
2100 IDS Center • 80 South Eighth Street • Minneapolis, Minnesota 55402-2112
tkenny@fulbright.com • Direct: 612 321 2805 • Main: 612 321 2800 • Facsimile: 612 321 2288

October 13, 2011

VIA EMAIL: AHALL@TWINCITIESFIRM.COM

Aaron D. Hall
Twin Cities Firm
2812 Anthony Lane South
Suite 200
Minneapolis, MN 55418

Re: Unauthorized Use of MINNESOTA LAWYER
DOLA.T0023US.DS

Dear Mr. Hall:

We represent The Dolan Company (“Dolan”) in trademark and unfair competition matters. We are writing to you regarding your registration and use of the domain name “minnesotalawyer.com” and the name “Minnesota Lawyer” in connection with a website featuring legal articles and information.

As you may know, Dolan, through many of its publications, is a leading provider of business information and professional services in the legal, financial and real estate industries. In particular, Dolan publishes an online and printed publication called *Minnesota Lawyer*, and operates a website featuring legal news, information and articles at minnlawyer.com. Dolan has been using the “Minnesota Lawyer” name and mark in connection with online and printed publications in the legal field since at least as early 1997. In addition to its common law rights in the “Minnesota Lawyer” name and mark, Dolan is the owner of U.S. Trademark Registration No. 2,528,678 for the mark MINNESOTA LAWYER, which was registered on the Supplemental Register in 2002.

It has recently come to Dolan’s attention that you have registered the domain name “minnesotalawyer.com,” which you use in connection with a website featuring law-related articles and information. The website prominently displays the name “Minnesota Lawyer” and also includes a copyright notice indicating that the website is published by “Minnesota Lawyer.” Your use of “Minnesota Lawyer” in connection with the provision of an online publication and website featuring articles and information in the legal field is confusingly similar to Dolan’s own use of its MINNESOTA LAWYER trademark.

While, in some cases, “Minnesota lawyer” can be used descriptively to indicate that a person is a lawyer from or practicing in Minnesota, your use of “Minnesota Lawyer” is not descriptive. Rather than using the phrase to indicate that you are a Minnesota lawyer, you are suggesting that you are the Minnesota Lawyer. This is underscored by your prominent use of “Minnesota Lawyer” in the header of your website at “minnesotalawyer.com” and in the website’s copyright notice. Furthermore, the website is not used simply to offer your services as a Minnesota lawyer. Instead, the site is used as a legal blog, publication or article aggregator, which is highly similar to the services offered by Dolan in connection with its MINNESOTA LAWYER trademark.

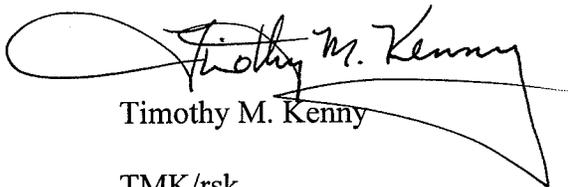
Your use of “Minnesota Lawyer” in this manner creates the false appearance of an association, affiliation or connection between you and your activities and Dolan, the MINNESOTA LAWYER trademark and Dolan’s goods and services. Dolan is concerned that such use is likely to cause confusion, cause mistake and/or deceive consumers into believing that Dolan sponsors, endorses, supports or is otherwise affiliated with you and your activities. Your misleading attorney advertising not only violates trademark and unfair competition laws, but also appears to violate Minnesota Rules of Professional Conduct 7.1 and 7.5.

Based on the foregoing, Dolan requests that you agree in writing to:

1. Immediately cease your use of “Minnesota Lawyer” in connection with online and/or printed publications in the legal field and that you refrain from publishing legal articles and information on your website at “minnesotalawyer.com or in any other way that is confusingly similar to Dolan’s MINNESOTA LAWYER mark;”
2. not use “Minnesota Lawyer” in the future in connection with printed or online publications or similar goods and services or in any other way that is confusingly similar to Dolan’s MINNESOTA LAWYER mark; and
3. refrain from using “Minnesota Lawyer” prominently and/or in a non-descriptive way.

We look forward to your prompt compliance and response.

Very truly yours,



Timothy M. Kenny

TMK/rsk