

Our ref IP/17556-125/AHS/AYYD
Your ref

17 May 2006

Dear Sir

Viacom International Inc. - PIMP MY RIDE

We are solicitors who act for Viacom International Inc. ("Viacom") and its subsidiaries, including MTV Networks Europe (together, "our client"), in relation to the protection and enforcement of its intellectual property rights in the UK. As you are no doubt aware, our client owns and operates the world famous MTV cable and satellite programming service (which is widely known and recognised by a substantial proportion of the public in the US, UK and elsewhere). MTV is a recognised leader in the music industry and has received numerous global awards for its music television programming.

One of the most successful and well known programmes broadcast through our client's MTV Music Television channel is PIMP MY RIDE. As you are no doubt aware, the PIMP MY RIDE programme is a documentary/reality show where members of the public have their cars customised by a team of mechanics. The PIMP MY RIDE programme first aired in March 2004 and has just completed its third season on the MTV Music Television channel in the US and throughout Europe. This has been supplemented, in the UK, by an additional series under the PIMP MY RIDE UK name. In the UK and Ireland, MTV's programming (including PIMP MY RIDE) reaches a combined 10 million households. The brand has been extended by way of a line of related merchandise, including T-shirts and caps. The brand is also promoted through the sale of PIMP MY RIDE programme episodes on DVD and VHS video. Full details about the programme can be seen on our client's website at www.mtv.com/onair/dyn/pimp_my_ride/series.jhtml.

Our client recently became aware that you operate a website at www.pimpmysnack.com, which bears the logo 'PIMP MY SNACK' and which features photographs and descriptions of customized snacks. In particular, we notice from this website that you are preparing to offer for sale T-shirts with a variety of logos ('Pimp My Snack', 'Pimp Daddy', 'Pimp Lady', 'Bite off more than you chew', 'Saw it, pimped it, ate it', 'Don't just snack it...Pimp It!', 'I Pimped My Snack and all I got was this lousy T-shirt', 'Snack Pimp at Work'), all of which feature the www.pimpmysnack.com website address. The website also offers a game feature in which 'PimpMySnack Pimps' are featured. We note from the context in which it appears that the phrase PIMP MY SNACK is intended to call the mark PIMP MY RIDE to the mind of a reader.

You will understand why our client has concerns about your general use of, and prospective sale and supply of T-shirts under, the PIMP MY SNACK name, particularly in circumstances where the name is reproduced in a context which refers to the PIMP MY RIDE programme. Our client is the owner of Community Trade Mark applications number 3992724 (for the PIMP MY RIDE name)

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and number 4279493 (for the PIMP MY name), both filed in classes 9, 25, 38 and 41 in relation to (amongst other things) "computerized or electronic amusement apparatus", "interactive electronic games to use with computers", "clothing" (including "t-shirts"), "graphics" and "providing on-line voting system via the internet" (the "Marks"). The Marks have been accepted for registration, and will very shortly be published. Our client has made extensive use of the PIMP MY RIDE and PIMP MY names, both in the UK and elsewhere in Europe, and as a result has generated a very significant goodwill and reputation in that name.

Your use of the PIMP MY SNACK name in relation to your website, and on the T-shirts that you are preparing to offer, constitutes use of a mark which is identical and/or similar to our client's Marks in relation to goods/services which are identical and/or similar to those comprised within the specification of our client's Marks. Because of this, we consider that your use of the PIMP MY SNACK name is likely to confuse members of the public into believing that your products were produced or approved by our client (or an associated entity). Furthermore, your use of the PIMP MY SNACK name takes unfair advantage of, and is unfairly detrimental to, our client's rights in the Marks.

As such, your use of the PIMP MY SNACK mark amounts to an infringement of our client's trade mark rights. Accordingly, our client is entitled to commence legal proceedings against you, to recover damages and its legal costs and to obtain an injunction against you to prevent further infringement of its rights.

Notwithstanding all of the above, our client would like to resolve this matter amicably, if at all possible, and without recourse to the courts. If this is to be the case, then you will have to enter into and comply with undertakings in the form attached to this letter. If you co operate with our client in this way, thereby enabling it to protect its trade mark rights in the future, then our client is prepared to waive its right to seek damages, or its legal costs, from you. Otherwise, our client will have no option but to commence legal proceedings against you, in which case it would seek not only an injunction preventing your future use of the PIMP MY SNACK name, but also damages and its costs. For the reasons that we have set out above, we consider that such legal proceedings would be bound to succeed.

If this matter is to be settled, we must ask to hear from you in response to this letter by no later than next Friday, 26 May 2006. Please be under no doubt that this is a serious legal matter which requires your urgent attention. Accordingly, we recommend that you seek legal advice. Finally, we would ask you to disclose to us in writing and by return (in accordance with section 4(2) of the Business Names Act) the details of all persons doing business under the PIMP MY SNACK name and/or involved in operating or administrating the PIMP MY SNACK website. This letter is addressed to you as the registered proprietor of the www.pimpmysnack.com domain name.

Yours faithfully



Simmons & Simmons

Form of Undertaking

In consideration of your confirmation that you will not commence High Court proceedings against me in respect of my infringement to date of your trade mark rights in the Community Trade Marks PIMP MY RIDE (Number 3992724) and PIMP MY (Number 4279493; together, the "Trade Marks") by reason of my use of and anticipated offer for sale of goods under the PIMP MY SNACK name (the "Infringing Acts"), and subject to my strict compliance with these undertakings (and to the accuracy of the information to be provided hereunder), I undertake:-

1. to cease immediately from doing the Infringing Acts, or from otherwise using the PIMP MY SNACK mark, and from performing any other act which infringes your rights in the Trade Marks, whether as a domain name, through a website or otherwise;
2. not in the future to infringe the Trade Marks or any other trade marks owned by Viacom International Inc.;
3. not in the future to cause, enable or assist any party or parties to do any of the acts that I have agreed, by virtue of this undertaking, not to do; and
4. to provide details of all those doing business under the PIMP MY SNACK name and/or responsible for operating the website at <www.pimpmysnack.com>.

This undertaking shall have effect in the UK and in all countries of the European Union and shall bind all future assignees and successors in title.

Signed by:

for himself and for and on behalf of the PIMP MY SNACK business.

Dated: