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November 16, 2018

To Whom It May Concern:

I am writing to you regarding various intellectual property rights related to Dr. Edward de Bono and his teachings. Many Individuals have misconceptions as to what constitutes permissible use.

## **Trademark Rights**

Any use in commerce of Dr. de Bono's trademarks (i.e., de Bono Thinking Methods, Six Thinking Hats or Lateral Thinking) that is likely to confuse a consumer as to whether a good or a service is provided by, affiliated with, connected to, associated with or sponsored by Dr. de Bono is prohibited. Further, any advertising or promotion that misrepresents the nature, characteristics, qualities, or origin of Dr. de Bono's goods or services would likewise be prohibited.

## Publicity/Privacy Rights

The use of Dr. de Bono's name, appearance, or persona, for a commercial purpose without prior written consent is prohibited.

## **Copyrights**

Any unauthorized reproduction and/or demonstration of Dr. de Bono's work is strictly prohibited. While some individuals are of the impression that Dr. de Bono's work may be shared so long as no fees are exchanged, this is not necessarily the case. First, such use may be a violation of either Dr. de Bono's trademark and/or publicity rights. Second, the test of whether a use is permissible under copyright laws is not whether a fee is charged, but whether the use is of a commercial nature, and whether there is an effect of the use upon the potential market or the value of the copyrighted works.

We hope that this information is helpful in clarifying what is permissible and what is prohibited. Should you have questions, please let us know. Thank you for respecting Dr. de Bono's intellectual property rights.

Please feel free to contact me directly with any questions and/or concerns at <u>smclellan@debonosystems.com</u>. Thank you.

Sincerely,

have the Jose

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