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RMW/LD

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28th March 1994

SENT VIA FAX AND BY DX

Shell UK Limited,  
Legal Division,  
DX No. 473 LONDON

FAX No: 257 3441  
No of Pages 4

Dear Sirs,

Re: "Make Money"

We write further to our telephone conversation (Woodman/Williams) last week.

In the course of that conversation you indicated that you were not aware that your Clients were proposing to run a new version of the 'Make Money' promotion. We reiterate what we told you over the telephone, namely that our Clients have clear information that the relevant game pieces are in the process of production and, in these circumstances, it is clear that the new game is on the verge of being run.

We also made it clear to you that, whilst we were prepared to accept that you should have the few days that you requested to consider the contents of our detailed letter with your Clients, our Clients are not prepared to stand by and watch the ruination of the reputation they have acquired as a result of the 1984 'Make Money' promotion. We accordingly sought, and obtained, your assurance that your Clients would take no steps to run this promotion pending your reply to us.

We trust that we will hear from you by close of business tomorrow, namely 8 days since receipt by you of our letter of the 18th March. If we have not done so we anticipate instructions from our Clients to circulate all Shell dealers with notice of our Clients' rights in the 'Make Money' promotion so as to ensure that they are not parties to the infringement that the new promotion would involve.

Finally, in case the force of the arguments addressed to you in our letter of the 18th March 1994 needs any further support, we enclose a copy of a letter written by Chartered Patent Agents instructed by your Clients to your Clients, Mr.

Danson, in February 1994 and would refer you in particular to the final paragraph on the first page.

'Nintendo' Promotion

You will have received, under separate cover, a copy of the Joint Opinion of Mary Vitoria and John Baldwin QC. It is plain that our Clients do indeed have a genuine claim and if it cannot be negotiated it will have to be litigated. Please confirm whether you will accept service of the Writ on your Clients' behalf or whether you intend to instruct outside Solicitors in which case please provide us with their details.

Yours faithfully,

ROYDS TREADWELL