

STEFANAGGI AVOCATS

Mr. Casey SCHREINER
MODERN HIKER

Paris, 3rd March 2015

By e-mail: hello@modernhiker.com
By registered Letter with an Acknowledgement of Receipt

Object: Infringement notification

Sir,

I am writing to you on behalf of Andre SARAIVA, as a barrister and representative of his legal rights.

Andre SARAIVA is a famous graffiti artist, the author of original street drawings and singular cartoon characters. Since 1985, he has been appreciated by the significant French and foreign public for his unique performance.

Andre SARAIVA has realized at the Joshua Tree National Park an ephemeral creation consisting in putting on a rock his artistic signature with the use of the water-based paint. Few days later he has himself erased the inscription and made all mark of this short-lived performance disappear.

It has come to our attention that, despite the incidental and insignificant character of this performance you have seized Andre SARAIVA concept by ranting about this harmless artistic expression in the excessive and outrageous way.

You are publishing detrimental messages about the Andre SARAIVA activity, on your website www.modernhiker.com, in particular on following URL: <http://www.modernhiker.com/2015/02/27/is-mr-andre-tagging-in-joshua-tree/> with the intention to discredit his professional works and harm his artistic reputation.

At the same time you are inciting Internet users to claim against Andre SARAIVA expression and you contribute to his online harassment.

Indeed, as a result of your unreasonable and disproportionate libel the artist is constantly being addressed oppressive and unjustified messages that seriously harm his professional and private life.

The acts of spreading detrimental and malicious information are clearly infringing Andre SARAIVA personal rights, notably under articles of the French Civil Code and privacy laws of the United States.

Moreover by shearing on your website the injurious information you are directly taking advantage of the artist's reputation in order to draw the public's attention on your own business.

This act can be qualified as an unfair commercial practice which is punishable under French an American unfair competition law.

Consequently, we hereby demand that you immediately cease to disseminate the defamatory information and comments concerning Andre SARAIVA and prevent your website of any further offences from being committed.

We also demand that you erase the infringing links and its associated files from your website, and that you have done so by March 10th close of business.

Should you chose to ignore this letter, we expressly reserve the right to pursue all available legal remedies against you, including seeking prohibition measures and claims for money damages.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Stefanaggi', with a stylized, flowing script.

François STEFANAGGI

Avocat à la Cour