

**GUST
ROSENFELD**
100 YEARS • 1921-2021

■ ONE E. WASHINGTON, SUITE 1600 ■ PHOENIX, ARIZONA 85004-2553 ■ TELEPHONE 602-257-7422 ■ FACSIMILE 602-254-4878 ■

JENNIFER N. MACLENNAN
602-257-7475
FAX: 602-340-1538
macleNNan@gustlaw.com

July 28, 2021

**Via Federal Express &
Email susdcan@gmail.com**

Community Advocacy Network (CAN)

~~30410 E. Camelback Dr.
Scottsdale, AZ 85261
30410 E. Camelback Dr.
Scottsdale, AZ 85261~~

Re: Scottsdale Unified School District –

Dear CAN Leadership Team:

This firm represents Scottsdale Unified School District No. 48 (the "District"), and we have been directed to send you this letter. The District owns a number of marks registered with the Arizona Secretary of State, including the trade name "SUSD," which was registered on October 20, 2020, at file number 9185052 ("Marks"). The District has been using "SUSD" since at least 2000.

It has come to the District's attention that you promoted a "SUSD Parent Back to School Boot Camp" event using the trade name "SUSD" in advertising and promoting the event. A copy of the "SUSD Parent Back to School Boot Camp" announcement and promotion is enclosed with the marks highlighted. Upon information and belief, this event caused actual confusion and could be reasonably considered by others to be District sponsored given the use of the District's trademark. This is only the most recent unauthorized use of the SUSD trade name.

While the District values community dedication and involvement, we have advised the District that it has a legal obligation to monitor the use of its Marks to ensure that any use is only for legitimate and authorized District purposes. If the District fails to monitor its Marks, then its rights could be subject to legal challenge in the future. Therefore, any use of the District's Marks must be formally agreed to in a license agreement allowing certain individuals, entities, and organizations to use SUSD pursuant to preapproved terms. The District has not authorized your action network to use its protected Marks.

GUSTLAW.COM

PHOENIX - TUCSON - WICKENBURG - LAS VEGAS - LOS ANGELES - ALBUQUERQUE - DENVER

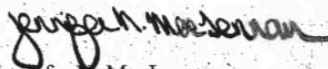
We realize that this area may be unknown to you, but your usage is a trademark infringement:

- Your use of the District's trade name and trademark "SUSD" on the promotional materials for the Parent Boot Camp inaccurately reflects affiliation with and endorsement by the District. We believe that it is likely to cause confusion or mistake as to your association with the District. The use constitutes infringement of and is in violation of the District's trademark rights.
- Your use of the SUSD-CAN name in promotional material is a non-authorized use in commerce of a "copy or colorable imitation" of a trademark in connection with the sale, offering for sale, distribution, or advertising of goods and services, which is likely to cause confusion or mistake, or to deceive persons observing that mark. As a result, we believe that your use constitutes infringement of and is in violation of the District's trademark rights.

In order to protect its trademark rights, both now and in the future, the District has directed us to obtain your written acknowledgement that you have ceased your use of "SUSD" in the advertisement of your network, on social media and in all other materials immediately. In making any changes, it is appropriate to refer to the District with its full name. Please provide the undersigned with written acknowledgment of the succession of the use prior to the close of business this Friday, July 30, 2021.

Thank you for your anticipated cooperation and your dedication to the community. My partner Christina Noyes has acted to protect the District's trademark rights; any questions may be directed to her when she returns to the office on August 3, 2021.

Very truly yours,



Jennifer N. MacLennan
For the Firm

Enclosures

cc: Lori Bird, Esq. (w/encl.)
Christina Noyes, Esq. (w/out encl.)

4191481