

[Printed name and 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 accordingly 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 2.]

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>> in this manner 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 the period, e.g. 14 days>>:

- [Cease all conduct which gives rise to the alleged passing off]
- [Provide to us full details of the conduct complained of, including the names of the suppliers, prices, quantities, and whereabouts of all parties who have supplied goods or services to you in the past 12 months AND/OR
- [Provide to us full details of the current whereabouts of any and all parties who have supplied goods or services to you in the past 12 months AND/OR

- d) [Deliver to us any goods, documents, and other materials in your possession that fall within the scope of the conduct complained of in this letter and to continue to do so;] AND/OR [Deliver to us any goods and other materials that may come into your possession within that same scope within <<insert period, e.g. 7 days>> of them;] **AND/OR**
- e) [Deliver to us a written statement that you will desist forthwith from the conduct complained of;] AND/OR [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**
- 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 of the court and that the details required under parts b) and c) are as stated.]

We expect your acknowledgement of our response to our requests by <<insert date>>. If it becomes necessary to commence 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, interest, or delivery up (or destruction) of the offending materials.

Yours faithfully,

<<insert name and position, where appropriate>>