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July 8, 2022

VIA ELECTRONIC MAIL

James Stevens
Founder
Gateway.io

**Re: *Infringement of Unstoppable Domains Inc.’s Intellectual Property Rights
Settlement Communication per FRE 408***

Mr. Stevens:

Our firm represents Unstoppable Domains Inc. (“Unstoppable Domains”) in connection with its intellectual property rights and other matters. As we know you are aware, Unstoppable Domains has sold .wallet top level domain names for over a year. Unstoppable Domains therefore possesses trademark rights in the .wallet top level domain name (see U.S. Serial No. 90/886,517). Yet in flagrant disregard of Unstoppable Domains’ clearly established rights, a third-party (“Wallet”) and has recently begun to offer their own .wallet top level domain names for sale. Gateway.io (“Gateway”) is the registrar for Wallet, and Gateway also actively sells and promotes the sale of Wallet’s infringing top level domain names on its website.

We understand that Wallet has already been informed of Unstoppable Domains’ rights, and that the Wallet responded that our client should simply “f*** off.” You should personally be aware, however, that in addition to liability for your own sale and promotion of infringing Wallet top level domain names, you are also liable for all acts of infringement committed by Wallet as Wallet’s registrar. Under well-settled precedent, even passively allowing infringement to continue once it is known constitutes actionable contributory infringement. See, e.g., *Perfect 10, Inc. v. Amazon.com, Inc.*, 508 F.3d 1146, 1172 (9th Cir. 2007) (holding that a computer system operator can be held contributorily liable for infringement if it has actual knowledge that specific infringing material is available using its system and fails to take simple steps necessary to prevent further infringement).

Additionally, the unapproved use of the .wallet top level domain name will create numerous conflicts and interference with the thousands of existing .wallet top level domain name owners. This will have a profound effect on both Unstoppable Domains’ users, and on Unstoppable Domains itself, and constitutes both tortious interference with Unstoppable Domains’ business relations and unfair competition.

Accordingly, we demand that the Gateway (1) immediately deactivate the Primary Infringer’s website and cease providing registry services to Wallet; (2) confirm in writing to Unstoppable Domains that it will not permit Wallet to offer any other top level domain names in which Unstoppable Domains has rights; and (3) provide the Primary Infringer’s name, address, and contact information; and (4) cease

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selling and offering for sale Wallet top level domain names on Gateway's site. If you refuse, we will have no choice but to initiate litigation in federal court.

This letter is written without prejudice to any rights or remedies that Unstoppable Domains may have, all of which are expressly reserved.

We await your prompt response.

Sincerely,

Samuel D. Sazer