

From: **Aaron Ardiri** <aaron@ardiri.com>
Date: Wed, Sep 23, 2009 at 7:37 PM
Subject: Fwd: Apple Inc. (our ref# APP5489)
To: Danny Miller <k2xl.com@gmail.com>, Aaron Ardiri <aaron@ardiri.com>

here is your contact information :)

650-804-2294

it seems that zwigglers are submitting their own version to the store :)
give em hell :P

----- Forwarded message -----

From: **App Store Notices** <AppStoreNotices@apple.com>
Date: Wed, Sep 23, 2009 at 8:17 PM
Subject: Apple Inc. (our ref# APP5489)
To: aaron@ardiri.com

Dear Aaron,

We received a notice from Zwigglers Mobile ("Zwigglers") that Zwigglers believes your application named "Chain Rxn" infringes Zwigglers' rights. A copy of the notice is attached.

Accordingly, please take steps to review your application to ensure that it does not violate the rights of another party. If this includes removing your application from the App Store while you make changes, use the following steps:

Visit iTunes Connect at <http://itunesconnect.apple.com>

- 1) Select the "Manage Your Apps" area
- 2) Find the desired application in the list
- 3) Select "Remove From Sale"
- 4) Your application will no longer be available for sale on the App Store

Please remember that pursuant to your agreement with Apple, you are responsible for any liability to Apple because of a claim that your application infringes another party's rights, and also that we may remove your application if we believe that doing so is prudent or necessary. So that we don't take unnecessary steps, such as removing your application, please let us know that this matter between you and Zwigglers has been resolved within five days of this letter.

Thank you for your immediate attention.

Sincerely,

□ iTunes Music Marketing & IP Legal | Apple | 1 Infinite Loop | Cupertino | CA | 95014 | AppStoreNotices@apple.com

The information in this e-mail and any attachment(s) is intended solely for the personal and confidential use of the designated recipients. This message may be an attorney-client communication protected by privilege. If you are not the intended recipient, you may not review, use, copy, forward, or otherwise disseminate this message. Please notify us of the transmission error by reply e-mail and delete all copies of the message and any attachment(s) from your systems. The use of the sender's name in this message is not intended as an electronic signature under any applicable law. Thank you.

Begin forwarded message:

From: zwigglers@gmail.com
Date: September 22, 2009 10:48:40 PM PDT
To: AppStoreNotices@apple.com
Subject: Contact Us - Zwigglers Mobile - Rights Infringement
Reply-To: zwigglers@gmail.com

Content Provider Name: Zwigglers Mobile
Content Provider ID: (MZContentProvider#277711)Zwigglers Mobile
iTunes Connect User name: zwigglersmobile
User Email Address: zwigglers@gmail.com

This request was sent to you via the following iTunes Connect Contact Us pathway:
Contracts and Legal -> Rights Infringement

User entered data:

Your Phone Number: 650-804-2294

Best way to reach you for more information: zwigglers@gmOur application-- Chain Rxn is a game on Facebook that has been live for more than a year now. Facebook page at:<http://www.facebook.com/z.chainrxn> Game at: <http://apps.facebook.com/chainrxn/> (requires Facebook login) It has been played by over 7 million unique users and has 290k fans on Facebook. Mobile 1UP has misused our name (Zwigglers -- reference<http://www.zwigglers.com/>), our graphics, the game name (Chain Rxn) and our audio. Our application is currently in review in the app store (Apple ID: 331701372), and we are writing to bring this to your attention. We also request that the infringing application be removed from the App Store. Thank you for your kind attention.ail.com

Link to Disputed

Content:<http://itunes.apple.com/WebObjects/MZStore.woa/wa/viewSoftware?id=327770683&mt=8>

Disputed App Name : Chain Rxn

Disputed Developer: Mobile 1UP

Description of Issue: Our application-- Chain Rxn is a game on Facebook that has been live for more than a year now. Facebook page at: <http://www.facebook.com/z.chainrxn> Game at:<http://apps.facebook.com/chainrxn/> (requires Facebook login) It has been played by over 7 million unique users and has 290k fans on Facebook. Mobile 1UP has misused our name (Zwiggler -- reference <http://www.zwiggler.com/>), our graphics, the game name (Chain Rxn) and our audio. Our application is currently in review in the app store (Apple ID: 331701372), and we are writing to bring this to your attention. We also request that the infringing application be removed from the App Store, in order not to create any confusion between our original application and theirs. Thank you for your kind attention.

Disabled Fields:

Pre-populated Hidden data:

iTunes for Mac and Windows
iTunes Store | 1 Infinite Loop, Cupertino, CA 95014
[Privacy policy](#). [Terms of service](#). [Terms of sale](#).

--
// Aaron Ardiri