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September 27, 2002

**VIA FAX AND E-MAIL**

William S. Purdy, Sr.  
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South Saint Paul, Minnesota 55075  
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**Re: *The Coca-Cola Company, et al. v. William S. Purdy, Sr., et al.*  
02-CV-01782 ADM/AJB (D. Minn.)**

Dear Mr. Purdy:

Yesterday, Washingtonpost.Newsweek Interactive Company, LLC ("WPNI") learned that you had illegally registered the domain name [wpni.org](http://wpni.org). Additionally, you telephoned employees of WPNI and read e-mails to them that you claimed were intended to reach them at their [wpni.com](http://wpni.com) e-mail address, but which were mistakenly e-mailed to you at a [wpni.org](http://wpni.org) e-mail address instead. You further threatened to post on the Internet these, and other inadvertently misaddressed e-mails that you said were "embarrassing." These are serious illegal acts on your part. We demand that you immediately cease use of [wpni.org](http://wpni.org), transfer its ownership to WPNI, and disgorge (*i.e.*, send to us and do not retain any print or electronic copies of any kind) any e-mails you may have received as a result of your deception that were intended for recipients at [wpni.com](http://wpni.com) e-mail addresses.

First, registering and using [wpni.org](http://wpni.org) is a violation of the existing preliminary injunction order, which prohibits you from "registering or using" any domain name that "incorporates and is identical or confusingly similar to" THE WASHINGTON POST® or WASHINGTONPOST.COM® and which does not "alert the unwary Internet user to the protest or critical commentary nature of the attached web site within the language of the domain name itself." Order ¶ 11. As you are well aware, "WPNI" is an abbreviation of "Washingtonpost.Newsweek Interactive," and, as such, is entitled to the same protection as the unabbreviated name. In other words, because the "WP" in "WPNI" stands for "WASHINGTON POST," your registration and use of [wpni.org](http://wpni.org) incorporates and is identical or confusingly similar to "WASHINGTON POST." Moreover, nothing in the language of the domain name remotely alerts the unwary Internet user that the attached web site does not belong to WPNI. Therefore, your registration and use of [wpni.org](http://wpni.org) is in violation of the Court's preliminary injunction Order.

Second, even if registering and using [wpni.org](http://wpni.org) were not in contempt of the Court's preliminary injunction Order, it clearly constitutes a separate infringement of The Washington

William S. Purdy, Sr.  
September 27, 2002  
Page 2

Post Entities' trademark rights and other violations of unfair competition laws. In addition to the infringement mentioned above, Washingtonpost.Newsweek Interactive has made substantial use of the term "WPNI" in commerce and has unquestionable trademark rights in the name and mark. Moreover, your conduct amounts to deliberate interception of e-mail intended for receipt by WPNI, which may constitute violations of other state and federal law, including the Electronic Communications Privacy Act, 18 U.S.C. § 2510, *et seq.* It further evinces bad faith on your part to deceive Internet users, to interfere with WPNI's business, and to harm its reputation and good will. Your threat to post on the Internet e-mails that you received by way of your deceptive trade practices only strengthens the conclusion that you are acting in bad faith. We insist that you end this unlawful conduct and bad faith immediately by ceasing use of the domain name wpni.org, transfer ownership of it to WPNI, and turn over any e-mails in your possession (without retaining any print or electronic copies of any kind) whose intended recipients have wpni.com e-mail addresses. Any information that you may have received by reading e-mails intended for others is confidential and must be treated as such by you. If you do not comply with this request by 2:30 p.m. EST today, our understanding will be that you refuse to comply with it, and we will take appropriate actions in response to your ongoing violations of law and your interception of electronic communications intended for others.

Finally, as you must know, it is inappropriate for you to be communicating directly with the employees of The Washington Post Entities regarding this matter. We request and insist that any communications you wish to convey to employees of The Washington Post Entities be directed to me or my colleagues Maya Alexandri and Felicia J. Boyd. As counsel for The Washington Post Entities on this matter, we will ensure that such communications reach their intended recipient.

Sincerely yours,

A handwritten signature in cursive script that reads "Patrick J. Carome /MA". The signature is written in black ink and is positioned above the typed name.

Patrick J. Carome

cc: Felicia J. Boyd, Esq.