

EXHIBIT E

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May 5, 2011

**VIA EMAIL TO (copyright@amazon.com)
(legal@amazon.com)**

**ALSO VIA CERTIFIED AND REGULAR U.S. MAIL
(RETURN RECEIPT REQUESTED)**

Copyright Agent
Amazon.com Legal Department
P.O. Box 81226
Seattle, WA 98108

Re: Violation of the Lanham Act - 15 U.S.C. §1051, et seq.

To Whom It May Concern:

This firm represents Maxfield & Oberton Holdings, LLC ("M&O"), the owners and distributors of Buckyballs®. As you may already be aware, M&O owns the Buckyballs® trademark, which is registered with the United States Patent and Trademark Office (Reg. #3,733,723) for goods and services including: jigsaw and manipulative puzzles; manipulative puzzles; puzzle games and puzzles (the "Trademark"). A true and correct copy of M&O's trademark registration is enclosed

It has come to our attention that Amazon.com ("Amazon") is using the Trademark to promote products that are not Buckyballs®. By way of example, without M&O's knowledge or consent, Amazon has been using the Trademark in advertisements via Google adwords that link to a listing of products on Amazon's website; none of which is M&O's Buckyballs® product. True and correct copies of the infringing advertisement on Google and the resulting product listing on Amazon's website are enclosed for your reference.

Please be advised that your unauthorized use of the Trademark is a violation of the Lanham Act, as well as that of state and federal unfair competition laws. Amazon's use of the Trademark is likely to lead to consumer confusion and/or to cause mistake as to the source, origin or sponsorship of the products contained on Amazon's website and could cause irreparable injury to M&O. M&O has invested substantial effort and financial resources in developing and promoting Buckyballs® and has achieved a significant level of market recognition. M&O will not permit you to misappropriate M&O's rights or otherwise infringe on

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and usurp the substantial goodwill and favorable reputation that M&O enjoys:

M&O would like to resolve this matter amicably. To that end, M&O requests that Amazon utilize the Trademark only in connection with advertisements and product listings for M&O's Buckyballs® products that are listed for sale on Amazon's website.

However, in the event that Amazon is unable or unwilling to make the aforementioned accommodation within seven (7) days of the receipt of this letter, then we hereby demand that you and all other persons and entities affiliated or otherwise associated with you in any way whatsoever:

1. Immediately cease and desist any and all further advertisements containing the Trademark and any other logos, designs, and/or names that comprise or include the Trademark;
2. Provide a detailed account of all products that have been sold by Amazon or others resulting from Amazon's unauthorized use of the Trademark, including the location(s) from where such items were sold and the amount of proceeds from the sale of all such items.
3. Remit payment for attorney's fees and damages incurred by M&O as a result of your infringement and unfair competition; and
4. Provide, in a form satisfactory to M&O, a written undertaking that you will not henceforth display or otherwise use the Trademark in advertisements for products that are not M&O's Buckyballs® product, acknowledge that M&O possesses proprietary and related rights in the Trademark, and concede that the unauthorized exploitation of such rights constitutes, among other things, trademark infringement.

Please confirm your agreement with the above demands in writing. If your confirmation is not received within seven (7) days of the delivery of this letter, M&O can only assume that you have no interest in resolving this matter voluntarily. M&O will then pursue any and all such other remedies as it deems appropriate.

This letter does not constitute a complete statement of M&O's rights. Nothing contained in this letter constitutes an express or implied waiver of any rights and/or remedies, all of which are expressly reserved. We await your reply.

Very truly yours,

KAPLAN PAPADAKIS & GOURNIS, P.C.

By: _____

Jared I. Rothkopf

Enclosures

CC: Maxfield & Oberton Holdings, LLC

United States of America

United States Patent and Trademark Office

BuckyBalls

Reg. No. 3,733,723 MAXFIELD AND OBERTON HOLDINGS, LLC (DELAWARE LIMITED LIABILITY
Registered Jan. 5, 2010 COMPANY)

33 WEST 19TH STREET, SUITE 303
NEW YORK, NY 10011

Int. Cl.: 28

FOR: JIGSAW AND MANIPULATIVE PUZZLES; MANIPULATIVE PUZZLES; PUZZLE
GAMES; PUZZLES, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

TRADEMARK

PRINCIPAL REGISTER FIRST USE 3-1-2009; IN COMMERCE 3-1-2009.

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

SER. NO. 77-726,439, FILED 4-30-2009.

TASNEEM HUSSAIN, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

Hello, Jared Rothkopf. We have recommendations for you. (Not Jared?)

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Toys & Games > "buckyballs"

Related Searches: bucky balls, buckyballs original, neocube.

Showing 1 - 24 of 230 Results

Sort by Relevance

1. **MAGNET BALLS**

THE ORIGINAL

216 pcs



Magnet Balls Original Edition - Magnetic Earth Magnet Puzzle in Collector's Tin

Buy new: \$18.95

3 new from \$18.95

Get it by Saturday, May 7 if you order in the next 2 hours and choose one-day shipping.

★★★★★ (60)

Eligible for FREE Super Saver Shipping.

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2. **MAGNET BALLS**

BLACK

216 pcs



Magnet balls Black Edition - Magnetic Earth Magnet Puzzle in Collector's Tin

Buy new: \$20.05 \$19.95

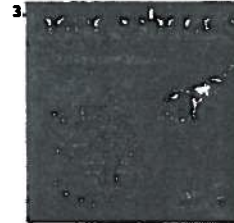
2 new from \$19.95

Get it by Friday, May 6 if you order in the next 2 hours and choose one-day shipping.

★★★★★ (28)

Eligible for FREE Super Saver Shipping.

Show only Magnetballs Items



Original Nanospheres, 231 Rare Earth Magnetic Balls

Buy new: \$30.00 \$24.99

2 new from \$24.99

Get it by Friday, May 6 if you order in the next 2 hours and choose one-day shipping.

★★★★★ (21)

Eligible for FREE Super Saver Shipping.

Show only Nanospheres Items

4. **MAGNET BALLS**

GOLD

216 pcs



Magnet Balls Gold Edition - Magnetic Earth Magnet Puzzle in Collector's Tin

Buy new: \$20.05 \$19.95

2 new from \$19.95

Get it by Saturday, May 7 if you order in the next 2 hours and choose one-day shipping.

★★★★★ (18)

Eligible for FREE Super Saver Shipping.

Show only Magnetballs Items

5.



Neocube 216pc Magnet Puzzle (Keep Away from Children - Age 14+)

Buy new: \$25.05 \$25.00

3 new from \$25.00

Get it by Saturday, May 7 if you order in the next 1 hour and choose one-day shipping.

★★★★★ (106)

Eligible for FREE Super Saver Shipping.

Show only NeoCube Items

6.



Generic Rare Earth Magnets in a Generic Tin (216 Pieces)

Buy new: \$16.50

10 new from \$12.98

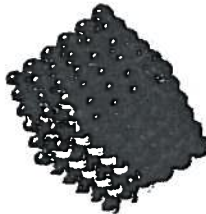
Get it by Saturday, May 7 if you order in the next 2 hours and choose one-day shipping.

★★★★★ (14)

Eligible for FREE Super Saver Shipping.

Show only China Magnets Items

7.



NeoCubix Gold, Black, Silver, and Nickel Neodymium Sphere Puzzle - 216 spheres (4 Colors)

Buy new: \$22.98

2 new from \$22.98

Get it by Tuesday, May 10 if you order in the next 20 hours and choose one-day shipping.

Only 1 left in stock - order soon.

★★★★★ (3)

Eligible for FREE Super Saver Shipping.

Show only Neocubix Items

8.



CyberCube Black [Toy]

Buy new: \$20.99 \$26.25

2 new from \$26.25

Only 1 left in stock - order soon.

★★★★★ (18)

Show only CyberCube Items

9.



Neocubix Magnet Balls (Same as Neo, Buckyballs, Nanospheres)

Buy new: \$17.99

6 new from \$11.55

Get it by Saturday, May 7 if you order in the next 1 hour and choose one-day shipping.

Eligible for FREE Super Saver Shipping.

Show only Neocubix Items