

KIRTON | McCONKIE

R. Gary Winger
gwinger@kmclaw.com
801.323.5908

June 9, 2014

VIA FEDERAL EXPRESS

Robert J. Kaufman
DoubleTap Defense, LLC
8215 Roswell Road, Bldg. 800
Atlanta, GA 30350

Re: DoubleTap, Inc. Trademark Infringement

Dear Mr. Kaufman:

We represent DoubleTap, Inc., a Utah corporation (“DoubleTap”). DoubleTap has become aware of the existence of DoubleTap Defense and that DoubleTap Defense is utilizing the mark “DOUBLETAP” in reference to the sale of products similar to DoubleTap. It is DoubleTap’s understanding that DoubleTap Defense is representing that it is using the business name DOUBLETAP under license from Hornady Manufacturing Company, Inc. (“Hornady”). You may or may not be aware that DoubleTap recently prevailed in a lawsuit filed by Hornady, which affirmed DoubleTap’s rights to the name DoubleTap vis a vis Hornady. A copy of the Decision and the Appeal in that matter are enclosed. In other words, we do not believe that Hornady has the right to license DoubleTap’s name and trademark.

DoubleTap has been using the name and trademark, DOUBLETAP, in interstate commerce since at least 2002. DoubleTap has spent significant time, money and effort creating goodwill and publicity for DoubleTap as “DOUBLETAP”. As a result, the trade name DOUBLETAP is now a valuable identifier used by consumers throughout the United States and Canada market to identify products manufactured by DoubleTap. “DOUBLETAP” has become associated in the minds of consumers with DoubleTap.

Your utilization of the word “DOUBLETAP” to promote DoubleTap Defense’s products is causing consumer confusion. Such use is a violation of federal and common law trademark law and constitutes trademark infringement and unfair competition. It is inappropriate to trade on the name of another’s successful mark and business without authorization.

Accordingly, we hereby demand that you immediately cease all use of the word “DOUBLETAP” and/or association of the mark “DOUBLETAP” in connection with promotional and advertising materials, including websites, for firearms and ammunition. Failure to comply with this demand will result in DoubleTap filing claims for infringement of trademark

Kaufman, Robert J.
DoubleTap Defense, LLC
June 9, 2014
Page 2

and copyright rights and unfair competition in the Federal District Court for the District of Utah. DoubleTap will seek to enjoin your use of the word "DOUBLETAP" and/or association of the mark "DOUBLETAP" in connection with advertising ammunition and firearms in the United States. If you do not immediately cease the use of the "DOUBLETAP" mark in connection with ammunition and firearms, we further intend to seek full compensation for all injuries and money damages your infringement of DoubleTap's trademark causes DoubleTap. Be aware that since your use of DoubleTap's trademark is willful, a court may award DoubleTap treble damages together with DoubleTap's reasonable attorneys' fees.

We would appreciate your prompt response to the above confirming that such conduct will not continue. Please contact me at (801) 323-5908 as soon as possible. If we do not hear from you on or before **June 19, 2014**, we will take whatever additional action we deem is necessary to protect DoubleTap from further abuse of its rights.

Thank you for your prompt attention to this important matter.

Sincerely,

KIRTON McCONKIE



R. Gary Winger

cc: DoubleTap, Inc.