

Von: appstorenotices@apple.com im Auftrag von App Store Notices
<appstorenotices@apple.com>
Gesendet: Mittwoch, 2. November 2016 20:08
An: simon.....
Cc: hogertz@hogertz.com
Betreff: Apple Inc. (our ref# APP68533) Notice of Complaint

Dear Sir or Madam,

Please include APP68533 in the subject line of any future correspondence on this matter.

On 10/25/2016, we received a notice from Super Union Holdings Ltd. (Hogertz LLP) ("Complainant") that Complainant believes the app listed below infringes its intellectual property rights. In particular, Complainant believes you are infringing its trademark. Please see their comments below.

Developer: Simon Gall
Provider: Simon Gall
App Title: Black-Friday.de
Apple ID: 1049056471

Comments from Complainant: Complainant is owner of the word mark "Black Friday", registered in Germany under no. 302013057574. The protection of the aforementioned trademark covers a wide range of goods and services in classes 7, 35 and 41, including sales promotions, advertising, (online) retail services etc. The infringing app is a tool enabling its owner to distribute advertisements/sales promotions sold to retailers or its affiliates (<http://www.black-friday.de/wp-content/uploads/Black-Friday-2016-Factsheet.pdf>). However, this is only a brief description of the infringement, which is in fact broader.

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You can reach Complainant through Alexander Hogertz (email: hogertz@hogertz.com), copied on this email. Please exchange correspondence directly with Complainant.

We look forward to receiving written assurance that your application does not infringe Complainant's rights, or that the parties are taking steps to promptly resolve the matter. Please keep us apprised of your progress.

Please note that during the course of this matter:

1. Correspondence to Apple must include the reference number noted above in the subject line and copy the other party. All correspondence sent to Apple may be shared with the other party.
2. Written assurance of rights may include confirmation that your application does not infringe Complainant's rights, an express authorization from Complainant, or other evidence acceptable to Apple, and should include documentation wherever possible.
3. Should you choose to remove your application (for example, while you make any necessary changes), visit iTunes Connect at <http://itunesconnect.apple.com> and access your app in the Manage Your Application module.

> Click on the "Rights and Pricing" button from the App Summary Page,

> Click on the "Deselect All" button to uncheck all App Store territories,
and

> Click on the "Save Changes" button

4. Developers with a history of allegations of repeat infringement, or those who misrepresent facts to Apple and/or the Complainant are at risk of termination from the Developer Program.

5. Failure to respond to the Complainant or to take steps toward resolving a dispute may lead to removal of the app(s) at issue as in violation of the App Store Review Guidelines and/or the iOS Developer Program License Agreement. Please keep Apple apprised of your progress.

Thank you for your immediate attention.

Sincerely,

Nicole

? Apple Legal | Apple | 1 Infinite Loop | Cupertino | CA | 95014 |
AppStoreNotices@apple.com The
information in this e-mail and any attachment(s) is intended solely for the personal
and confidential use
of the designated recipients. This message may be an attorney-client communication
protected by
privilege. If you are not the intended recipient, you may not review, use, copy,
forward, or otherwise
disseminate this message. Please notify us of the transmission error by reply e-mail
and delete all copies
of the message and any attachment(s) from your systems. The use of the sender's name
in this message
is not intended as an electronic signature under any applicable law. Thank you.