



FOLEY & LARDNER LLP

ATTORNEYS AT LAW
321 NORTH CLARK STREET
SUITE 2800
CHICAGO, ILLINOIS 60610-4764
312.832.4500 TEL
312.832.700 FAX
www.foley.com

July 18, 2006

VIA FEDERAL EXPRESS

WRITER'S DIRECT LINE
312.832.4377
bgregory@foley.com EMAIL

CLIENT/MATTER NUMBER
061694-0101

James Deem
6318 Old Corral Street
Charlotte, North Carolina 28277

Re: Unauthorized Use of the STYX Mark

Dear Mr. Deem:

We are trademark counsel to the band STYX and to QF Productions, Inc. ("QFPI"), the owner of the STYX Trademark and service marks, including United States Trademark Application No. 76/658,751 for STYX and Illinois Registration No. 936,429 for STYX (collectively the "STYX Mark") for a variety of goods and services, including, *inter alia*, a series of musical sound recordings and musical video recordings; books, namely event programs sold in connection with musical performances; postcards; posters; printed music books; song books; and unmounted photographs; clothing, namely hats, shirts, and jackets; and entertainment in the nature of a continuing series of live musical group performances. The band STYX has used the "STYX" Mark since at least as early as 1972. As a result of extensive advertising and promotion, the STYX Mark is well known and famous throughout the United States. As a result of its success, the STYX Mark has come to represent valuable goodwill identifying goods and services marketed by the band STYX.

It has recently come to our attention that you have prominently used the name "Styx" on a website located at www.styxnet.com (the "Website"). The website features at least four misuses of the STYX Mark. First, the home page of the Website prominently features a stylized version of the STYX Mark that is substantially larger than the surrounding information on the home page. Second, the home page of the Website also contains the following representation, "Styxnet.com - Serving the online Styx community since March 1996." Third, the Website offers "Free Styxnet.com E-mail." Fourth, the Website invites users to "Join StyxNet.com - The Styx Network Now!" Your unauthorized use of the STYX Mark is greatly damaging to the band STYX and to its owner QFPI and is likely to continue to cause confusion between you, your goods and services, on the one hand and the band STYX, and its goods and services on the other, in violation of both federal trademark law (15 U.S.C. §§ 1051-1127) as well as the unfair competition laws of Illinois (815 ILCS 505/1 *et seq.*). Your acts also violate federal (15 U.S.C. § 1125(a)) and state (815 ILCS 505/1 *et seq.*) laws prohibiting consumer deception. Additionally, these acts cause actual dilution of the famous STYX Mark. (15 U.S.C. § 1125(c)).

Consequently, we view your actions as constituting, among other things, trademark infringement, dilution, false designation of origin, and unfair competition. We demand that you immediately cease and desist from infringing the band STYX's intellectual property and QFPI's Trademark rights. Accordingly, you must immediately:

BOSTON
BRUSSELS
CHICAGO
DETROIT
JACKSONVILLE

LOS ANGELES
MADISON
MILWAUKEE
NEW YORK
ORLANDO

SACRAMENTO
SAN DIEGO
SAN DIEGO/DEL MAR
SAN FRANCISCO
SILICON VALLEY

TALLAHASSEE
TAMPA
TOKYO
WASHINGTON, D.C.

James Deem
July 18, 2006
Page 2

1. CEASE USING THE STYX MARK, AND ANY OTHER INTELLECTUAL PROPERTY OWNED BY THE BAND STYX AND QFPI OR ANY OTHER INTELLECTUAL PROPERTY CONFUSINGLY SIMILAR THERETO ON THE WEBSITE, ON ANY OTHER INTERNET WEB SITES, OR OTHERWISE IN CONNECTION WITH YOUR BUSINESS ACTIVITIES.

2. TRANSFER THE DOMAIN NAME REGISTRATION FOR THE WEBSITE (www.styxnet.com) TO THE BAND STYX.

3. PROVIDE US WITH YOUR COMPLETE CONTACT INFORMATION, INCLUDING THE CURRENT MAILING ADDRESS, E-MAIL ADDRESS AND TELEPHONE NUMBER.

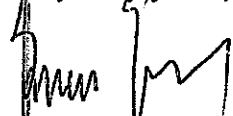
4. CONFIRM IN WRITING THAT YOU HAVE FULLY COMPLIED WITH ALL OF THE BAND STYX'S AND QFPI'S DEMANDS BY SIGNING AND RETURNING THE ATTACHED ACKNOWLEDGEMENT.

You must fully comply with the demands of the STYX band and QFPI by **July 30, 2006**. Should you fail to comply and should the STYX band and QFPI choose to exercise all of their legal rights, the band STYX and QFPI will seek, among other remedies, injunctive relief, treble damages and recovery of your company's wrongful profits, plus punitive damages, reimbursement of our clients' court costs, including attorneys' fees, and an order for transfer of the Website to the band STYX.

The demands made herein do not exclude any rights or remedies to which the band STYX or QFPI is entitled, and, further, nothing in this letter, nor any act or omission by the band STYX or QFPI, shall be construed as a waiver of any right or remedy possessed by the band STYX or QFPI, all of which are expressly reserved.

We must hear from you by July 30, 2006 to avoid our clients' resorting to other action to protect their interests.

Very truly yours,



Byron L. Gregory

cc: Heidi L. Belongia
James Young



FOLEY & LARDNER LLP

James Deem
July 18, 2006
Page 3

ACKNOWLEDGEMENT

I, James Deem, agree to, and have fully complied with, the provisions set forth in the band STYX's July _____, 2006 letter.

Signed: _____

Name Printed: _____

Dated: _____