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FILE NUMBER:
3VIC-01-01

June 3, 2013

Sent Via Federal Express

Twitter, Inc.
Twitter Trust & Safety
1355 Market Street, Suite 900
San Francisco, California 94103

Re: Infringement of Registered Trade Name/Trademark

Dear Sir/Madam:

This firm represents the interests of Victory Outreach International. We understand that an organization which, our client recently discovered, uses the name @victoryoutreach on Twitter.

Please be advised that our client is the owner of three Certificates of Registration numbers 1210107, 1210104 and 2125831, registering the mark *Victory Outreach* with the United States Patent and Trademark Office. These registrations, held since 1982, are incontestable, which means that it is now conclusively established that Victory Outreach International owns the exclusive right to use the mark. 15 U.S.C. §1065. It also means that no third party, including the violating Twitter account holder or Twitter itself, may use any affirmative defense that the mark is merely “descriptive” or otherwise not subject to trademark protection. These rights are superior to any right acquired by any entity at a state level. Our client’s incontestable registration gives it the right to use the mark nationwide. 15 U.S.C. §1072. Further, its registration constitutes constructive notice to others that the trademark is owned by Victory Outreach International. Our client is entitled to bring an infringement suit in federal court seeking treble damages, attorneys’ fees, and other remedies. 15 U.S.C. §1121.

Victory Outreach International is an international ministry with 340 ministry centers in the United States alone, as well as 23 other countries, and it has held the right of first use to the mark *Victory Outreach* since 1967. It cannot be seriously disputed that the current account holder’s use of the mark *Victory Outreach* is likely to cause confusion to the public. Such use is not only “similarly confusing,” but actually confusing as it uses the identical words which are protected by our client’s incontestable registration. In addition to the federal claims of likelihood of confusion and tradename dilution, there would undoubtedly be a number of additional state-

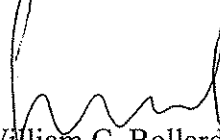
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law causes of action under Missouri law including, but not limited to, unfair competition law (passing off, contributory passing off, reverse passing off) injunctive relief and misappropriation.

We hereby demand on behalf of Victory Outreach International that you deactivate or suspend the current account and immediately cease and desist from allowing further use of the words *Victory Outreach* in connection with its operations to avoid further confusion on Twitter.

Please contact me as soon as possible to confirm the deactivation or suspension of this account.

Very truly yours,

A handwritten signature in black ink, appearing to read 'William C. Bollard', with a stylized flourish at the end.

William C. Bollard

JULANDER, BROWN & BOLLARD

WCB