
EXHIBIT D



January 21, 2009

CONFIDENTIAL - FOR SETTLEMENT PURPOSES ONLY

VIA FIRST CLASS MAIL

Zynga Inc.
CEO Mark Pincus
365 Vermont St. San Francisco, CA 94103
USA

Re: Digital Chocolate's Mafia Wars® trademark infringement

Dear Sir,

Digital Chocolate, Inc. ("Digital Chocolate") is one of the largest providers of online, downloadable, and mobile computer and communication device games. Please visit www.digitalchocolate.com for more information.

We write regarding the game, which you distribute, offer for sale under the sign "Mafia Wars". Your game is for example publicly available on Facebook.

In the year 2004 Digital Chocolate (former Sumea Interactive Oy) launched the game Mafia Wars®. It has been a great success, and remains to be popular downloadable game for mobile devices in the world. Digital Chocolate has also launched mobile games Scarlotti's Mafia Wars® and Mafia Wars® Yakuza.

Further, Digital Chocolate has filed in 14 July 2004 the Community trademark application "Mafia Wars" for the classes 9, 28, 41 and 42 (Nice Classification). The Community trademark was registered in 20 September 2005.

A Community trademark shall confer on Digital Chocolate exclusive rights to prevent all third parties not having Digital Chocolate's consent from using in the course of trade any sign which is identical with the Community trademark in relation to goods or services which are identical for goods and services for which the Community trademark is registered.

Zynga's sign "Mafia Wars" is the identical copy of Digital Chocolate's registered trademark "Mafia Wars". Further, Zynga's sign is used for identical and similar goods. As such, Zynga's sign intentionally infringes upon Digital Chocolate's registered Community trademark.

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Zynga's offering and putting the online game on the market under Mafia Wars sign constitutes thus a trademark infringement, and subject you to a variety of damages and penalties, including Digital Chocolate's actual damages.

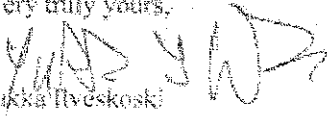
Therefore, we hereby demand that you:

1. Immediately cease all use, public display, distribution, and advertising goods and services under "Mafia Wars" sign in the area of the European Union (unless so revised that it no longer violates Digital Chocolate's trademark), whether by you, related companies, or your partners, and withdraw any rights to do so that you have granted to any other third parties.
2. Immediately inform, in writing, all distributors or websites in the area of the European Union through which you have distributed or advertised goods and services under "Mafia Wars" sign that they must immediately cease using "Mafia Wars" sign in the area of the European Union.

We expect to receive your written agreement to all of the above commitments no later than 13 February 2009. If this has not occurred, Digital Chocolate will consider taking further legal action.

This correspondence is without waiver of any of Digital Chocolate's rights or remedies.

Very truly yours,


Jukka Iveskoski
Legal Counsel
Digital Chocolate Inc
Tammasaarenlaituri 3, FI-00180 Helsinki, Finland