTHAL, HERBERT INDIVIDUAL UNITED STATES 7129 PROMENADE DRIVE #801 BOCA RATON FLORIDA 33433
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	MARK D. BOWEN
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead	LIVE

Indicator

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Typed Drawing

Word Mark	ASK HAL
Goods and Services	IC 035. US 100 101 102. G & S: providing a website on a global computer network featuring information and consultation in the field of forensic and investigative accounting. FIRST USE: 19981200. FIRST USE IN COMMERCE: 19981200
	IC 042. US 100 101. G & S: Providing a website on a global computer network featuring information and consultation in the field of litigation support consulting and expert witness services in the field of forensic and investigative accounting. FIRST USE: 19981200. FIRST USE IN COMMERCE: 19981200
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75660033
Filing Date	March 15, 1999
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	January 4, 2000
Registration Number	2335468
Registration Date	March 28, 2000
Owner	(REGISTRANT) HAL2 LLC LTD LIAB CO FLORIDA 3000 Holiday Drive, Suite 1503 Ft. Lauderdale FLORIDA 33316
	(LAST LISTED OWNER) ROSENTHAL, HERBERT INDIVIDUAL, UNITED STATES 7129 PROMENADE DRIVE #801 BOCA RATON FLORIDA 33433
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	MARK D. BROWN

Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
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