

# Sample Cease and Desist Letter for U.S. Trademark Holders



SUCCESS RESOURCES INTERNATIONAL INC.

23 September 20\_\_\_\_

Mr. \_\_\_\_\_  
[Website or Product Name]  
[Company Name]  
[Company Address]  
[Company City, State Zip]

Dear Mr. \_\_\_\_\_,

It recently came to our attention that you are advertising a product entitled "Instant Income Plan," available for sale in the United States market. You may not be aware that "Instant Income®" is a trademark registered by the United States Patent and Trademark Office and owned by bestselling author Janet Switzer. Ms. Switzer's book, *Instant Income®*, was released by McGraw-Hill Publishers in March 2007. As well, she has marketed Instant Income® branded products since 2003.

The Instant Income trademark was registered on March 16, 2004 (reg. no. 2823765) for use in International Classes 9, 16, 35 and 41; this registration date appears to pre-date the release of your product. U.S. Trademark Law §1114 provides that use of a registered trademark in commerce by other than the registered owner constitutes trademark infringement.

We therefore advise you to seek legal counsel from your own attorney as it appears you are not only using the Instant Income® trademark in commerce without authorization, but such use is causing confusion and harm to the Instant Income® brand in the marketplace.

More egregiously, by offering your "Instant Income Plan" through a substantial number of Internet affiliates, you are causing third parties to unknowingly flout U.S. Trademark Law and interfere with Miss Switzer's business interests.

Your immediate attention to this matter is appreciated.

Sincerely,

Licensing Unit  
SUCCESS RESOURCES INTERNATIONAL INC.

cc: Rod S. Berman, Esq. / Jeffer, Mangels, Butler & Marmaro

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## ABOUT THE REPLICATE PEER-CERTIFICATION PROGRAM:

Founded by industry veterans Paul Martinelli and Janet Switzer, the *Replicate Peer-Certification Program* helps business owners, professional practitioners, and subject-matter experts create a network of their own consultants, peers, coaches, trainers, or fellow entrepreneurs who are proficient in the experts’ proprietary methods and who can bring this important knowledge to millions of consumers and entrepreneurs worldwide.

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