

Robert A. Lippman, Associate

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Phone: (518) 581-8800 x118

January 29, 2010

VIA EMAIL

info@forwardkommander.com

Attn: Freek Punt

Re: *Unauthorized Reproduction of Army Builder*

Dear Sir/Madam:

We are counsel to Lone Wolf Development, owner of the ARMY BUILDER® trademark, Registration Number 2,836,150 (copy enclosed) used in connection with war gaming. Our client's mark has been in continuous use since 1998, is well known within the gaming industry and has acquired significant secondary meaning throughout the internet and world marketplace.

It has come to our attention that you are trading on our clients' intellectual property with a product which you are calling Army Builder.

Your use of the trademark "ARMY BUILDER" in marketing your goods trades upon our client's good will, creates confusion in the marketplace, and violates various federal, state and common laws, including among them international trademark statutes and the Lanham Act. Your unauthorized use of our client's trademark on the internet gives an impression that your product may somehow be associated with Lone Wolf Development and it's Army Builder® computer program, as it may lead the public to believe that our client's company has endorsed, sponsored, or has in some way associated its trademarks with your endeavor. Finally, your wrongful misuse of our client's trademark is capable of causing dilution of our client's famous trademark, and irreparably damage to Lone Wolf Development.

For the foregoing reasons, we hereby demand that you:

1) immediately cease and desist from using our client's trademark on your web-site, business cards, letterhead, brochures and/or advertisements or in any other medium. You may refer to your product by generically descriptive terms such as "army points calculator", "army

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construction tool” or similar phrases;

2) issue a public retraction on any internet web sites where you have publicly referred to your product as “army builder” and explicitly state that your company has no connection with and is not affiliated with Lone Wolf Development, makers of the Army Builder® computer program;

3) immediately destroy all materials in your possession which incorporate our trademarks or any variant versions thereof;

4) immediately destroy all materials used to produce the above-referenced items; and

5) provide full details on the carrying out of steps (1) through (3).

Our client is willing to release you from liability for past uses of the the Army Builder® trademark provided we receive assurance of your compliance with the above demands within 72 hours. If we have not heard from you before then our client has authorized this firm to take further legal action.

Sincerely,

LEMERY GREISLER LLC

By: 

Robert A. Lippman

Enclosure

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

United States Patent and Trademark Office

Reg. No. 2,836,150

Registered Apr. 27, 2004

**TRADEMARK
PRINCIPAL REGISTER**

ARMY BUILDER

LONE WOLF DEVELOPMENT, INC. (DELA-
WARE CORPORATION)
42058 JOHN MUIR DRIVE
COARSEGOLD, CA 93614

FOR: COMPUTER SOFTWARE, NAMELY COM-
PUTER PROGRAMS USED TO FACILITATE THE
DESIGN AND CONSTRUCTION OF ARMY ROS-
TERS AND ASSIST WITH RECORD KEEPING
TASKS COMMON TO MOST MINIATURES WAR
GAMES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-31-1998; IN COMMERCE 6-13-1998.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "ARMY", APART FROM THE
MARK AS SHOWN.

SER. NO. 76-502,421, FILED 3-24-2003.

DAVID C. REIHNER, EXAMINING ATTORNEY