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May 8, 2015

Via U.S. Mail and Email – erik@caserails.com / kyle@caserails.com

Erik Dykema, Esq.
Kyle Zeller, Esq.
CaseRails
137 Varick St., 2nd Floor
New York, NY 10013

Re: Use of “CaseRails” name and “caserails.com” domain
Our File 170105-70

Dear Mr. Dykema and Mr. Zeller:

As we discussed, I am the owner of the federally registered trademarks **CaseWebs**[®] (U.S. Reg. No. 3,316,614), **CaseSpace**[®] (U.S. Reg. No. 3,575,917), and **CaseWorks Web**[®] (U.S. Reg. No. 4,144,587), all of which are registered on the Principal Register of the U.S. Patent and Trademark Office. In addition, both the **CaseWebs**[®] and **CaseSpace**[®] marks have “incontestable” status pursuant to Section 15 of the Trademark Act.

As I explained to you, my registered marks, have been in use for several years in connection with web-based legal software, whereby I take very seriously any third party attempts to use “Case” formative marks in connection with web-based legal applications. My telephone calls to each of you earlier today, and this letter, are both intended to be courtesy notices seeking to avoid legal action over your use of the “CaseRails” mark by your company (which appears to be operating using a fictitious name, as no corporation or LLC is showing up with that name), as I believe that such use is likely to cause confusion as to the ownership, sponsorship, and quality of the software you are promoting.

While I understand that your specific software is used to generate legal documents, I have written legal document creation software able to generate Microsoft Word documents in legal software that I developed, whereby the inclusion of such functionality is well within the scope of my existing marks and their reasonably expected expanded uses.

In view of the many years of use of my registered marks in connection with web-based legal application software, the incontestable status of both the **CaseSpace** and **CaseWebs** marks, the numerous users of both the **CaseSpace** and **CaseWebs** products throughout the country (and, internationally), the fact that you are addressing the same legal community addressed by my products, the fact that many (in both the legal and software communities) are aware that my “Case” products were written in Ruby using the Rails framework, it is apparent that the use of the “CaseRails” mark on a web-based application directed to the legal community presents a very high likelihood of confusion with my federally registered marks, whereby I must demand that you agree to

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voluntarily abandon the use of “CaseRails” in connection with your product.

Notwithstanding the foregoing demand that you rename your product, I am, nevertheless, interested in exploring alternative possible resolutions, provided, however, that you, first, assign to me all of your right, title, and interest in both the “CaseRails” name and the “caserails.com” domain.

Please advise me of your response to this letter no later than the close of business on **May 22, 2015**, after which I shall take such action as may be appropriate without further notice.

Very truly yours,

Sanford J. Asman

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