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April 18, 2013

Via Email

robin13r@hotmail.com
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Robin Gregory, Author

Re: "The Joy of Living Foods"

Dear Ms. Gregory:

We write as counsel to the Joy of Cooking Trust and MRB Revocable Trust ("Trusts") and the CBS Company Simon & Schuster, Inc. ("S&S"). The Trusts own all rights in and to the incontestable mark JOY OF COOKING (the "Mark") bearing Registration No. 2,115,779, among many other marks, which has been in continuous use in interstate commerce since the world-renowned book entitled "Joy of Cooking" by Irma S. Rombauer and Marion Becker was first published in 1931. S&S is the exclusive licensee of the publishing and merchandising rights to the Mark in connection with cookbooks and all related collateral products and services (collectively, the "Joy of Cooking Properties"). As I am sure you are aware, "Joy of Cooking" is quite probably the most famous cookbook ever published. Indeed, millions of copies of the various editions of "Joy of Cooking" and its related series of publications have been sold since first publication, and in 2006, S&S released the 75th anniversary edition to much critical and unsolicited acclaim. As a result of these enormous sales and the attendant publicity, the public associates the Mark with the Trusts and S&S. To further exploit its rights in and to the Joy of Cooking Properties, S&S's merchandising program includes but is not limited to use of the Mark on a variety of kitchen tools, utensils and cooking relating items, food products, software and websites.

We have recently learned that you have published a recipe book entitled "The Joy of Living Foods" (the "Gregory Work") in both print and kindle formats via CreateSpace.com and Amazon.com and are promoting the Work at your website at www.robinskey.com and <http://www.facebook.com/robinskey>. We are concerned about your use of the title THE JOY OF LIVING FOODS, the stylized font of the terms and stacking thereof, all for the promotion of recipes. We have concluded that the combination constitutes trademark infringement, dilution of the Joy of Cooking Properties, and unfair competition under the Lanham Act and applicable state laws. We therefore request that you take prompt steps to modify the title of the Gregory Work to refrain from using Properties described above to minimize any confusion with the Mark or the Joy of Cooking Properties. We look forward to receiving your

prompt response within ten (10) days of your receipt of this letter. Should you have any questions, please contact me directly.

Nothing contained herein shall be deemed a waiver of any and all rights and remedies of Simon & Schuster and its author, all of which are expressly reserved.

Sincerely,

Mallory Levitt

Cc: Joy of Cooking Trust and MRB Revocable Trust