

Letter | Cease and Desist

[Date]

[Address you are sending to, can be email]

Dear **[name of business owning accused products]**:

I recently learned that you are selling **[accused product(s)]** (XYZ Brand).

My company, **[legal name of your company]** is the owner of the U.S. trademark registration for my products and services under the **[ABC mark ("Mark")]** I have enclosed for your reference Exhibit A, which are pages from my website that show its use of the Mark.

I have sold ABC brand products since at least **[date of first use]**. The ABC brand products have been promoted and have received highly favorable acceptance worldwide from consumers. As a result, the relevant purchasing public has come to recognize this Mark as a well-known source of **[name of products]**, and the Mark has become a symbol of **[name of your company]**, its products, and its goodwill.

In recognition of these rights, my company has been awarded trademark registrations for its Mark for use in association with **[name of products]: [registration numbers]**. Copies of my trademark registrations are attached as Exhibit B.

I recently learned that you are using the term XYZ in connection with the sale of **[accused products]**, Exhibit C.

I believe your use of the term XYZ in the promotion and sale of **[accused products]** is likely to cause confusion or cause mistake or deceive the public into thinking that the products offered by you have the sponsorship or approval of, or are in some way connected or affiliated with, my company and our Mark.

The relevant consuming public is likely to confuse the XYZ **[accused products]** sold by you with my company's ABC goods. Your use of a term that is identical to my federally registered trademark in the marketing and promotion of its own products, and specifically with **[name of products]**, does not serve the interests of my company, you, or the public. Moreover, your actions may violate federal and state trademark laws.

I believe this situation is best addressed through an amicable business resolution rather than through an extensive legal battle. I see no reason why this matter cannot be resolved short of litigation. Please understand, however, that I am legally obligated to, and will, protect and enforce my company's trademark rights. It will also protect the consuming public from confusion.

For these reasons, I must demand that you agree, in writing, to immediately cease and desist from using XYZ in association with your products.

To that end, you must remove the term XYZ from any and all packaging, product listings, advertisements, materials, websites, and graphic images and cease all other use of XYZ with your products, agreeing not to adopt that term—or any colorable imitation of it—at any time in the future.

Because of the importance and urgency of this matter, we must have your response to this letter, in writing, no later than 14 calendar days from the above date so that we can properly consider the appropriate next steps in this case. Please send your response to me by **[due date]**, using the contact information contained in this letter.

The demands made in this letter shall not waive or prejudice any rights or remedies that I may have in respect to the subject matter of this letter, all of which rights and remedies are expressly reserved by my company.

I greatly appreciate your prompt attention to this matter and look forward to hearing from you by **[due date]**.

Sincerely yours,

Your contact information

Exhibit A

Screenshot examples of the pages from my website that show my use of the Mark.

Exhibit B

Screenshot examples of using XYZ brand on the [accused products]