

# Nelson Mullins

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March 24, 2009

**Via email** (admin@sassyonesies.com)

SassyOnesies.com

Dear Sirs,

Our firm represents Gerber Childrenswear LLC ("Gerber") in its intellectual property matters. As you are aware, Gerber owns U.S. federal trademark registration numbers 1,292,981, 2,549,557, and 3,488,401 for the ONESIES® mark. Our client notified you on August 22, 2008 and September 4, 2008 of at least one infringement on your website of Gerber's ONESIES® trademark. A review of your website indicates that this unauthorized usage of the ONESIES® trademark is continuing.

We note that some of the listings on your website have been changed to describe the garment in question as a snapsuit. We appreciate your compliance in this regard. However, use of the domain name "SassyOnesies.com" in connection with the sale of one-piece infant garments is an infringement of Gerber's trademarks. We require you to immediately change the domain name of the website such that it does not involve use of the ONESIES® trademark.

In addition, the products listed on your website at the following web addresses infringe the Gerber trademarks:

<http://www.sassyonesies.com/imatwinmyono.html>  
<http://www.sassyonesies.com/mlitaxdeshsl.html>  
<http://www.sassyonesies.com/rcosnred.html>  
<http://www.sassyonesies.com/recovering-colic-onesie.html>  
<http://www.sassyonesies.com/smkastpa.html>  
<http://www.sassyonesies.com/bofmipion.html>  
<http://www.sassyonesies.com/cforcuon.html>  
<http://www.sassyonesies.com/cuinsn.html>  
<http://www.sassyonesies.com/cupcakemp.html>  
<http://www.sassyonesies.com/cupsnortotee.html>  
<http://www.sassyonesies.com/cupsnortotee1.html>  
<http://www.sassyonesies.com/figleafbaby.html>  
<http://www.sassyonesies.com/gcupesnortot.html>

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<http://www.sassyonesies.com/got-boob--onesie1.html>  
<http://www.sassyonesies.com/iallabblon.html>  
<http://www.sassyonesies.com/mbooninteeor.html>  
<http://www.sassyonesies.com/mbypecusn.html>  
<http://www.sassyonesies.com/mgioninteeor.html>  
<http://www.sassyonesies.com/mlimasn.html>  
<http://www.sassyonesies.com/nap-in-the-near-future-short-sleeved-onesie.html>  
<http://www.sassyonesies.com/natagcusnort.html>  
<http://www.sassyonesies.com/old-tshirt.html>  
<http://www.sassyonesies.com/pofcusnortot.html>  
<http://www.sassyonesies.com/ppesnortotee.html>  
<http://www.sassyonesies.com/sbroninteeor.html>  
<http://www.sassyonesies.com/smesoenonori.html>  
<http://www.sassyonesies.com/snsponinteeo.html>  
<http://www.sassyonesies.com/staon.html>  
<http://www.sassyonesies.com/tdogdiditsno.html>  
<http://www.sassyonesies.com/time-out-short-sleeved-onesie.html>  
<http://www.sassyonesies.com/toothless-fairy-creeper.html>  
<http://www.sassyonesies.com/ttronortot.html>  
<http://www.sassyonesies.com/wcoloslslsn.html>  
<http://www.sassyonesies.com/whine-connoisseur-onesie.html>

We require you to immediately change the descriptions of these products, unless you are certain that the use is on a genuine Gerber product, such that they do not refer to the garments as ONESIES®. Examples of permissible descriptions may include bodysuits, creepers, or snapsuits. SassyOnesies.com's continued and knowing use of our client's trademark has the potential to cause serious harm to our client, if it has not already done so. I trust this will be accomplished within the next ten (10) days.

I trust you can appreciate our response to this matter. It is essential to Gerber that it protect its legal rights and require SassyOnesies.com to stop using its trademarks in conjunction with its operations. We have the authority to pursue this matter with SassyOnesies.com on Gerber's behalf and will take all reasonable actions to ensure that SassyOnesies.com complies. If you will agree, please make the above changes and sign and return the last page of this letter to me no later than ten (10) days after the date of this letter.

Very truly yours,



Neil C. Jones

NCJ:n

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I have read and understood the foregoing and agree to modify our website accordingly and cease proliferating use of the ONESIES® trademark without permission.

AGREED:

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Signature