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November 29, 2012

info@unionmadegoods.com

Todd Barket
Unionmade
493 Sanchez Street
San Francisco, CA 94114

Re: Trademark Infringement and Unfair Competition

Dear Mr. Barket:

Our firm represents the American Federation of Labor and Congress of Industrial Organizations (the "AFL-CIO"). It has come to our attention that you own and operate several clothing stores named UNIONMADE. By your own admission, these stores do not necessarily sell items that are made by union members, as the name UNIONMADE would otherwise suggest. The AFL-CIO finds your use of the UNIONMADE mark highly misleading as the dictionary definition and understanding amongst the public is that "union-made" means "produced by workers belonging to a labor union." See Dictionary.com. The AFL-CIO is concerned that consumers may be confused into believing that the items you sell in your stores are actually union-made, when the vast majority of them, are, in fact, not.

In addition, the AFL-CIO is particularly concerned about your use of the following



design mark . As I'm sure you are aware, "[t]he 'handshake' logo used by the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) is one of the most widely recognized graphic symbols of labor unity in the United States." *100 Years Hand-in-Hand: a Brief History of the AFL-CIO Emblem*, by Kim Munson at 1, located at <http://www.library.sfsu.edu/exhibits/labels/100yearsofafflgo.pdf>. The AFL-CIO has been using the handshake emblem since 1881, although it has changed stylistically over the past 131 years.

See Munson at 1, 3. Your use of a handshake within two concentric circles, as is used by the AFL-CIO, in conjunction with the words UNION MADE, is likely to cause people to believe that your store and the products you sell are associated or affiliated with the AFL-CIO and/or its union members, when they are not.

The AFL-CIO has two different “handshake” logos registered at the United States Patent



and Trademark Office:

(Reg. No. 3,721,625) and



(Reg. No. 1,726,541). These are just two of the many logos used throughout the years by the AFL-CIO that contain a handshake. Your use of a handshake in connection with allegedly “union-made” items constitutes trademark infringement and unfair competition in violation of both federal and state laws. Moreover, your use of the word “REGISTERED” in your logo constitutes fraud as your mark is not a federally registered trademark.

Extensive goodwill is associated with the AFL-CIO’s handshake emblem, and the AFL-CIO intends to protect and defend its valuable intellectual property vigorously. Accordingly, we hereby demand that you immediately cease and desist from any further use of your handshake logo, or any other mark that incorporates a handshake. This includes, without limitation, making any items that contain this logo no longer available for sale, removing any signage from your stores that include this logo, and removing this logo from your online presences, including Facebook. In addition, we request that you change the name of your store to a mark that does not deceive the public into thinking that they are purchasing items that are actually made by union workers, or at least make it very clear to consumers that, despite the store name, most of the items in your store are not actually “union-made.”

Please respond to the demands in this letter no later than December 7, 2012.

Sincerely,

Karen A. Post