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**WITHOUT PREJUDICE**

**TRADEMARK GROUP**  
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Our Ref:

23546 (G-1)

16<sup>th</sup> December, 2015

Krishnamurthy & Co.  
4th Floor, Prestige Takt No. 23,  
Kasturba Road Cross,  
Bangalore - 560 001

Re: **Mis-use of the trademark HOUZZ**

Dear Sirs,

We act for Houzz, Inc., a Delaware Corporation, 444, Ramona Street, 2nd Floor, Palo Alto CA 94301 (herein after referenced to as "our client"/ "Houzz"). Our client has instructed us to address this letter to you under the facts and circumstance detailed below. We reserve the right to elaborate on any of the facts and circumstances and to adduce evidence if required.

Our client is the proprietor of the trademark HOUZZ which is used worldwide by the them as a trademark as well as their trading style. Under the trademark HOUZZ, our client provides a platform for home remodeling and design, bringing homeowners and home professionals together in a uniquely visual community. Our client provides a platform where consumers can browse and save beautiful home photos. They can find the right design and construction professionals, connect with others who have been there too. Houzz was initially started as a side project but has become a community of more than 35 million homeowners, home design enthusiasts and home improvement professionals around the world.

Ever since its adoption in the year 2008, our client has extensively and continuously used the trademark/trading style HOUZZ internationally as well as in India in connection with home remodeling and designing services. More information about our client, their business and extent of use of the trademark HOUZZ can be located on their website, [www.houzz.com](http://www.houzz.com).

As a result of extensive use of the trademark HOUZZ, our client has established an impeccable reputation and goodwill amongst consuming public and in the trading channels. Our client on account of its outstanding popularity and success, has also received widespread international press coverage.

In addition to the common law rights that vest in the trademark HOUZZ of our client, the trademark HOUZZ is registered/pending registration in several jurisdictions around the world, including United States of America, Norway, Iceland, Hong Kong, OHIM, Canada, European Community as well as Madrid Protocol. The said registrations and applications support the proprietary rights of our client in the trademark HOUZZ.

Our client has recently come across your client's website located at <http://www.houzify.com/> as well as the following trademark applications filed by you on behalf of your client, Metamarket Ventures Private Limited (hereinafter referred to as the "impugned marks"):

- (i) Trademark application no. 2989584 for the mark HOUSIFY in class 42 dated 17th June, 2015 for "Design of Interior Decor";
- (ii) Trademark application no. 2989586 for the mark HOUZIFY in class 41 dated 17th June, 2015 for "Design of Interior Decor"; and
- (iii) Trademark application no. 2989585 for the mark HOUZIFY in class 9 dated 17th June, 2015 for "Computer software".

A review of your client's website as well as the impugned marks clearly establish a deceptive similarity between the trademark HOUZZ of our client and the impugned marks HOUZIFY/ HOUSIFY. Additionally, the services provided by your client under the impugned marks also directly conflict with the services our client has been providing, in priority, under their trademark and trading style HOUZZ.

Our client does not wish to disrupt your client's business, and appreciates that your client may not have intended to infringe its rights. Our client considers its trademark and trading style HOUZZ to be among its most valuable intellectual-property assets.

Therefore, in order to reach an amicable settlement, we call upon your client to immediately:

- (i) cease all your use of impugned mark HOUZIFY in any medium whatsoever;
- (ii) cancel the domain <http://www.houzify.com/> or transfer the same to our client;
- (iii) re-brand to a name and website that is not confusingly similar to the famous HOUZZ mark of our client; and
- (iv) withdraw the impugned marks and provide us with copies of the withdrawal letters as filed before the trademarks office along with the corresponding non-fee receipts.

We look forward to receiving your favorable response within 15 days of receipt of this notice.

Yours sincerely,



Anand And Anand

CC: Metamarket Ventures Private Limited  
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