TRADEMARK CEASE AND DESIST LETTER

 [COMPANY NAME]

[Date]

[Infringer’s Name]

[Infringer’s Address]

Re: Infringement of the [registered trademark/domain] mark

Dear [Infringer's Name]:

We have recently discovered that your business is using the mark [mark/domain] for your service or product. We believe your use infringes on our ownership of the [registered trademark/domain] mark. We learned of your use of the same or similar [mark/domain] mark on [date]. We discovered your use of the mark [explain discovery of infringement].

We believe we have the exclusive right to use this trademark for the following reasons:

1. We have registered the [registered trademark/domain] with the United States Patent and Trademark Office, Register No. [registration number] on [date]. [Optional: It is not necessary to have registered your trademark to receive trademark protection].

2. We began using the mark [registered trademark/domain] on [date]. We have established priority in the mark because our use of the mark precedes your use.

3. Since [date] we have used the trademark on [list services and products].

Because you are using the same or similar mark on the same or similar products, we believe your use of the mark has caused confusion among our consumers and is likely to continue to cause customer confusion in the future.

[Optional: Add a statement here such as “documentation of consumer confusion is included with this letter]

While the purpose of this letter is to open a dialogue between us, please be advised that we are prepared to take all actions necessary to protect our mark. You have infringed on our mark. You must cease and desist any use of the mark. Furthermore, you should sign the statement below certifying that you will cease using the mark. We recommend that you consult with an attorney before taking any action.

If you have any questions about this letter, please feel free to contact me.

Regards,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of [trademark owner]

Cease and Desist Agreement

I, [Infringer's Name], personally, and on behalf of [infringing company, if any,] agree to immediately cease and desist from any and all further use of [registered trademark/domain]. If I or my company breach this agreement, [trademark owner] shall be entitled to all costs, including attorney’s fees, related to any and all claims or actions brought to enforce this agreement and [trademark owner] shall be free to pursue all rights it had as of the date of this letter. I certify that I have the authority to enter into this agreement on behalf of myself and [infringing company, if any].

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Signature of [Infringer's Name]

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Date