

# EXHIBIT 1

**AFFIDAVIT OF AUTHENTICATION OF BUSINESS  
RECORDS**

THE STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS         §

BEFORE ME, the undersigned authority, on this day personally appeared Mr. Daniel R. Castro, who being by me first duly sworn upon his oath deposed and stated as follows:

My name is Daniel R. Castro. I am over the age of 21 and am of sound mind and am capable of making this affidavit. I have personal knowledge of the facts stated below, and every statement is true and correct.

I am the custodian of records of the law offices of Castro & Baker, LLP.

Attached hereto is a true and correct copy of a letter dated September 7, 2010 addressed to Daniel R. Castro, which I personally received from the law firm of Latham & Watkins, LLP.

This copy was made by me and kept by me or someone at my direction in the regular course of business. It was the regular course of business for an employee, or representative of this law firm with knowledge of the acts, events, conditions, opinions recorded to make the record or to transmit information thereof, to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The copy attached hereto is an exact duplicate of the original.

FURTHER AFFIANT SAYETH NOT.

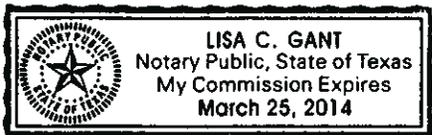


\_\_\_\_\_  
Daniel R. Castro

SUBSCRIBED AND SWORN TO BEFORE ME the undersigned authority on this 6th day of December 2010.



\_\_\_\_\_  
Notary Public, State of Texas



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## LATHAM & WATKINS LLP

September 7, 2010

### VIA FACSIMILE: 512-732-0115 AND U.S. MAIL

Daniel R. Castro  
 Castro & Baker, LLP  
 10509 Pointeview Dr  
 Austin, TX 78738-5522

#### FIRM / AFFILIATE OFFICES

Abu Dhabi	Moscow
Barcelona	Munich
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Dubai	Riyadh
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Hong Kong	San Francisco
Houston	Shanghai
London	Silicon Valley
Los Angeles	Singapore
Madrid	Tokyo
Milan	Washington, D.C.

File No. 02778B-22-US090

Re: Infringement of the ENTREPRENEUR Trademark

Dear Mr. Castro:

This firm represents Entrepreneur Media, Inc. ("Entrepreneur Media") in connection with its intellectual property enforcement matters. Entrepreneur Media is the owner of numerous trademark registrations for the mark **ENTREPRENEUR**<sup>®</sup>, as well as several other marks that include the "ENTREPRENEUR" term. Entrepreneur Media uses its **ENTREPRENEUR** trademarks in connection with various goods and services including its publication, *Entrepreneur* magazine, and corresponding web site at *entrepreneur.com*. Entrepreneur Media's publications and web site provide start-ups, small businesses, and small business owners with information and various business services regarding starting and operating a successful business. The **ENTREPRENEUR**<sup>®</sup> mark has become well-known and distinctive including within the small business industry. Indeed, a Federal Court recently ruled that "the mark **ENTREPRENEUR** is a strong, distinctive mark, deserving of significant protection," which ruling was upheld by the Ninth Circuit. *See* attached.

To protect these valuable rights, Entrepreneur Media has obtained federal trademark registrations for its **ENTREPRENEUR**<sup>®</sup> mark pursuant to Certificate of Registration Numbers 1,453,968, 2,263,883, 2,502,032, and 3,520,633 in International Classes 9, 16, 35, and 41. Entrepreneur Media also has common law rights in its **ENTREPRENEUR**<sup>®</sup> mark.

It has come to our attention that you filed a trademark application for the mark "ENTREPRENEUR.OLGY" in connection with *conducting workshops and seminars in entrepreneurship* in Class 41, which has now published for opposition. We also understand that you own and operate the www.entrepreneurology.com domain name and website, which uses the mark.

**EXHIBIT**

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LATHAM & WATKINS LLP

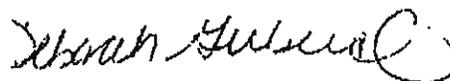
Your application to register a mark that is nearly identical to Entrepreneur Media's **ENTREPRENEUR**<sup>®</sup> mark in connection with services that are nearly identical to Entrepreneur Media's services is likely to cause confusion, mistake, and/or deception regarding the source of the services. Accordingly, Entrepreneur Media hereby demands that you immediately withdraw your application to register the mark **ENTREPRENEUR.OLGY**.

It also has come to our attention that you have registered the *entrepreneurology.com* domain name. Your unauthorized registration and use of a domain name encompassing Entrepreneur Media's famous trademark and trade name violates the Anticybersquatting Consumer Protection Act, which expressly creates liability for the bad faith registration of a domain name that is similar to another's mark, and constitutes trademark infringement, dilution, unfair competition, deceptive acts and practices, and misappropriation of the valuable goodwill, reputation, and business property of Entrepreneur Media, in violation of federal and state trademark and unfair competition laws. Accordingly, Entrepreneur Media hereby demands that you immediately cease and desist from further use of the *entrepreneurology.com* domain name, and that you transfer the domain name to Entrepreneur Media in accordance with the policies and procedures of the applicable Registrar. Entrepreneur Media also demands that you agree not to register additional domain names that contain the mark "ENTREPRENEUR."

Please confirm whether you intend to cooperate by ceasing all use of **ENTREPRENEUR** and of the *entrepreneurology.com* domain name, and by entering a written settlement agreement with Entrepreneur Media to that effect. If you fail to abide by these demands, Entrepreneur Media will have no choice but to take appropriate action to prevent continued use of an infringing mark and domain name. By providing you with this notice, we are hopeful that you can choose a new mark and domain name with as little disruption to your business as possible.

If you would like to discuss this matter, please give me a call. We look forward to receiving a response by **September 21, 2010**.

Very truly yours,



Deborah A. Gubernick  
of LATHAM & WATKINS LLP

Enclosure