

Exhibit A

United States of America

United States Patent and Trademark Office

GROUPON

Reg. No. 3,685,954 THE POINT, INC. (DELAWARE CORPORATION)
Registered Sep. 22, 2009 600 WEST CHICAGO AVENUE
CHICAGO, IL 60654

Int. Cl.: 35 FOR: PROMOTING THE GOODS AND SERVICES OF OTHERS BY PROVIDING A WEBSITE
FEATURING COUPONS, REBATES, PRICE-COMPARISON INFORMATION, PRODUCT
REVIEWS, LINKS TO THE RETAIL WEBSITES OF OTHERS, AND DISCOUNT INFORMA-
TION, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).
SERVICE MARK
PRINCIPAL REGISTER

FIRST USE 10-21-2008; IN COMMERCE 10-21-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 3,513,882.

SER. NO. 77-687,604, FILED 3-10-2009.

JASON TURNER, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

Exhibit B

Groupon Deal of the Day: Find Great Deals on Fun Things to Do in Tampa - Windows Internet Explorer

http://www.groupon.com/tampa

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United States Patent and Trademark Office | Groupon.com - Great Deals on Fun Things to Do in Tampa | Groupon Deal of the Day: Find Great Deals on Fun Things to Do in Tampa

Visit More Cities | Get Daily Groupon Alerts | Refer Friends, Get \$10 | Contact Us

GROUPON

Collective Buying Power

Daily Deals on the Best in **Tampa**

701 West Washington
\$40,278,496
701 West Washington
928,266

Today's Deal Recent Deals How Groupon Works Discussion Sign In

Share This Deal: Facebook | Twitter | Email a Friend

Today's Deal: \$5 for \$10 Worth of Tea and Snacks at Dishtopia & The Anytime Tea Bar

\$5 Buy!

| Value | Discount | You Save |
|-------|----------|----------|
| \$10 | 50% | \$5 |

Buy it for a friend!

Time Left To Buy
8 hours
52 minutes
22 seconds

Discuss the Deal

I keep trying to verify my email but I keep... more

Join the discussion!
2 comments

Give the Gift of Groupon!
Available to print or email
\$50
Daily Groupon Deal

Get Your Business On Groupon!
Learn more about how Groupon can help bring tons of customers to your door

Internet 100%

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Groupon Deal of the Day: Find Great Deals on Fun Things to Do in Tampa - Windows Internet Explorer

http://www.groupon.com/tampa

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United States Patent and Trademark Office | Groupon.com - Great Deals on Fun Things to Do in Tampa | Groupon Deal of the Day: Find Great Deals on Fun Things to Do in Tampa

75 bought

The deal is on!

Tipped at 8:25AM with 15 bought

The Fine Print

Expires 06/08/2010
Limit 1 per person. May buy multiple as gifts. Not valid with other offers.
Tax & gratuity not included.

Highlights

- Teatime at any hour
- Variety of loose-leaf teas
- Dishes available for purchase

Jump to: Reviews | The Return of the Adult Tea Party

Throw off the draconian shackles of "official" teatime with today's deal: \$10 worth of tea and snacks at Dishtopia & The Anytime Tea Bar for \$5. You may order your tea hot or cold, but not tepid or spiced with Pop Rocks. You can also load up on dishes for your plate-spinning class, though these won't be included in your Groupon.

Unlike some snooty-patently traditional tearooms, Dishtopia holds tea service at any time of day, including December. This saves you the hassle of coming up with a different excuse for sneaking out of work for afternoon tea every day. Instead, you can come in very early or very late during business hours and drink Dishtopia's variety of loose-leaf whites, greens, oolongs, blacks, and herbals. Prices run from \$2 (14-ounce pots) to \$10 (a 34-ounce pot with the works).

You can also enjoy a tea flight of three teas for \$6 and explore your choice of exotic brews such as strawberry sassafras, sugar caramel oolong, sweet pumpkin spice, and Kashmiri chai. Animal lovers, on the other hand, might prefer to try the tiger eye, the dragon's wall, or the golden monkey. And for the truly daring, order the gunpowder—don't pit to destroy the House of Lords while drinking it. Dishtopia serves a fresh variety of sweet and savory treats every day to go with every tea, except Mr. T.

As sumptuous as the teas are the eclectic dishes in which they're served. Dishtopia buys and sells quality used china, crystal, dinnerware, tableware, silverware—any ware from everywhere. Dishtopia has 60 fine-dish manufacturers in its inventory, so you can finally replace that Princess Anne gray boat your uncle broke during his Thanksgiving juggling demonstration and complete your collection. Or if you just love

The Company

Dishtopia
3401 Henderson Blvd.
Tampa, FL 33609
www.dishtopia.biz
Map It!

Tweets Around Tampa

Groupon Tampa \$5 for \$10 Worth of Tea and Snacks at Dishtopia & The Anytime Tea Bar http://tiny.cc/4K42R1 http://tiny.cc/4K42R1 4 hours ago

Groupon Tampa \$10 for \$10 Worth of High-End Italian Cuisine at Armani's http://tiny.cc/4K42R1 http://tiny.cc/4K42R1 2 days ago

Groupon Tampa \$30 for a Facial and Ped at Maison Pour La Peau http://tiny.cc/4K42R1 http://tiny.cc/4K42R1 4 days ago

Groupon Tampa \$15 for Five Pints Flat Cakes at The Patis Loft (\$47 Value) http://tiny.cc/4K42R1 http://tiny.cc/4K42R1 5 days ago

Groupon Tampa Treat your Tastebuds \$10 for \$15 Worth of Italian Cuisine and Drinks at D'Vino http://tiny.cc/4K42R1 http://tiny.cc/4K42R1 6 days ago

What is this?

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http://www.groupon.com/tampa

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the cup-and-pot set in which your Ceylon Sonata tea came, you can buy it and take it home with you.

Reviews

Testisop referers give Dishlopla five stars:

- “What a great experience! The perfect place to relax and talk with friends. — Sara Huff
- “Also perfect for an alter dinner dessert for date night. I highly recommend it to all my friends and frequent it often. — Julian
- “The tea is delicious and they have really neat dishes. Definitely check it out — France Roy

Groupon says...

The Return of the Adult Tea Party

With the tea trend picking up steam, adult tea parties are once again in vogue. More and more often, adults are forgoing Saturday night swimsuit-modeling competitions in favor of a relaxing evening re-living a cornerstone of childhood. If you're considering attending an adult tea party, keep these basic rules of etiquette in mind:

- It's acceptable to eat with your fingers, unless you've recently had your fingers fused together in order to swim faster and qualify for the 2016 Summer Olympics.
- If your tea is too hot, refrain from throwing it out the window into the neighboring landfill.
- When socializing, never mention your compelling urge to be covered in marzipan and baked into a tort.
- Stir in your sugar with a spoon, not with the arm of a Cabbage Patch doll you found in the neighboring landfill.

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- When socializing, never mention your compelling urge to be covered in marzipan and baked into a tort.
- Stir in your sugar with a spoon, not with the arm of a Cabbage Patch doll you found in the neighboring landfill.

Follow @Groupon_Says on Twitter

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Exhibit C

Groupocity.com | Great Discounts on Tampa Bay Restaurants, Bars, Attractions, Spas & more - Windows Internet Explorer

http://www.groupocity.com/

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Groupocity.com | Great D... Deal of the Day: Coming Soo... LivingSocial Deals

groupocity™ Get Together and Save!

TAMPA BAY

Never Miss a Deal Login

Keep up with our RSS Feed Register today it's FREE!

Today's Deal Recent Deals How Does Groupocity Work?

The Deal: Get \$30 of Eclectic Fine Dining at 717 South for \$15

717 SOUTH

Get \$30 of Eclectic Fine Dining at 717 South for \$15

Only valid Sunday - Thursday - Dinner Only
All services must be redeemed in 1 visit
Cannot be combined with other offers
Limit 1 per table
May purchase 1 additional as gift
Tax & gratuity not included, no cash value
Valid only for food (no alcohol)
Expires 05/17/2010

Original Price Groupocity Price Total Savings

Deal Countdown

11 hours

23 minutes

04 seconds

Target 16

We only

http://www.groupocity.com/tampa/15

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Groupocity.com | Great Discounts on Tampa Bay Restaurants, Bars, Attractions, Spas & more - Windows Internet Explorer

http://www.groupocity.com/

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Groupocity.com | Great D... Deal of the Day: Coming Soo... LivingSocial Deals

| Original Price | Groupocity Price | Total Savings |
|----------------|------------------|---------------|
| \$30 | \$15 | \$15 |

Share This Great Deal With Friends & Family:

BUY! \$15

We only need 8 more to seal the deal!

Company Profile **Reviews** Questions

717 South Restaurant

He wants an Asian inspired dish, she wants Italian style comfort food. Where the two old worlds meet together and join hands at the table, is how we describe Michael's 717 South Restaurant. Located on the prominent strip of South Howard Avenue, 717 South is a definite place to be. Theirs is an innovative menu that provides so many great choices that decisions are difficult to make on an empty stomach. Complemented with an impressive wine list and cocktail menu, everything sounds classy and delicious.

Service is friendly, and the wait staff are knowledgeable and they really seem to love the menu. And although this location seems pretty swank with it's modern twist on the 1920's décor, you can arrive casual without a second glance. A great way to start your meal is with the house rolled Pesto Bread served with 717's home made marinara with an island of their three cheese blend of Parmesan, Romano and mascarpone cheeses. Some of our menu favorites are the miso and sake cured Tilapia served with a buerre blanc sauce with kaffir lime leaves, wasabi infused mashed potatoes and a confetti of soy beans, and the 717 Lasagna made with Italian sausage, ground beef, ricotta,



717 South Restaurant
http://www.717south.com/
717 South Howard Ave
Tampa, FL 33606
813-250-1661

Get Directions

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Groupocity.com | Great Discounts on Tampa Bay Restaurants, Bars, Attractions, Spas & more. Windows Internet Explorer

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Groupocity.com | Great D... Deal of the Day: Coming Soo... LivingSocial Deals


813-250-1661

Get Directions

Romano and mascarpone cheeses. Some of our menu favorites are the miso and sake cured Tilapia served with a beurre blanc sauce with kaffir lime leaves, wasabi infused mashed potatoes and a confetti of soy beans, and the 717 Lasagna made with Italian sausage, ground beef, ricotta, mascarpone, Romano & Parmigiano cheeses. Complete your meal with the Key lime pie with a graham cracker crust or the Chocolate torte. Like we said, something for him and something for her!

...717 South serves authentic Italian dishes from the 'Kitchens of Italy' to exotic seafood from the pacific rim, including their famous miso and sake cured catch of the day. It boasts an extensive wine list (over 200 wines by the bottle), martinis, and specialty drinks from all parts of the world. Michael Stewart, a local native, is the owner, and Korean-born chef Robert Masson displays a sure mastery of all parts and parts of the world. Set with 1920's art deco paintings, wood trim, high ceilings, and an open kitchen, it welcomes each patron with an energetic, yet soothing atmosphere where they can enjoy a great meal.

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| Site Links | About Groupocity | Groupocity Tools |
| <ul style="list-style-type: none"> Home Browse Deals Terms of Use Privacy Policy | <ul style="list-style-type: none"> About Us Support a Business Advertise & Events Contact Us | <ul style="list-style-type: none"> Groupocity.com Editor Advertiser Feedback Email if I missed the Deal |
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Exhibit D

Jeffrey A. Pine
312-673-0342

150 South Wacker Drive
Suite 620
Chicago, Illinois 60606

November 25, 2009

312-673-0360 (tel)
312-673-0361 (fax)

www.vp-law.com

Via Email: support@groupocity.com
CONFIRMATION COPY BY U.S. MAIL

Mr. Chad Jaquays
President and CEO
GROPOCITY, LLC
5010 West Carmen Street, Suite 2160
Tampa, Florida 33609

Re: Infringement of Groupon system
Our Ref.: 5060/2

Dear Mr. Jaquays:

We represent Groupon, Inc. and The Point, Inc. in their intellectual property matters. It has been brought to our attention that you have begun providing offers over the Internet under the www.groupocity.com website. On your website, deals are only valid if a certain number of users apply. As you are aware, this concept was developed by Groupon and is a proprietary service owned by Groupon. The Groupon system, with which Groupocity directly competes, is the subject of a pending U.S. patent application.

As you are also aware, our client is the owner of the GROUPON and GROUP-ONS service marks, U.S. Registrations 3,685,954 and 3,513,882, respectively. These marks have been widely advertised and are well known as identifying the services offered only by our client, and have become valuable assets. From your website, it is apparent that you are purposely using marks that are confusingly similar to our client's marks for services not only similar to, but indeed the same as, those services provided by our client with its marks.

Given that your service mark is so similar to our client's mark, and in light of the similarity or outright identity in the types of services at issue, your unauthorized use of our client's valuable service mark is likely to cause confusion or misunderstanding as to source, sponsorship or approval of your services. Your unauthorized use constitutes unfair competition, dilution and a willful violation of our client's intellectual property under Federal and state laws.

This letter is also to provide you notice that the service you are now advertising is without right or license from Groupon and it includes features that were taken directly from the Groupon system, such as the location of Groupocity's headings, pictures and copying of information. Obviously, you have misappropriated Groupon's system which constitutes copyright infringement. Further, upon the issuance of Groupon's patent, your

Mr. Chad Jaquays
November 25, 2009
Page 2

actions will undoubtedly constitute patent infringement. You understand that the Groupocity service, regardless of your previous knowledge of the Groupon system, would be subject to an injunction and damages at that time. Given the facts surrounding your usurpation of the Groupon system, including copyright infringement, any patent infringement determination would plainly be willful, potentially subjecting Groupocity to increased damages and attorney's fees.

In addition, your copying of Groupon's website and business model may constitute tortious interference with our client's business practice and may warrant a separate and distinct actionable offense. We are currently investigating this cause of action and, to the extent your partners are involved in or are benefiting from these misappropriations and violations of Groupon's intellectual property rights, we intend to also hold them liable for your actions.

We demand that you immediately cease and desist from the unauthorized use of Groupon's intellectual property as described above, and assure us in writing that you have permanently done so. Groupon must protect its valuable rights in its intellectual property. While it is willing to discuss resolving this matter amicably, any discussion will have to start with your agreement, in writing, that you will discontinue the infringing use of the Groupon's intellectual property. Accordingly, if we do not hear from you by **December 4, 2009**, we will assume that you do not wish to resolve this issue amicably and we will be forced to take whatever action we deem necessary to resolve this issue.

Very truly yours,



Jeffrey A. Pine

JAP/jms

Exhibit E



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312.832.4700 FAX
www.foley.com

WRITER'S DIRECT LINE
312.832.4354
hbelongia@foley.com EMAIL

CLIENT/MATTER NUMBER
096457-0101

December 2, 2009

VIA U.S. MAIL & ELECTRONIC MAIL (PINE@VP-LAW.COM)

Jeffrey A. Pine, Esq.
Valauskas & Pine LLC
150 South Wacker Drive, Suite 620
Chicago, IL 60606

Re: Intellectual Property Claims By Groupon, Inc.

Dear Mr. Pine:

We write in response to your November 25, 2009 correspondence regarding the alleged infringement of Groupon, Inc.'s ("Groupon") intellectual property rights by Groupocity, LLC ("Groupocity"). From the outset, we assure you that Groupocity, as an intellectual property owner, respects the rights of other intellectual property owners. However, based upon our review and investigation of the facts and claims in your letter, we believe that Groupocity's website (www.groupocity.com) does not infringe any alleged intellectual property rights asserted by Groupon.

As you know, Groupocity has been using the GROUPOCITY™ mark along with the "Get Together And Save!" tagline and the group price tag logo for its services since July 2009. During that time, through Groupocity's use and advertising and promotion of its marks, Groupocity has established substantial and valuable goodwill in its marks and services.

The GROUPOCITY™ mark is suggestive in that it suggests to consumers that they can benefit from exploring and enjoying new places and things to do in their city as a group. Groupocity's services also help local merchants find new customers to whom they can market their unique, local goods and services. In contrast, Groupon is using the GROUPON mark and the "Collective Buying Power" tagline on its services. The mark is clearly a play on the common idea of a "coupon" for a group. This idea is underscored by the information presented on Groupon's website which informs the consumer that he/she will find a shiny GROUPON ticket in his/her inbox that he/she can print out and use whenever he/she wants. This concept is also illustrated by a cat on the website with a shiny, gold "GROUPON" ticket.

Jeffrey A. Pine, Esq.
December 2, 2009
Page 2

Consumers are not likely to be confused by the GROUPOCITY™ and GROUPON marks for a number of reasons. First, the marks differ in composition. The GROUPOCITY™ mark contains and focuses on the term “city;” the GROUPON mark does not contain the term “city.” Second, the GROUPON mark plays off the common idea of a “coupon” for a group; the GROUPOCITY™ mark does not evoke the idea of a coupon. Third, the GROUPOCITY™ mark features the tagline “Get Together And Save!” along with the group price tag logo. The tagline and group price tag logo are prominently featured along with the GROUPOCITY™ mark on Groupocity’s website. In contrast, Groupon does not use a price tag logo and its tagline is “Collective Buying Power.” Moreover, the GROUPON mark and tagline is featured in a shape that looks like a coupon. Additionally, the font, color, and appearance of each party’s mark as displayed on their respective websites is clearly distinguishable (white/orange/green for Groupocity; gray/white for Groupon). For at least the above reasons, consumer confusion or misunderstanding as to source, sponsorship, or approval of each party’s services is not likely. Furthermore, based on the information in your November 25th letter, we consider Groupon’s unfair competition and dilution claims to fail for the same reasons, among others, as Groupon’s trademark claim.

It is our understanding that Groupon’s copyright claim is based on the alleged copying of information from Groupon’s website (specifically, Groupon’s privacy policy and certain terms and conditions). We disagree with your assertion and note that the copyright protection available for contracts and forms is, at best, very narrow. Nevertheless, Groupocity is continuously updating and changing its website in the ordinary course of business. We expect that some recent and anticipated changes will alleviate some of the concerns expressed in your letter. To the extent that Groupon is asserting copyright infringement for any other Groupocity materials, please provide specific details disclosing the basis for that claim.

Finally, Groupon broadly and vaguely asserts that Groupocity is infringing a pending U.S. patent application. Despite our best efforts, we were unable to locate a copy of this application. Please provide a copy of the application and an up-to-date prosecution history or the patent application number for our review and consideration in responding to Groupon’s claim. Similarly, Groupon generally asserts a tortious interference claim. We are willing to review and respond to the merits of this claim once Groupon provides a basis for it.

Groupocity respects the legitimate intellectual property rights of others. However, for all the reasons stated above, we are confident that Groupocity is not infringing Groupon’s alleged intellectual property rights. We are happy to further discuss this matter with you so that the parties can attempt to reach an amicable resolution.

Jeffrey A. Pine, Esq.
December 2, 2009
Page 3

If you wish to discuss this matter, please feel free to contact me.

Very Truly Yours,

A handwritten signature in cursive script, appearing to read "Heidi L. Belongia".

Heidi L. Belongia