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REGISTERED PATENT ATTORNEY

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FEBRUARY 17, 2009

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AOL LLC
Mr. Ira H. Parker
General Counsel
770 Broadway
New York, NY 10003

EHS22596671US

Re: AOL- Infringement of Service Marks of Global Fine Art Registry

Dear Mr. Parker:

I represent Global Fine Art Registry, LLC in intellectual property matters.

Global Fine Art Registry, LLC owns the following United States Federally Registered service marks:

Reg. No. 3,445,181 for the Word Mark **FINE ART REGISTRY**
Reg. No. 2,826,552 for the Word Mark **FAR**

Global Fine Art Registry, LLC also owns the United States common law service mark:
FINE ART ADVOCACY

based upon its continuous use.

The foregoing are referred to as Global Fine Art Registry, LLC marks. Copies of the registrations are attached.

Global Fine Art Registry, LLC also owns the domains:

FINEARTREGISTRY.COM

and

FINEARTADVOCACY.COM.

AOL provides a search feature that utilizes a Google search engine. AOL and Google maintain, and many consumers believe, that search results that AOL and Google provide are the product of an objective formula or algorithm that produces "natural" results, i.e., web listings the placement of which is not influenced by payments to AOL or Google from website owners.

Without authorization or approval from Global Fine Art Registry, LLC, AOL, acting with or through Google, has sold to Park West Gallery the "right" to use the trademarks and service marks of Global Fine Art Registry, LLC as "keyword" triggers that cause Park West Gallery paid advertisements, which AOL and Google calls "Sponsored Links" to appear above or alongside the "natural results" when searches are run.

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The titles and texts of these “Sponsored Links” include the exact word marks of Global Fine Art Registry, LLC. In addition, the “Sponsored Links” include a sub domain that is calculated to further infringe upon the common law mark **FINE ART ADVOCACY** and to misdirect consumers from Global Fine Art Registry, LLC’s domain **FINEARTADVOCACY.COM**

When consumers enter one of the Global Fine Art Registry, LLC marks into AOL’s search engine to search or navigate the World Wide Web, instead of being directed to Global Fine Art Registry’s website, AOL and Google’s “Sponsored Links” captioned with Global Fine Art Registry, LLC’s service marks misdirect them to Park West Gallery’s website. The Park West Gallery website is (1) a blatant attempt to damage the valuable good will associated with Global Fine Art Registry LLC’s marks; and (2) redirects them to Park West Gallery’s web site for commercial purposes.

In what can only be considered a particularly egregious unauthorized misuse of Global Fine Art Registry LLC’s service mark “FINE ART REGISTRY”, the Park West Gallery “Sponsored Link” it captioned with “FINE ART REGISTRY” and clicking on ‘FINE ART REGISTRY’ link misdirects the consumer to the PARK WEST GALLERY web site.

AOL, acting through Google is helping Park West Gallery to mislead consumers and misappropriate Global Fine Art Registry, LLC’s marks by using them as “keywords” for paid advertisements and by using them in the title of the paid advertisements.

AOL’s use of Global Fine Art Registry, LLC’s marks within titles and text that Google posts as part of Park West Gallery’s “Sponsored Links” further misleadingly communicates to consumers that such links are endorsed or sponsored by Global Fine Art Registry, LLC or that such websites are official Global Fine Art Registry websites.

AOL’s unauthorized use in commerce of Global Fine Art Registry, LLC’s marks generates profits for Google and its advertisers that are directly attributable to the unauthorized exploitation of the value and name recognition associated with the Global Fine Art Registry, LLC marks.

AOL’s use of Global Fine Art Registry, LLC’s marks is an intentional trafficking in the infringement and dilution of Global Fine Art Registry, LLC marks. These practices cause consumer confusion, erode the distinctiveness of the Global Fine Art Registry, LLC marks, and cause Global Fine Art Registry, LLC to lose, in part, control over the commercial use of its marks.

Global Fine Art Registry, LLC demands that AOL immediately cease and desist from all use of the service marks FINE ART REGISTRY and FAR except in direct reference to Global Fine Art Registry, LLC ‘s web sites and services.

Global Fine Art Registry demands that AOL immediately cease and desist from its unauthorized use in commerce of Global Fine Art Registry, LLC’s marks.

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Global Fine Art Registry demands that AOL immediately cease and desist from allowing Park West Gallery or any other third party from using the marks of Global Fine Art Registry from linking to Park West Gallery or third party websites.

Global Fine Art Registry, LLC demands that AOL cease and desist any linking to the sub domain/domain "fineartadvocacy.parkwestgallery.com"

Your prompt confirmation that AOL complies with the foregoing is also demanded. The continued failure to do so causes increasing harm to Global Fine Art Registry, LLC.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Donald J. Lenkszus', with a long horizontal flourish extending to the right.

Donald J. Lenkszus
Attorney for Global Fine Registry, LLC

cc T. Franks

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,445,181

Registered June 10, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

FINE ART REGISTRY

GLOBAL FINE ART REGISTRY, LLC (ARIZONA
LTD LIAB CO)
4146 WEST BANFF LANE
PHOENIX, AZ 85053

FOR: REGISTRATION SERVICES, NAMELY, REGISTRATION AND UPDATING OF ELECTRONIC DATABASES FOR WORKS OF ART AND COLLECTABLES, INCLUDING UNIQUE IDENTIFICATION CODES FOR WORKS OF ART AND COLLECTABLES, ART WORK AND COLLECTABLE IDENTIFICATION INFORMATION, OWNER IDENTIFICATION INFORMATION, REGISTRATION OF OWNERSHIP OF WORKS OF ART AND COLLECTABLES, AND REGISTRATION OF STOLEN OR DESTROYED WORKS OF ART AND COLLECTABLES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 5-31-2003; IN COMMERCE 5-31-2003.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,882,992.

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

SEC. 2(F).

SER. NO. 78-769,491, FILED 12-8-2005.

PAUL E. FAHRENKOPF, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

United States Patent and Trademark Office

Reg. No. 2,826,552

Registered Mar. 23, 2004

**SERVICE MARK
PRINCIPAL REGISTER**

FAR

**GLOBAL FINE ART REGISTRY, LLC (ARIZONA
LIMITED LIABILITY COMPANY)
4146 WEST BANFF LANE
PHOENIX, AZ 85053**

**FOR: REGISTRATION SERVICES, NAMELY, RE-
GISTRATION AND UPDATING OF ELECTRONIC
DATABASES FOR WORKS OF ART, INCLUDING
UNIQUE IDENTIFICATION CODES FOR WORKS
OF ART, ART WORK IDENTIFICATION INFOR-
MATION, OWNER IDENTIFICATION INFORMA-**

**TION, REGISTRATION OF OWNERSHIP OF
WORKS OF ART, AND REGISTRATION OF STO-
LEN OR DESTROYED WORKS OF ART, IN CLASS
35 (U.S. CLS. 100, 101 AND 102).**

FIRST USE 5-31-2003; IN COMMERCE 5-31-2003.

SN 78-175,415, FILED 10-17-2002.

JOHN E. MICHOS, EXAMINING ATTORNEY