

**PATENT LAW OFFICES OF RICK MARTIN, P. C.**

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July 12, 2007

RICK MARTIN, Reg. Pat. Atty  
MARGARET L. POLSON, Reg. Pat. Atty  
Technical Specialist  
ARMAND (A.J.) FERRARO, M.E.E.

***Via FedEx***

Legal Department  
ACME Merchandise & Apparel  
46 Blackburn Center  
Gloucester, MA 01930

Re: Notice of infringement

Dear Sir or Madam:

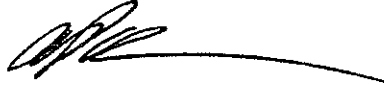
On April 10, 2007, we sent a letter informing you that you are infringing the intellectual property rights of Bison Designs, LLC with the Hang Ten bottle opener sold at <http://www.acmeapparel.com>. We have enclosed a copy of the return receipt for your reference. We have not received any response from you. Bison has a history of vigorously protecting its intellectual property. If we do not hear from you promptly, we will be forced to consider our other options, which could include an infringement lawsuit.

We are again attaching a photocopy of the carabiner and packing list. Bison Designs has filed numerous patent applications and copyright registrations on its novelty carabineers and other aluminum pieces in both the US and China. The Hang Ten bottle opener infringes US Des. Pat. No. 442,448.

A complete list of Bison's issued patents is also attached to this letter, so that you may avoid infringing any more of Bison's intellectual property rights.

Bison Designs hereby demands that you immediately cease selling and offering for sale all of those products covered by issued US patents. Bison demands that all pending orders for these products be cancelled and that all remaining inventory be turned over to Bison Designs. We further demand a complete accounting of all sales for each piece since the issue date of each patent and a complete record of all suppliers and purchasers since the date of the issuance of the patents.

Sincerely,



Margaret Polson  
Patent Attorney

/als



**List of Bison's Patents**

<u>U.S. Pat. No.</u>	<u>Title</u>	<u>Issue Date</u>
D533,760	Wire Gate Carabiner w Tool Handle	12/19/2006
D534,416	Gear Shaped Carabiner	1/2/2007
D533,051	Helmet Shaped Carabiner	12/05/2006
D528405	Apple Shaped Carabiner	9/19/2006
D527987	Longhorn Shaped Carabiner	9/12/2006
D527,245	Sprocket Shaped Carabiner	8/29/2006
D526885	Hexagon Shaped Carabiner	8/22/2006
D526555	Carabiner with tool Handle	8/15/2006
D525,780	Container with Integrated Clip	8/1/2006
D521,362	Clip	5/23/2006
D520,825	Fish Shaped Bottle Opener	5/16/2006
D520,345	Clip	5/09/2006
D519,035	Easter Island Bottle	4/18/2006
D518,360	Bison Shaped Carabiner	4/4/2006
D518,343	Fire Axe Shaped Bottle Opener	4/4/2006
D517,881	Dolphin Shaped Bottle Opener	3/28/2006
D517,419	Tiki Bottle	3/21/2006
D516886	Deer Head Shaped Bottle Opener	3/14/2006
D515,903	Box Knife with Clip	2/28/2006
D513,158	Flamingo Shaped Bottle Opener	12/27/2005
D511,281	Lobster Shaped Bottle Opener	11/08/2005
D509,128	Clover Shaped Carabiner	9/6/2005
D506,383	Howling Canine Carabiner	6/21/2005
D505,847	Bottle Opener	6/7/2005
D504,599	Saw Shaped Bottle Opener	5/3/2005
D504,289	Ice Axe Shaped Opener	4/26/2005
D501,787	Sea Turtle shaped carabiener	2/14/2005
D501,381	Hand Grip Bottle Opener	2/01/2005
D501,395	Guitar Shaped Carabiner	2/01/2005
D500,950	Horse Shoe Shaped Carbiner	1/18/2005
D500,648	Shark Shaped Bottle Opener	1/11/2005
D500,669	Foot Shaped Carabiner	1/11/2005
D497087	Hammer Shaped Bottle Opener	10/12/2004
D496,250	Dragon Shaped Carabiner	9/21/2004
D495,937	Surfboard Shaped Bottle Opener	9/14/2004
D495,587	Butterfly Shaped Carabiner	9/7/2004
D495,570	Snowshoe Shaped Bottle Opener	9/7/2004
D491,790	Gecko Carabiner	6/22/2004
D491,465	Tabbed Bottle Holder	6/15/2004
D491,047	Trout Carabiner	6/8/2004
D489,256	Mouse Head Bottle Holder	5/4/2004
D488,971	Palm Tree Shaped Bottle Opener	4/27/2004

D488,972	Fish Skeleton Shaped Bottle Opener	4/27/2004
D488,973	Turtle Shaped Bottle Opener	4/27/2004
D488,970	Parrot Shaped Bottle Opener	4/27/2004
D488,974	Tikki Shaped Bottle Opener	4/27/2004
D487,014	Curved Heart Shaped Carabiner	2/24/2004
D486,377	Dolphin Carabiner	2/10/2004
D486,056	Cat Carabiner	2/3/2004
D484,071	Belt Buckle	12/23/2003
D484,263	Flashlight with Integrated Clip	12/23/2003
D482,251	Nut Shaped Bottle Opener	11/18/2003
D480,943	Spade Shaped Carabiner	10/21/2003
D480,944	Man on the Moon Shaped Carabiner	10/21/2003
D480,622	Club Shaped Carabiner	10/14/2003
D478,823	Compass Clip	8/26/2003
D476,540	Fish Hook Shaped Bottle Opener	7/1/2003
D476,218	Shark Shaped Carabiner with Bottle Opener	6/24/2003
D475,605	Fish Hook Shaped Carabiner	6/10/2003
D475,604	Pinwheel Shaped Carabiner	6/10/2003
D475,603	Curved Dog Bone Shaped Carabiner	6/10/2003
D475,606	Pine Tree Shaped Carabiner	6/10/2003
D475,607	Stocking Shaped Carabiner	6/10/2003
D475,275	Boot Shaped Carabiner	6/03/2003
D475,276	Peanut Shaped Carabiner	6/03/2003
D473,769	Paw Shaped Bottle Opener	4/29/2003
D473,781	Football Shaped Carabiner	4/29/2003
D472,435	Star End Tool	4/1/2003
D470,393	Diamond Shaped Carabiner	2/18/2003
D467,830	Dagger Ornament	12/31/2002
D467,480	Oval End Tool	12/24/2002
D467,157	Triad Shaped Carabiner	12/17/2002
D451,774	Toothed fish bottle opener	12/11/2002
D466,791	Question Mark Carabiner	12/10/2002
D466,770	Round End Tool	12/10/2002
D466,769	Yin Yang Tool	12/10/2002
D466,768	Alien Tool	12/10/2002
D466,793	Wide Angle Star Carabiner	12/10/2002
D465,995	Peace Sign Shaped Carabiner	11/26/2002
D465,994	Crown Shaped Carabiner	11/26/2002
D465,993	Fish Shaped Carabiner	11/26/2002
D465,723	Chili Pepper Shaped Carabiner	11/19/2002
D462,891	Triad Clip	9/17/2002
D459,173	Fish Shaped Bottle Opener	6/25/2002
D456,693	Round Yin-Yang Shaped Carabiner	5/7/2002
D455,642	Clip	4/16/2002
D454,054	Circle carabiner	3/5/2002

D453,455	Lantern shaped bottle opener	2/12/2002
D453,454	Kokopelli shaped bottle opener	2/12/2002
D452,123	Gecko shaped bottle opener	12/18/2001
D449,500	Guitar shaped bottle opener	10/25/2001
D448,276	Peace fish shaped carabiner	9/25/2001
D447,932	Heart shaped carabiner	9/18/2001
D447,933	2-D cube carabiner	9/18/2001
D447,680	Flower shaped carabiner	9/11/2001
D447,681	Bone shaped carabiner	9/11/2001
D444,100	Belt buckle	6/26/2001
D442,838	Kayak shaped bottle opener	5/29/2001
D442,448	Foot shaped bottle opener	5/22/2001
D441,638	Yin-yang shaped carabiner	5/8/2001
5,572,771	Strap buckle	11/12/1996

<u>Chinese Pat No.</u>	<u>Title</u>	<u>Issue Date</u>
03354593.6	Flashlight with Integrated Clip	
01302199.0	Fish Shaped Carabiner	
01302198.2	Ying-Yang Shaped Carabiner	
01302129.X	Football Shaped Carabiner	
ZL03354594.4	Man on the Moon Shaped Carabiner	
ZL200330104763.3	Dolphin Carabiner	9/8/2004

SENDER - COMPLETE THIS SECTION		ADDRESSEE - COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X <i>Rick Martin</i></p> <p>B. Received by (Printed Name) <i>Doris Martin</i></p> <p>C. Date of Delivery <i>13</i></p> <p>D. Is delivery address different from item 17? <input checked="" type="checkbox"/> YES If YES, enter delivery address below:</p>	
<p>1. Article Addressed to:</p> <p>Legal Department ACME Merchandise &amp; Apparel 46 Blackburn Center Gloucester, MA 01930</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
		<p>7006 0810 0004 9041 8004</p>	
PS Form 3811, February 2004		Domestic Return Receipt 102985-02-M-1540	

UNITED STATES POSTAL SERVICE



• Sender: Please print your name, address, and ZIP+4 in

*Margaret Polson*  
*Patent Law Offices of Rick Martin, P.C.*  
*416 Coffman Street*  
*Longmont, CO 80501*

DELIVERED



# Packing List

## Order #: 181176



Design # Design Title

Ship Method

Ground

Ship To:

Brian Kelleghan

735 South Lincoln Street

Longmont

CO

80501

Contact

Phone

Brian Kelleghan

303-931-9658

Customer Po #

PHONE 012207

Part # Description

S

M

L

XL

2XL

3XL

MCE-609	CE Hang Ten Blue Opener	2									
MCL-609	CL Hang Ten Yellow Opener	2									

Notes