

Simmons & Simmons

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Our ref
Your ref

28 June 2006

Dear Sir

Viacom International Inc. - PIMP MY RIDE

We refer to your letter of 23 May 2006.

We disagree with your interpretation of the validity and scope of our client's rights in the PIMP MY and PIMP MY RIDE trade marks. We have already drawn your attention to our client's Community Trade Mark applications for those marks, and to the fact that those applications have now been accepted for registration. Your arguments about the meaning of the word "PIMP" do not cause us to change our view. The fact remains that the PIMP MY and PIMP MY RIDE marks are distinctive of our client, and its television programming services. Even if our client's applications were still open to opposition (which as you note they are not), any such opposition would be bound to fail.

In light of the above, and for the reasons set out in our letter of 17 May 2006, your use of the PIMP MY SNACK mark, both in relation to your website and on T-shirts, constitutes an infringement of our client's rights. We therefore wrote to you to draw your attention to that infringement, and to ask for your co-operation in protecting our client's valuable trade mark rights. It is regrettable that you have not shown more willingness to work with our client in this way.

In any event, we note that you now intend to conduct your operations under the PIMP THAT SNACK name, and that your website is to move to the URL address www.pimphatsnack.com. Despite the comments posted on your website, we presume that this is based on your acceptance that our client has enforceable rights in the PIMP MY and PIMP MY RIDE trade marks. Whilst we do not accept that the carrying on of your activities under the PIMP THAT SNACK mark will necessarily avoid infringement of our client's rights, our client has decided (for purely commercial reasons) that it does not intend to take any further action at this time, as long as your use of the PIMP MY SNACK mark (including as a URL address) ceases, and does not recommence. We shall therefore keep this matter under review to ensure that you are using the PIMP THAT SNACK mark, rather than the PIMP MY SNACK mark (or any confusingly similar mark), and that further damage is not caused to our client or its trade marks. In the meantime, our client's rights are reserved.

Yours faithfully

Simmons & Simmons

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