



This template was created for members of the Global Workspace Association to assist in stopping the uncompensated and unlawful use of member location addresses. You may edit this document at your discretion. This document is merely a template and should not be considered as legal advice. Consult with your attorney if you have questions or concerns about the particular laws and enforcement in your municipality.

[Date]

VIA U.S. MAIL/E-MAIL/OVERNIGHT DELIVERY/HAND DELIVERY

[Name of Individual]
[Name of Business]
[Street Address, *if available*]
[City, State, and Zip Code, *if available*]

Re: Cease and Desist Use of Address and Likeness

Dear [Insert Name]:

We recently discovered that your organization, [Name of Infringer], is using and advertising our address and/or building/office likeness as belonging to [Name of Infringer]. Specifically, we discovered you are using our address and/or building/office likeness on [Name of Website/Type of Marketing Materials/Other Source]. ***Include a copy of source, if possible.***

You can imagine how surprised we were by this discovery as we are not familiar with [Name of Infringer]. In fact, after a thorough review of our database, we are unable to find any evidence or record of any service or landlord/tenant (virtual or otherwise) relationship between our company and [Name of Infringer]. Thus, it appears that you are, and have been for some time, intentionally violating the rights of our company.

The non-permitted use of our address and/or building/office likeness is clearly intended to confuse people concerning the legal existence and viability of [Name of Infringer] as an ongoing entity. It is also clearly intended to deprive our company of the revenue we receive for providing such services. Your activities constitute theft, conversion, misrepresentation, and unfair competition and are actionable under both state and federal laws. These laws provide numerous remedies to prevent [Name of Infringer's] unlawful conduct, including, but not limited to, preliminary and permanent injunctive relief, monetary damages, disgorgement of profits, attorneys' fees and costs, and punitive damages.

We demand that you immediately and permanently remove all references to our address and/or building/office likeness, and/or other information of [Name of Company] from [Name of Website/Type of Marketing Materials/Other Source] as well as from any other materials, websites, etc. affiliated with [Name of Infringer] within five (5) days of the date of this letter. You must then sign the attached acknowledgment evidencing your compliance and return it to our office within ten (10) days of the date of this letter.



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Should you fail and/or refuse to comply with this letter, we will accept such action/lack of action on [Name of Infringer]'s behalf as an agreement to pay for our services at the rate of \$[XX].00 per day. ***You want to select an amount that is high enough to help convince them to cease and desist. At the same time, you want to select an amount that the court, should it ever get to that level, will not throw out as usurious. A recommended amount range is \$50.00 per day to \$200.00 per day.***

Payment of this amount by cashier's check or other certified funds shall be due no later than the close of business each Friday. Failure to pay on time shall result in a \$[XX].00 per day late fee. ***You want to select an amount that is high enough to help convince them to cease and desist. At the same time, you want to select an amount that the court, should it ever get to that level, will not throw out as usurious. A recommended amount range is \$5.00 per day to \$25.00 per day.*** You obviously know where to deliver payment. Should you fail to make payment the matter will be handed over to our legal counsel for collection. Should you fail and/or refuse to comply with this letter, you also agree that you are responsible for payment of any and all attorneys' fees and costs incurred by [Name of Company].

OPTIONAL PARAGRAPH

If you would prefer to enter into a business services relationship with [Name of Company], you may use the business address for a monthly fee of \$[XX].00. You will be required to complete an agreement, submit deposits, and pay set up and administrative fees, as required. You will also need to complete and notarize the United States Postal Services CMRA form #1583.

We look forward to an immediate and amicable resolution to this matter. Should you have any questions, feel free to contact our office.

Very Truly,

[Name of Sender]



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ACKNOWLEDGEMENT OF OBLIGATION TO CEASE AND DESIST

I, _____, hereby acknowledge that [Name of Infringer]:

1. Will immediately cease and desist use of [Name of Company's] name, address, likeness, or other information, in any fashion, in connection with the business of [Name of Infringer]; and

2. Agree that I am individually liable to pay the sum of \$[XX].00 per day for each day that I use [Name of Company's] name, address, likeness, or other information, in any fashion, in connection with the business of [Name of Infringer] without the express written permission of [Name of Company] following my execution of this acknowledgment; and

3. Agree that I am individually liable to pay any and all attorneys' fees and costs incurred by [Name of Company] in connection with [Name of Infringer's] non-permitted use of [Name of Company's] name, address, likeness, or other information, in any fashion, in connection with the business of [Name of Infringer]; and

4. Will cease and desist and insure that [Name of Infringer] ceases and desists from any further violation of [Name of Company's] legal rights, directly or indirectly.

By signing this Acknowledgment, I acknowledge that I have read it, understand it, and agree to abide by it.

Dated: _____ By: _____