

VOLKSWAGEN

GROUP OF AMERICA

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The Honorable Jeffrey S. White
 United States District Court Judge
 Phillip Burton United States Courthouse
 450 Golden Gate Avenue
 San Francisco, CA 94102-3434

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 OCTOBER 19, 2009

**Re: Volkswagen AG v. Verdier Microbus and Camper
 No. C 09-00231 JSW, 2009 WL 928130 N.D. Cal., 2009**

Dear Judge White:

Your Honor's thoughtful reasoning and discussion of the trade dress issues regarding the distinctive shape of the VW Microbus have recently been the topic of discussion in the automotive industry. In particular, the ability of automobile manufacturers to protect their famous designs is extremely important to the viability of the automobile industry as new, foreign and off-shore manufacturers begin manufacturing automobiles. Your Opinion helps parties on both sides of the issue to understand their rights and to guide their conduct.

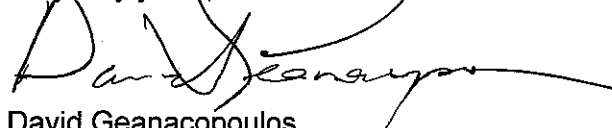
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In addition, your ruling has been cited in at least three trademark cases, including *Maxim Integrated Products, Inc. v. Quintana*, --- F.Supp.2d ---, 2009 WL 2136963 (N.D.Cal. July 16, 2009); *CytoSport, Inc. v. Vital Pharmaceuticals, Inc.*, 617 F.Supp.2d 1051 (E.D.Cal. May 06, 2009); and *Mortgage Electronic Registration Systems, Inc. v. Brosnan*, 2008 WL 6806990 (N.D.Cal. September 04, 2008).

Because of the interest that has been generated by Your Honor's Opinion and Your Honor's thoughtful discussion of several issues that Volkswagen believes significantly add to and advance trademark law in the automotive industry, Volkswagen respectfully urges the Court to give serious consideration to publishing Your Opinion in the Federal Supplement so that the Opinion will be more authoritative for parties in the trademark enforcement area and also more authoritative for the industry.

Thank you for your consideration of this request.

Very truly yours,



David Geanacopoulos
 General Counsel

EMERGENCY
 David Geanacopoulos
 United States District Judge
 OCT 23 2009
 Date