



**The Trademark
Company**

544 Maple Avenue West, Suite 151
Vienna, VA 22180
Tel: (800) 906-8626
Fax (270) 477-4574
TheTrademarkCompany.com

Matthew H. Swyers, Esq.*
Writer's Direct (800) 906-8626 x100
mswyers@TheTrademarkCompany.com

FRE 408 APPLIES

February 12, 2016

VIA CERTIFIED MAIL

M.I.A. Beer Company
Attn: Owner Eddie Leon
10400 NW 33rd Street, Suite 150,
Doral, FL 33172

RE: Schnebly Redland's Winery v. MIA Brewing Company

Use of Mark: MIA BREWING CO.

TMCo. File No.: 27932

Dear Mr. Leon:

Please be advised that we represent Schnebly Redland's Winery in regard to the protection of its federally protected intellectual property. In this regard, we are writing regarding your use of the mark MIA BREWING CO.

Since as early as October 1, 2011, our client has been continuously using the mark MIAMI BREWING COMPANY in connection with beer in Class 32. Because of the excellent quality of the goods provided under our client's mark in conjunction with the substantial resources dedicated to promoting the same our client's mark has become distinctive and synonymous with its goods and now embodies a very substantial amount of valuable business goodwill. The mark is protected by U.S. Registration No. 4,607,409.

Our client is aware that you are using the mark MIA BREWING CO. in connection with similar, if not identical goods, as the goods provided by our client under its MIAMI BREWING COMPANY mark as described above. Your use of the mark MIA BREWING CO. dilutes the distinctiveness of our client's registered mark MIAMI BREWING COMPANY and is likely to cause confusion in the marketplace.

*Admitted to practice in Virginia and the District of Columbia. Practice limited to federal trademark and copyright law.

Furthermore, you may be liable for compensatory damages measured by both our client's losses and your ill-gotten gains which are subject to trebling as well as attorneys' fees and court costs if our client is forced to bring a civil action against you to enforce its rights.

Thus, this is our formal demand that you:

- Cease use of the mark MIA BREWING CO. and/or any similar variation thereof within 14 days;
- Remove any instances of the infringing mark from pages posted online, including, but not limited to, all domain names, websites and social media account pages within 14 days;
- Cease the sale of all goods and services bearing the infringing mark within 14 days;
- Cease use of the infringing mark on all business collateral, marketing and/or promotional materials within 14 days;
- Cease use of business name MIA BREWING CO., within 30 days;
- Provide an accounting of all profits received as a result of the unauthorized use of the infringing mark within 14 days; and
- Provide an accounting of all items left bearing the infringing mark within 14 days.

We ask that you confirm, in writing, that you will comply with our client's demands no later than **February 26, 2016**. Failure to do so or to otherwise contact our office concerning this matter will be regarded as non-compliance with our client's demands and will be responded to accordingly.

Thank you for your time and attention to this matter. I look forward to your reply at your earliest convenience.

Lastly, nothing herein shall be construed as an admission against the interests of our client all of whose rights are hereby expressly reserved.

Yours very truly,
/Matthew H. Swyers/

cc: Cavalier Distributing Co.
4930 Lakeland Commerce Pkwy #4,
Lakeland, FL 33805

cc: SRW

