



Fire & Water - Cleanup & Restoration™

Like it never even happened.®

P.O. Box 1978, Gallatin, Tennessee 37066

*Andrew Zombek
Assistant General Counsel*

*Direct dial: 615/451-0200, Ext. 1617
Fax: 615-675-2309
E-mail: azombek@servpronet.com*

February 24, 2020

Via E-mail to thepride@bigcatmarketinggroup.com

John Bogdanski
Big Cat Marketing Group

Re: Infringement of SERVPRO® Registered Trademark

Dear Mr. Bogdanski:

I write on behalf of Servpro Intellectual Property, LLC (“SIP”) and its licensee Servpro Industries, LLC (“Servpro”).

SIP owns a number of United States Patent and Trademark Office (USPTO) registrations for SERVPRO® marks, including: U.S. Registration No. 1,845,906; U.S. Registration No. 1,804,022; U.S. Registration No. 1,726,156; U.S. Registration No. 1,707,245 and U.S. Registration No. 3,368,163. These registrations have become incontestable and have been licensed by SIP to Servpro.

SIP and its predecessors have used the SERVPRO® mark throughout the United States in connection with mitigation, cleaning, painting, repairing and restoring products and other services for over forty (40) years. As a result of this long-standing and widespread use of the Servpro mark, this mark has become famous, has resulted in substantial recognition and goodwill in the cleaning, repair and restoration industries, and has become a valuable asset that identifies the goods and services of Servpro and SIP and distinguishes them from the goods and services of others.

Servpro is aware of **Big Cat Marketing Group’s** website located at <https://bigcatmarketinggroup.com/servpro-reviews/>, which displays the SERVPRO® house logo and SERVPRO® Brand Descriptor along with other referencing to SERVPRO® marketing information on the website (see copies enclosed). Servpro did not authorize **Big Cat Marketing Group** to use its mark and this is in violation of Servpro’s trademark rights. The use of the SERVPRO® mark has falsely created the impression that some endorsement, affiliation and/or relationship exists between **Big Cat Marketing Group** and Servpro.

Additionally, Servpro is aware of the Facebook page at <https://www.facebook.com/thejohnbogdanski/> which displays SERVPRO® Branded information as well as the LinkedIn page at https://www.linkedin.com/posts/johnbogdanski_we-help-you-build-a-strong-local-brand-activity-6618894829554282499-uKcQ?fbclid=IwAR31NEBRCmbI4yuOBLqwwFsht81TmnO94E3VSUBFkfG01M8K mz-0Y_TSi1o which displays SERVPRO® Branded information. Servpro did not authorize the use of its marks on your Facebook or LinkedIn pages and request that these pages be taken down and the improper advertising cease immediately.

Big Cat Marketing Group's conduct constitutes: (a) an infringement of Servpro and SIP's trademarks, service marks and trade identity designation; (b) trademark and service mark dilution; and (c) fraud. Your unauthorized use of the SERVPRO[®] mark is also a violation of applicable state law.

Your unauthorized use of the SERVPRO[®] mark is likely to cause confusion, mistake and deception in the minds of both consumers and merchants as to the affiliation, connection or association of you with Servpro, or as to the origin, sponsorship, or approval of the goods or services sold by you. Your conduct constitutes: (a) an infringement of Servpro and SIP's trademarks, service marks and trade identity designation; (b) unfair competition; (c) trademark and service mark dilution; and (d) fraud. Your unauthorized use of the SERVPRO[®] mark is also a violation of applicable state law.

In addition, because Servpro's trademarks are famous, it has a cause of action for dilution under the Federal Trademark Dilution Act of 1995 (15 U.S.C. s 1125(c)). Dilution is the diminishing of the capacity of a famous trademark to identify and distinguish Servpro's goods and services, regardless of the presence or absence of competition or likelihood of confusion.

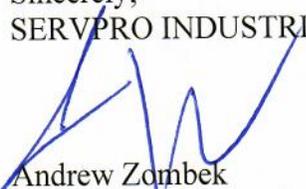
On behalf of Servpro and SIP, we hereby request that you immediately: (a) cease and desist from the use of any trademark, service mark, domain name, company name, or other trade identity designation containing the SERVPRO[®] mark, or any other name that constitutes a colorable imitation or simulation of the SERVPRO[®] mark ; (b) cease and desist from any conduct that would give any party the impression, explicitly or implicitly, that your business has any affiliation or relation with Servpro or SIP; and (c) destroy all copies of advertising and marketing materials, literature and the like in your possession or under your control that bears the SERVPRO[®] mark or any other name that constitutes a colorable imitation or simulation of the SERVPRO[®] mark.

We request written assurance by **March 24, 2020** that you will comply with the foregoing requests. If this matter is to be resolved amicably, we must have your timely compliance. Failure to comply with the terms of this letter may force Servpro to take any action it deems necessary to enforce its rights, including legal action.

This letter does not purport to be a complete statement of the facts or law, is without prejudice to Servpro and SIP's equitable rights, and shall not be deemed to be a waiver, relinquishment, or election of any claims or defenses that Servpro and SIP may have against any party with respect to the foregoing. Servpro and SIP expressly reserve all rights and remedies under all applicable federal and state laws.

Please sign below and send this letter back to me confirming that your marketing practices going forward will not violate Servpro Industries, LLC's rights.

Sincerely,
SERVPRO INDUSTRIES, LLC



Andrew Zombek
Assistant General Counsel

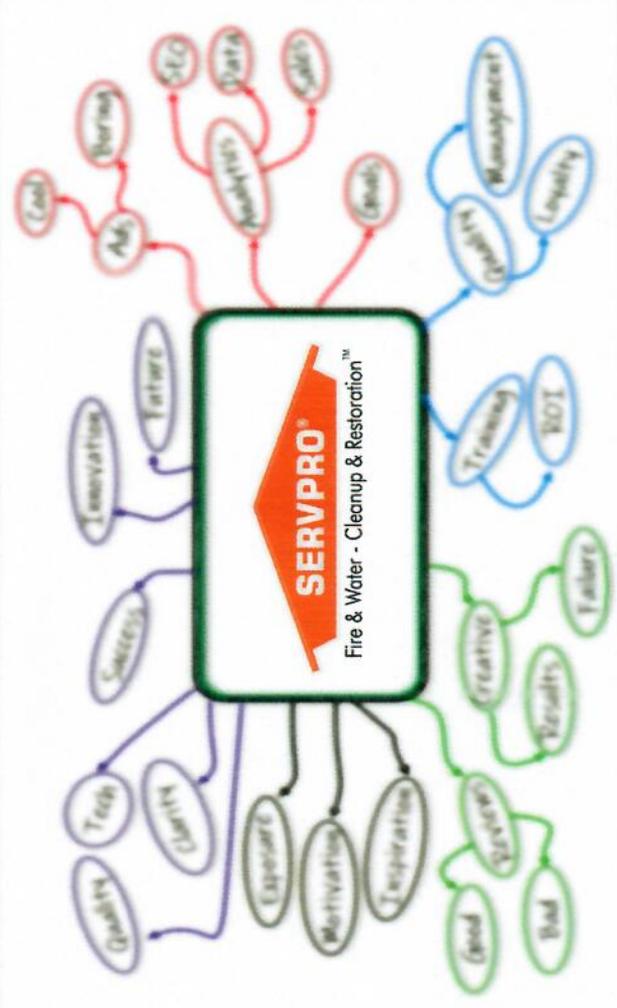
AZ/kas

Enclosure

Acknowledged and Agreed:

Printed Name: _____

Signature: _____ Date: _____



Peek Inside SERVPRO's
"Multi-Million Dollar" SEO Strategy
 See Why it's Both a FAILURE and a HUGE
 Opportunity for Franchisees & Independents

Summary added 2/15/2020



Full Disclosure - I was at a Google event and learned of their initiative to put their massive attention and focus on growing their GMB division.

That means Google is giving more focus and attention to local.

Remember, you're playing in Google's sandbox and in order to succeed (independent or franchisee) you need to pay attention.

Franchisees... you need to change with the times and learn how to really help your franchisees.

(Trying to hold on to them "tightly" just might have the opposite effect.)

If you're a **franchisee** you can no longer suckle on the franchisee's teat and think you're destined to win.

Franchise, franchisee or independent, you need to take responsibility and take advantage of the disruption and everything that comes with it and grow your business.

Work smarter, not harder and seize the day.

PS, I'll be reporting on more "interesting and engaging" topics, so sign up for the bonus and I'll make sure to keep you posted.

SERVPRO is a registered trademark of SERVPRO Industries

[Back to very top of the page](#)

ABOUT THE AUTHOR



John Bogdanski
Marketing guy that loves the process

Profile header for John Bogdanski, including profile picture, name, and navigation links like Home, Posts, and Reviews.

Post content featuring a mind map diagram with 'SERVPRO' at the center and various related terms like 'Fire & Water', 'Disaster & Mitigation', and 'Business'.

Post interaction area showing 'Like' and 'Comment' buttons, and a list of visitors who viewed the post.

Group membership list for 'SERVPRO of Jefferson' with names and status indicators.

Post content featuring a screenshot of a presentation slide titled 'Mold and Mildew' with a logo for 'ENVIRONMENTAL AGENCY'.

Post interaction area for the 'Mold and Mildew' post, including engagement metrics and a list of visitors.

Group membership list for 'SERVPRO of Jefferson' (repeated).


John Bogdanski
 Marketing Strategy | Marketing Director | Marketing & Execution Leader | CMO | Branding & Messaging
[View public profile](#)
[+ Follow](#)
 1,967 Followers
 1243 Posts
 31 Articles

John Bogdanski
 Marketing Strategy | Marketing Director | Marketing & Execution Leader | CMO | Branding & Messaging
 2mo · Edited
 Building a STRONG local brand using social can be hard (BUT NOT ANYMORE)
<https://prepxposure.com/#localmarketing#socialmedia> #smallbusiness #marketing #localsearch #branding #local

SERVPRO West Chester
 @SERVPROWestChester
 Home Services Reviews Stop Offers Photos Videos
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1
 Is it just a cold, could it be the flu? Or maybe there's mold in your home and you're suffering from mold exposure? Get the details here
<https://servpro-westchesterpa.go.prepxposure.com/mold-symptoms>



How to Build a Strong Local Brand using Social
<https://prepxposure.com>

5 [Like](#) [Comment](#) [Share](#)

John Bogdanski We are offering the tool (www.prepxposure.com) as a SaaS product that anyone can use to leverage their business. Want access to the launch? (special offers will be made) PM me and I'll make sure you are on the 1st to know list :-)
[Like](#) [Reply](#)

[Sign in to leave your comment](#)

2 Comments

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