



April 1, 2009

Mr. Yong Kim  
13403 Telegraph Rd  
Whittier, CA 90605

Mr. Yong Kim

We are the proprietor of the FPE Fuel Performance Enhancer trademark US EPA Registration no. 2011-20009. Details of this registration are set out on the copy of said registration which you hold copies of.

Widespread use of the FPE product trademark has been made, to the extent that this product trademark has acquired an extensive reputation and goodwill. The FPE product trademark is, accordingly, also a well-known mark for all relevant purposes of trademark law.

It has come to our attention that you are having a counterfeit version of our FPE Fuel Performance Enhancer product and that you are further distributing this counterfeit product that you are naming FPE Fuel Performance Enhancer, and claiming that this counterfeit product is manufactured by B&A Int'l, Inc. for your company Kino Bay Inc.

This counterfeit product is confusingly and/or deceptively similar to our FPE Fuel Performance Enhancer registered product and it constitutes a reproduction or imitation thereof.

In the circumstances, your use of the FPE Fuel Performance Enhancer counterfeit product trademark constitutes an infringement of our registered and common law rights.

In the circumstances, we demand that you immediately:

1. Cease all use of the name FPE Fuel Performance Enhancer (a counterfeit product with your company name on it);
2. Deliver-up for destruction all inventory of the counterfeit product on hand either at your facility or at Iris Inc. facilities in New Jersey to which the counterfeit FPE Fuel Performance Enhancer product or any other packaging that is confusingly or deceptively similar to our FPE Fuel Performance Enhancer registered product has been applied;
3. Withdraw, cancel and/or delete any product names, domain names, trademark applications and/or trademark registrations for or including the FPE Fuel Performance Enhancer registered mark;
4. Undertake, in writing, never in future to make any use of the FPE Fuel Performance Enhancer product mark, whether within any corporate name, trading name, trading style, and domain name or otherwise.

We await to hear from you by no later than close of business on Friday April 12, 2009.

This is written without prejudice to our rights, all of which are hereby expressly reserved.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'David J. Barberis', is written over a light blue horizontal line.

David J. Barberis  
President/CEO  
B&A Int'l, Inc.

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