

EXHIBIT D

Arena, Alexis

From: Google Advertising Legal Support Team [ads-trademarks@google.com]
Sent: Monday, March 02, 2009 5:42 PM
To: Tim O'Malley
Subject: Re: [#406399397] Google AdWords Trademark Complaint

Hello Tim,

Thank you for your trademark complaint dated 02-MAR-09. As previously noted, we will not be able to investigate 'finally fast' at this time because this mark differs too greatly from your actual trademark. That said, if you have trademark registration for this term, or if you claim ownership to the mark through use, please send us proof of ownership, and we'll be happy to review them as well.

If you have additional questions, please visit our Trademark FAQ in the AdWords Help Center (<https://adwords.google.com/support/bin/topic.py?topic=10615>) to find answers to many frequently asked questions. You may also contact us at ads-trademarks@google.com with further concerns.

Best regards,
Maryam
Google Adwords Trademark Team

Original Message Follows:

From: "Services Admin" <ads-trademarks@google.com>
Subject: Google AdWords Trademark Complaint
Date: Mon, 2 Mar 2009 10:32:35 -0800

>
> Hello,
>
> This is an auto-generated email. Please do not reply.
>
> Thank you for using our online trademark complaint form. We have
> received your complaint and have queued it for review. Once our
> investigation of your complaint is complete, we will send you an
> email confirmation. Please note that we receive a high volume of
> trademark complaints and address them in the order they are received.
> We appreciate your patience.
>
> If your complaint is missing any information, we will contact you
> via email. Also, please keep your email address updated as we will
> use this as our primary means of communication with you.
>
> Here is the information we received:
>
> Name: Tim O'Malley
> Title: Manager of Search Engine Marketing
> Company Name: Ascentive LLC
> Relationship: Employee
> Address: 201 Spring Garden Street
> Email: tomalley@ascentive.com
> Phone: 215-320-6000 ext 192
> AdWords ID: [REDACTED]
> Trademark owner same as above? Yes
>
> TRADEMARK OWNER INFORMATION, IF DIFFERENT THAN ABOVE
> TM Owner Name:
> Address:
> Email:

> Phone:
> AdWords ID:

> TRADEMARK DETAILS

> Are there more than 10 trademarks? No
> If yes, the attached document will be sent for review.

> Trademark 1
> Trademark: FINALLYFAST.COM
> Country: USA
> Word/Design: Word & Design
> Registered? Yes
> Application or Registration Number: 3,533,775

> SCOPE OF COMPLAINT -- ADVERTISERS INVOLVED
> All advertisers or specific advertisers? specific advertisers
> If specific advertisers, the URL(s) of concern are listed below.
> Ad 1:

> Finally Fast - Seen on TV
> Fix Annoying PC Errors Quickly!
> Get a Fast Pc in 3 min - Free Trial
> www.FinallyFastAgain.com

> Ad 2:
> Does Finally Fast ® Work
> Registry-Clean-Reviews.com
Which PC Cleaners Work. Finally, You Have a Fast PC Again.

Find Out

> SCOPE OF COMPLAINT -- SUBSTANCE

> Trademark rights in the US, UK, Ireland or Canada: we are concerned with the use of our trademarks in ad text: Yes
> Trademark rights outside the US, UK, Ireland or Canada: we are concerned with the use of our trademarks in ad text: No
> Trademark rights outside the US, UK, Ireland or Canada: we are concerned with the use of our trademarks as keywords: No

> CLARIFICATIONS

> LEGAL AFFIRMATIONS

> * I have a good faith belief that use of the trademarks described above with the advertisements described above are not authorized by the trademark owner or its agent, nor is such use otherwise permissible under law.

> * I represent that the information in this notification is true and correct and that I am authorized to act on behalf of the trademark owner.

> If you have additional questions at this time, please visit our Help Center at <https://adwords.google.com/support> to find answers to many frequently asked questions.

> Sincerely,

> Google Advertising Legal Support Team