

April 13, 2011

Via E-Mail to CSweet@deminglaw.com

Carol D. Sweet, Esq.
Deming, Parker, Hoffman, Campbell & Daly, LLC
4851 Jimmy Carter Blvd.
Norcross, Georgia 30093

Re: TMJ AWARENESS Trademarks (Your Ref: 992520)

Dear Ms. Sweet:

Your letter of December 14, 2010, addressed to Milton and Renée Glass, the founders of the Jaw Joints & Allied Musculo-Skeletal Disorders Foundation (“JJAMD”), regarding the use of JJAMD’s registered trademarks JAW JOINTS TMJ AWARENESS® and JAW JOINTS – TMJ AWARENESS MONTH® by your client Ms. Stacy Stone and her organization TMJ Hope, has been referred to us for response. Following up on that correspondence, we are hoping to clarify JJAMD’s concerns and suggest possible solutions for addressing them on a going-forward basis.

Although you indicated in your December 14th letter that Ms. Stone has removed all of the objectionable uses of JJAMD trademarks from the TMJ Hope website (and JJAMD appreciates those actions), Mr. and Mrs. Glass report that that some of these materials, including TMJ Hope’s media kit, continue to circulate on the Internet, and Mr. and Mrs. Glass still frequently receive Google alerts generated by these materials.

As you may know, the law requires that any trademark owner be vigilant about making sure that its trademarks are used properly. In order to safeguard the valuable goodwill which has accrued in these marks, and to minimize the danger of confusion as to source, JJAMD has instituted a policy governing third party uses of its trademarks.

JJAMD certainly wants to have Jaw Joints - TMJ Awareness Month® widely publicized, but your client should keep in mind the following guidelines for proper use of JJAMD’s marks:

- The marks should *not* be used to promote the sale of particular goods or services, or suggest an affiliation with or endorsement of those goods/services by JJAMD;

GOODWIN | PROCTER

Ms. Carol D. Sweet

April 13, 2011

Page 2

- The mark JAW JOINTS-TMJ AWARENESS MONTH® may be used in a nominative sense to refer to the Awareness Month set forth in the Congressional proclamation dated September 30, 1997, but may *not* be used to suggest that the Awareness Month is sponsored by or affiliated with any entity other than JJAMD;
- The marks may *not* be altered in any way by adding or removing words or designs;
- The marks should be accompanied by the ® symbol; and
- Where appropriate, an attribution that JJAMD is the owner of the marks should be provided.

Finally, if and to the extent that materials remain in circulation which misuse JJAMD's trademarks, it may be appropriate for Ms. Stone to include a "not affiliated with" statement on her web site to dispel any further confusion which may arise, such as:

TMJ Hope is not affiliated with the Jaw Joints & Allied Musculo-Skeletal Disorders Foundation, Inc., owners of the trademarks JAW JOINTS TMJ AWARENESS® and JAW JOINTS – TMJ AWARENESS MONTH®.

We believe that these requests are reasonable, and JJAMD would appreciate your client's cooperation in this matter.

Very truly yours,



Gregory S. William

cc: Milton & Renée Glass (JJAMD)
James W. Nagle
Robert M. O'Connell, Jr.