

From: Dennis L. Wilson [dwilson@kmwlaw.com]
Sent: Tuesday, November 02, 2010 4:15 PM
To: hfwbftbcdq@whoisprivacyprotect.com
Subject: Zynga Game Network Inc. 'VILLE Family of Marks

November 2, 2010

Dennis L. Wilson
Keats McFarland & Wilson
9720 Wilshire Blvd., Penthouse Suite
Beverly Hills, CA 90212
(310) 248-3830

VIA ELECTRONIC MAIL

hfwbftbcdq@whoisprivacyprotect.com

Re: Zynga Game Network Inc. 'VILLE Family of Marks

Dear Sir or Madam:

We serve as intellectual property counsel to Zynga Game Network Inc. ("Zynga"). Among other things, Zynga publishes and owns intellectual property rights in the 'VILLE family of social networking games, which includes YoVille®, FarmVille™, PetVille™, FrontierVille™ and FishVille™, as well as other 'VILLE games in various stages of development (collectively the 'VILLE Family of Marks). Each of Zynga's games using the 'VILLE Family of Marks is published and played by millions of users on various social networking portals, including Facebook and MySpace, among others.

Zynga has consistently used and promoted the 'VILLE Family of Marks together as members of a family of games offered by Zynga. As a result of Zynga's extensive marketing efforts and commercial success, the 'VILLE Family of Marks is strongly identified by consumers with Zynga's games and Zynga's reputation for quality.

We have recently noticed that you have registered and created a placeholder page for an online game called "BlingVille" at the Internet domain name <blingville.com>, and are also advertising "BlingVille" as a "Facebook Game" on <blingville.com> and on the Facebook website. We have also noted your designation of BLINGVILLE as an alleged trademark. Your company's planned use of BLINGVILLE, either as a title for your game or as an alleged trademark, is confusingly similar to the 'VILLE Family of Marks owned by Zynga, and users are likely to believe, erroneously, that your "BlingVille" game is published, sponsored or endorsed by, or otherwise associated with, Zynga.

Zynga has invested substantial time and resources in developing and promoting the 'VILLE Family of Marks, and it will vigorously protect its rights in those marks, both collectively and individually. In order to avoid a dispute over the confusion likely to be caused by your use of the BLINGVILLE title and mark, Zynga requests that you

EXHIBIT A

immediately cease advertising your game using the title "BlingVille," and refrain from any further use of the 'VILLE suffix for social gaming.

We expect that you will accede to this request. Because this is an important issue, please respond no later than Friday, November 5. For your convenience, my direct line is 310-777-3740. I look forward to receiving your response. Nothing contained in this letter constitutes an express or implied waiver of any rights, remedies, or defenses of Zynga, all of which are expressly reserved.

Very truly yours,

/s/

Dennis L. Wilson
Keats McFarland & Wilson LLP

DLW/kat

From: Dennis L. Wilson [mailto:dwilson@kmwlaw.com]
Sent: Monday, December 06, 2010 2:02 PM
To: info@overtimeapps.com; hfwbftbcdq@whoisprivacyprotect.com;
kksqlyqn@whoisprivacyprotect.com; msxqpbyf@whoisprivacyprotect.com
Subject: Email re BlingVille

December 6, 2010
Dennis L. Wilson
Keats McFarland & Wilson
9720 Wilshire Blvd., Penthouse Suite
Beverly Hills, CA 90212
(310) 248-3830

VIA ELECTRONIC MAIL

Overtime Apps, LLC
info@overtimeapps.com
hfwbftbcdq@whoisprivacyprotect.com
kksqlyqn@whoisprivacyprotect.com
msxqpbyf@whoisprivacyprotect.com

Re: Launch of BLINGVILLE Social Networking Application

Dear Sir or Madam:

This letter follows my correspondence of November 2, 2010 regarding your company's anticipated launch of a social networking application bearing the name and purported trademark BLINGVILLE. As you are aware, we serve as intellectual property counsel to Zynga Game Network Inc. ("Zynga"). In my previous letter, I advised you of Zynga's intellectual property rights in the 'VILLE family of social networking games, which includes YoVille®, FarmVille™, PetVille™, FrontierVille™ and FishVille™, as well as other 'VILLE games in various stages of development (collectively the 'VILLE Family of Marks). I also advised you that your company's planned use of BLINGVILLE is confusingly similar to 'VILLE Family of Marks owned by Zynga, and that users are likely to believe, erroneously, that your game is published, sponsored or endorsed by, or otherwise associated with, Zynga.

Shortly after I transmitted my November 2 letter, you registered the Internet domain name <blingvilla.com> and announced on Facebook that your game's name was changing to "BlingVilla." However, you have continued to advertise your forthcoming social networking game using the name "BlingVille", and are currently advertising a December 31, 2010 launch of the "BlingVille" beta. You are also soliciting users to sign up for a "BlingVille" newsletter at the <blingville.com> Internet domain name. I am writing to request that you immediately cease all use of the BLINGVILLE name and mark, and complete your transition to the "BlingVilla" name. This includes, without limitation, redirecting <blingville.com> to <blingvilla.com>, replacing all of your references to "BlingVille" on Facebook and other websites with "BlingVilla," and confirming by reply letter that you will no longer use "BlingVille" in connection with

social gaming. Because time is of the essence in light of your upcoming launch, please comply with these requests no later than this Friday, December 10. I am available at 310-777-3723 if you have questions about compliance with these requests. Nothing contained in this letter constitutes an express or implied waiver of any rights, remedies, or defenses of Zynga, all of which are expressly reserved.

Very truly yours,

/s/

Dennis L. Wilson
Keats McFarland & Wilson LLP

DLW/kat

From: Dennis L. Wilson
Sent: Friday, December 03, 2010 12:15 PM
To: Christopher T. Varas
Subject: RE: Email re BlingVille

Go ahead and draft the short letter warning them

From: Christopher T. Varas
Sent: Friday, December 03, 2010 10:40 AM
To: Dennis L. Wilson
Subject: FW: Email re BlingVille

Did you discuss BlingVille with Jed? They still have blingville.com and still have a blingville page on FB, and the "blingvilla" page is still up as well. I think we should follow up with a letter warning them not to launch as BlingVille. They are supposedly launching on New Year's Eve.

From: Christopher T. Varas
Sent: Wednesday, November 17, 2010 3:53 PM
To: Dennis L. Wilson
Subject: Email re BlingVille

Here is a draft email to Jed re Blingville.

Jed,

As you may remember, one of the 'VILLE games we sent a demand letter to was "BlingVille." This is a game that is preparing to launch on Facebook, and also has a website at <blingville.com>. They have announced that they are changing their name to "BlingVilla." We are continuing to monitor their website and Facebook pages, and will follow-up with them as appropriate to ensure that they completely stop using "BlingVille." We will keep you posted.

From: Dennis L. Wilson [mailto:dwilson@kmwlaw.com]
Sent: Tuesday, January 04, 2011 6:25 PM
To: hfwbftbcdq@whoisprivacyprotect.com
Subject: Third Notice of Infringement of Zynga Inc. 'VILLE Family of Marks

Dennis L. Wilson
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Beverly Hills, CA 90212
(310) 248-3830

**VIA FAX, EMAIL AND
OVERNIGHT MAIL**

PMB 368
14150 NE 20th St. - FL
C/O Blingville.com
Bellevue, WA 98007
Email: hfwbftbcdq@whoisprivacyprotect.com
Fax: 425-274-0657

Re: Third Notice of Infringement of Zynga Inc. 'VILLE Family of Marks

Dear Sir or Madam:

This firm represents Zynga Inc. which, among other things, publishes and owns intellectual property rights in the 'VILLE family of social networking games, which includes YoVille®, FarmVille®, FishVille®, PetVille™, FrontierVille™ and CityVille™, as well as other 'VILLE games in various stages of development (collectively the 'VILLE Family of Marks). I previously wrote to you on November 2, 2010 and on December 6, 2010 advising you of Zynga's rights in the 'VILLE Family of Marks, and informing you that your proposed use of the name and purported trademark BLINGVILLE for a social networking game is confusingly similar to Zynga's 'VILLE Family of Marks. Specifically, Internet users are likely to believe, erroneously, that your game is published, sponsored or endorsed by, or otherwise associated with, Zynga.

Following your receipt of my November 2 email, you appeared to be transitioning from the infringing name BLINGVILLE for your game to the name BLINGVILLA. However, you subsequently abandoned the name change and now appear to have launched your game in beta using the name and alleged trademark BLINGVILLE. You have launched BLINGVILLE in knowing disregard of Zynga's rights in the 'VILLE Family of Marks, and with what Zynga can only conclude is the intent to profit unlawfully from the substantial goodwill associated with Zynga's reputation for quality.

Zynga takes the protection of its intellectual property rights very seriously, and intends to vigorously defend its rights in the 'VILLE Family of Marks. Zynga hereby

renews its demand that you immediately cease all use of the name BLINGVILLE, and refrain from any further infringement of Zynga's intellectual property rights, including without limitation Zynga's rights in the 'VILLE Family of Marks. In light of the fact that this is our third notice to you, I will expect to receive confirmation of your compliance with this demand no later than Tuesday, January 11, 2011. If you have not complied with this demand by that time, I will have no choice but to recommend that Zynga consider appropriate legal action to protect its trademark rights. I look forward to receiving your prompt response.

Very truly yours,

/s/

Dennis L. Wilson
Keats McFarland & Wilson LLP