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**SCOTT FRAZIER**  
Chapman Ranch

May 17, 2018

Domain Owner/Administrator  
Defendtx.org

Via email ([info@defendtx.org](mailto:info@defendtx.org))

RE: Unauthorized use of Texas Farm Bureau name/likeness/sponsorship on defendtx.org

Dear Domain Owner/Administrator,

I represent Texas Farm Bureau in the above-referenced matter. We recently discovered that your website, defendtx.org, currently displays a photograph of ex-Texas Farm Bureau President Kenneth Dierschke, along with a quote stating "[i]t was inconceivable to us that the Governor that has stood in front of Farm Bureau members at dozens of meetings, who was professing his support for property rights, turned his back on farmers and ranchers and property owners." We have attached a snip of this use for your information. Presumably, this use was meant as a public display of support and/or sponsorship for the content contained on your website, including but not limited to, your opposition to President Trump's border wall.

As you are undoubtedly aware, Mr. Dierschke's term as President of Texas Farm Bureau ended in August of 2014. At that time and during most of Mr. Dierschke's tenure, Rick Perry was Governor of Texas. As I'm sure you are aware, Governor Perry's term ended in 2015. Quite clearly, any quote made by Mr. Dierschke in his capacity as Texas Farm Bureau President about property rights and/or the Texas Governor was made in a wholly different context than is portrayed on your website.

As an initial matter, your use of Mr. Dierschke's name and likeness on your website was and continues to be unauthorized. Further, your use of Mr. Dierschke's name and likeness in combination with a quote taken out-of-context from several years ago and purporting to apply Texas Farm Bureau's position on a current issue, where the current Texas Farm Bureau President and Texas Governor are entirely different people, constitutes a misleading, inaccurate, and material misrepresentation. Additionally, your use of the "Texas Farm Bureau" name in this context is likely to confuse consumers and constitutes an unauthorized and infringing violation of federal trademark laws. Our federally registered marks serve as important and distinctive representations of our products and services as well as the goodwill of our Companies. We must protect against the unauthorized and infringing uses of our federally registered marks to maintain the integrity of our Companies.

Your continued knowing and unauthorized use of our federally registered mark amounts to a willful infringement of our trademark rights, so it is imperative that you immediately cease and desist all uses of our mark. This includes removing any uses of our mark from your website.

For the reasons set forth herein, you must immediately cease and desist your use of Mr. Dierschke's name and likeness, your use of materials and information relating to Texas Farm Bureau and/or Mr. Dierschke's sponsorship of your website content, and your use of the "Texas Farm Bureau" name on your website.

We demand that you respond by letter within ten (10) days of your receipt of this letter, assuring us of your immediate actions taken to cease and desist use of Mr. Dierschke's name and likeness, the quote cited above, and the "Texas Farm Bureau" name on your website, as well as on any other materials or in any other media in which they've been similarly used. We will pursue any available legal remedies in the event you fail to fully and adequately respond to this letter.

Thank you in advance for your cooperation. I can be contacted by email at [awilkerson@txfb-ins.com](mailto:awilkerson@txfb-ins.com) or phone at (254) 741-4701.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Wilkerson", written in a cursive style.

Aaron M. Wilkerson  
Registered Patent Attorney

Attachment



*"It was inconceivable to us that the Governor that has stood in front of Farm Bureau members at dozens of meetings, who was professing his support for property rights, turned his back on farmers and ranchers and property owners."*

-Kenneth Dierschke  
president of the Texas Farm Bureau