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FEBRUARY 17, 2009

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Mr. Curt Kundred
Regional President
Fleishman-Hillard Inc.
200 North Broadway
Saint Louis, MO 63102-2730

EH522596583US

Re: Park West Gallery

Dear Mr. Kundred:

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.

It is the belief of Global Fine Art Registry that Fleishman-Hillard Inc has either assisted or acted as agent for Park West Gallery in unlawful activity in violation of the Uniform Domain Name Resolution Policy (UDRP) and in violation of the Anti-Cybersquatting Piracy Act (ACPA), Lanham Act S. 43(d), 15 U.S.C.S. 1125(d).

The World Intellectual Property Organization Arbitration and Mediation Center in Case D2008-1203 transferred to Global Fine Art Registry, LLC the domain "aboutfineartregistry.com that Park West Gallery obtained and utilized in bad faith. In the words of the WIPO Panel:

From the record in this proceeding, however, it appears more likely than not that the Domain Name was registered and used in a bad-faith attempt to divert Internet users interested in the Complainant to a website

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that criticized the Complainant and promoted Park West Gallery, consistent with paragraphs 4(b)(iii) and (iv) of the Policy.

It is the belief of Global Fine Art Registry, LLC that Park West Gallery acting through Fleishman-Hillard Inc., not content that the first attempt at cyber-terrorism was stopped, has embarked on another cyber-terrorist activity by again engaging in a continuous illegal assault on the Global Fine Art Registry, LLC marks and associated good will.

It is the belief of Global Fine Art Registry, LLC that without authorization or approval from Global Fine Art Registry, LLC, Park West Gallery acting through Fleishman-Hillard Inc. has "purchased" the "right" to use the trademarks and service marks of Global Fine Art Registry, LLC from various search engines including at least Google and AOL as "keyword" triggers that cause Park West Gallery paid advertisements, which Google and AOL call "Sponsored Links" to appear above, below and/or alongside the "natural results," i.e., web listings, the placement of which is not influenced by payments from third parties.

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 Google's or AOL's search engine to search or navigate the World Wide Web, instead of being directed to Global Fine Art Registry's website, Google's and AOL'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 a particularly egregious unauthorized misuse of Global Fine Art Registry LLC's service mark "FINE ART REGISTRY", the Park West Gallery "Sponsored Links" are captioned with "FINE ART REGISTRY" and clicking on "FINE ART REGISTRY" link misdirects the consumer to the PARK WEST GALLERY web site.

Fleishman-Hillard Inc. misleads consumers and misappropriates Global Fine Art Registry, LLC's marks by using them as "keywords" for Park West Gallery paid advertisements and by using them in the title of the paid advertisements.

Fleishman-Hillard'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.

Fleishman-Hillard's unauthorized use in commerce of Global Fine Art Registry, LLC's marks are an unauthorized exploitation of the value and name recognition associated with the Global Fine Art Registry, LLC marks.

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The titles and texts of these “Sponsored Links” include the exact word marks of Global Fine Art Registry, LLC. The unauthorized misappropriation of Global Fine Art Registry, LLC marks by Fleishman-Hillard Inc. is a clear willful and intentional violation of Sections 32(1) and 43(a) of Lanham Act that is calculated to harm Global Fine Art Registry, LLC.

Fleishman-Hillard’s use of the Global Fine Art Registry, LLC marks in the title or text of the “Sponsored Link” advertisements conveys the misleading commercial impression to the public that the “Sponsored Links” are approved, endorsed or sponsored by Global Fine Art Registry, LLC or are otherwise affiliated or supported by Global Fine Art Registry, LLC. Each of these misleading uses of the Global Fine Art Registry, LLC marks constitutes a false designation of origin and false description and representation, in violation of Section 43(a) of the Lanham Act.

Fleishman-Hillard’s false representations are willful and clearly reflect Park West Gallery’s intent to exploit the goodwill and strong brand recognition associated with the Global Fine Art Registry, LLC marks.

Fleishman-Hillard’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 Fleishman-Hillard Inc. immediately cease and desist from all use of the service marks FINE ART REGISTRY, FAR and FINE ART ADVOCACY.

Global Fine Art Registry demands that Fleishman-Hillard Inc. immediately cease and desist from using the Global Fine Art Registry, LLC marks to link to Park West Gallery or third party websites.

Global Fine Art Registry, LLC demands that Fleishman-Hillard Inc. cease and desist all linking to the sub domain/domain “fineartadvocacy.parkwestgallery.com

Your immediate confirmation that Fleishman-Hillard Inc. complies with the foregoing is also demanded. The continued failure to do so causes increasing harm to Global Fine Art Registry, LLC.

Sincerely yours,



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 COLLECTIBLES, INCLUDING UNIQUE IDENTIFICATION CODES FOR WORKS OF ART AND COLLECTIBLES, ART WORK AND COLLECTIBLE IDENTIFICATION INFORMATION, OWNER IDENTIFICATION INFORMATION, REGISTRATION OF OWNERSHIP OF WORKS OF ART AND COLLECTIBLES, AND REGISTRATION OF STOLEN OR DESTROYED WORKS OF ART AND COLLECTIBLES, 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