

Hello Fans of Privateer Press,

I regret to inform you all that today we received a cease and desist order from Lone Wolf studio's regarding the use of their registered trademark "Army Builder", for your reference I have included their e-mail and legal argument below:

"Greetings,

We haven't been actively monitoring the Privateer Press forums for a good number of months. Unfortunately, during that time, it appears that various members of your site have begun to heavily misuse our trademark, and we need your assistance in rectifying the situation.

Please note that the term Army Builder is a registered trademark belonging to Lone Wolf Development and as such we have exclusive rights to use that mark in connection with any game-related computer software. We have no objection to the use of generic terms with similar meaning, such as "points calculator" or "roster construction tool". However, we cannot allow the improper use of our mark, as doing so could dilute our rights as well as cause confusion in the marketplace.

Pursuant to the above, the name Army Builder exclusively refers to the Army Builder brand of roster construction software tools. While other roster construction tools certainly exist, the name Army Builder may only be legally used in conjunction with the Army Builder brand of products from Lone Wolf Development. Unfortunately, there are active references to other tools on your site that misappropriate our trademark. In addition, this misuse by others has led to multiple posters on your forums using the term "army builder" to describe the category of tools. This needs to be remedied, and, under the Digital Millenium Copyright Act, we require your assistance in doing so.

There are two things that need to be done. First of all, improper references to the Army Builder trademark on the forums must be addressed. This can be achieved in either of two ways, or potentially a combination of both, at your discretion. The first option would be to remove such posts. Since this could appear harsh and potentially disrupt forum discussions, an acceptable alternative would be to revise such posts to utilize a generic term (e.g. "roster construction tool", "list creator", or "points calculator") in place of the "Army Builder" name.

The second thing that needs to be addressed is that your forum users must be educated about the term Army Builder being a trademark and only applicable to our brand of products. This is necessary to avoid an ongoing problem and mitigate the future need for removal of improper posts. I'm sure you would also prefer that the forums continue to run smoothly and without interruption, so your assistance in getting forum users to utilize appropriate terms will benefit us all.

The term "Army Builder" is a brand name specific to our product - it is *not* a generic term. We are prepared to educate your users about this fact via posting ourselves on your forums. However, it would probably be more productive if you handled this through an official announcement, and it would also provide Privateer Press with control over how the process is handled. If you choose to make a general announcement about this, we have written an explanation of the situation that is targeted to consumers. I've included the text of this explanation at the bottom of this report, and you are welcome to use it if you wish. You can

present your own explanation if you prefer, provided it portrays the situation accurately.

Assuming that the improper references to tools using the name "Army Builder" are rectified and you confirm to us within 72 hours that you have done so, we will assume that infringement was unintentional and consider that matter closed. In the event that we have not heard back from you within the prescribed timeframe, we will have no choice but to refer this matter to our attorneys for further legal action.

With regards to the education of posters regarding the Army Builder trademark, please advise us within 72 hours on the manner in which you prefer it be handled. We will refrain from posting on the Privateer Press forums to accomplish this objective until we either hear from you or the timeframe elapses.

I assume you are familiar with the way trademark protection works, but I'll restate the basics just in case. It is a legal requirement that we police the use of our trademarks. The term Army Builder is a registered trademark belonging to Lone Wolf Development and as such we have exclusive rights to use that mark in connection with any game-related computer software. If we allow the improper use of our mark, we could potentially lose our rights to the name. We are thus required to do this. If you are interested in understanding this issue better, there is an excellent article on wikipedia (see http://en.wikipedia.org/wiki/Genericized_trademark).

Thanks in advance for your timely cooperation in this matter.

Rob Bowes, President
Lone Wolf Development"

In order to comply with this request we are compelled to take immediate and drastic action. As a result of this letter we are more than happy to remove the presence of "Army Builder" from the forums as requested. As we cannot control how this registered mark might be used in every sentence and in every post we will be required to remove it from appearing on this forum. From this moment onward the phrase "Army Builder" can never appear again on this forum, **in any form**, so as to ensure that no perceived harm or implied dilution come to the Lone Wolf Development property of the same name. Furthermore, because past forum posts could still be referenced, in an effort to be complete we must delete entire offending threads. We know how much time and effort went in to creating all of the assets this dedicated community has made available on these forums, and we sympathize with you about the ensuing loss. We apologize for the burden and inconvenience this forced moderation places on you.

In the future, any attempts to reference "Army Builder" will be benignly changed to "iBodger", our officially recognized and supported iPhone application for Force Creation. I thank you for your understanding in this matter.

Brent Waldher
Licensing and Contract Manager
Privateer Press, Inc.