



5 June 2013

VIA REGISTERED MAIL

Mr. Ken Lauzon trading as Lauzon Stoneworks
283 Hawn Dr.
New Liskeard, ON P0J 1P0

Dear Mr. Lauzon:

**Re: Maple Terrazzo Marble & Tile Inc.
STONEWORX trademark
Our File No.: 090215-0042**

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We act as legal counsel to Maple Terrazzo Marble & Tile Inc. ("Maple").

Maple is the owner of the trademark STONEWORX in association with countertops and vanities and installation services relating to the foregoing, including, without limitation, Trademark Registration No. TMA529516, which extends to countertops and vanities. A printout of the registration particulars is attached.

Maple's STONEWORX trademark was registered on 19 June 2000 but has been extensively used and promoted since 17 December 1993. The STONEWORX trademark registration grants to Maple the exclusive statutory right to the use, throughout Canada, of such trademark in respect of the goods described in the registration. Furthermore, Maple's registered trademark rights shall be deemed to be infringed by a person who sells, distributes or advertises wares or services in association with a confusing trademark or trade name.

Additionally, Maple has used its STONEWORX trademark in association with installation services relating to countertops and vanities, including in association with marble, granite, engineered quartz, and other stone surfacing products.

Maple is also the owner of the STONEWORX & design trademark:



Maple is the owner of the trade name STONEWORX, which Maple has used in association with a business engaged in designing, manufacturing, finishing, and installing countertops and vanities, including marble, granite, engineered quartz, and other stone surfacing products.

The STONEWORX trademarks and trade name referenced above are collectively called the "STONEWORX Marks". The STONEWORX Marks are valued assets, which Maple will protect to the full extent provided by law.

It has come to the attention of Maple that you are using the business or trade name LAUZON STONEWORKS in association with the operation of a business specializing in countertop fabrication and installation. You are also using the logo or design trademark depicted below:



The confusing nature of your company's business name LAUZON STONEWORKS and the design trademark depicted above in association with the same business and goods as those of Maple will inevitably mislead people into wrongly concluding that there is a connection between your business, services and goods and those of Maple, or, that Maple has condoned or authorized the use of its STONEWORX Marks.

Such confusion among existing and prospective customers causes harm to Maple's valuable goodwill and the reputation it enjoys in its STONEWORX Marks.

It is important that Maple exercises its right to protect its STONEWORX Marks. They serve as important and distinctive representations of the origin of Maple's goods, services and business as well as the goodwill of Maple. The unrestricted use of confusingly similar trade names and trademarks will cause confusion among customers and prospective customers. Such confusion will cause substantial harm to Maple's trademarks by facilitating the loss of their effectiveness in establishing a distinct association between the STONEWORX Marks and Maple's business, services, goods, and Maple's goodwill.

It is possible that you were unaware of this conflict, so we believe that it is in your and Maple's mutual interest to bring this matter to your attention. While you may have adopted and used the confusing name and trademark while innocent of Maple's rights, Maple has to be diligent in protecting its valuable intellectual property from encroached by others. As a business you can certainly understand Maple's position and the need to contact you. You may even have had to deal with similar problems with your own intellectual property.

Although your company's actions in operating a business, selling goods, and performing services in association with the above confusing business name and trademark constitute trademark infringement, contravention of Sections 7(b) & (c) of the *Trade-marks Act*, passing-off, and unfair competition, our client, on a without prejudice basis, is not adverse

to discussing an amicable resolution whereby you transition to another business name and trademark over a reasonable period of time.

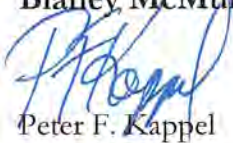
This letter does not constitute a complete statement of our client's claims, rights or remedies with respect to this matter, all of which are expressly reserved.

If you or your lawyer does not contact us within 14 days of this letter, we will conclude that you are not interesting in discussing an amicable resolution. Our client will then be obliged, as counsel may advise, to avail itself of all legal remedies, such as legal action for injunctive relief, past damages or an accounting of your business' profits, and recovery of legal costs.

If you have any questions, kindly contact me without delay.

Yours very truly,

Blaney McMurtry LLP



Peter F. Kappel

PFK/pfk

Attach. Trademark Registration No. TMA529516