

751 Corporate Center Drive, Suite 300 (27607)
Post Office Box 33009
Raleigh, NC 27636-3009

P: 919.277.9186
F: 919.277.9177
ebrogers@wardandsmith.com

July 3, 2024

TIME SENSITIVE

CONFIDENTIAL COMMUNICATION

VIA EMAIL ONLY (mommyceil@yahoo.com)

Cecelia Valentine

RE: lakeroyalepledge.com
Our File 210601-00007

Dear Ms. Valentine:

This firm represents Lake Royale Property Owners Association, Inc. (the "Association"). The purpose of this letter is to respectfully address the www.lakeroyalepledge.com website.

First, while the Association's Board is willing to discuss complaints in the proper forum for public comments, the Association declines to provide comments for publication on the <www.lakeroyalepledge.com> website. Specifically, Mr. Steve Ragaglia declines to respond to your June 28, 2024 request for the Association's comments, set forth in *Exhibit A*.

Second, the Association is concerned that the <www.lakeroyalepledge.com> domain registration and website ("Website") damages and deteriorates its trademark rights. The Association must enforce against activity that tarnishes the brand, misrepresents the quality of the property owner association services, and adversely impacts the reputation and goodwill associated with the registered LAKE ROYALE trademark.

You may not be aware that the Association has registered the LAKE ROYALE trademark with the U.S. Patent and Trademark Office (U.S. Reg. No. 7,405,428); the certificate of which is enclosed as *Exhibit B*. Accordingly, the Association has the *exclusive* rights to use the trademark for property owner association services and related marketing and community activities. Only the Association can use the trademark in this way.

Any website that comments on the activities of the Association – or directs property owners to the comments, minutes, petitions, or procedures of the Association – may lead property owners to believe that the Association has somehow endorsed or approved that website, when it has not. Including text, "this website is not associated with the ...POA" is not sufficient to eliminate a likelihood of confusion about the source of such material. Further, the Website markets the community to prospective residents of the community, whether it

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intends to or not. Again, only the Association has the right to use the LAKE ROYALE trademark to market the community to prospective residents over the Internet.

While the Association prefers to resolve this matter amicably, including by approving revisions to a new website that would constitute fair use of the trademark, it is apparent the owner of the Website is hiding ill-intent behind anonymity. Unable to determine the owner of the domain, the Association corresponded with the host of the Website to request that it be taken down. To the extent that you have administrative access to the Website, we trust that you will assist with removing all infringing content thereon.

In summary, the Association demands that you immediately cease and desist all infringing activity related to the <www.lakeroyalepledge.com> domain registration and website, including without limitation, publishing false statements about the Association and using the LAKE ROYALE trademark for competing services without approval.

Please note, finally, the Association does not seek to suppress truthful comments about the Association. The Association recognizes and respects that the First Amendment protects such comments, and this letter should not be construed for something that it is not.

All future communications regarding this matter should be directed to this firm's attention.

This is not an exhaustive statement of all the relevant facts and law. Lake Royale Property Owners Association, Inc. expressly reserves all of its legal and equitable rights and remedies.

Thank you,

/s/ Erica B.E. Rogers

Erica B. E. Rogers

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EXHIBIT A

From: Cecelia Valentine <mommyceil@yahoo.com>
Date: June 28, 2024 at 5:53:12 PM EDT
To: Steve Ragaglia <steve_carpenter_4u@yahoo.com>
Subject: Civil Case
Reply-To: mommyceil@yahoo.com

Good afternoon, Mr. Ragaglia:

I came across this information regarding a Civil Case No. 24CV009190-910 filed against you. Was wondering if this is true or not?
I wanted to get your input regarding this matter.

<https://portal-nc.tylertech.cloud/app/RegisterOfActions/#/46B752A9DE60A1A3F96EDE13C320FBD1045DD507940C8074356F0FB4ABA047B4E6D06310F1307364CCAE>

There are plans to publish the case on the LakeRoyalePledge.com website.

Thank you for your time and consideration regarding this matter. Please feel free to contact me by email.

Ceil Valentine

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EXHIBIT B

United States of America
United States Patent and Trademark Office
LAKE ROYALE

Reg. No. 7,405,428
Registered Jun. 04, 2024
Int. Cl.: 35, 41
Service Mark
Principal Register

Lake Royale Property Owners Association Inc. (NORTH CAROLINA non-profit corporation)
9022 Lake Royale
Louisburg, NORTH CAROLINA 27549

CLASS 35: Homeowner association services, namely, promoting the interests of homeowners in a specific community and marketing the community nationwide to prospective new residents and property owners

FIRST USE 2-8-1978; IN COMMERCE 2-8-1978

CLASS 41: Providing information relating to organizing community fitness activities, social activities, cultural activities, civic activities, and crafting activities; providing community amenities, namely, swimming pools, tennis courts, basketball courts, beaches for swimming and recreation activities, recreational parks, playgrounds, recreational facilities in the nature of clubhouses, and recreational wooded areas for hiking; social club services, namely, arranging, organizing, and hosting social events, get-togethers, and parties for members of a private beach club; ticket reservation and booking services for recreational and leisure events, namely, music concerts

FIRST USE 2-8-1978; IN COMMERCE 2-8-1978

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 97-860,208, FILED 03-28-2023



Katherine Kelly Vidal

Director of the United States
Patent and Trademark Office

