

From: Robert Fesjian <rfesjian@mondialgroup.com>
To: IPDB Maintainer
Date: 28 Oct 2003 04:39:26 -0400
Subject: Owner of Gottlieb trademarks and copyrights - Please do not ignore this message!

Dear operator of Website <http://www.ipdb.org>

My name is Bob Fesjian. I am the Manager of Gottlieb Development LLC (<http://www.mondialgroup.com>), the owner of the valuable Gottlieb® and D. Gottlieb & Co.® trademarks, related copyrights, and other associated intellectual property, including, but not limited to, artwork, trade dress and designs (collectively referred to as the 'Gottlieb Marks').

It has been brought to our attention that you may be infringing the Gottlieb Marks. Specifically, we have information that, without our permission or authorization, you have been reproducing and making available on your Website game manuals, ROM downloads, and other documentation bearing the Gottlieb Marks.

We request and demand that you immediately cease and desist any such infringing actions.

Now that I have made the necessary legal request, I want to suggest a possible middle ground to satisfy our need to protect our intellectual property and what I assume is your desire to make pinball information available to pinball hobbyists and enthusiasts around the world.

Our main concern is that you are making available for free items that our bona fide licensed distributor is licensed by us to sell. We want to make you aware (as I am sure you are if you are as deeply concerned about pinball as you appear to be) that genuine documentation bearing the Gottlieb Marks is available for purchase from Steve Young of The Pinball Resource, 8 Commerce Street, Poughkeepsie, New York 12603 (telephone: 845-473-7114; fax: 845-473-7116; email: res1gy pb@verizon.net). They are our official distributor of genuine Gottlieb spare parts and documentation for North America.

When someone downloads Gottlieb® manuals or ROM's from your site, that is a sale that our licensee does not make. It is a lost sale to him, and if he is to continue providing the parts and information that all these hobbyists and enthusiasts presumably also want, it makes it that much harder for him and us to keep Gottlieb® items on the market.

With all that said, there are some things we don't mind you posting, provided the posting is done under our conditions, with our approval, and with your proper acknowledgement of the ownership of the Gottlieb Marks. If you want to discuss this further, please contact me, by telephone if at all possible. I will be back in my office on Tuesday, Sept. 2.

We are not ogres nor are we unknown to people in the pinball industry. You can check with people like Tim Ferrante, Shay Assad, Nancy and Ron Webb, and Steve Young that we are ready to make arrangements that are fair to both sides. We absolutely want the Gottlieb® name out there, but we want to make sure the Gottlieb Marks are not diluted by unauthorized and improper use.

In the meantime, please acknowledge to us within 10 days that you will be taking the actions we have requested and demanded in this letter. We reserve our right to pursue all available remedies under the applicable Federal laws protecting our intellectual property rights in the Gottlieb Marks.

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