

July 8, 2007

Case # 78681938

91170761

Ms Ann Linnehan,

I contacted the attorney that is representing the opposition in this case. I offered a possible solution to this opposition. I offered to change the category in which the FYBY trademark would be used. I offered to market the FYBY trademark in another category that would not be confused with the FUBU name. They turned down the request (see enclosed copy). They suggested that I design an "original" trademark for my company. I have already designed an "original" trademark and submitted it to the USPTO. The only opposition I have heard about is from the FUBU Company. There isn't any way that my trademark and the FUBU name could be confused.

I have stated before, the only similarities between the two trademarks are alphabetical letters. My trademark is "original" and in comparison does not look like or sound like FUBU. All the opposition has for their trademark are the letters fubu. As you can see on the letter I mailed to the attorneys that are representing FUBU, I feel this entire case offered by the opposition is only because I have designed my logo over a Confederate battle flag. It has to be racially motivated. I can see no other reason for them denying my application for the trademark I have submitted.

I respectfully request the opposition's case be dropped and my company be aloud to continue to use the trademark I have submitted.

Very truly yours,

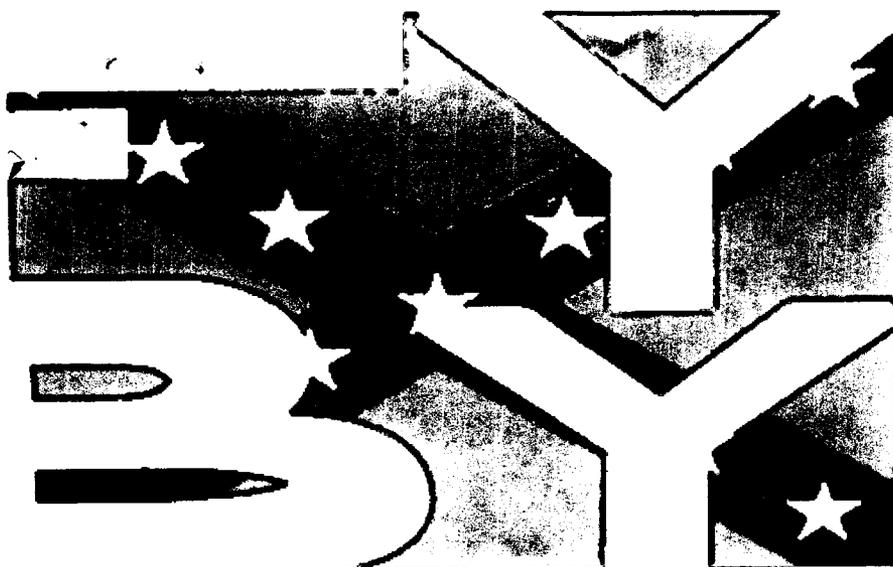


Guy Wilson

For Y'all By Y'all L.L.C.  
70 Dove Trail  
Hoschton, Georgia  
30548

07-16-2007

U.S. Patent &amp; TMO/c/TM Mail Rcpt Dt. #30



July 6, 2007

Peter J. Vranum  
Attorney at Law

Re: Trademark Opposition

Mr. Vranum,

In refer to your letter of June 21, 2007, concerning my application for the FYBY trademark.

As a small business owner in these United States, I am dumbfounded that your client continually declines any offers or rebuttals I might have concerning my FYBY trademark application. In your letter dated June 21, 2007, you advise me that I would be "best served by inventing an original mark for my business". The above trademark is in fact my "original" design and is the trademark I submitted for approval. I think you can see that it is "original". The fact that no other companies were found to have anything close to being similar in design, makes it "original. In searching in the FUBU, I could find nothing original in the FUBU trademark, only alphabetical letters.

I would also like to add that your client couldn't possibly think that any of their customer's could confuse this design with their company name or the products offered by FUBU. Your client's company is built around clothing and items for the African American public. I cannot see how any of your client's customers could confuse my "original" logo with any part of the FUBU name. The only similarity between the names of the two companies is the fact that both have four letters in their initials. I have not made any claims to draw any business from your client. I make no claims other that the "silk screening" I offer.

I have made numerous attempts to work with you as a representative of FUBU. It seems to me, as a small business with the Confederate flag as a background on my logo, this can only be a racially motivated move by your client. I feel I am being discriminated

against because of my "original" logo. This has to be the only reason for this threat of legal auction. The letters in my companies name are just that, letters. I have seen literally millions of logos on the computer search engines that are more closely similar, some exact to the FUBU name. I can't see you making these threats to all of these companies. However, if FYBY is typed into a search engine, there are less than a thousand hits appear. That in itself proves that there is an underlying reason. Again I feel that reason is racial. I will not stand any further threats from your law firm. I have never made any negative claims against FUBU or any of its products. If these threats continue, I will contact the news agencies to let the public know what kind of business practices FUBU approves of.

I have the Constitutional Right to express myself and my company. I think your client in this matter is hampering that right. I have, designed an "original" logo for my company. If it wasn't "original" the Trademark board would had refused it.

Truly,

A handwritten signature in cursive script that reads "Guy Wilson". The signature is written in black ink and is positioned to the right of the word "Truly,".

Guy Wilson

For Y'all By Y'all L.L.C.

cc; USPTO

**JANVEY, GORDON, HERLANDS,  
RANDOLPH & COX LLP**

ATTORNEYS AT LAW

June 21, 2007

Guy Wilson  
70 Dove Trail  
Hoschton, Georgia 30548

Re: Trademark Opposition

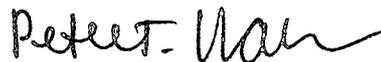
Dear Mr. Wilson:

We refer to your letter of June 5, 2007, concerning your application for the FYBY trademark.

Our client is not willing to settle this matter on the basis of your proposal. As you should know, GTFM, Inc. has FUBU registrations in Class 35 as well as 25. It is clear to us that your proposed trademark is confusingly similar to our client's existing trademarks. A junior user has the burden of avoiding use of a mark confusingly similar to that of a senior user and therefore you would be best served by inventing an original mark for your business. In the event that choose to use or to continue to use the FYBY mark our client will be forced to consider further legal action with respect to this matter.

This letter is for settlement purposes only and does not constitute a waiver of any of our client's rights or remedies, all of which are expressly reserved.

Very truly yours,



Peter J. Vranum