

# STARK & STARK

A PROFESSIONAL CORPORATION

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July 21, 2010

*via electronic & overnight mail*

Steven Forde ([info@gohero.com](mailto:info@gohero.com))  
Go Hero LLC  
331 Leconey Avenue  
Palmyra, NJ 08065

**Re: Zolotronics LLC and Day2Day Trading Asia v. Go Hero LLC**

Dear Mr. Forde:

This Firm represents Zolotronics LLC (“ZoloWorld”) and Day2Day Trading Asia (“Day2Day”). As you know, Day2Day has been manufacturing and exporting for sale certain action figures, guns and toys incorporating images of “Buck Rogers”, “Flash Gordon”, “Ming The Merciless”, “Perseus”, “Sinbad” and other mythical figures (the “Products”). Day2Day has done so based on your express representations, written and unwritten, that you held all necessary license rights for Day2Day to manufacture and export the Products, either directly or as a sub-licensee through companies such as Bluewater Productions, The Hearst Organization (King Features Syndicate), and the Ray & Diana Harryhausen Foundation.

As you also know, in reliance on your express representations about the license rights you claim to hold, Day2Day has invested substantial monies in the development of this business, including tooling and other manufacturing costs. Indeed, you never produced an action figure until Day2Day agreed to do so for you under your claimed rights as a licensee. In connection with that agreement, Day2Day has contributed to the venture not only *all* of the necessary tooling and manufacturing expenses, but also important intellectual property rights. Day2Day and one of its principals, Anthony Jeff, own worldwide patent rights in an integrated audio device for action figures (the “Patent”), which has been incorporated into many of the action figures made under your claimed license rights. A summary of the Patent is enclosed. Day2Day is also the exclusive designer of the atom body features of all of the action figures. You have derived significant revenues from the sale of the Products and from the exploitation of Day2Day’s patent and other property rights. To be sure, other than your claimed license rights, you have not contributed anything of significant value to the business. Day2Day, in reality, has financed your entire business in the manufacture and export of the Products.

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You owe Day2Day at least \$675,000 in connection with the manufacture and sale of the Products. Despite specifically authorizing Day2Day to go forward with the business, my clients were shocked to learn that in an effort to avoid paying your debts, you have been informing licensors and consumers (as well as third parties such as eBay.com) that Day2Day is not authorized to make and sell the Products, but instead is engaged in the illegal sale of “bootleg” products. We were equally shocked to learn that your representations about the status of your licensed rights are false. We understand that neither you nor Bluewater Productions hold valid, existing rights to make and sell products incorporating images owned by Ray Harryhausen and the Ray & Diana Harryhausen Foundation, despite express statements made to this day on your website that you are indeed a licensee.

Your actions are a breach of your agreement with Day2Day, and you have also defamed and disparaged Day2Day and Mr. Jeff, causing significant damage to their reputation in the market. You owe Day2Day in excess of \$675,000, as well as damages for the harm caused to their reputation. Moreover, your conduct has placed Day2Day and its customers such as ZoloWorld under such uncertainty concerning their rights to sell the Products, that further damage to their businesses is all but inevitable.

It is, in a word, reprehensible that you would seek to divert attention away from your own inability to pay your debts by slandering the good name of a legitimate business. My clients intend to seek all recourse available against Go Hero LLC and you personally for the damage you have caused. In the interim, however, we demand that you immediately cease and desist from selling, or offering for sale, any products manufactured by Day2Day, including all products incorporating the Patent, the atom body and Day2Day’s other property rights. Your continued sale of any such Products is patent infringement, and my client intends to vigorously pursue enforcement of its patent rights, which will include a request that an appropriate court enjoin all continued sales. In that connection, we also demand that you not display, market or offer for sale any of the Products at the Comic-Con Convention commencing tomorrow in San Diego. We understand that you will be appearing at the Convention, and we caution you that your display of any of the Products would be a wilful infringement and violation of Day2Day’s rights.

We further demand that you immediately advise us in writing that you will comply with these demands, and that you provide us with copies of any and all license agreements or other rights agreements under which you claim to have been operating. Finally, we demand that you immediately advise, in writing, all those to whom you disseminated false information about Day2Day and Mr. Jeff – including all licensors, customers and third

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parties such as eBay.com – that your statements concerning Day2Day and Mr. Jeff were false, and that you apologize for the error in disseminating that false information.

We demand that you provide us with your response no later than this Friday, July 23, 2010. Failing a response, we will move forward with appropriate action in an appropriate court.

Very truly yours,

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By: \_\_\_\_\_  
CRAIG S. HILLIARD

CSH/emp  
Enclosures

cc: Darren G. Davis, President

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# (WO/2010/021592) INTEGRATED AUDIO DEVICE FOR ACTION FIGURES AND METHOD OF MANUFACTURE THEREOF

Biblio. Data : Description Claims National Phase Notices Documents

Latest bibliographic data on file with the International Bureau

Pub. No.: WO/2010/021592 International Application No.: PCT/SG2008/000307  
Publication Date: 25.02.2010 International Filing Date: 22.08.2008

IPC: A63H 5/00 (2006.01), A63H 3/28 (2006.01), A63H 9/00 (2006.01)

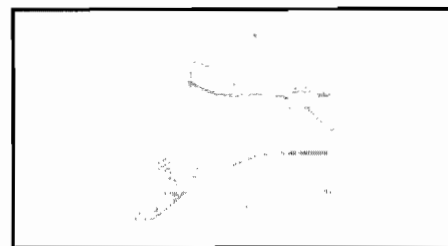
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JEFF, Anthony Michael [GB/SG]; (SG) (US Only).

Inventor: JEFF, Anthony Michael; (SG).

Agent: CHONG, Y, F.; PSA Building P.O. Box 0399 Singapore 911144 (SG) .

Title: INTEGRATED AUDIO DEVICE FOR ACTION FIGURES AND METHOD OF MANUFACTURE THEREOF

**Abstract:** An integrated audio device cum component (1) for an action figure, in which the integrated audio device (10) records, stores and plays songs and speeches in the form of audio files through one or more speakers (30) built into a component of an action figure. There are play /function keys (20) for operation of the device so that when the songs and speeches seem to come from the action figure. The device has the capability to record audio files from a built in microphone (28) or download audio files from a computer (32) or even a FM radio (36). A wireless remote control (24) enables hands free operation of the various functions of the integrated audio device (10) in the action figure, providing enjoyment of the action figure and reducing handling of the action figure to a minimum. The audio components of the action figure are contained in an abdomen shell which is comprised of a front and back portion shaped to receive the integrated audio device, the speakers and the microphone.



**Designated States:** AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.  
African Regional Intellectual Property Org. (ARIPO) (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW)  
Eurasian Patent Organization (EAPO) (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM)  
European Patent Office (EPO) (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MT, NL, NO, PL, PT, RO, SE, SI, SK, TR)  
African Intellectual Property Organization (OAPI) (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Publication Language: English (EN)

Filing Language: English (EN)